

Havasu Water Company Community Meeting Q&A November 6, 2024

Introduction:

This is a compilation of questions from community members provided to EPA before and at the September 5, 2024 community meeting. Questions were revised and sorted for clarity. Additional questions and answers regarding EPA’s November 2024 Emergency Order have been incorporated.

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Questions with EPA Response

General

QUESTION: What can we expect to happen in our near future as it relates to this Water Company? Where do we go from here? What are our options?

ANSWER: EPA is working to bring Havasu Water Company (HWC) into compliance with the Safe Drinking Water Act (SDWA) and to be available to customers to respond to concerns. We have a designated website covering our work on the HWC public water system that we update with new information and significant correspondence/documents.

QUESTION: What is EPA currently doing about Havasu Water Company?

ANSWER: EPA's Water Division continues to provide compliance assistance such as having a contractor periodically visit to provide technical assistance and explaining regulations to HWC staff. As discussed in other questions, EPA issued a unilateral administrative enforcement order (UAO) on May 28, 2024 (May 2024 Order) and continues to have follow up and active engagement with the System regarding compliance. EPA issued an emergency administrative order on November 6, 2024 (Emergency Order) to address public health endangerments posed by the frequent water outages. The Emergency Order requires HWC make alternative water available when a Boil Water Notice is in place. In December 2024, EPA plans to conduct an inspection with assistance from EPA's National Enforcement Investigations Center to help identify potential causes and technical solutions to the elevated total trihalomethane (TTHM) levels.

EPA Oversight

QUESTION: Why is EPA now overseeing the HWC instead of CA DDW?

ANSWER: EPA Region 9 regulates public water systems within the boundaries of tribal reservations in California for compliance with the federal Safe Drinking Water Act. A recent court ruling determined that the land that the Havasu Water Company's public water system is located on is within the boundaries of the Chemehuevi Indian Tribe's Reservation. As a result, EPA now directly regulates the HWC water system.

QUESTION: What happens with all the previous documentation and enforcement action taken by DDW?

ANSWER: EPA has been working closely with the State Water Resource Control Board's Division of Drinking Water and has all the State's files and documentation of its previous enforcement work.

QUESTION: When will EPA conduct the next sanitary survey? How often are sanitary surveys conducted?

ANSWER: The last sanitary survey took place on May 8, 2024. The Safe Drinking Water Act requires sanitary surveys every three years for a community water system. HWC's next sanitary survey will be planned for 2027.

QUESTION: Should the system be on a boil water notice until all violations are taken care of?

ANSWER: A boil water notice addresses an acute contaminant, such as microorganisms, bacteria and viruses. Boiling water does not address TTHMs.

QUESTION: What are the requirements for delivery of public notices to the community?

ANSWER: The Safe Drinking Water Act requires the system to deliver notices directly to customers within a specified time period. If a boil water notice is required, the boil water notice must be issued within 24 hours of learning of the incident. Public notices for TTHM MCL exceedances must be distributed quarterly. A water system may distribute any public notice as part of the water bill as long as it is distributed within the required timeframe.

HWC is required to hand deliver public notices when distribution must occur within 24 hours (e.g. Boil Water Notice). EPA may potentially approve distribution of public notices via email but this distribution must still reach all customers.

QUESTION: What factors go into ordering a boil water notice (BWN)? What precautions should be taken when the service is restored after an outage?

ANSWER: EPA orders a BWN if it has concerns that there may be biological contamination in the water. The boiling kills harmful microorganisms like fecal bacteria that can cause acute waterborne illness. Examples of reasons for BWNs include main line breaks, equipment failure, failure to report data, high turbidity levels, and the presence of E. coli in water samples. As a precautionary measure to protect public health, EPA required a BWN in February because the HWC water system did not submit water quality testing and monthly data and EPA could not verify the system was functioning properly. If the treatment system is not properly filtering and treating for microbial contaminants, there is a possible acute health risk to those drinking the water.

After service is restored, the system is required to sample for the presence of total coliform bacteria. The BWN may only be lifted if samples are negative for total coliform bacteria and EPA gives the system permission.

