



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

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AUG 10 2012

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JoAnne L. Johnson
Chouteau County Clerk and Recorder, Registered Agent
Carter Chouteau County Water and Sewer District
1308 Franklin St.
Fort Benton, MT 59442

Re: 4th Administrative Order Addendum
Docket No. SDWA-08-2009-0019
Carter Chouteau County Water and
Sewer District Public Water Supply
PWS ID #MT0003798

Dear Ms. Johnson:

This 4th Addendum to the Administrative Order, Docket No. SDWS-08-2009-0019, issued July 2, 2009 to the Carter Chouteau County Water and Sewer District (Respondent or the District), is in response to the April 6, 2012 email, from Keith Lippert on behalf of the District, requesting a deadline extension for submitting the design plans and specifications to EPA and MDEQ. The request for extending the deadline from April 30, 2012 to May 31, 2012 is due to funding setbacks. EPA granted this extension and the District has since met this extended timeline.

This Addendum is also in response to the July 27, 2012 email, from Craig Prozega on behalf of the District, requesting an extension to the August 31, 2012 deadline for advertising for construction bids. The basis for this request is that the District has not received formal comments on and approval of the plans and specifications from the Montana Department of Environmental Quality. The requested extension is to allow additional time for the District to respond to comments and concerns the MDEQ might have before advertising for construction bids.

This letter constitutes the written approval by EPA for extending the deadlines as shown in the schedule below. This letter serves to incorporate the following revised schedule into the Administrative Order, meaning each deadline in the schedule will be an enforceable part of the Administrative Order.

Please note that EPA expects this approved schedule to be met. If unexpected events occur that are beyond Respondent's control and that will require Respondent to request an extension of these deadlines, Respondent is 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. Respondent 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



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events that occurred, how Respondent attempted to foresee or overcome these obstacles and an explanation that justifies the new proposed deadline dates.

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

| <u>Action</u> | <u>Deadline</u> | <u>Completion (if applicable)</u> |
|--|--|--|
| Submit funding applications: <ul style="list-style-type: none"> ◦ Treasure State Endowment Program ◦ Water Resources Development Act | Completed Completed | Notified of completion for both applications on May 4, 2010 |
| Conduct pilot study & quarterly water testing. | 1 st quarter 2011 2 nd quarter 2011 | March 24, 2011 July 24, 2011 (lab was late with report) |
| | 3 rd quarter 2011 | October 1, 2011 |
| | | |
| Begin Preliminary Design | By September 30, 2011 | June 13, 2011 |
| Updated design basis report/ cost estimates to District, MDEQ and EPA | January 31, 2012 | November 30, 2011 (cost estimate) and January 31, 2012 (design basis report) |
| District, MDEQ and EPA review & approval of design report. | February 29, 2012 | March 13, 2012 |
| Submit design plans and specification to District, MDEQ and EPA | May 31, 2012 | May 31, 2012 |
| District, MDEQ & EPA Review and MDEQ Approval | June 30, 2012 | EPA June 15, 2012 |
| Finalize construction finances | June 30, 2012 | June 29, 2012 |
| Advertise for bids | August 31, 2012 | |
| Begin construction | September 30, 2012 | |
| Construction completed | March 31, 2013 | |

Within 90 days of receiving this approval and until treatment installation is completed; provide EPA with quarterly reports on the progress made towards meeting the requirements of the Plan and Schedule and bringing the system into compliance with 40 C.F.R. part 141, subparts H, T, and W.

| | |
|---|---|
| First report due by January 10, 2011 with subsequent reports due the 10 th day of the month following the end of each quarter. | 1/07/2011 2/08/2011 3/08/2011 4/12/2011 6/16/2011 9/28/2011 1/25/2012 5/31/2012 7/25/2012 |
|---|---|

Notify EPA and the State in writing of completing treatment installation.

Within 10 days of completing treatment installation.

Please be advised that Carter Chouteau County Water and Sewer District is required to comply with all provisions of the Administrative Order. Penalties for failing to comply are set forth in the Order. Please contact Sienna Meredith, at (406) 457-5026 if you have any questions concerning this Addendum. If you are represented by an attorney, please ask your attorney to call Marc Weiner at the above 800 number, extension 6913, or at (303) 312-6913.

Sincerely,



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



James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

John Arrigo, MDEQ
Shelley Nolan, MDEQ
Keith Lippert, Chairman, Carter-Chouteau County Water
and Sewer District
Tina Artemis, EPA Regional Hearing Clerk