

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

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In the Matter of: )	
CITY OF TWIN FALLS )	NPDES Appeal No. 09-12
NPDES Permit No. ID-002127-0 )	
_____ )	

**CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD**

I, Michael Lidgard, am the Manager of the National Pollutant Discharge Elimination System ("NPDES") Permits Unit, Office of Water and Watersheds, Region 10, U.S. Environmental Protection Agency ("EPA"). I hereby certify that to the best of my knowledge and belief, the materials identified in the attached Index to EPA Administrative Record constitute the complete EPA administrative record for purposes of judicial review of the NPDES permit issued by EPA on September 22, 2009 to the City of Twin Falls, NPDES Permit No. ID-002127-0.

DATED: September 7, 2010



Michael Lidgard, Manager  
NPDES Permits Unit  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, OWW-130  
Seattle, Washington 98101  
Tel: (206) 553-1755

## Index to the Administrative Record

### NPDES Permit Reissuance for City of Twin Falls (Idaho) Wastewater Treatment Plant #ID-002127-0

DOC. #	DATE	DOCUMENT
<b>I. Pre-Draft Permit Documents</b>		
1	12/29/04	<b>NPDES Permit Application</b>
2	4/11/05	Letter from Michael Lidgard (EPA) to Tom Courtney (Twin Falls) <b>finding the application &amp; supplementary information timely &amp; complete</b>
3	6/3-5/08	E-mail train between Sharon Wilson (EPA) and Rebekka Bicart (CH2MHill, Twin Falls) <b>about chlorination not being used at the treatment plant and providing effluent data for 2003--2008</b>
4	6/3/08	<b>Effluent data 5/1/03—5/31/08</b> ( <i>EPApplanteffluent data.xls</i> on CD)
5	11/25/08	E-mail from Balthasar Buhidar (IDEQ) to Sharon Wilson (EPA) <b>regarding no need for a temperature limit</b>
<b>I.A State pre-certification</b>		
6	12/5/08	Letter from Michael Lidgard (EPA) to Balthasar Buhidar (IDEQ) and David Anderson (IDEQ) <b>requesting pre-certification of pre-draft permit</b>
7	12/5/08	<b>Pre-draft permit</b>
8	12/1/08	<b>Draft fact sheet</b>
9	1/28/09	E-mail from Balthasar Buhidar (IDEQ) to Sharon Wilson (EPA) <b>regarding IDEQ meeting with the City about the TSS limit &amp; need for a compliance schedule</b>
10	2/17/09	Letter from Bill Allred (IDEQ) to Michael Lidgard (EPA) <b>conveying draft 401 certification</b>
11	3/5—3/6/09	E-mail train between Balthasar Buhidar (IDEQ) and Sharon Wilson (EPA) <b>regarding TSS limits, TSS compliance schedule, TSS limit calculations, and low flow assumptions.</b>
12	3/11/09	E-mail train between Balthasar Buhidar (IDEQ) and Sharon Wilson (EPA) <b>regarding low flow assumptions</b>
13	4/29/09	E-mail train between Balthasar Buhidar (IDEQ) and Sharon Wilson (EPA) <b>regarding public notice of the State's intent to certify the permit</b>
<b>I.B City communications</b>		
14	3/3/09	E-mail from William Leaf (CH2MHill) to Sharon Wilson (EPA) <b>about design flows and loadings for the treatment plant</b>