Boiling water as a precaution during Boil Water Notices does release TTHMs through the evaporated water vapor. Customers should minimize the time spent next to boiling water and try to ventilate the room as much as possible to reduce the amount of exposure.

Recently the system has had many line breaks. Customers should let their faucets run for 10 minutes and make sure the water is clear before using it once service or water pressure is restored.

QUESTION: What is a Consumer Confidence Report? Why haven't we gotten them in previous years?

ANSWER: A Consumer Confidence Report is a yearly report on drinking water quality that must be distributed by community drinking water systems each summer. The

report reflects data from the previous year (e.g., a report sent in early 2024 looks at data in 2023).

Systems send their regulating agency a document called a “Certification of Delivery” as proof that they completed distribution. DDW did not receive a Certification of Delivery in 2023 (for the 2022 CCR), indicating that the system did not distribute a CCR that year.

QUESTION: What is a significant deficiency? How many deficiencies are there at the time of this community meeting?

ANSWER: Significant deficiencies are defined to include, but are not limited to, defects 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 have potential for causing, the introduction of contamination into the water delivered to consumers. The significant deficiencies must be corrected within a specified time frame.

The system had 13 outstanding significant deficiencies as of September 5, 2024. They can be found at the following links.

2nd chlorine injection point and on-site certified operators from the December 15, 2023 Inspection:

<https://www.epa.gov/system/files/documents/2024-05/epa-letter-and-inspection-report-havasui-water-company-2024-01-30.pdf>

Coliform site sampling plan and lack of backup power from the May 8, 2024 Sanitary Survey:

<https://www.epa.gov/system/files/documents/2024-07/epa-letter-to-hwc-re-significant-deficiencies-2024-06-03.pdf>

9 remaining significant deficiencies from the May 8, 2024 Sanitary Survey (Proof of correction for “The Vent Shroud Is Not Adequate” significant deficiency was received on September 5, 2024):

<https://www.epa.gov/system/files/documents/2024-07/epa-letter-to-hwc-re-significant-deficiencies-from-sanitary-survey-2024-06-28.pdf>

QUESTION: Is HWC required to have a generator on site? If not, what is the requirement?

ANSWER: HWC is required to have enough backup power to run the entire system in the event of a power outage or other emergency. Please see the 2nd link in the answer above.

QUESTION: Is there any oversight for drinking water testing?

ANSWER: EPA oversees drinking water samples in several ways. Required sample reports are reported to EPA. EPA specifies the method that require how a sample is taken. Most drinking water sample methods require the drinking water samples to be analyzed by an EPA-certified laboratory. Third party laboratory personnel collect routine coliform and chemical samples for HWC, while system personnel take pH, temperature, turbidity, chlorine residual, and tank level data for their monthly operating report.

Samples submitted to the lab for analysis must include a “chain of custody”, which tracks samples after collection and incorporates multiple procedures to ensure accurate data reporting. Falsifying samples and sample records is a federal crime.

EPA also oversees sampling locations and procedures via required site sample plans, sanitary surveys, assessments and other inspections.

EPA Enforcement

QUESTION: Where is the enforceability in the Health & Safety Codes, the PUC Codes, the Citations, the Compliance Orders and all the regulations in place to ensure that the consumer receives clean, safe, potable water?

ANSWER: EPA has been using the authority under the SDWA to pursue unilateral enforcement action with an administrative order against HWC to bring the water system into compliance with the SDWA. In addition, on November 6, 2024, EPA issued an Emergency Order under SDWA Section 1431 to address the ongoing public health risks from the loss of pressure incidents and the use of unqualified individuals to make operational decisions and have operational control in the treatment and distribution systems. SDWA has an enforcement process that must be followed. EPA is authorized to issue a compliance order when there is a specific violation of SDWA. If order requirements are violated, then EPA has discretion to escalate enforcement such as through fines or referral to Department of Justice.

Health and safety codes and citations should be directed to the appropriate agency, such as the State of California agencies.

QUESTION: What happens if Havasu Water Company does not comply with the May 2024 Administrative Order and the Emergency Order? Does EPA have the ability to shut down HWC? If so, why hasn't the facility been shut down?

