

**MHA NATION CLEAN FUELS REFINERY
NPDES PERMIT NO. ND-0030988
NPDES APPEAL NOS. 11-02, 11-03 and 11-04
ADMINISTRATIVE RECORD**

NPDES PERMITTING

DOCUMENT NO.	DATE	DESCRIPTION	ORIGINATOR	ADDRESSEE/CCs
EPA MHA-01 EPA MHA-085	08/04/11	Certification Statement Issued Pursuant to the Clean Water Act Section 401(a)(1) for National Pollution(NPDES) Discharge Elimination System Permit, No. ND-0030988 for MHA Nation Clean Fuels Refinery with attachment entitled Fact Sheet/Statement of Basis	Stephen S. Tuber, Assistant Regional Administrator Office of Partnership and Regulatory Assistance, U. S. EPA Region 8	Three Affiliated Tribes (Mandan, Hidatsa, and Arikara (MHA) Nations
EPA MHA-086 EPA MHA-0167A	02/06	Draft Authorization to Discharge Under the NPDES No. ND-0030988 for MHA Nation Clean Fuels Refinery with attachment entitled Fact Sheet/Statement of Basis	U. S. EPA Region 8	Three Affiliated Tribes (Mandan, Hidatsa, and Arikara (MHA) Nations
EPA MHA-0168 EPA MHA-0169	12/23/04	Affidavit of Publication in the New Town News for Public Notice of NPDES New Source Determination for the Proposed MHA Nation Clean Fuels Refinery Facility with the External Boundaries of the Ft. Berthold Indian Reservation near Makoti, ND	U. S. EPA Region 8	General Public
EPA MHA-0170 EPA MHA-0174	12/25/04	Affidavit of Publications in the Minot Daily News, Dickson Press & Advitizer for Public Notice of NPDES New Source Determination for the Proposed MHA Nation Clean Fuels Refinery Facility with the External Boundaries of the Ft. Berthold Indian Reservation near Makoti, ND	U. S. EPA Region 8	General Public
EPA MHA-0175 EPA MHA-0177	01/06/05	Affidavit of Publications in the Williston Herald and	U. S. EPA Region 8	General Public

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		Bismarck Tribune for Public Notice of NPDES New Source Determination for the Proposed MHA Nation Clean Fuels Refinery Facility with the External Boundaries of the Ft. Berthold Indian Reservation near Makoti, ND		
EPA MHA-0178 EPA MHA-0182	06/23/06	Proof of Publication of Department of Interior Bureau of Indian Affairs Public Notice of Draft NPDES Permit and Draft EIS for Mandan, Hidatsa and Arikara Nations Proposed Clean Fuels Refinery on Fort Berthold Indian Reservation in the Minot Daily News	Department of Interior Bureau of Indian Affairs and U. S. EPA Region 8	General Public
EPA MHA-0183 EPA MHA-0186	06/30/06	Proposed MHA Nation Clean Fuels Refinery Draft Environmental Impact Statement Draft NPDES Permit – Notice of Public Comment Period and Notice of Public Hearings	U. S. EPA Region 8 and U. S. Bureau of Indian Affairs, Department of Interior	General Public
EPA MHA-0187 EPA MHA-0261	11/09/04	Letter transmitting Clean Fuels Refinery NPDES Application	Jerry H. Koblitz, Principal, Greystone Environmental Consultants	Monica Morales, U. S EPA Region 8
EPA MHA-0262 EPA MHA-0575	12/96	U. S. EPA NPDES Permit Writers' Manual	U. S. EPA Office of Water	Public
EPA MHA-0576 EPA MHA-0613	Undated	Chapter 33-16-02.1 Standards of Quality for Waters of the State Effective June 1, 2001	U. S. EPA (?)	
EPA MHA-0614 EPA MHA-0617	05/10/05	NPDES Permit Rating Worksheet for MHA Nation Clean Fuels Refinery, Makoti, ND	Bruce Kent, U. S. EPA Region 8	

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EPA MHA-0618 EPA MHA-0644	05/11/00	Resolution of the Governing Body of the Three Affiliated Tribes of the Fort Berthold Indian Reservation regarding "Three Affiliated Tribes approving and adopting the attached "Water Quality Standards for the Three Affiliated Tribes - Fort Berthold Indian Reservation" Resolution No. 00-151-DSB	Three Affiliated Tribes Business Council	U. S. EPA – Region 8
EPA MHA-0645 EPA MHA-0716	Undated	Guidance – Appendix A to Chapter 74:03:02 Instructions for use of table to determine the amount of un-ionized ammonia in a sample, determine the amount of total ammonia which contains 0.04 mg/l and determine the amount of total ammonia which contains 0.05 mg/l un-ionized ammonia (as N)		
EPA MHA-0717 EPA MHA-0752	11/2002	National Recommended Water Quality Criteria: 2002 Guidance EPA-822-R-02-047	U. S. EPA – Office of Water Office of Science and Technology	General Public
EPA MHA-0753 EPA MHA-0755	12/03	Water Quality Criteria Human Health – Fact Sheet: Revised National Recommended Water Quality Criteria Guidance EPA-822-F-03-012	U. S. EPA	General Public
EPA MHA-0756 EPA MHA-0757	07/12/06	Letter regarding MHA National Clean Fuels Refinery NPDES Permit ND-0030988 biological evaluation	Debra H. Thomas, Director, Water Program, Office of Partnerships and Regulatory Assistance, EPA Region 8	Kevin Johnson, North Dakota Field Office, U. S. Fish and Wildlife Service

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EPA MHA-0758 EPA MHA-0768	04/28/04	Web page "Comprehensive Report Species – Scaphirhynchus albus"	NatureServe Explorer	General Public
EPA MHA-0769 EPA MHA-0785	02/22/01	Federal Register – Memorandum of Agreement Between the Environmental Protection Agency, Fish and Wildlife Service and National Marine Fisheries Service Regarding Enhanced Coordination Under the Clean Water Act and Endangered Species Act; Notice	U. S. EPA, Fish and Wildlife Service and National Marine Fisheries Service	General Public
EPA MHA-0786 EPA MHA-0789	03/20/89	Letter regarding the applicability of permit requirements under the Resource Conservation and Recovery Act (RCRA)	Sylvia K. Lowrance, Director, Office of Solid Waste, U. S. EPA	Robert H. Elliott, Jr., Zepol Corporation
EPA MHA-0790 EPA MHA-0792	01/16/92	Letter regarding clarification of the conditions under which water treatment units qualify for an exemption from RCRA permitting requirements	Sylvia K. Lowrance, Director, Office of Solid Waste, U. S. EPA	Thomas W. Cervino, P. E. Colonial Pipeline Company; cc: Kathy Nam, OGC, EPA RCRA Branch Chiefs, Regions I-X; Barbara Simcoe, ASTSWMO
EPA MHA-0793 EPA MHA-0817	12/21/79	Federal Register regarding Petroleum Refining Point Source Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards	U. S. EPA	General Public
EPA MHA-0818 EPA MHA-01206	10/82	Development Document for Effluent Limitations Guidelines and Standards for the Petroleum Refining Point Source Category – Final	U. S. EPA	General Public
EPA MHA-01207 EPA MHA-01352	09/95	Sector Notebook Project – Petroleum Refining	U. S. EPA OECA	General Public The cover-page and index are document

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				number EPA MHA-03057 thru EPA MHA-03060
EPA MHA-01353 EPA MHA-01364	07/92	Pages 21-30 of the Draft Environmental Impact Statement Formosa Plastics Corp., Texas Facilities Expansion Point Comfort, Texas	U. S. EPA Region 6	PORTIONS OF THIS DOCUMENT HAS BEEN REDACTED: PRIVILEGE ASSERTED - DELIBERATIVE
EPA MHA-01365 EPA MHA-01366	10/09/03	Letter regarding NPDES Permit Application Forms 1 and 2D for the Three Affiliated Tribes Petroleum Refinery	Debra Thomas, Unit Leader, Permits Unit, U. S. EPA Region 8	Horace Pipe, Chief Geologist, HD Geological; cc: Tex Hall, Tribal Chairman, Three Affiliated Tribes, Patricia Jo Thomas, Director Environmental Division, Three Affiliated Tribes, Marle Baker, Range Specialist, Bureau of Indian Affairs, Dianne P.Mann-Klaeger, Branch of Natural Resources, BIA, Dana Allen, EPA Region 8 and Judy Hervig, EPA Region 8
EPA MHA-01367 EPA MHA-01377	08/02/04	E-mail regarding MHA Refinery NPDES Technology Limitation Spreadsheet with attachment entitled MHA refinery-petrochemical.xls	Bruce Kent, EPA Region 8	Jkoblitz@greystone.us, dcameron@greystone.us; cc: Monica Morales, Qian Zhang, Kimi Matsumoto, EPA Region 8
EPA MHA-01378	12/01/04	Letter regarding Permit Discharge NPDES No: ND-0030988	Stephen S. Tuber, Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance, EPA Region 8	Tex G. Hall, Chairman, Fort Berthold Tribal Business Counsel, Three Affiliated Tribe; cc: Horace Pipe (HD Geological, Refinery Project Manager), Diane Mann-Klager (BIA, Aberdeen Regional Office), Perry Baker (BIA, TAT Agency), Patricia J. Thomas (Director, TAT

