



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Debra L. Scott
Beaverhead County Clerk and Recorder
2 South Pacific Street, Ste. #3
Dillon, MT 59725

Re: Administrative Order Addendum
Docket No. SDWA-08-2010-0004
Beaverhead County Jackson Water and/or
Sewer District
PWS ID # MT0002590

Dear Ms. Scott:

Pursuant to paragraph 14 of the Administrative Order (AO) issued December 14, 2009, to Beaverhead County Jackson Water and/or Sewer District (the District), this Addendum to the AO incorporates the schedule for completing system modifications as outlined in the April 8, 2010, email to EPA from Jeanette Robertson on behalf of the District. This letter constitutes the written approval by EPA of the District's schedule as indicated in the chart below.

Please be advised that the District must continue to sample quarterly for arsenic and provide quarterly public notice of the arsenic maximum contaminant level (MCL) violations as long as the running annual average exceeds 0.010 milligrams per liter (mg/l). Also, the District must provide quarterly updates on the progress made towards bringing its water system into compliance with the arsenic MCL as required in paragraph 16 of the AO.

Please note that EPA expects this approved schedule to be met. While not creating any right to an extension, EPA may in its discretion consider granting an extension to any deadline in the schedule under limited circumstances. If unexpected events occur that are beyond the District's control and that may prompt the District to request an extension of these deadlines, the District will be 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. The District must provide the following information in any request for extensions: a description of the work that has been completed and the additional work that may not be completed by the deadline dates, the unexpected events that occurred and how Respondent attempted to foresee or overcome these obstacles, the proposed new deadline dates, and an explanation that justifies the new proposed deadline dates.

<u>Action</u>	<u>Start Date</u>	<u>Finish Date</u>
Prepare draft Preliminary Engineering Report (PER), and submit Rural Development (RD) grant application.	April 1, 2010	April 30, 2011
Rural Development grant review process and response to comments.	April 1, 2011	November 30, 2011
Complete final design of treatment system.	November 1, 2011	August 31, 2012
Submit final design of treatment system to MT DEQ, EPA, and RD for review and approval.		November 30, 2012
Advertise for construction bids and award bid.	January 1, 2013	April 30, 2013
Submit revised schedule to EPA, if needed.		April 30, 2013
Construction of treatment system.	June 1, 2013	May 31, 2015

Consistent with paragraph 15 of the AO, the "Finish Date" deadlines above are now enforceable requirements of the AO.

Please be advised that the District is required to comply with all provisions of the AO. Penalties for failing to comply are set forth in the Order. Please contact Shawn McCaffrey at (303) 312-6515 if you have any questions concerning this Addendum. If the District is represented by an attorney, please ask your attorney to call Peggy Livingston at the above 800 number, extension 6858, or at (303) 312-6858.

Sincerely,



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



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

cc: Tina Artemis, EPA Regional Hearing Clerk
 Jeanette Robertson, Beaverhead Jackson
 Water and Sewer District
 John Arrigo, MT DEQ
 Shelley Nolan, MT DEQ