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## State Water Resources Control Board

### Division of Drinking Water

# ORDER DDW\_HQ\_EAR2022\_001 REQUIRING THE ELECTRONIC SUBMISSION OF THE 2022 ANNUAL REPORT (eAR)

The State Water Resources Control Board (State Water Board), acting by and through its Division of Drinking Water (Division), and pursuant to California Health and Safety Code section 116530, hereby issues Order No. DDW\_HQ\_EAR2022\_001 (Order), as set forth below.

### FINDINGS AND AUTHORITIES

1. **WHEREAS**, pursuant to the California Safe Drinking Water Act (California SDWA), a public water system must submit a technical report about its water system to the State Water Board in the form and format and at intervals specified by the State Water Board. (Health & Saf. Code, § 116530.) The technical report may include without limitation: detailed plans and specifications, water quality information, physical descriptions of the existing or proposed system, information related to technical, managerial, and financial capacity and sustainability, and information related to achieving the goals of section 106.3 of the Water Code, including affordability and accessibility.

2. **WHEREAS** the Division has created an electronic annual reporting (eAR) tool to facilitate the collection of annual technical reports from public water systems.
3. **WHEREAS** public water systems have submitted technical reporting data via the eAR since 2009.
4. **WHEREAS** the State Water Board needs information about public water systems, including critical water system information to assess compliance with regulatory requirements and technical, managerial, and financial capacity, as well as up-to-date contact and service connection information.
5. **WHEREAS** a statewide survey of large, medium, and small public water systems concerning the current cost of drinking water paid by residential, business, and industrial consumers is required by statute. (Health & Saf. Code, § 116355, subd. (b)(9).)
6. **WHEREAS** community water systems must compile lead service line inventories and provide timelines for replacement, if applicable, to the State Water Board. (Health & Saf. Code, § 116885, subds. (a)-(b).)
7. **WHEREAS** public water systems providing service to more than 200 connections must report to the State Water Board the number of annual discontinuations of residential service for inability to pay. (Health & Saf. Code, § 116918.)
8. **WHEREAS** small water suppliers and nontransient noncommunity water systems that are schools are required to report annual water supply information to the State Water Board through the electronic annual reporting system. (Wat. Code, § 10609.61.)
9. **WHEREAS** orders to submit technical reports pursuant to section 116530 of the Health and Safety Code are not subject to chapter 3.5 of part 1 of division 3 of title 2 of the Government Code. (Gov. Code, § 11352, subd. (f).)

## **DIRECTIVES**

**THEREFORE**, the Division of Drinking Water hereby orders all public water systems to submit a technical report (2022 Reporting Year eAR), as directed below:

1. No later than **May 13, 2023**, submit the 2022 Reporting Year eAR to the Division.
2. Complete and submit the 2022 Reporting Year eAR via the eAR Portal (<https://ear.waterboards.ca.gov>) consistent with the instructions at the State Water Board's eAR webpage ([https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/ear.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/ear.html)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order.

## **AMENDMENTS TO THIS ORDER**

The State Water Board reserves the right to make modifications to this Order as it may deem necessary. Modifications may be issued as amendments to this Order or as changes to the instructions at the State Water Board's eAR webpage.

## **FUTURE ENFORCEMENT FOR FAILURE TO COMPLY**

The California SDWA authorizes the State Water Board to issue a citation with monetary penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder. Failure to comply with this Order may subject a public water system to a citation with a monetary penalty.

The California SDWA also authorizes the State Water Board to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board.

### **PARTIES BOUND**

This Order shall apply to and be binding upon all public water systems operating in California, including their owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

### **SEVERABILITY**

If any provision of this Order is held invalid or the application of that provision to any circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end the provisions of this Order are severable.

A handwritten signature in black ink, appearing to read "Darrin Polhemus". The signature is fluid and cursive, with a large initial "D" and "P".

Darrin Polhemus, Deputy Director  
Division of Drinking Water