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EPA MHA-01379 EPA MHA-01380	12/02/04	Letter regarding NPDES Permit Application NPDES No: ND-0030988	Stephen S. Tuber, Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance, EPA Region 8	Environmental Division) Tex G. Hall, Chairman, Fort Berthold Tribal Business Counsel, Three Affiliated Tribe; cc: Horace Pipe (HD Geological, Refinery Project Manager), Diane Mann-Klager (BIA, Aberdeen Regional Office), Perry Baker (BIA, TAT Agency), Patricia J. Thomas (Director, TAT Environmental Division)
EPA MHA-01381 EPA MHA-01384	12/02/04	Letter regarding Clean Water Act New Source Determination NPDES No: ND-0030988 with attachment of public notice	Stephen S. Tuber, Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance, EPA Region 8	Tex G. Hall, Chairman, Fort Berthold Tribal Business Counsel, Three Affiliated Tribe; cc: Horace Pipe (HD Geological, Refinery Project Manager), Diane Mann-Klager (BIA, Aberdeen Regional Office), Perry Baker (BIA, TAT Agency), Patricia J. Thomas (Director, TAT Environmental Division)
EPA MHA-01385 EPA MHA-01387	12/06/04	E-mail exchanges regarding Contact for ND	Originator Bruce Kent, NPDES Permits Unit, EPA Region 8	Larry R. Gamble@fws.gov; cc: Yeary.Asia@epa.gov, Jeffery K. Towner, Field Supervisor, Ecological Services, US. Fish and Wildlife, Bridget_Fahey@fws.gov
EPA MHA-01388 EPA MHA-01393	02/16/05	Letter Regarding Preliminary Draft NPDES Permit Requirements. ND-0030988 with attachments entitled Preliminary Draft Effluent Limitations and Preliminary Draft	Stephen S. Tuber, Assistant Regional Administrator, Office of Partnerships and Regulatory	Tex G. Hall, Chairman, Fort Berthold Tribal Business Counsel, Three Affiliated Tribe; cc: Horace Pipe (HD Geological, Refinery Project Manager), Diane

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		Monitoring Schedule	Assistance, EPA Region 8	Mann-Klager (BIA, Aberdeen Regional Office), Perry Baker (BIA, TAT Agency), Patricia J. Thomas (Director, TAT Environmental Division)
EPA MHA-01394 EPA MHA-01395	07/12/06	Letter regarding MHA Nation Clean Fuels Refinery NPDES Permit No. ND-0030988	Debra H. Thomas, Director Water Program, Office of Partnerships and Regulatory Assistance, EPA Region 8	Kevin Johnson, North Dakota Field Office, U. S. Fish & Wildlife Service, cc: Diane Mann-Klager (BIA, Aberdeen Regional Office), Horace Pipe (HD Geological, Refinery Project Manager), Steve Kelly, Attorney, MHA Nation and Jeffery Towner, Field Supervisor, FWS
EPA MHA-01396 EPA MHA-01397	08/22/06	Memorandum regarding Section 7 Consultation on the Proposed Construction and Operation of the Mandan, Hidatsa and Arikara Nation's Clean Fuels Refinery	Jeffery Towner, Field Supervisor, North Dakota Field Office, Bismarck, ND, U. S. DOI Fish and Wildlife Service	Regional Director, Bureau of Indian Affairs, Great Plains Region Aberdeen, South Dakota; cc: Bruce Kent, EPA Region 8, D. Cimarosti, USACE, Bismarck Regulatory Office
EPA MHA-01398 EPA MHA-01400	08/22/06	Letter commenting on the biological assessment relating to the NPDES permit to the Manda, Hidatsa and Arikara MHA Nations proposed Clean Fuels Refinery with attached mailing envelope	Jeffery Towner, Field Supervisor, North Dakota Field Office, Bismarck, ND, U. S. DOI Fish and Wildlife Service	Debra H. Thomas, Director Water Program, Office of Partnerships and Regulatory Assistance, EPA Region 8, cc: , D. Cimarosti, USACE, Bismarck Regulatory Office, D. Mann-Klager, BIA Great Plains Regional Office
EPA MHA-01401 EPA MHA-01404	08/04/11	Letter regarding National Pollutant Discharge Elimination System (NPDES) Permit, ND-0030988 and shall become effective October 1, 2011 with enclosures (not	Stephen S. Tuber, Assistant Regional Administrator, Office of Partnerships and Regulatory	Tex G. Hall, Chairman, Fort Berthold Tribal Business Counsel, Three Affiliated Tribe; cc: Joe Gillies Jr., Environmental Director, Three Affiliate Tribes, Mandan, Hidatsa,

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		attached) NPDES Discharge Permit and Statement of Basis, (attached) Domestic return receipts	Assistance, EPA Region 8	and Arikara Nation
EPA MHA-01405 EPA MHA-01407	Undated	Letter regarding Discharge Monitoring Report Forms (DMR) with attachment of domestic return receipts	William A. Kennedy, Environmental Protection Specialist, Wastewater Unit, EPA Region 8	The Honorable Tex G. Hall, Chairman, Three Affiliated Tribes, Mandan, Hidatsa, and Arikara Nations; cc: Joe Gillies Jr., Environmental Director, Three Affiliated Tribes
EPA MHA-01408 EPA MHA-01409	05/04	Charts entitled Wastewater Treatment System with handwritten notes	Triad Project Corporation	
EPA MHA-01409A	Undated	Reference to FEIS at EPA MHA-06377 to 06782	EPA Region 8	File