



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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DENVER, CO 80202-1129  
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2010 MAR -9 AM 9:10

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Ref: ENF-W

MAR - 9 2010

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Bill Lewis  
Mayor, Town of Neihart  
P.O. Box 36  
Neihart, MT 59465

Re: Administrative Order Second  
Addendum  
Docket No. SDWA-08-2008-0008  
PWS ID #MT0000298

Dear Mayor Lewis:

This second addendum to the Administrative Order ("Order") issued January 22, 2008 to the Town of Neihart for the Town of Neihart public water system, incorporates an extension for completion of system improvements. An extension was requested in the e-mail sent by Mr. Robert Reynolds, Operator of the Town of Neihart public water system (PWS), to the EPA on December 29, 2009.

In that communication, Mr. Reynolds requested a new completion date of June 30, 2010, to allow for equipment delivery and installation, along with additional programming work which remains pending.

This letter constitutes the written approval by EPA of the revised completion date of June 30, 2010, by which the Town of Neihart will attain final completion of its intake system modification project as originally outlined in EPA's first addendum letter of December 29, 2008.

Please note that EPA expects this revised schedule to be met. If unexpected events occur that are beyond the Town's control and that will require you to request an extension of these deadlines, you are responsible for notifying EPA well in advance of the deadline dates. EPA will not consider extending these deadlines without a clear justification for their need. You must provide the following information in any request for 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 and how the Town has attempted to foresee or overcome these obstacles, and an explanation that justifies the new proposed deadline dates.

Further, please be advised that in addition to the requirements of this letter and EPA's December 29, 2008 addendum, the Town of Neihart is required to comply with all provisions of the Administrative Order. Penalties for failing to comply include a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation and/or a Federal court injunction ordering compliance.

Please contact Mario Mérida (303) 312-6297 if you have any questions concerning this second addendum. If the Town of Neihart is represented by an attorney, please ask the Town's attorney to call Thomas E. Sitz at (303) 312-6918 with any questions concerning this second addendum.

Sincerely,



Darcy O'Connor, Acting Director  
Technical Enforcement Program  
Office of Compliance, Enforcement,  
and Environmental Justice



David Rochlin, Acting Supervisor  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure

cc:

John Jurus P.E., Thomas Dean & Hoskins Inc.  
Bob Reynolds, Operator (via e-mail)  
John Arrigo, MDEQ  
Shelly Nolan, MDEQ  
Tina Artemis, EPA Regional Hearing Clerk



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