



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2010 AUG 24 AM 11:49

FILED
EPA REGION VIII
HEARING CLERK

Ref: ENF-W

AUG 24 2010

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Honorable Larry Stepp, Mayor
Town of LaBarge
P.O. Box 327
LaBarge, WY 83123

Re: 2nd Administrative Order Addendum
Town of LaBarge
Public Water System
Docket No. SDWA-08-2008-0041
PWS ID #WY5600222

Dear Mayor Stepp:

This 2nd Addendum to the Administrative Order issued April 17, 2008, to the Town of LaBarge (the Town), is in response to the July 22, 2010, letter from you requesting an extension to the final deadline for installation and operation of the new drinking water treatment facility for the Town. Your letter notified EPA of several delays including the unanticipated difficulty in acquiring buy American certification letters from product manufacturers that meet the American Recovery and Reinvestment Act (ARRA) funding requirements. Without the buy American certification letters, the engineer has been unable to approve the material and equipment and therefore unable to place an order for purchase of the necessary materials. Additionally, the treatment plant membrane filtration and solids contact clarifier equipment package, which was scheduled for delivery in June 2010, has not yet been delivered. It appears that the equipment manufacture was delayed in construction and assembly of the package. The motor control center, another component of the pre-packaged water treatment plant, was damaged during shipment and has been sent back to the factory for repair.

It is anticipated that by August 15, 2010, the contractor will submit the buy American certification applications and the motor control center will be delivered to the system. The treatment filtration equipment package will be installed and ready to begin the 70 day demonstration period by November 15, 2010. Based on the unanticipated events, as described above, the Town is requesting an extension of the deadline for completing

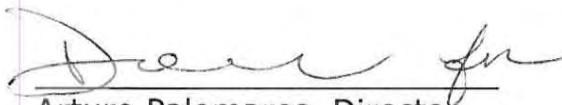
treatment installation and bringing the system on-line until January 31, 2011.

This letter constitutes the written approval by EPA for extending the final deadline from August 31, 2010 to January 31, 2011. In addition to serving as approval for extending the final completion deadline, this letter serves to incorporate the revised deadline into the Administrative Order, meaning it will be an enforceable part of the Administrative Order.

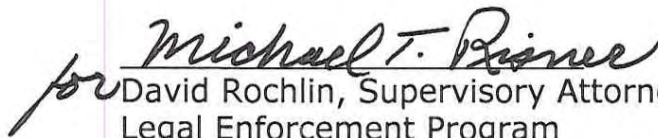
Please note that EPA expects this deadline to be met. If unexpected events occur that are beyond the Town's control and that will require it to request an extension of the final deadline, the Town is responsible for notifying EPA well in advance of the deadline date. EPA will not consider extending the deadline without a clear justification. The Town must provide the following information in any request for future extensions: a description of the work that has been completed and the additional work that will not be completed by the deadline dates, the unexpected events that occurred, how the Town attempted to foresee or overcome these obstacles and an explanation that justifies the new proposed deadline dates.

Please be advised that the Town is required to comply with all provisions of the Administrative Order. Penalties for failing to comply are set forth in the Order. Please contact Kimberly Pardue Welch at (800) 227-8917, extension 6983 or (303) 312-6983, if you have any questions concerning this 2nd Addendum. If you are represented by an attorney, please ask your attorney to call Peggy Livingston, enforcement attorney, at (800) 227-8917, extension 6858, or at (303) 312-6858.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance,
and Environmental Justice



for David Rochlin, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Kandis Kjar, Town Clerk
WY DEQ (via email)
WY DOH (via email)
Tina Artemis, Regional Hearing Clerk