*NPDES Appeal No. 09-12*

*City of Twin Falls (Idaho) Wastewater Treatment Plant, Permit Renewal*

*Index to EPA Region 10 Administrative Record*

DOC. #	DATE	DOCUMENT
15	3/5/09	Letter from Mike Trabert (City of Twin Falls) to Michael Lidgard (EPA) <b>about low flow assumptions in the draft fact sheet</b>
16	3/25—3/26/09	E-mail train between Mike Trabert (City of Twin Falls) and Sharon Wilson (EPA) <b>regarding the low flow assumptions</b>
17	4/23/09	E-mail from Mike Trabert (City of Twin Falls) to Sharon Wilson (EPA) <b>about low flow assumptions and TSS limits</b>
18	4/29/09	E-mail from Sharon Wilson (EPA) to Mike Trabert (City of Twin Falls) <b>regarding the comments sent on 4/23/09</b>
<b>II. Draft Permit Documents</b>		
19	4/29—5/5/09	<b>Routing &amp; Concurrence sheet</b> for draft permit and public notice
20	5/12/09	Letter from Michael Lidgard (EPA) to Jackie Fields (City of Twin Falls) <b>transmitting the draft permit and fact sheet for the public comment period</b>
21	5/12/09	Letter from Michael Lidgard (EPA) to Balthasar Buhidar (IDEQ) <b>transmitting the draft permit and fact sheet for the public comment period</b>
22	5/12/09	<b>Draft Permit</b>
23	5/11/09	<b>Fact Sheet</b>
24		Excel spreadsheet <b>calculation of TSS limit</b> ( <i>EPAlanteffluent data TSS 03-08.xls</i> on CD with #4)
25	5/15/09	<b>Public notice</b> of Proposed Reissuance of the NPDES permit #ID0021270 for the City of Twin Falls, Idaho, and public comment period: May 15—June 15, 2009
26	5/15/09	<b>Affidavit of publication of the public notice</b> on 5/15/09 from the Times-News, published daily in Twin Falls, Idaho
27	5/15/09	<b>Mailing list</b> for public notice
28	5/27/09	Letter from Mike Trabert (City of Twin Falls) to Michael Lidgard (EPA) <b>requesting a 60 day extension to the public comment period</b>
29	6/2/09	Letter from Mike Lidgard (EPA) to Mike Trabert (City of Twin Falls) <b>granting a 30 day extension of the public comment period</b>
30	6/5/09	<b>Public notice of extension of public comment period</b> to July 15, 2009
31	6/5/09	<b>Affidavit of publication of the public notice</b> on 6/5/09 from the Times-News, published daily in Twin Falls, Idaho
<b>III. ESA Consultation</b>		
32	9/19/08	<b>Listed species for Twin Falls County, Idaho</b> (Webpage printed from <a href="http://www.fws.gov/idaho/agencies/COlists/Twin%Falls.pdf">http://www.fws.gov/idaho/agencies/COlists/Twin%Falls.pdf</a> )

DOC. #	DATE	DOCUMENT
33	5/14/09	Letter from Michael Lidgard (EPA) to Jeff Foss (USFWS) <b>transmitting the Biological Evaluation and requesting concurrence with “not likely to adversely affect” determination</b>
34	5/14/09	<b>Biological Evaluation</b> of the Reissuance of a National Pollutant Discharge Elimination System Permit for the Twin Falls, Idaho Wastewater Treatment Plant (NPDES Permit No. ID0021270)
35	8/7/09	Telephone memo to the file from Sharon Wilson (EPA) regarding a 8/7/09 telephone conversation with Mark Robertson (USFWS) in which he indicated that <b>FWS would not respond with concurrence or nonconcurrence with our determination. He advised proceeding with permit issuance.</b>
<b>IV. Comments on Draft Permit</b>		
36	6/16/09	Letter from Justin Hayes (Idaho Conservation League) to Sharon Wilson (EPA) <b>conveying comments on trading provisions in the draft permit</b>
37	6/18/09	E-mail from Claire Schary (EPA) to Jim Wertz (EPA) regarding <b>trading issues in Idaho relevant to the Twin Falls permit</b>
38	7/1/09	Letter from Marti Bridges (IDEQ) to Sharon Wilson (EPA) <b>conveying comments on trading provisions in the draft permit</b>
39	7/14/09	Letter from Travis Rothweiler (City of Twin Falls) to Sharon Wilson (EPA) <b>transmitting comments on the draft permit</b>
40	7/15/09	E-mail exchange between Tom DuPuis (CH2MHill) and Sharon Wilson (EPA) transmitting electronically the <b>7/14/09 letter from the Travis Rothweiler</b>
41	7/15/09	E-mail from Mike Trabert (City of Twin Falls) to Sharon Wilson (EPA) transmitting an unsigned letter dated 7/10/09 from Brian Olmstead (Twin Falls Canal Company) to Mike Trabert (City of Twin Falls) <b>regarding potential trading of TSS credits</b>
42	7/17/09	E-mail from Mike Trabert (City of Twin Falls) to Sharon Wilson (EPA) <b>transmitting the signed 7/10/09 letter from Brian Olmstead</b>
43	7/10/09	Letter from Brian Olmstead (Twin Falls Canal Company) to Mike Trabert (City of Twin Falls) <b>regarding potential trading of TSS credits</b>
44	7/20/09	E-mail from Mike Trabert (City of Twin Falls) to Sharon Wilson (EPA) to Audrey Washington (EPA) <b>requesting copies of comments on the draft permit</b>
<b>V. State Certification of the Proposed Final Permit</b>		
45	7/24/09	E-mail from Balthasar Buhidar (IDEQ) regarding <b>chlorine limits in the permit.</b>