ANSWER: EPA has issued four letters of noncompliance to HWC as of November 2024 regarding the May 2024 Order. EPA will continue to evaluate HWC's overall compliance with SDWA and the May 2024 Order to determine if escalated enforcement is appropriate. The purpose of SDWA is to ensure public water systems are serving water in compliance with the National Primary Drinking Water Regulations and not endangering public health. EPA works to get systems back on the path towards

compliance with the SDWA through enforcement and compliance assistance. EPA's authorities extend to compliance with the SDWA, but if that is not achieved the DOJ may, under their discretion, seek other outcomes through a court order.

QUESTION: Has the EPA issued any fines? Have any fines issued by any agency been paid? If fines were paid, could this money be used to pay for repairs to the system? If not, where does the money go?

ANSWER: EPA has not issued any fines. EPA is not aware of any fines paid to the CPUC. CPUC fines would go to the state general fund. EPA fines would go to the US Treasury.

QUESTION: EPA has issued three Notices of Noncompliance (as of the community meeting) for failure to comply with the Administrative Order issued in May 2024. What has this accomplished?

ANSWER: The Notices have helped change the way the system has been operating. The system has corrected several deficiencies at the treatment plant and getting a certified treatment operator physically to the system more often. EPA will continue to work with the water system using the authorities granted by the SDWA.

QUESTION: Why hasn't EPA issued an Emergency Order?

ANSWER: On November 6, 2024, EPA issued an emergency administrative order under the authority of the Safe Drinking Water Act. EPA has determined that there is an imminent and substantial endangerment to human health due to the frequent water outages leading to pressure loss in the system. This pressure loss may endanger public health because of the high potential for the backsiphonage of contaminants such as bacteria or other disease-causing organisms into the distribution system.

QUESTION: What does this Emergency Order require HWC to do?

ANSWER: The Emergency Order has numerous requirements – the most relevant requirements to users of the water system are the following:

- HWC must issue a Boil Water Notice whenever there is a partial or full water outage in the system. HWC must remain under Boil Water Notice until EPA receives sufficient evidence the water is free from acute contaminants and EPA approves lifting the Boil Water Notice.
- Whenever HWC is under a Boil Water Notice, such as during any water outage incident, HWC must make safe, alternative water available to all residents.
- HWC must submit standard operating procedures for EPA approval describing how they will manage pressure loss situations. This will help lead to appropriate and consistent responses to pressure loss situations.

- HWC must ensure certified operators are performing all the essential functions.
- HWC must retain a third-party provider to independently assess the distribution system to develop an updated system map and identify potential deficiencies with the distribution system.

QUESTION: When will alternative water be available to users of the water system?

ANSWER: Alternative water must be available whenever the System is under a Boil Water Notice. This includes any water outages at HWC but may also include other situations where EPA determines a Boil Water Notice is necessary to ensure protection of public health. HWC must make available at least one gallon of potable water per person per day to users of the water system until the Boil Water Notice is no longer in effect.

QUESTION: Will residents need to pay for the alternative water?

ANSWER: The Emergency Order prohibits HWC from collecting fees or raising rates in order to make alternative water available to residents.

Water Source/Intake Pipe

QUESTION: Is the location of the intake pipe known? When was the last time the intake was checked, secured, and cleaned?

ANSWER: EPA does not know when the intake was last cleaned and secured, and on what schedule the HWC checks it. However, past reports note that the lake has provided sufficient water quantity and quality. During sanitary surveys, EPA monitors the water source and if any concerns arise, EPA can issue significant deficiencies that will require corrective action.

QUESTION: Why can't a well be drilled on private property to be used as our water supply? Is it due to cost?

ANSWER: EPA does not dictate to water systems what the water source should be. HWC is free to explore groundwater sources as an alternative option.

QUESTION: The sanitary surveys dating to 2017 cited a leak from a diesel tank near the lake. What is being done about this leak?

ANSWER: This was noted as a deficiency during EPA's 2024 sanitary survey, with a recommendation made to replace or remove the diesel storage tank from the intake area, and/or add secondary containment. EPA did not find that it was a significant deficiency with a potential risk for contamination, therefore there is no required deadline to make corrections. At the time of inspection, EPA did not find evidence of

pooling of diesel, or that it is entering the water. Finally, the system has not found any detectable amounts of Volatile Organic Compounds (VOCs) in testing results. EPA will continue to monitor the diesel storage tank and potential risks.

