



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

2012 OCT 15 AM 8:09

EPA REGION 8
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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: 5th 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 5th 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 September 18, 2012 email, from Keith Lippert on behalf of the District, requesting a deadline extension for the date to begin construction. The request is for extending the deadline from September 30, 2012 to January 1, 2013 for construction start time. The request for extension is due to a delay in equipment delivery for the project. The contractor is required to complete construction within 40 days of starting and therefore cannot begin construction prior to receiving all equipment. This extension will not change the overall project completion date of March 31, 2013.

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 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.



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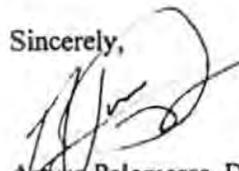
<u>Action</u>	<u>Deadline</u>	<u>Completion (if applicable)</u>
Submit funding applications: <ul style="list-style-type: none"> ◦ Treasure State Endowment Program ◦ Water Resources Development Act 	Completed Completed	Notified of completion for both applications on May 4, 2010
Conduct pilot study & quarterly 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	August 30, 2012
Begin construction	January 1, 2013	
Construction completed	March 31, 2013	

<p>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.</p>	<p>First report due by January 10, 2011 with subsequent reports due the 10th day of the month following the end of each quarter.</p>	<p>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</p>
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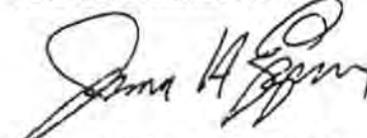
<p>Notify EPA and the State in writing of completing treatment installation.</p>	<p>Within 10 days of completing treatment installation.</p>
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Please be advised that Carter Chouteau County Water and Sewer District is required to comply with all provisions 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