



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE**

FEDERAL BUILDING, 10 West 15TH Street, Suite 2200
HELENA, MT 59626-0098
Phone 866-457-2890
www.epa.gov/region08

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EPA REGION VIII
HEARING CLERK

MAY 20 2016

Ref: 8MO

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

The Honorable Steve Taylor
Mayor, Town of Neihart
P.O. Box 36
Neihart, Montana 59465

Re: Fifth Addendum to the Administrative Order issued to the Town of Neihart Public Water System, PWSID #MT0000298, Docket No. SDWA-08-2008-0008

Dear Mayor Taylor:

On January 22, 2008, the EPA issued an Administrative Order (Order) to the Town of Neihart (Town). On December 21, 2015, the Town submitted a plan and schedule, pursuant to paragraph 3 on page 7 of the Order, for completing System modifications. The EPA hereby approves this schedule as set forth below and, pursuant to paragraph 4 on page 7, it is incorporated into the Order.

The Town has requested an extension of interim milestones to accommodate changes in funding; however, the final completion date of December 31, 2016, remains in place. The Town was originally seeking funding for a larger project, which included water storage and improvements to the distribution system. The larger project was not funded; however, funding was secured to prioritize the building of the intake infrastructure, which should return the system to compliance with the Order.

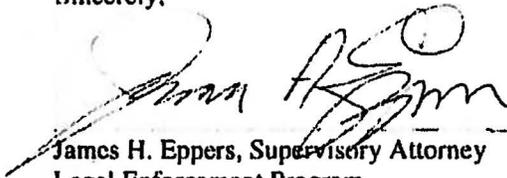
	Action	Deadline	Status/Comment
1	Receive funding for replacement of intake structure of Shorty Creek.	Spring 2015	Renewable Resources Grant & Loan (RRGL) and Community Development Block Grant (CDBG) grants were obtained in an amount adequate to fund the new intake. Treasure State Endowment Program (TSEP) funds were not approved.
2	Initiate Intake Project Design	January 31, 2016	Completed
3	Finalize Intake Project Design and submit streambed (310) permits application to the conservation district for construction.	June 30, 2016	
5	Final approval of streambed permits and initiate intake Project Construction	August 31, 2016	
6	Construction complete / New intake is online.	December 31, 2016	

Consistent with paragraph 4 of the Order section of the Administrative Order, the deadlines above are now an enforceable requirement of the Order.

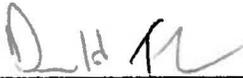
Please note that the EPA expects this approved schedule to be met. Pursuant to paragraph 2 of the General Provisions section of the Order, the EPA is authorized to seek penalties if these deadlines are not met.

Please be advised that the Town is required to comply with all provisions of the Order. Please contact Sienna Meredith, at 1-800-457-2690 or (406) 457-5026 if you have any questions concerning this Addendum. If the Town is represented by an attorney who has questions, please ask the attorney to call Mia Bearley, Enforcement Attorney, at 1-800-227-8917, extension 6554, or at (303) 312-6554.

Sincerely,



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



Debra H. Thomas, Acting Director
U.S. EPA Region 8 Montana Office

cc:

Chad Anderson, MDEQ, (by email)
John Arrigo, MDEQ, (by email)
Jon Dilliard, MDEQ, (by email)
Wade Deboo, KLG Engineer, (by email)
Bob Reynolds, Operator, (by email)
Missy Haniewicz, EPA Regional Hearing Clerk