QUESTION: How is turbidity monitored by the system? How does the raw turbidity compare to the treated?

ANSWER: The system is required to monitor turbidity levels and report combined filter effluent turbidity readings from their turbidimeters on the days they run the plant. The combined filter effluent is the combined filtered water produced by the plant. There is a max turbidity limit of 1 NTU (NTU stands for nephelometric turbidity unit) for the combined filter effluent turbidity, and 95% of readings must also fall below 0.2 NTU. It is expected that the raw turbidity is greater than the treated turbidity, but the scale of difference varies throughout the months. The treatment plant must filter the water and reduce turbidity to acceptable levels set by EPA.

QUESTION: What is the legal status of the pipeline easement that runs through reservation land? How can this dispute be settled? Is the Tribe planning on removing the intake? If the Tribe removes the intake, will HWC no longer have a source of water? What is the owner doing to ensure a continuous water supply? Is there a permanent solution?

ANSWER: This is subject of a lawsuit between the Chemehuevi Indian Tribe and the System, and EPA and CPUC are not a party to this litigation.

HWC currently relies only on one surface water intake and if it were to lose access to the intake, it would be up to HWC to determine how to provide water service to customers.

Water Quality

QUESTION: Is the water safe to use? Is hand washing/showering safe? Is the water safe to drink?

ANSWER:

Whether you consider the water to be safe in your own house can be impacted by a number of things including aspects of your own underlying health, the concerns of your family members, and potential risks from the water system. The Safe Drinking Water Act requires that public water systems alert water users if there is a risk to public health. These notifications can be considered when assessing risk for yourself. EPA has a few concerns over the drinking water at Havasu Water Company that you should be aware of:

Boil Water Notices: These notices have been issued when there are concerns that there may be biological contamination in the water. The boiling kills harmful microorganisms like fecal bacteria that can cause acute waterborne illness.

Pressure Loss Incidents: EPA is closely monitoring the safety of the HWC water during pressure loss incidents/water outages. When a line break or other incident occurs that results in a loss of pressure or loss of water service for the system, the water is considered unsafe as backflow or backsiphonage of contaminated water can occur in these situations. Testing for coliform bacteria is needed to confirm the absence of harmful acute contaminants like E.Coli. Precautionary Boil Water Notices are issued as boiling can neutralize the acute contaminants that pose health risks and must remain in effect until test results come back clean and EPA has given the system permission to lift the notice.

Total trihalomethane (TTHM) Maximum Contaminant Level (MCL) Exceedances: Monitored concentrations of TTHMs exceed the Federal Safe Drinking Water Act's (SDWA) Standard for TTHMs. Activated carbon filters attached to your tap can be highly effective at removing TTHMs. You can also leave the water out at ambient room temperature, and they will evaporate.

TTHM MCL exceedances are associated with an unacceptable lifetime or chronic (70 year) risk to human health. US EPA Drinking Water Standards and guidelines are derived to remain protective of children and sensitive members of the general population over a lifetime of daily exposure. More information about TTHM risks are detailed in the question below.

The data EPA has received does not currently indicate any other exceedances of the maximum contaminant levels for primary contaminants. If the situation changes, the community will be informed through public notification.

QUESTION: What are the specific risks related to total trihalomethanes (TTHM)? How can we protect ourselves and limit exposure to the contaminants in the water? Will a home filtration system lower disinfection byproduct levels?

ANSWER: Trihalomethanes are a large family of chemically related constituents commonly found in drinking water systems that use chlorination for disinfection. TTHMs are considered a byproduct of drinking water disinfection and long-term or chronic exposure to a subset of the family has been associated with a wide range of adverse impacts on human health.

Yes, when changed regularly according to manufacturer instructions, activated carbon filters attached to your tap are highly effective at removing TTHMs. You can also leave the water out at ambient room temperature and they will evaporate. Routes of exposure

to the TTHMs at HWC include inhalation and dermal absorption which are related to bathing and showering. A filter on a shower tap, proper bathroom ventilation, and minimizing shower time would also be strategies to lower your exposure. Any filtration device implemented should be designed to remove TTHMs and be certified by a 3rd party such as NSF International, Underwriters Laboratory or Water Quality Association.

The two most notable trihalomethanes found in HWC's water are chloroform and bromodichloromethane. Authoritative health-risk information and personal exposure reduction recommendations - coupled with effective household mitigation strategies for each site-specific constituent can be found below:

Chloroform

a) US EPA Integrated Risk Information System (IRIS):

https://iris.epa.gov/ChemicalLanding/&substance_nmbr=25

b) Centers for Disease Control – Agency for Toxic Substances & Disease Registry (CDC-ATSDR): <https://www.atsdr.cdc.gov/toxfaqs/tfacts6.pdf>

Bromodichloromethane

a) US EPA Integrated Risk Information System (IRIS):

https://iris.epa.gov/ChemicalLanding/&substance_nmbr=213

b) Centers for Disease Control – Agency for Toxic Substances & Disease Registry (CDC-ATSDR): <https://www.atsdr.cdc.gov/toxfaqs/tfacts129.pdf>

Operations

QUESTION: Please explain the difference between T1 and T2 operator duties and responsibilities. Please clarify how T1 and T2 operators work with “small” water companies. Are they expected to be full-time or part-time? Can they be contractual?

ANSWER: Treatment Grade 2 operators must have a deeper understanding of water math and water treatment technology to pass the certification exam and meet the criteria for receiving certification. Small water companies may have part-time, contract operators, but those operators must meet minimum requirements set by the state or EPA for running the systems.

QUESTION: How often is the water tested by an outside lab?

ANSWER: HWC contracts with Clinical Labs of San Bernardino for sampling. Sampling frequencies for regulated contaminants vary. For example, they have monthly coliform samples, quarterly sampling of disinfectant byproducts, and annual nitrate sampling.

QUESTION: Are there certified personnel operating the system? If so, how many days is that person on site? Have we observed the operator certifications of those that have been employed by HWC?

ANSWER: Currently HWC employs certified personnel and EPA has observed their certifications, but EPA is investigating whether they meet our requirements for having certified operators with proper operational control of the system. This is the subject of several notices of non-compliance and covered in EPA's enforcement action.

Miscellaneous

QUESTION: Does the Federal EPA disperse funds for infrastructure and/or improvements to the water company?

ANSWER: Each year, funds are distributed to the EPA and the states for various grants and programs. Region 9 EPA manages the grants that are allocated for water systems that benefit Tribal communities only. Non-tribal systems are eligible to apply for funding under their State Revolving Fund Program.

QUESTION: Is there financial support for getting granulated activated carbon (GAC) filters?

ANSWER: There is no EPA funding available to provide GAC filters but if EPA becomes aware of any other organizations that may provide filters, EPA will notify the community. If someone wants to install their own filter, it's important to recognize the routes of exposure to TTHMs. For example, the most effective place for a filter may be in the shower, depending on water usage in the home.

QUESTION: Is it true that the TTHM levels have increased due to the ferry causing an increase in natural organic matter being churned up in the lake?

ANSWER: Data reports have shown that levels have been fairly stable for the past decade.

QUESTION: Why is the owner of the water company not required to be at the September 5, 2024 Havasu Community Meeting?

ANSWER: The purpose of the meeting was for EPA and CPUC to provide information to the community. There is no requirement in regulations for the owner to be present at the meeting.

Questions with CPUC Response

Service & Oversight Concerns

Customers can file an informal complaint to the CPUC's Consumer Affairs Branch to dispute billing inconsistencies, water service issues (decrease in water pressure, incorrect meter size, etc.), and water quality issues. Informal complaints can be filed by mail, phone, and online: <https://www.cpuc.ca.gov/consumer-support/file-a-complaint/utility-complaint>.

If a customer is unsatisfied with the resolution of their informal complaint, they can then file a formal complaint. More information on formal complaints can be found on the CPUC website: <https://www.cpuc.ca.gov/consumer-support/file-a-complaint/filing-a-formal-complaint>.

