



Public Service Commission of West Virginia

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PSC Approves Joint Stipulation in West Virginia American Water Company General Investigation

The Public Service Commission of West Virginia today issued a Final Order in the General Investigation into the actions of West Virginia American Water Company (WVAWC) in reacting to the January 9, 2014 chemical spill, accepting the Joint Stipulation and closing the case.

On January 9, 2014, a significant leak from the storage tank facility of Freedom Industries, Inc. resulted in the unpermitted discharge of MCHM into the Elk River approximately one mile from the raw water intake of WVAWC. MCHM made its way into the finished water supply of the Company's Kanawha Valley Treatment Plant (KVTP) and ultimately into the transmission, distribution and storage systems that receive water from the KVTP. A "Do Not Use" order was issued to approximately 100,000 WVAWC customers in the affected areas on January 9, 2014, and was lifted by zones beginning January 13, 2014.

The Commission initiated the General Investigation to determine whether, at the time of and under the circumstances that existed with the spill, the actions of WVAWC in reacting to the spill and the presence of MCHM in its raw water or finished water supply constituted unreasonable or inadequate practices, acts or services under State law.

The Joint Stipulation was signed by WVAWC, Commission Staff, the Commission's Consumer Advocate and a group of Business Intervenors. Some of the agreed upon settlement terms require WVAWC to regularly update its Kanawha Valley System source water protection plan through a process that includes public participation; file annual reports regarding potential sources of significant contamination; develop a contingency plan that considers the potential contamination of the public surface water supply source for the KVTP; develop an incident/event reporting system that complies with Bureau for Public Health requirements; and make significant improvements in its monitoring system. In today's Order, the Commission clarified the process for approval of certain types of construction projects related to enhanced system resiliency and denied a request by the Advocates for a Safe Water System (ASWS) to enter Proposed Findings of Fact. ASWS did not sign the Joint Stipulation nor did they oppose it.

More information, including the Final Order, is available on the PSC website: www.psc.state.wv.us by referencing Case No. 14-0872-W-GI.

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