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May 9, 2025

Paul Leon, Mayor
City of Ontario
303 E. B Street
Ontario, CA 91764

Dear Mayor Leon,

As President of the Board of Directors of the Inland Empire Utilities Agency (IEUA/Agency), I am writing to you directly because of several intentional and negligent acts of the City of Ontario (Ontario/City) that have endangered our steadfast protection of public health and water quality for almost one million residents and the region as a whole. We are disappointed with the City's consistent actions that deprioritize health and human safety. Over the last year especially, the City's actions have demonstrated a disregard for the well-being of the businesses and residents in the City of Ontario and the surrounding communities in the IEUA service area. Specifically:

The City Allowing Cancer-Causing Contaminants to Infiltrate the Regional Collection System, Necessitating Costly Treatment to Protect Public Health

Recently, the City has expressly prohibited IEUA from the ability to test for PFAS contamination in hot spots identified in Ontario's sewer collection system. IEUA, as the regional sewer collection system and wastewater treatment provider, has the responsibility to test for contaminants, including the forever PFAS chemicals. IEUA is also responsible for developing local water supplies from treated wastewater; 34,000 acre feet of local water supply is used by customer agencies, including Ontario, across IEUA's service area. Approximately 50% of that recycled water supply becomes drinking water through indirect potable reuse. IEUA is responsible for ensuring that this recycled water can meet the State's drinking water standards. This service is being provided to many neighboring jurisdictions and adds tremendous value in protecting health and human safety.

Requested Action: City of Ontario staff allow access to IEUA to test for PFAS hot spots, as requested to ensure continued protection of critical public health infrastructure and resources.

Water Smart - Thinking in Terms of Tomorrow

Marco Tule
President

Jasmin A. Hall
Vice President

Steven J. Elie
Secretary/Treasurer

Michael Camacho
Director

Paul Hofer
Director

Shivaji Deshmukh
General Manager

The City Allowing Local Businesses to Release Hazardous Materials into the Regional Collection System

Eleven months ago, IEUA was informed that an industrial user permitted by the City was discharging hazardous material into the regional collection system. The City had knowledge of the user's hazardous discharges for several years, but did not notify IEUA and took no steps to abate the issue. Once informed of the discharges, IEUA took swift action to support the City by installing monitoring equipment, yet the City did not mandate that the business be held responsible for the damages that had been incurred over the past several years, despite IEUA's specific request that the City hold the polluter accountable. As a result of these hazardous materials being discharged into the system, ratepayers across the region were responsible for the costs of the treatment of that material – not the polluter. This was done at the direction of the City.

Requested Action: City of Ontario hold identified polluters accountable and financially responsible for their damages.

The City Restricting Access for IEUA to Monitor Possible Illegal Discharging into the IEUA System

Additionally, in order to ensure compliance with the National Pollutant Discharge Elimination System permit that IEUA obtained after significant investment of public funds and resources which it holds for the entire region, IEUA is required to fully administer the pretreatment program, including permitting, for the Significant Industrial Users (SIUs) that are discharging to the regional sewer system. The City was one of only two sewerage agencies in IEUA's service area that was still self-permitting SIUs; as such, IEUA initiated a process via a letter to City Manager Scott Ochoa on October 16, 2024, noting this requirement by the California Regional Water Quality Control Board and seeking to transition responsibility of this important task for the protection of human health immediately. As of the date of this letter, the City continues to refuse to acknowledge this as IEUA's responsibility and is attempting to block IEUA from ensuring that the region remains compliant with permit requirements that protect public health. No reason or rationale has been provided for this stonewalling.

Requested Action: City of Ontario acknowledge IEUA responsibility of the pretreatment program for the SIUs that are discharging into the regional sewer system and immediately support the seamless transition of SIU permitting.

The City is Illegally Discharging, Jeopardizing Public Health and Putting the Sports Complex Project at Risk

Just recently, in the 1st quarter of 2025, IEUA received a last-minute request from the City of Ontario seeking a temporary connection to the Eastern Trunk Sewer (ETS) to accommodate the anticipated added flows created by the planned Ontario Regional Sports Complex. The Sports Complex will undoubtedly be a valuable addition to the residents of Ontario and the region, and IEUA would like to offer its support toward the timely completion of the project as planned. Since that recent notice from your staff this year, we have made a number of attempts to obtain information to appropriately further evaluate this request, but the City has refused to provide the necessary data so that IEUA can complete the required analysis to accommodate the City's request. Ironically, I note that the City is currently in violation of the Cooperative Agreement that defines the roles and responsibilities of discharging and managing the ETS and has been in violation since October, 2024. The City is no longer permitted to discharge from the Whispering Lakes Community sewer flows to the ETS, yet it continues to do so. This illegal discharging jeopardizes the reliability of the regional collection system in which the entire region has invested significantly to protect public health and could result in significant infrastructure challenges, potentially causing harmful sewer spills across multiple communities. Not only does this place public health at risk, but it also would lead to higher costs to address emergency fixes.

Requested Action: City of Ontario immediately acknowledge the terms of the Cooperative Agreement and cease illegal discharging into the regional collection system.

IEUA Critical Infrastructure Projects Protecting Public Health Impacted by Delays by the City

As a regional agency, IEUA coordinates closely with each of the member agencies/cities in our service area to ensure that we are implementing critical projects with the least possible impact on the community. Major infrastructure projects require permits from our customer agencies. IEUA has been planning a critical force main improvement project along Philadelphia Avenue that directly serves Ontario businesses. The City has repeatedly failed to timely issue the required permits and has not been responsive to IEUA questions and concerns on how to move the project forward. The City's actions and delays on this project have led to millions in additional ratepayer costs and increased risk to public health.

Requested Action: City of Ontario promptly provide consistent and timely permit review in an attempt to reduce delays on this and future projects.

In closing, IEUA remains dedicated in our commitment to providing essential water and wastewater services in a regionally-planned and cost-effective manner while safeguarding public health, supporting community needs, and protecting the environment. We have made all attempts to work with the City on these issues, but Ontario staff have been uncooperative. This is incredibly concerning given the significant impacts to public health and safety. Ontario's unilateral intentional and negligent actions identified above jeopardize substantial investments over the last 75 years by the very public we both represent. We would welcome a meeting with you to discuss each of these public health and safety issues in hopes that we can come to a swift resolution of all of them.

Sincerely,
INLAND EMPIRE UTILITIES AGENCY



Marco Tule
Board President

cc: IEUA Board of Directors
City of Ontario Councilmembers