HWC's billing and operations must follow its tariffs approved by the CPUC. Customers can request a copy of HWC's tariffs from the CPUC's Water Division.

Rates

QUESTION: What is the process for rate increases being approved by the CPUC?

ANSWER: A General Rate Case (GRC) to request rate increases is filed by small water utilities to the CPUC through its informal advice letter process. Staff will analyze the utility's request, workpapers, and any additional information that Staff believe is necessary to develop their recommendation for the outcome of the GRC. A public meeting is held where CPUC staff discuss the GRC process and representatives from the utility explain the requested increase with members of the affected community. A proposed resolution is drafted which may recommend all, none, or some fraction of the utility's requested rate increase. If the advice letter was protested, the proposed resolution will be mailed (hard copy or electronic) to the service list as part of a 20-day comment period. The proposed resolution will then be voted for approval or rejection by the CPUC Commissioners.

A Consumer Price Index (CPI) rate increase is an inflationary increase. The CPUC allows all regulated small water utilities earning less than their authorized rate of return to file for a CPI increase once a year, subject to an earnings test. CPIs are designated a "Tier 1 advice letter filing." While these filings do not require advance notice, the utility must inform customers by bill insert in the first bill that includes the increase.

All of the rules and regulations that govern utility advice letters and CPUC resolutions can be found in the CPUC's General Order 96-B.

QUESTION: Does the CPUC review the utilization of revenues for maintenance, repairs, and improvements on the water system?

ANSWER: As part of the General Rate Case analysis, staff will review previously approved rate increases and any improvements, repairs, or capital infrastructure projects that were proposed. If a utility is found not to have done the proposed work, it may affect staff's recommendation for the current rate case including a recommendation to reject the rate case.

QUESTION: How are rates determined?

ANSWER: The Readiness-to-Serve fee, or service charge, is the fixed portion of the bill that is applied regardless of water usage and is based on meter size. The service charge is applied to the general operations and maintenance of the system. The quantity charge portion of the bill is a variable charge that is based on the amount of water used for the billing period. The quantity charge should always be based on exact water usage and not rounded to the nearest hundred cubic feet (CCF). One CCF is equivalent to 748.1 gallons.

QUESTION: What are the current approved rates?

ANSWER: The last rate increase occurred with the approval of HWC Advice Letter 50-W on January 29, 2024. The present rates for the Service Charge are \$92.42 for a 5/8 x 3/4" meter and \$6.83 for the Quantity Charge.

QUESTION: HWC has been out of compliance and problematic for many years. Why have they been given so many rate increases over the years without any improvements?

ANSWER: HWC's last approved General Rate Case increase was on June 11, 2020, by Resolution W-5224, which granted an increase in gross annual revenues of \$49,165. Since then, HWC filed AL 48-W on October 22, 2021, a subsequent General Rate Case which was rejected for procedural reasons by Resolution W-5250.

Equipment

QUESTION: How accurate are utility meters such as water meters required to be? And how is that accuracy verified? Is there a schedule or industry standard as to how often meters must be checked/tested for accuracy and/or replaced?

ANSWER: CPUC General Order 103-A, Section IV, contains the standards and regulations for meters, meter testing, and meter accuracy. Meter testing, accuracy, and maintenance shall comply with the current edition of the American Water Works Association's (AWWA) M6 manual, "Water Meters- Selection, Installation, Testing, and Maintenance."

QUESTION: Does HWC have the legal right to remove water meters from customers and stop supplying them water?

ANSWER: The services offered by Havasu Water Company to its customers are governed by HWC's approved tariffs. HWC Tariff Rule 11.D allows HWC to refuse service under the following conditions:

- a. If the applicant fails to comply with any of the rules as filed with the Public Utilities Commission.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the utility will not serve an applicant until it has determined that all conditions of fraudulent use or practice has been corrected.

HWC must provide customers with notice of the customers right to appeal any refusal to serve to the CPUC. (See HWC Tariff Rule 11.D.2, P.U.C. Sheet No. 316-W)

QUESTION: If the CPUC orders HWC to reinstall a removed meter following a formal complaint; how long does HWC have to comply? If HWC does not comply, what recourse does the customer have?

