



REGION 9

SAN FRANCISCO, CA 94105

December 13, 2024

SENT VIA EMAIL ONLY

Jennifer Hodges
President, Havasu Water Company
P.O. Box 1690
Havasu Lake, CA 92363
havasuwat@outlook.com

Re: Notice of Noncompliance for EPA Emergency Administrative Order No. PWS-AO-2025-002
Havasu Water Company
Public Water System ID No. 090600202

Dear Jennifer Hodges:

This letter is regarding the above-referenced Emergency Administrative Order (“Emergency Order”) that the U.S. Environmental Protection Agency Region 9 (EPA) issued to you on November 6, 2024, under Section 1431(a) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i(a).

Noncompliance with Emergency Order

As of this date, you have failed to comply with conditions in the Emergency Order. EPA issued the Emergency Order to ensure the Havasu Water Company (HWC) public water system (“System”) addressed public health endangerments posed by repeated water outages. You failed to submit a Standard Operating Procedure (SOP) for the System’s planned response to emergency pressure loss incidents, failed to identify an appropriate technical provider, failed to submit the monthly distribution operator log, and failed to submit the monthly progress report.

Failure to Submit Emergency SOP for Pressure Loss

You have not submitted an emergency SOP for pressure loss to EPA. Paragraph 31 of the Emergency Order required you to submit an emergency SOP for pressure loss by December 6, 2024 that includes detailed, exact steps for how the System will respond to an incident, including, but not limited to: how to identify an incident, how to appropriately notify the public of the incident, how to conduct a line break repair, how to respond to power outages, and how to disinfect the System following an incident and how to demonstrate water is safe from bacterial contamination.

Failure to Identify Technical Provider for Approval

You have not submitted to EPA an appropriate third-party technical provider for approval. Paragraph 38(a) of the Emergency Order required you to identify a properly certified, third-party technical provider to assess the distribution system by December 6, 2024. On December 9, 2024, you submitted Rick Miller as the proposed technical provider, but as the current named distribution operator for the System and an employee of HWC, this submission is not appropriate or valid as he is not a third-party technical provider. Please submit a new technical provider for approval by December 19, 2024.

Failure to Submit Monthly Distribution Operator Logs

Paragraphs 39 and 40 of the Emergency Order, respectively, required you to submit a monthly distribution operator log and monthly treatment operator log within ten days after the operating month (i.e., the November 2024 operator log would be due December 10, 2024).

You have not submitted the November 2024 distribution operator log to EPA, which must be maintained by the certified operator on record. In your email on December 10, 2024, you stated the certified distribution operator had nothing to report. However, Paragraph 39 of the Emergency Order requires the certified distribution operator to review, operate, and maintain the System at minimum once per month. The email would indicate the certified distribution operator failed to meet the minimum standard of on-site work of at least once per month. In addition, it appears according to our records that meter replacements, valve replacements, and booster pump maintenance may have been conducted during November 2024, which are activities required to be conducted under the direct, in-person supervision of the certified distribution operator.

You submitted the November 2024 treatment operator log to EPA on December 11, 2024, but it was due on December 10, 2024. Please ensure documents are submitted within the required timeframe in future iterations.

Failure to Submit Written Progress Report

You have not submitted the November 2024 progress report to EPA. Paragraph 41 of the Emergency Order requires you to submit a monthly progress report by the last day of each month (i.e., a November 2024 progress report would be submitted no later than November 30, 2024). The progress report must use the template provided in Appendix B of the Emergency Order to ensure an update on each requirement is included.

As stated in the Emergency Order at Paragraph 45, in the event you fail to comply with the Emergency Order, EPA may commence action in U.S. District Court to require compliance with this Order and to assess a civil penalty of up to \$29,154 per day of violation under the SDWA.

If you have any questions about this letter, please contact Christopher Chen of the Enforcement and Compliance Assurance Division at (213) 244-1853 or at chen.christopher@epa.gov. You may also have your legal counsel contact Alexa Engelman in our Office of Regional Counsel at (415) 972-3884, or by email at engelman.alexa@epa.gov.

We appreciate your cooperation and prompt attention to this matter.

Sincerely,

Lawrence Torres, Manager
Drinking Water Section
Enforcement and Compliance Assurance Division