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

In the Matter of:

CITY OF TWIN FALLS

NPDES Appeal No. 10-08

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 June 24, 2010 NPDES permit modification of NPDES Permit No. ID-002127-0 issued by EPA to the City of Twin Falls.

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 Modification City of Twin Falls (Idaho) Wastewater Treatment Plant #ID-002127-0

| DOC. # | DATE | DOCUMENT |
|-----------------------------------|-------------|---|
| 101 | 6/24/10 | Final permit modification, effective 9/01/10 |
| 102 | 6/24/10 | Response to Comments to draft NPDES permit modification |
| 103 | 6/25/10 | Cover letter transmitting final permit modification to Jackie Fields, Fritz Wonderlich, Justin Hayes and Bill Allred |
| 104 | 6/15/10 | Memorandum from Ben Cope (EPA) to John Drabek (EPA) Re: Trading Issues in the Snake River |
| 105 | 5/21/10 | Letter from Michael A. Bussell (EPA) to Fritz Wonderlich (Twin Falls City Attorney) re: Request for Hearing on the Draft Modification of the Twin Falls NPDES Permit No. ID- 002127-0 |
| 106 | 4/29/10 | Letter from Justin Hayes (Idaho Conservation League) to John Drabek (EPA) conveying comments on trading provisions in the draft permit modification |
| 107 | 4/27/10 | Letter from Fritz Wonderlich (Twin Falls City Attorney) to Director, Office of Water and Watersheds (EPA) conveying comments and requesting hearing on trading provisions in the draft permit modification |
| 108 | 3/29/10 | Draft permit modification |
| 109 | 3/29/10 | Fact Sheet for draft modification of City of Twin Falls permit |
| 110 | 3/29/10 | Public Notice for draft permit modification |
| 111 | 3/11/10 | E-mail from Christine Psyk (EPA) to Barry Burnell (IDEQ) re: Mid-Snake TMDL water quality trading issue |
| 112 | 3/2/10 | Letter from Michael A. Bussell (EPA) to Jackie Fields (City of Twin Falls) Notification of Withdrawal of Permit Conditions related to trading |
| 113 | 2/4—2/10/10 | E-mail train between Balthasar Buhidar (IDEQ) and John Drabek (EPA) regarding diversions in the Middle Snake River and attenuation |
| 114 (identical to A.R. #52) | 9/22/09 | City of Twin Falls NPDES Permit, effective 11/1/09 |
| 115 (identical to A.R. #61) | 7/22/05 | The Upper Snake Rock TMDL Modification |
| 116 (identical to A.R. #65) | 11/2003 | IDEQ draft Pollutant Trading Guidance |
| 117 | 10/17/02 | Upper Snake Rock Subbasin – Middle Snake River Pollutant Trading Ratios (IDEQ) |

| DOC. # | DATE | DOCUMENT |
|-----------------------------------|------------|--|
| 118 (identical to A.R. #70) | 6/10/02 | IDEQ, Development of Equivalency Ratios for the Upper Snake Rock TMDL for Pollution Trading in Segments 1, 2, and 3 of the Middle Snake River, draft |
| 119 (identical to A.R. #57) | 12/20/1999 | The Upper Snake Rock Watershed Management Plan (or Upper Snake/Rock Creek Watershed Management Plan) |

ACRONYMS

EPA: U.S. Environmental Protection Agency IDEQ: Idaho Department of Environmental Quality NPDES: National Pollutant Discharge Elimination System TMDL: Total Maximum Daily Load

A.R. cross references are to documents listed in the Index to the Administrative Record for NPDES Permit Reissuance for City of Twin Falls (Idaho) Wastewater Treatment Plant, Permit # ID-002127-0

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. 10-08 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

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