

Frequently Asked Questions

EPA's Role Regulating Havasu Water Company

TRANSFER OF JURISDICTION FROM STATE OF CALIFORNIA TO EPA:

Why did the transfer of oversight of the HWC water system from DDW to EPA happen?

A recent court ruling determined that the land that the Havasu Water Company's public water system is located within the boundaries of the Chemehuevi Indian Tribe's Reservation. EPA Region 9 regulates public water systems within the boundaries of Tribal Reservations in California for compliance with the federal Safe Drinking Water Act.

Aren't most of the water infrastructure and water lines for our community located outside the boundaries of the reservation? Why should they also be regulated by the EPA?

The Havasu Water Company's public water system is located within the boundaries of the Chemehuevi Indian Tribe's Reservation.

When did the transfer happen?

DDW and EPA met and worked together to coordinate the transfer of information and records in the months leading up to the handover. The transfer was finalized on January 1, 2024.

What does this transfer mean to me, a customer of Havasu Water Company?

The transfer means that EPA now oversees the Havasu Water Company Public Water System to ensure the Company complies with the federal Safe Drinking Water Act. Customers should contact EPA directly for questions, complaints, and concerns regarding the quality of their drinking water.

What happens to the violations and enforcement actions that Water Board took against Havasu Water Company? What is EPA's current plan of action?

EPA is aware of historical and ongoing compliance issues documented by the Water Board and has received materials from the Water Board related to their enforcement work. EPA conducted an inspection of the facility in December 2023, and is working with the Havasu Water Company regarding the inspection findings. On May 28, 2024, EPA issued a Unilateral Administrative order to the Havasu Water Company for violations of the Safe Drinking Water Act. This action is further described in the section below titled "EPA Enforcement Action."

In addition, on May 8, 2024, EPA conducted a sanitary survey, which is an in-person comprehensive review of a public water system to assess their capability to supply safe drinking water. EPA is reviewing the findings from this survey.

I saw a recent flyer stating that EPA is responsible for funding costs for infrastructure improvements and testing, is that true? Can EPA provide funding to the system?

EPA is not responsible for funding the operational or infrastructure costs of the Havasu Water Company's Public Water System. EPA required HWC to issue a Boil Water Notice on February 8, 2024 because the HWC failed to submit complete monthly reporting of drinking water quality as required by federal law to ensure the safety of water delivered to customers. In the notice to customers dated February 10, 2024, the HWC misquoted and misrepresented the requirements of the Safe Drinking Water Act and EPA's role.

Will my water cost more after the jurisdiction transfer?

EPA has no authority regarding water rates and cannot provide an answer to this question. Please contact CPUC directly regarding rates and other water billing issues.

EPA ENFORCEMENT ACTION:

On May 28, 2024, EPA issued a unilateral administrative order to Havasu Water Company for violations of the Safe Drinking Water Act.

What is an Administrative Order?

An administrative order (Order) is a legally enforceable document that requires an owner and/or operator of a facility to take corrective actions to return to compliance with any identified violations.

Why was an Order issued?

HWC has violated several provisions of the Safe Drinking Water Act (SDWA) that remain unaddressed:

- Exceedance of the Maximum Contaminant Level for Total Trihalomethanes (TTHM);
- Failure to have qualified personnel operate the System;
- Failure to submit required surface water treatment data via monthly operating reports (MOR);
- Failure to issue public notifications for violations;
- Failure to issue the 2022 consumer confidence report; and
- Failure to correct significant deficiencies with the System.

What does the Order require Havasu Water Company to do?

The Order requires HWC to submit a compliance plan to EPA for approval. The plan must include a schedule and planned work to serve drinking water in compliance with the TTHM MCL by December 31, 2023. In addition, HWC must:

- Employ an appropriately certified water operator by July 1, 2024.
- Issue the 2022 consumer confidence report at the same time as the 2023 consumer confidence report by July 1, 2024.
- Issue Tier 2 public notice for the TTHM MCL exceedances and any other violations requiring Tier 2 public notice on a quarterly basis.
- Submit MORs on time and in compliance with SDWA regulations every month.
- Correct any outstanding significant deficiencies named in the Order within 30 days of the Order's issuance date.

What happens if the Order is not complied with?

Violating the terms of the Order may subject HWC to judicial and/or administrative monetary penalties. Continued failure to comply with the Order may also result in referral of the matter to the Department of Justice for further enforcement action.

What are trihalomethanes?

Trihalomethanes are disinfection byproducts formed when a disinfectant such as chlorine interacts with organic materials in the water. The amount of trihalomethanes in drinking water can change from day to day, depending on the season, water temperature, amount of disinfectant added, the amount of plant material in the water, and a variety of other factors.

Why are trihalomethanes a concern?

Long term exposure to trihalomethanes may increase risk of cancer, liver damage, and decreased nervous system activity. People may be exposed to trihalomethanes by drinking, inhalation, and skin absorption during bathing and swimming.

What is a Maximum Contaminant Level?

Maximum Contaminant Levels are legally enforceable drinking water standards under SDWA. EPA has established MCLs for over 90 contaminants, including an MCL for TTHM set at 80 parts per billion (ppb). This is the highest level of TTHM allowed in drinking water. A way to visualize one ppb: it is about one drop of water in an average swimming pool.

What is a Significant Deficiency?

A Significant Deficiency is a defect in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that EPA determines to

be causing, or has the potential for causing the introduction of contamination into the water delivered to consumers. EPA considers Significant Deficiencies to be of the greatest health risk and requires systems to address them within a specified timeframe.

What is a Consumer Confidence Report?

Each year, public community water systems are required to distribute to all customers a Consumer Confidence report on their water quality for the previous year. This report includes all detectable results found for contaminants, as well as the risks of exposure. Information on the water source, definitions for terminology, unresolved significant deficiencies, and violations that arose in the year(s) covered by the report must also be included.

What is a Monthly Operating Report?

Monthly Operating Reports (MORs) are logs of surface water treatment plant data and used to determine the effectiveness of water treatment. They are due to the regulatory entity (i.e., EPA) by the 10th of the following month.

What should I do in the event I lose water pressure?

If you experience a loss of water pressure or water outage, report the outage to the system and EPA. You should receive a precautionary boil water notice from the system that remains in place until they are able to confirm the absence of coliform bacteria in the distribution system. Once the notice is lifted and water service is restored to normal conditions, customers should let their water run for a minimum of 30 minutes before using to flush out potential contaminants in the distribution lines.

Who should the customers contact about drinking water concerns regarding Havasu Water Company?

Customers should notify Havasu Water Company about any drinking water concerns for immediate follow-up. Customers with unresolved drinking water concerns or complaints can email or call Annie Wan at wan.hong@epa.gov and (415) 972-3845. Questions regarding the Order can email or call Christopher Chen at chen.christopher@epa.gov and (213) 244-1853.

EPA's role is limited to the Safe Drinking Water Act. Issues related to water rates and billing are not under EPA's purview and should be directed to the California Public Utilities Commission (CPUC). Questions for the CPUC can be directed to Wilson Tsai at (415) 660-8449 or wilson.tsai@cpuc.ca.gov.