



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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

2008 SEP 17 PM 2:37

EPA REGION VIII  
HEARING CLERK

Ref: ENF-W

SEP 17 2008

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Rick Scheele  
Mayor of Darby  
P.O. Box 37  
Darby, MT 59829

Re: Administrative Order 2<sup>nd</sup> Addendum  
Docket No. SDWA-08-2007-0021  
PWS ID #MT0000195

Dear Mayor Scheele:

This 2<sup>nd</sup> addendum to the Administrative Order issued March 7, 2007 to the Town of Darby is in response to an August 12, 2008 letter from Kadrmass, Lee & Jackson, Inc., on behalf of the Town of Darby, requesting an extension for the final deadline for installation and operation of optimal corrosion control treatment (OCCT) for the Town of Darby's drinking water system. The letter states that the extension is necessary as a result of delays in purchasing property for construction of the permanent treatment plant.

This letter constitutes the written approval by EPA for extending the OCCT final completion deadline from November 29, 2008 (as outlined in the Administrative Order Addendum on page 4) to November 29, 2009 as laid out in this 2<sup>nd</sup> Addendum. In addition to serving as approval for extending the final completion deadline, this letter serves to incorporate the following revised schedule into the Administrative Order. Each deadline in the schedule will be enforceable as if it were part of the Administrative Order itself.

The following schedule lists the action to be taken, deadline date, and completion date if applicable.

<b><u>Action</u></b>	<b><u>Deadline</u></b>	<b><u>Completion (if applicable)</u></b>
Submit OCCT plan to EPA and MDEQ for review and approval.	July 7, 2007.	July 5, 2007 (OCCT Plan) July 26, 2007 (OCCT Plan, addendum No. 1).
Submit to EPA and MDEQ for approval design reports, plans and specifications from a professional engineer for the OCCT pilot study.	September 1, 2007.	September 28, 2007.
Obtain chemical feed equipment (pumps) and storage tank for feeding orthophosphate and sodium hypochlorite at well No. 1 as well as required testing equipment.	January 15, 2008.	January 18, 2008.
Install and secure all pilot equipment within existing well No. 1 pump house. Begin chemical feeding operations.	January 15, 2008.	January 18, 2008.
Conduct full scale testing for lead, copper, pH, alkalinity, calcium, conductivity, temperature, and orthophosphate residual at well No. 1 and two residential test sites. Report results to EPA within 10 days of receiving results.	By February 1, 2008 and every two weeks thereafter until either copper results are below the action level of 1.30 mg/L at each test site or for a test period of two months.	EPA granted a request to reduce monitoring for pH, alkalinity, calcium, conductivity, and temperature. Darby monitored for lead and copper and orthophosphate on February 6, 2008, February 19, 2008, March 5, 2008, and March 20, 2008.

**Action**

**Deadline**

**Completion  
(if applicable)**

If the orthophosphate treatment is ineffective or the cost exceeds the benchmark cost of \$0.20/1,000 gallons, the PWS will order and set up treatment using another form of orthophosphate or sodium hydroxide (aka caustic soda).

Immediately upon determining that orthophosphate is ineffective or the cost is determined to exceed the benchmark cost of \$0.20/1,000 gallons of water.

N/A

Conduct full scale testing for lead, copper, pH, alkalinity, calcium, conductivity, temperature, and caustic soda residual (or alternate form of orthophosphate) at well No. 1 and two residential test sites. Report results to EPA within 10 days of receiving results.

Within 15 days after caustic soda chemical feed begins and every two weeks thereafter until either copper results are below the action level of 1.30 mg/L at each test site or for a test period of two months. If within two months the copper levels in the treated water are not below the action level of 1.30 mg/L or the cost of treatment exceeds that of the orthophosphate treatment, the System will revert back to the original orthophosphate treatment (provided it was successful in controlling the copper levels).

N/A

<b><u>Action</u></b>	<b><u>Deadline</u></b>	<b><u>Completion (if applicable)</u></b>
Once the copper results are below the action level of 1.30 mg/L at the designated test sites, test all other sampling sites (total of 20). Report results to EPA and MDEQ within 10 days of receiving results.	Within two weeks of determining the treatment has achieved copper results below the action level for each test site.	June 4, 2008  (PWS had to abruptly halt pilot study on May 9, 2008 and therefore conducted this sampling following consultation with EPA and MDEQ).
Complete OCCT pilot study.	October 31, 2008.	May 9, 2008.
New permanent treatment facility is completely installed and correctly operating with corrosion control treatment.	November 29, 2009.	
Monitor the water for lead and copper as required by the drinking water regulations. Report results to EPA and MDEQ within 10 days following the end of the monitoring period.	Between January – June 2010 and again between July – December 2010 and according to the regulations thereafter.	

**Action**

**Deadline**

**Completion  
(if applicable)**

Monitor the water for water quality parameters (WQPs) as required by the drinking water regulations. Report results to EPA and MDEQ within 10 days following the end of the monitoring period.

Between January – June 2010 and again between July - December 2010 and according to the regulations thereafter.

Notify EPA and MDEQ in writing of completion of new treatment plant and permanent optimal corrosion control treatment installation.

Within one week of project completion.

Please be advised that the Town of Darby 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 (303) 312-6983 if you have any questions concerning this Addendum. If you are 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,



Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Compliance, Enforcement,  
and Environmental Justice



David J. Janik, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice