

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 9

## AUTHORITY

1. This Emergency Administrative Order (Order) is issued by the U.S. Environmental Protection Agency (EPA) pursuant to the authority of Section 1431(a) of the Safe Drinking Water Act (“the Act” or “SDWA”), 42 U.S.C. § 300i(a). The undersigned official has been properly delegated this authority.
2. The EPA may issue an order under Section 1431(a) of the Act, 42 U.S.C. § 300i(a), upon receipt of information that a contaminant that is present in or is likely to enter a public water system or an underground source of drinking water may present an imminent and substantial endangerment to the health of persons, and appropriate state and local authorities have not acted to protect the health of such persons.

## **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

3. The Fort Mojave Tribal Utilities Authority is established and chartered under the laws of the Fort Mojave Indian Tribe and therefore is a “person,” as that term is defined in the Act, 42 U.S.C. § 300f(12), and 40 C.F.R. § 141.2, for purposes of federal enforcement under the Act.
4. The Fort Mojave Tribal Utilities Authority (Respondent) owns and/or operates the Arizona Village Public Water System (System) located within the exterior boundaries of the Fort Mojave Indian Reservation of Arizona. The System provides water to the public for human consumption through pipes or other constructed conveyances.
5. The System is supplied by one active groundwater source, the Quinetha Well. The System disinfects the source water using sodium hypochlorite. The System’s second well, the Curcio Well, has not been operational since at least September 2025 after the well casing collapsed.
6. The System has approximately 1,425 service connections used by year-round residents and/or regularly serves an average of approximately 2,879 year-round residents. Therefore,

the System is a “public water system” and a “community water system” as defined in 40 C.F.R. § 141.2 and Section 1401 of the Act, 42 U.S.C. § 300f.

7. On November 7 and 10, 2025, the EPA consulted with appropriate tribal and/or local authorities regarding actions such authorities have taken in this matter to protect the health of individuals served by the System; to confirm the correctness of the information on which this Order is based; and to ascertain the actions which tribal and/or local authorities are or will be taking.
8. The EPA directly implements the Act on the Reservation, as no other governmental entity has primary enforcement responsibility under Section 1413 of the SDWA on the Reservation. The EPA has determined that appropriate state and local authorities have not acted to protect the health of persons in this instance.
9. The EPA has determined that conditions exist at the System that may present an imminent and substantial endangerment to the health of humans, and that this Order is necessary to protect public health.
10. Under 40 C.F.R. § 143.3, EPA has established secondary maximum contaminant levels (SMCLs) for certain contaminants to address taste, color, odor, and other aesthetic qualities of drinking water. Although SMCLs are not federally enforceable, considerably higher concentrations of these levels may also pose public health implications.
11. The SMCL for manganese is 0.05 mg/L. 40 C.F.R. § 143.3. In addition, EPA’s 2004 *Drinking Water Health Advisory for Manganese* establishes a lifetime manganese health advisory level of 0.3 mg/L to protect against potential neurological effects. The advisory also provides one-day and ten-day manganese health advisory levels of 1 mg/L for acute exposure and recommends that infants younger than six months use the lifetime value of 0.3 mg/L for acute exposure.
12. On July 3, 2025, the Arizona Department of Environmental Quality received a complaint that the drinking water at the System contained black and brown slime or film. ADEQ forwarded the complaint to EPA on July 7, 2025. EPA received another complaint on July 28, 2025, about brown water, and a third on September 9, 2025, reporting persistent and worsening discoloration, suggesting a continuing water quality concern.

13. On November 6, 2025, EPA became aware of the analytical results of “special” purpose drinking water sampling conducted on October 27, 2025 for iron and manganese at the System’s entry point for the Quinetha Well. Iron was detected at 0.64 mg/L and manganese was detected at 1.1 mg/L. The manganese result exceeds EPA’s health advisory for acute, one-day, exposure to manganese.
14. On November 7, 2025, the Respondent opened its emergency interconnection with the City of Needles and temporarily ceased usage of the Quinetha Well.
15. Chronic exposure to high doses of manganese may be harmful. Excessive consumption of manganese may cause neurological effects that may be without immediate symptoms but may cause hyperactivity and difficulty with fine motor control in the future. Infants exposed to manganese over 0.3 mg/L may experience learning or behavioral problems.
16. On November 6, 2025, the EPA required Respondent to issue a Tier 1 public notice and provided a template for a Do Not Drink advisory. Respondent has failed to issue the Do Not Drink advisory within 24 hours as required by the EPA.

**ORDER**

**INTENT TO COMPLY**

17. Within 24 hours of receipt of this Order, Respondent shall notify the EPA in writing of its intent to comply with this Order. Notification by e-mail to the EPA point of contact identified below is acceptable.

**DO NOT DRINK ADVISORY AND PUBLIC NOTICE**

18. Within 24 hours of receipt of this Order, Respondent shall distribute an EPA-approved Do Not Drink advisory and shall re-issue the advisory monthly until the EPA provides written notification to Respondent that the Do Not Drink advisory is no longer needed.
19. Respondent must carry out the public notice and other notice requirements as required by 40 C.F.R. Part 141, subpart Q.

