

W-02197A-13-0115



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ORIGINAL

ARIZONA CORPORATION COMMIS

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: 2013 MAY -1 P 2:29

Fax:

Priority: Respond Within Five Days

Inquiry No. 2013 - 110536

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Date: 5/7/2013

Complaint Description: 05B Quality of Service - Misinformation  
N/A Not Applicable

Complaint By: First: Rose Last: Eitemiller

Account Name: Rose Eitemiller

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Humboldt

CBR:

State: AZ Zip: 86329

is: Cellular

Utility Company: Humboldt Water Systems, Inc

Division: Water

Contact Name:

Arizona Corporation Commission  
Contact Phone:

Nature of Complaint:

DOCKETED

From: Rose Eitemiller [mailto:...]  
Sent: Monday, May 06, 2013 10:09 PM  
To: Carmen Madrid; dhont.jeff; searles.zizi@epa.gov; Donna Calderon  
Subject: HWS Customer Rate Hike Protest.

MAY 7 2013

DOCKETED BY [Signature]

Hello Ms. Madrid,

I am sending you an email as requested protesting the allowance of rate increases on the community members that take part in Humboldt Water Systems for the following reasons:

1. Tim Kylo and Humboldt Water Systems, has been in violation over several years. The first date that I personally am aware of dates back to 2006 when the EPA tested the HWS well water and found it to be at or above 14 mcl's of Arsenic. I was informed of the testing and results via the EPA RPM Leah Butler.
2. The second incident was in 2011 which spurred on my complete involvement. In 2011 the University of Arizona Gardenroots Project headed up by Monica Ramirez-Andriotta was studying the soil, vegetation and water of participants for contaminants due to the Superfund site. In January 2012 the Gardenroots project held a meeting and handed out participant results. My water came to 18.9 mcl's of Arsenic, some were lower and some were higher depending on location and whether they were on well water or HWS. As I had had an EPA representative with me at the meeting, I immediately showed my results to him. The EPA RPM Monika O'Sullivan from Region 9 was informed immediately, as well as the ADEQ. It was through great effort, the efforts of the EPA and a few other citizens, that ignited the interest of ADEQ even further; it was at this point the ADEQ's involvement lead to an investigation which then lead to Humboldt Water Systems 7 NOV's.
3. ADEQ tested the water in 2012 and found HWS had Nitrates and Arsenic. Mr. Kylo, having been in violation, never once informed his paying customers that they were drinking Arsenic nor Nitrates in their water. I followed up with EPA, ADEQ and a local newspaper reporter as to why customers were not being notified, it was then that HWS notified customers through a small notice listed at the bottom of the monthly statement to go to the website

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provided to learn more about the Nitrates in drinking water. If one did go to the website, it contained no notice of Nitrates, nor Arsenic. It was not informative at all. It wasn't until I broke this news to a local newspaper reporter who then spoke with Mr. Kylo prior to printing the NOV's that Mr. Kylo properly notified his customers that the drinking water was contaminated and that we should purchase drinking water from other sources until further notice.

5. The local elementary school shut down the water supply for drinking to all students and faculty and sent notices home to parents. Most parents provided water bottles to their children for drinking water. The school also supplied drinking water. I believe that this urged Mr. Kylo to personally purchase bottled drinking water for the students and faculty of the school. The HUSD then purchased a filtration system to prevent future contamination.

Note: As to the filtration system the HUSD provided for the school is unknown to me and to my knowledge no other filtration system removes Arsenic other than an RO system, which I do not believe the school has been provided with. This may need further investigation.

6. In the statements that HWS customers received in late July or August of 2012 it was stated that the drinking water was unsafe to drink and that it contained Nitrates, but no notice of contamination of Arsenic (EPA can provide further information to this statement). As I stated, we were to purchase drinking water until further notice. Since there has been no further notice, and HWS has since changed billing systems, all we receive is a postcard statement with the amount we owe and to whom we are to pay our bills to. Nothing to date has been updated as to HWS drinking water and the customers therein.

I am the Founder of the Community Coalition of Dewey-Humboldt which holds the Technical Assitant Grant for the EPA, and I work with the University of Arizona's Metals Exposure Study in Homes (MESH); to say that I am involved in the community would be an understatement. I have been involved with this community long before we were a Superfund. I immediately started purchasing bottled water the moment I found it to be contaminated as of January 2012, and urged other HWS customers to do the same prior to Mr. Kylo's notification to his customers.

My concern is that the HWS customers have been paying Mr. Kylo for contaminated water for a documented 7 years, and who knows how long before that. We were recommended by Mr. Kylo to purchase drinking water from the resulting contamination thus adding to our monies output. What is not mentioned, is that those who cannot afford to purchase bottled water continue to drink HWS water. We also cook and bathe in it. Since the body is porous there is a certain amount of these contaminants being absorbed thus adding to the contact of these contaminates.

I had a recent meeting with the EPA and ADEQ which I found that ADEQ (water section) has sent NOV's to HWS on Nitrates, but not on the high levels of Arsenic as I previously stated in the above. If this is true, then there is a definite problem and infraction on the part of both the ADEQ and HWS. I do know that the ADEQ has alloted Mr. Kylo time over and over again to come up with a solution, all the while the customers are being contaminated and left in the dark.

During the meeting with the ADEQ I learned that Mr. Kylo has knowledge and could have applied for grant money to help him in his venture to bring clean drinking water to his customers, instead he wants to raise our rates. Not only is this a disservice to the community members on HWS, but it is a slap in the face; especially to those, such as myself, who have brought this to the attention of the EPA and ADEQ water section, long before he purposed this rate hike.

The fact that entities like HWS are supposed to be monitored by ADEQ and HWS has continued to be in violation, one could assume that this problem could have and should have been taken care of long before my involvement, and could have been paid for by grants made available for instances such as these.

I urge you and others at the Arizona Coporation Commission to prevent Mr. Kylo from raising the rates of HWS customers who have unknowingly been drinking contaminated water for years prior to his late 2012 statement of

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contamination, and furthermore be required to reimburse his customers for the cost it would take to provide bottled water to his customers families for weeks, months and even years at a time.

I thank you for your time.

I am forwarding this email to my contacts at the EPA should you need further assistance or information as to the above email. I have also copied Ms. Calderon of the ADEQ for her references on the matter.

Sincerely,

--

Rose Eitemiller CEO  
Community Coalition of Dewey-Humboldt

Humboldt, Arizona 86329

\*End of Complaint\*

**Utilities' Response:**

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**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. W-02197A-13-0115. closed

\*End of Comments\*

**Date Completed: 5/7/2013**

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