DOC. #	DATE	DOCUMENT
46	8/18/09	Letter from Michael Lidgard (EPA) to Balthasar Buhidar (IDEQ) & Dave Anderson (IDEQ) <b>requesting final 401 certification of the proposal final permit</b>
47	8/18/09	<b>Proposed final permit</b>
48	8/28/09	Letter from Bill Allred (IDEQ) to Michael Lidgard (EPA) <b>transmitting the final 401 certification for the permit</b>
49	9/11/09	Revised letter from Bill Allred (IDEQ) to Michael Lidgard (EPA) <b>transmitting the final 401 certification for the permit</b>
<b>VI. Issuance of the Final Permit</b>		
50	9/22/09	Letter from Mike Bussell (EPA) to Jackie Fields (City of Twin Falls) <b>transmitting the final permit and response to comments.</b>
51	9/22/09	Letter from Mike Bussell (EPA) to Bill Allred (IDEQ) <b>transmitting the final permit and response to comments</b>
52	9/22/09	<b>Final permit</b>
53	9/22/09	<b>Response to comments</b>
54	9/22/09	Final permit <b>sign-off sheet</b>
55	9/22/09	<b>Mailing list</b> for final permit
<b>VII. References</b>		
56	2006	<b>Idaho Water Quality Standards, Idaho Admin. Code r. 58.01.02</b> , pp. 1, 21-22, 118-119, 134-143, 148-152, 161-162
57	12/20/99	<b>The Upper Snake Rock Watershed Management Plan.</b> Cover page & pp. 101, 204-205
58	7/6/00	<b>TMDL Executive Summary: Upper Snake/Rock Subbasin TMDL</b> , pp. A-1, A-12, A-36
59	7/31/00	Letter from David Mabe (IDEQ) to Randall Smith (EPA) <b>requesting approval of the Executive Summary of the Upper Snake Rock Watershed Management Plan/TMDL</b>
60	8/25/00	Letter from Randall Smith (EPA) to David Mabe (IDEQ) <b>approving the Upper Snake Rock TMDL</b>
61	7/22/05	<b>The Upper Snake Rock TMDL Modification</b> ; pp. 1, 34-35, 42-44
62	9/14/05	Letter from Michael Gearheard (EPA) to Toni Hardesty (IDEQ) <b>approving the Upper Snake Rock TMDL Modification</b>
63	4/19/96	EPA, Office of Water, Interim Guidance for <b>Performance-Based Reductions of NPDES Permit Monitoring Frequencies (EPA 833-B-96-001)</b>

DOC. #	DATE	DOCUMENT
64	7/2004	EPA, Office of Wastewater Management, <b>Local Limits Development Guidance</b> (EPA 833-R-094-002A), pp. 3-1 & 3-2.
65	11/2003	IDEQ Draft <b>Pollutant Trading Guidance</b>
66	3/28/00	NPDES <b>Permit for the City of Twin Falls</b> , effective 5/1/00-5/01/05
67	3/1991	EPA, Office of Water, <b>Technical Support Document for Water Quality-based Toxics Control</b> (EPA/505/2-90-001), chapters 3 & 5
68	1972	Committee on Water Quality Criteria, Environmental Studies Board, National Academy of Sciences – National Academy of Engineering, <b>Water Quality Criteria</b> 1972 (R373033). Cover page, pp.298-299, 314-315
69	1998	The <b>Middle Snake River Watershed Management Plan</b> ; Phase 1 TMDL—Total Phosphorus, pp. 1, 70
<b>VIII. Other Documents</b>		
70	2002	IDEQ, Development of <b>Equivalency Ratios for the Upper Snake Rock TMDL for Pollution Trading</b> in Segments 1, 2, and 3 of the Middle Snake River. Draft.
71	5/22/09	IDEQ, <b>Working Principles and Policies for the 2008 Integrated (303[d]/305[b]) Report</b> . Cover page & pp. 1, 99, & 102 of Section 4a—EPA Approved TMDLs
72	1/13/03	EPA, Office of Water, <b>Final Water Quality Trading Policy</b>
73	7/2007	EPA, Office of Wastewater Management, Water Permits Division, <b>Water Quality Trading Toolkit for Permit Writers</b> (EPA 833-R-07-004)

## **ACRONYMS**

CH2MHill: CH2M Hill

EPA: U.S. Environmental Protection Agency

IDEQ: Idaho Department of Environmental Quality

NPDES: National Pollutant Discharge Elimination System

TMDL: Total Maximum Daily Load

TSS: Total Suspended Solids

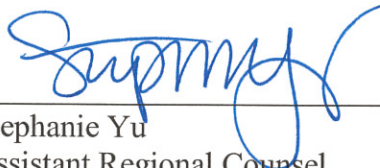
USFWS: U.S. Fish & Wildlife Service

**CERTIFICATE OF SERVICE**

I certify that the foregoing Certified Index to the Administrative Record in the matter City of Twin Falls Wastewater Treatment Plant, NPDES Appeal No. 09-12 has been electronically filed with the Environmental Appeals Board and was served by U.S. First Class Mail this day upon the following:

Fritz Wonderlich  
Wonderlich & Wakefield  
Attorney at Law  
P.O. Box 1812  
Twin Falls, Idaho 83303-1812  
Fax: (888) 789-0935  
Phone: (208) 352-0811

Dated: September 7, 2010

  
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Stephanie Yu  
Assistant Regional Counsel  
U.S. EPA, Region 10