**ALTERNATE WATER SUPPLY**

20. Using the public notice template referenced in paragraph 18 and consistent with the requirements referenced in paragraph 19, above, Respondent shall, no later than 24 hours after receipt of this Order, notify the public that an alternative potable water supply is

available at no cost to all users of the System as needed for drinking, cooking, maintaining personal hygiene, and dishwashing. Respondent shall provide at least one gallon of potable water daily per person served by the System at a central location that is accessible to all persons served by the System. The alternate water supply shall be made available until the Respondent receives written notification from the EPA that it is no longer necessary to supply alternative potable water.

21. No later than five (5) days after the effective date of this Order (see paragraph 37, below), Respondent shall provide the EPA with a copy of its notification to the public indicating that an alternate water supply is available.

#### **CORRECTIVE MEASURES**

22. Within fifteen (15) days after the effective date of this Order, Respondent shall submit a written compliance plan (Compliance Plan) to EPA for review and approval that outlines corrective actions taken and/or to be taken to address the manganese contamination at the System. The proposed Compliance Plan must include, at a minimum, proposed system modifications, estimated costs of modifications, and a schedule for completion of the project, including specific milestone dates and a final completion date in which the Compliance Plan will be fully implemented. EPA encourages Respondent to coordinate with EPA staff during development of the Compliance Plan to facilitate approval.
23. Upon written approval by EPA, Respondent shall implement the Compliance Plan. If EPA disapproves of the submitted Compliance Plan, EPA may provide Respondent with a written statement of the reasons for disapproval and any recommendations for revision. Within five (5) days after receiving EPA's written disapproval, Respondent shall submit the revised Compliance Plan for EPA's review and approval that addresses the stated reasons for disapproval and incorporates EPA's recommendations.
24. Upon EPA's written approval, the Compliance Plan required by paragraph 22 will become an enforceable part of this Order.
25. If EPA determines that implementation of the approved Compliance Plan does not adequately correct or prevent further contamination, EPA may require Respondent to take

additional corrective measures to protect public health and ensure compliance with this Order.

26. Respondent shall notify the EPA in writing within 24 hours after completing any corrective action(s).

#### **DISTRIBUTION SYSTEM MONITORING REQUIREMENTS**

27. Within fifteen (15) days after the effective date of this order, Respondent shall begin collecting three monthly “special” purpose manganese samples (defined in 40 C.F.R. § 141.853(b)) from the System’s distribution system, and collect manganese samples at all active entry points to the distribution system, until notified in writing by the EPA that monthly “special” purpose sampling may be discontinued. Respondent shall ensure that each sample is analyzed for manganese and shall email each result to the EPA immediately upon receipt of the analysis from the laboratory (*i.e.*, as soon as practicable, and in no event more than 24 hours after).
28. The EPA may require Respondent to conduct additional sampling and reporting at any time while this Order is in effect, as necessary to verify drinking water quality, assess the effectiveness of corrective actions, or otherwise ensure protection of public health.
29. If permanent treatment measures do not reduce manganese concentrations in the distribution system to levels at or below 0.3 mg/L, Respondent shall implement operational controls, including flushing, to reduce manganese exposure to the public. EPA may amend this Order to require a plan to intermittently flush water from the distribution system.

#### **REPORTING**

30. Respondent shall submit to EPA monthly progress reports by the fifteenth (15<sup>th</sup>) day of each month, which shall at a minimum provide updates on the progress of corrective actions, and sampling and monitoring for manganese. The updates must continue monthly until the EPA provides written notification to the Respondent that reports may be submitted less frequently or discontinued. These reports must be submitted via e-mail.
31. Any notices, reports, or updates required by this Order to be submitted to the EPA shall be submitted to the following points of contact:

Christopher Chen

Email: [chen.christopher@epa.gov](mailto:chen.christopher@epa.gov)

Telephone: (213) 244-1853

and

Annie Wan

Email: [wan.annie@epa.gov](mailto:wan.annie@epa.gov)

Telephone: (415) 972-3845

32. This Order does not relieve Respondent from the obligation to comply with any applicable federal, state, tribal, or local law.
33. Failure to comply with this Order may result in civil penalties of up to \$29,911 for each day in which such violation occurs or failure to comply continues. 42 U.S.C. § 300i(b); 40 C.F.R. Part 19; 90 Fed. Reg. 1375 (January 8, 2025).
34. This Order constitutes a final agency action. Respondent may seek federal judicial review of the Order pursuant to Section 1448(a) of the SDWA, 42 U.S.C. § 300j-7(a).
35. The EPA may modify this Order. The EPA will communicate any modification(s) to Respondent in writing and they shall be incorporated into this Order.
36. The provisions of this Order shall be deemed satisfied upon Respondent's receipt of written notice from the EPA that Respondent has demonstrated, to the satisfaction of EPA, that the terms of this Order have been satisfactorily completed.
37. Issued and effective this 13<sup>th</sup> day of November, 2025.

\_\_\_\_/s/\_\_\_\_ 2025/11/13 \_\_\_\_\_  
Amy C. Miller-Bowen, Director  
Enforcement and Compliance Assurance Division