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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

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

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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 2nd Addendum

Docket No. SDWA-08-2010-0004 Beaverhead County Jackson Water and

Sewer District

PWS ID # MT0002590

Dear Ms. Scott:

Pursuant to paragraph 15 of the Administrative Order (Order) issued December 14, 2009, to Beaverhead County Jackson Water and/or Sewer District (the District), this 2nd Addendum to the Order incorporates the revised schedule for completing system modifications as outlined in the November 7, 2011, letter to EPA from Tom Dawson, District President, on behalf of the District. EPA acknowledges that the end date of the proposed new schedule is unchanged from the previously approved schedule. This letter constitutes the written approval by EPA of the District's schedule as indicated in the chart below.

EPA was first notified in June of 2011 by the District's contract engineer from Morrison Maierle that water samples taken in March of 2011 exceeded the maximum contaminant level (MCL) for combined radium for the first time. Further discussions in September of 2011 confirmed that the District was then considering the need to alter its EPA-approved compliance plan and schedule for addressing the District's arsenic MCL violations to also include possible treatment for combined radium. The November 7, 2011 letter from the District proposes to modify the plan and schedule to include such additional treatment if subsequent sampling for combined radium demonstrates its need.

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). The District must now also continue to sample quarterly for combined radium and submit the results to EPA and the Montana Department of Environmental Quality (DEQ) until notified otherwise by the DEQ. By this letter, EPA is also now revising paragraph 16 of the Order to require the District to provide quarterly updates on the progress made toward completing this revised plan and schedule. If additional sampling for combined radium determines that the levels do not exceed the MCL and no additional treatment for combined radium is needed, the District must notify EPA and submit a revised compliance plan and schedule within 30 days of making that determination. EPA advises that the District also remain in close coordination with the DEQ regarding subsequent combined radium sampling results and engineering plans needed to address future MCLs.

Action	Start Date	Finish Date
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Prepare draft Preliminary Engineering Report (PER)	April 1, 2010	April 30, 2011 (Completed)
Radionuclides monitoring (quarterly)	September 1, 2011	October 1, 2012
Revise draft PER to incorporate Montana Department of Environmental Quality (DEQ) and Rural Development (RD) comments, and issue final PER	November 15, 2011	December 31, 2011
Apply for funding for revision of final PER (if needed to address radionuclides)	March 15, 2012	April 15, 2012
Revise final PER (if needed to address radionuclides)	October 1, 2012	December 31, 2012
Submit revised PER to RD, DEQ, and EPA (if necessary)	January 1, 2013	January 15, 2013
Agencies review PER and provide comments	January 15, 2013	March 15, 2013
Apply for funding for final design and preparation of plans and specs	January 1, 2013	April 15, 2013
Final design and preparation of plans and specs/bid documents	June 1, 2013	December 1, 2013
Apply for construction funding	June 1, 2013	December 1, 2013
Submit final design to RD, DEQ, and EPA for approval	December 1, 2013	December 15, 2013
Agencies review design documents and provide comments	December 15, 2013	February 15, 2014
Construction bidding period	May 1, 2014	June 15, 2014
Award construction contract	July 1, 2014	July 15, 2014
Construction of treatment system	August 1, 2014	May 31, 2015

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.

Please be advised that the District is required to comply with all provisions of the Order. 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.

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Arturo Palomares, Director

Water Technical Enforcement Program

Office of Compliance, Enforcement,

and Environmental Justice

Eduardo Quintana, Acting Supervisory Attorney

Legal Enforcement Program

Office of Enforcement, Compliance

and Environmental Justice

ce: Tina Artemis, EPA Regional Hearing Clerk
Tom Dawson, President, Beaverhead Jackson
Water and Sewer District
Jeanette Robertson, Beaverhead Jackson
Water and Sewer District
Steve Wonacott, Morrison Maierle, Inc
John Arrigo, MT DEQ
Shelley Nolan, MT DEQ