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Attorneys for Star Sewer and Water District

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ENVIRONMENTAL APPEALS BOARD**

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|                                 |   |                                      |
|---------------------------------|---|--------------------------------------|
| In The Matter of:               | ) | Appeal No. NPDES 15-07               |
|                                 | ) |                                      |
| Star Sewer and Water District – | ) | <b>OBJECTION TO EPA’S MOTION FOR</b> |
| Wastewater Treatment Plant      | ) | <b>EXTENSION OF TIME TO FILE</b>     |
|                                 | ) | <b>RESPONSE BRIEF</b>                |
| NPDES Permit No. ID0023591      | ) |                                      |

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Star Sewer and Water District (“Star”) respectfully objects to EPA Region 10’s (“the Region”) Second Motion for Extension. This matter involves a dispute between the state of Idaho and the Region over the proper interpretation of Idaho law. The Region chose to ignore Idaho’s interpretation of Idaho law and the Region’s own prior interpretation of Idaho law in setting new stringent permit limits in Star’s NPDES Permit. The final limits in Star’s Permit will require Star to install costly pollution control equipment that must be borne by its ratepayers. The dispute between the Region and the state of Idaho has been ongoing for a number of years. Star, a small sewer district serving a small municipality, was required to hire private counsel to timely file a Petition before the Environmental Appeals Board to resolve the dispute.

The Region has had ample time to prepare a Response Brief to articulate the agency’s position. A second extension is not warranted. It should not be Star’s burden to demonstrate “hardship” as suggested in the Region’s Motion. Star is entitled to a timely resolution of this

matter and the Region should be required to comply with the deadlines specified in the EPA Rules.

DATED this \_\_\_ day of June 2015.

Respectfully submitted,

STOEL RIVES LLP

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Kevin J. Beaton

Attorneys for Star Sewer and Water District

**CERTIFICATE OF SERVICE**

I certify that the foregoing OBJECTION TO EPA'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF was sent to the following persons, in the manner specified, on the date below:

By electronic filing to:

U.S. Environmental Protection Agency  
Clerk of the Environmental Appeals Board  
1341 G. Street NW, Suite 600  
Washington, DC 20005

By electronic and regular mail:

Courtney Weber  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Ave, Suite 900, ORC-113  
Seattle, WA 98101

and

Douglas M. Conde  
Deputy Attorney General  
Department of Environmental Quality  
1401 N. Hilton, 2nd Floor  
Boise, ID 83706

DATED this \_\_\_\_ day of June 2015

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Kevin J. Beaton  
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