ANSWER: When the Commissioners approve the decision of a CPUC Administrative Law Judge (ALJ), the decision is final and any orders are binding on HWC. HWC's failure to re-install the meter may be a violation of a CPUC order. Failure to comply with a CPUC order can result in fines/penalties ordered by the ALJ following an Order to Show Cause hearing. The affected customer should notify the assigned ALJ of HWC's failure to comply.

QUESTION: HWC claims an "exclusive right" to supply water to our homes and that it is illegal to disconnect from HWC and utilize an alternate source. Can you please clarify?

ANSWER: HWC's tariff allows customers to request discontinuance of service by providing two days' advance notice. (See Rule 11 A.1, P.U.C. Sheet No. 307-W). While the tariff does not require written notice of the request, notice in writing is preferable to establish record of the request. If a customer believes HWC actions are in violation of the tariff by continuing to charge for water service after a request to discontinue service, the customer can access the CPUC's informal and formal complaint process for assistance to resolve the issue.

QUESTION: What is currently being done about the fire hydrants in our area? I heard several do not work at all. Who is responsible for hydrant maintenance?

ANSWER: In accordance with the CPUC's General Order 103-A, Section VI.5, a utility may have a written service agreement with the local fire protection agency for furnishing

water and maintenance of fire hydrants. In the absence of a written agreement, the utility will be responsible for maintaining fire hydrant service. Routine fire hydrant maintenance, including the schedule of, is required as part of the utility's Operations and Maintenance (O&M) plan.

Miscellaneous

QUESTION: The readiness to serve fee is supposed to maintain the infrastructure, as testified by the owner. But clearly infrastructure is deteriorating, why isn't this being enforced?

ANSWER: Per GO 103-A, Section VII., a utility is required to have a set of Operation and Maintenance (O&M) plans which include asset management and emergency response plans.

The CPUC is enforcing the Public Utilities Code and General Order 103-A. This includes the numerous significant deficiencies and water quality issues identified by the EPA. The CPUC issued a Notice of Violation to HWC on October 4, 2024, for exceeding a water quality measure as well as other violations of the Public Utilities Code and GO 103-A. The Notice of Violation requires HWC, within 30 days, to resolve all outstanding significant deficiencies identified by the EPA and to procure certified water distribution and treatment operators.

QUESTION: Is HWC's failure to supply backup generation an enforceable violation?

ANSWER: It was cited in a previous Notice of Violation issued on April 1, 2022. HWC claims to currently have access to a backup generator.

QUESTION: What can the CPUC do? For example, is California Public Utilities Code section 451, which requires every public utility to maintain its infrastructure enforceable?

ANSWER: Yes, Public Utilities Code 451 is enforceable. The CPUC can take enforcement actions for violations of the Public Utilities Code and CPUC's General Orders. These enforcement actions may include Notices of Violation, citations, and other actions. However, the CPUC cannot speculate on future actions it may take.

QUESTION: Does CPUC have rules about when a licensed operator needs to be onsite?

ANSWER: GO 103-A requires that water utilities have the appropriately certified operators for its distribution, treatment, and cross-connection systems, but does not specify when an operator needs to be onsite.

QUESTION: Can HWC customers receive bottled water direct from the utility?

ANSWER: CPUC-regulated water utilities are obligated under its Certificate of Public Conveyance and Necessity, the Public Utilities Code, and CPUC's General Orders, to provide safe and reliable water service to customers. This should include the provisioning of alternate water sources during a prolonged systemwide water outage.

Other Questions

QUESTION: During a water outage it seems like Havasu Water Company should be required to provide a “FIRE WATCH”. Someone dedicated to driving the area as a lookout for fires.

ANSWER: Any questions regarding fire watch may be directed to San Bernardino County City Works and Fire Department.

QUESTION: Single family homes built here in unincorporated areas of San Bernardino County require fire sprinklers. The HWC hydrants and supply system do not appear to meet the County’s required flow rate for the system to be effective. What can be done to rectify this?

ANSWER: Please contact the San Bernardino City Works and Fire Department for more information regarding this topic.