



REGION 9

SAN FRANCISCO, CA 94105

March 8, 2024

SENT VIA EMAIL ONLY

Jennifer Hodges
President, Havasu Water Company, Inc.
[P.O. Box 1690](#)
[Havasu Lake, CA 92363](#)
Email: havasuwat@outlook.com

Subject: Reissuance of Boil Water Notice (revised letter from EPA without CUI markings)

Dear Jennifer Hodges,

On March 21, 2024, the Havasu Water Company (HWC) was directed to reissue a precautionary Boil Water Notice to all their customers following failure to submit a February 2024 MOR and due to lack of evidence indicating proper instrument calibration. Customers had also reached out to EPA regarding the ongoing Boil Water Notice (originally sent to the system by EPA on February 8, 2024), requesting updates or reporting that they had never received a copy of the original notice.

On the evening of March 22, 2024, HWC provided a late, inadequate February 2024 MOR without actual measurements for pH, temperature, and tank level, as well as no clear evidence that they had calibrated any of their onsite meters according to manufacturer's recommendations. On March 25, 2024, EPA ordered HWC to distribute the Boil Water Notice by the end of the following day. EPA included specific instructions specifying that HWC needed to reach all customers, both full-time and part-time residents. Although EPA specified hand delivery as the first and main distribution method, HWC replied it would just send emails and include the notice with customers' bills. EPA received a certificate of delivery from HWC on March 27, 2024, but it did not indicate that the notice was hand delivered.

EPA became aware that HWC was also distributing the enclosed letter with the Boil Water Notice without prior approval. Per 40 CFR 141.205(c)(1)(iv), public notices "must not contain language which nullifies the purpose of the notice." HWC's letter stated that the testing from

Clinical Labs has “reported no findings of disease causing organisms” in the last two years. This information misleads the public about the safety of their drinking water and creates confusion about the Boil Water Notice. The assertion about the lab testing is highly misleading as the lab only analyzes samples for coliform bacteria and does not test for other hazards to public health for surface water systems, such as viruses and parasites. It also appears that HWC’s letter was posted publicly in front of the approved Boil Water Notice provided by EPA. HWC is required to post a Boil Water Notice that “must be displayed in a conspicuous way when printed or posted”. See 40 CFR 141.205(c)(1)(i). It is improper and contrary to regulatory requirements to post the approved notice and cover it with the HWC letter. The Boil Water Notice is not displayed in a “conspicuous way” when covered, and the HWC letter contains language that “nullifies the purpose of the approved notice” due to the inappropriate assertions about the safety of the water.

Effective immediately, HWC is to cease all distribution of the letter to customers (copy enclosed) as well as any other misinformation regarding the current Boil Water Notice. While it is understandable that the Company wishes to communicate with its customers, it may not do so in an inappropriate manner that undermines notice requirements and results in confusion for customers. EPA notes this is the second time the HWC has posted a letter to customers with misinformation regarding the current Boil Water Notice (see EPA letter of February 14, 2024). HWC is prohibited from including language and addendums to all public notices from EPA without prior approval and must also abide by distribution and posting guidelines. We hope that HWC will focus its efforts on meeting monitoring and reporting requirements in order to lift the Boil Water Notice and assure delivery of safe water to its customers.

If you have questions you can reach me at (415) 972-3969 or via email at rapicavoli.emmanuelle@epa.gov or Annie Wan, at (415) 972-3845 or at wan.hong@epa.gov. If you and your counsel have legal questions, please contact Alexa Engelman of our Office of Regional Counsel at (415) 972-3884 or at engelman.alexa@epa.gov.

Sincerely,

**JASON
GAMBATESE**

Emmanuelle Rapicavoli, Manager
Tribal Drinking Water Section

Digitally signed by JASON
GAMBATESE
Date: 2024.04.08 15:36:18
-07'00'

Enclosures:

1. ADDITIONAL NOTICE FROM HAVASU WATER CO.

cc: SENT VIA EMAIL ONLY
Patrick Webb, Webb & Carey APC
Terence Shia, Director, Water Division, California Public Utilities Commission

Enclosure 1:

DRINKING WATER WARNING

Havasu Water Company

Havasu Water Company
PO Box 1690
Havasu Lake, CA 92363
760 858-4619 Office
havasuwat@outlook.com

ADDITIONAL NOTICE FROM HAVASU WATER CO.

To Our Valued Customers,

Please be informed that for the last two years of precautionary Boil Water Notices our independent testing lab in San Bernardino has reported NO findings of disease causing organisms, including bacteria, viruses, or parasites in our test samples.

The current Boil Water Notice has been issued while we complete the calibration our meters, according to the regulations which have only recently been imposed by the EPA this year, which should be finished in a few weeks.

Thank you

ER

STORE ENTRANCE