



Proposed Consumer Confidence Report Rule Revisions

April 2023

Agenda

- Overview
- Major Rule Considerations
- Wrap up and Primacy
- Next Steps



OVERVIEW



What is a Consumer Confidence Report?

- A Consumer Confidence Report, or *CCR*, is an annual report that summarizes water quality related information from the previous calendar year.
- EPA requires community water systems (CWSs) to provide a CCR to its customers as part of the “Right to Know” rules.
- CCRs help customers understand what is in their drinking water and how it can affect their health.

CCR Content Requirements



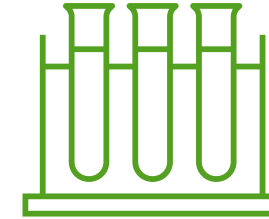
**Water System
Information**



Source(s) of Water



Definitions



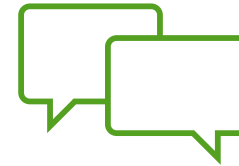
**Detected
Contaminants**



***Cryptosporidium,*
Radon, and Other
Contaminants**



**Compliance with the
National Primary
Drinking Water
Regulations**



**Variations and
Exemptions**



**Additional Educational
Information**

For more information on CCRs, visit: <https://www.epa.gov/ccr>

CCR Background Information

1996

Safe Drinking Water Act (SDWA) amendments included CCRs as a “Right to Know” requirement.

- The purpose of CCRs is to provide CWS consumers with information on drinking water quality and allow them to make health-based decisions on drinking water consumption.

1998

CCR Rule was finalized

- The CCR Rule establishes report content and delivery requirements for CWSs.

2011-13

Retrospective Review

- EPA evaluated several electronic delivery methods and identified approaches allowable under the current rule to meet the “mail or directly deliver” requirements.
- Issued policy memorandum, Water Supply Guidance 189 (January 2013), “Safe Drinking Water Act– Consumer Confidence Report Rule Delivery Options”.

2018

America’s Water Infrastructure Act (AWIA)

- Amended SDWA § 1414(c)(4) for CCRs by CWSs.

AWIA Amendments to SDWA

- AWIA amended SDWA § 1414(c)(4), by requiring EPA to revise the CCR Rule to:
 - Increase the readability, understandability, and clarity of the reports.
 - Increase the accuracy of information and risk communication in the reports.
 - Include information on corrosion control efforts.
 - Identify lead Action Level Exceedances that required corrective action.
 - Require systems serving 10,000 or more consumers to provide CCRs biannually (twice per year).
 - Allow electronic methods of CCR delivery.

Compliance Monitoring Data Reporting

- The Public Water System Supervision (PWSS) program under SDWA requires public water systems to comply with EPA public health regulations, including performing regular monitoring and reporting.
- Currently, primacy agencies submit quarterly and annual reports to EPA.
 - The information is limited to system inventory, violations, and other actions.

Compliance Monitoring Data Reporting Cont.

- AWIA Section 2011 directs EPA to develop a plan for improving the accuracy and availability of monitoring data collected to demonstrate compliance with National Primary Drinking Water Regulations (NPDWRs).
- EPA needs regular annual access to compliance monitoring data (CMD) for all NPDWRs to:
 - Ensure data quality and provide oversight.
 - Assess trends of contaminant levels to build capacity, leverage existing program authorities.
 - Develop tools to share information with the public, improve transparency and accountability, and amplify best practices that maximize direct benefits.



PROPOSED REVISIONS TO THE CONSUMER CONFIDENCE REPORTS RULE





Five Areas of Rule Revisions

- Improve Readability, Understandability, and Clarity
- Improve Accuracy and Risk Communication
- Provide Additional Information on lead
- Update Report Delivery
- Collect Compliance Monitoring Data

Improving Readability, Understandability, and Clarity

- Information about detected contaminants could be presented in a consumer-friendly format tailored to their local needs.
- CCRs would include new definitions of several key terms.
 - Contaminant, corrosion control efforts, parts per million (PPM), parts per billion (PPB), parts per trillion (PPT), pesticide, and herbicide

Improving Readability, Understandability, and Clarity Cont.

- CCRs would include:
 - A summary of key information at the beginning of the report.
 - At a minimum, summary must include violations/compliance information and CWS contact information.
 - Contact information to receive translation assistance, either from the CWS or the primacy agency.
 - CWSs serving 100,000 or more persons must develop a plan for providing meaningful access to reports for consumers with limited English proficiency and submit these plans to their primacy agency.
 - These CWSs must evaluate their plans annually and update them when necessary.

Improving Accuracy and Risk Communication

- CCRs would include updated language for health statements about arsenic and nitrate in drinking water
- CWS may write their own statements with approval of the state
- CWSs would be prohibited from including false or misleading statements in CCRs.

Additional Information on Lead

- CCRs must include an explanation of corrosion control efforts.
- CWSs that exceed the lead action level and require corrective action must clearly identify the exceedance in the detected contaminant section.
 - CCRs would need to include:
 - A clear and readily understandable explanation of the situation,
 - Steps consumers can take to reduce their exposure, and
 - Description any corrective actions the system has or will take to reduce lead levels throughout the system.

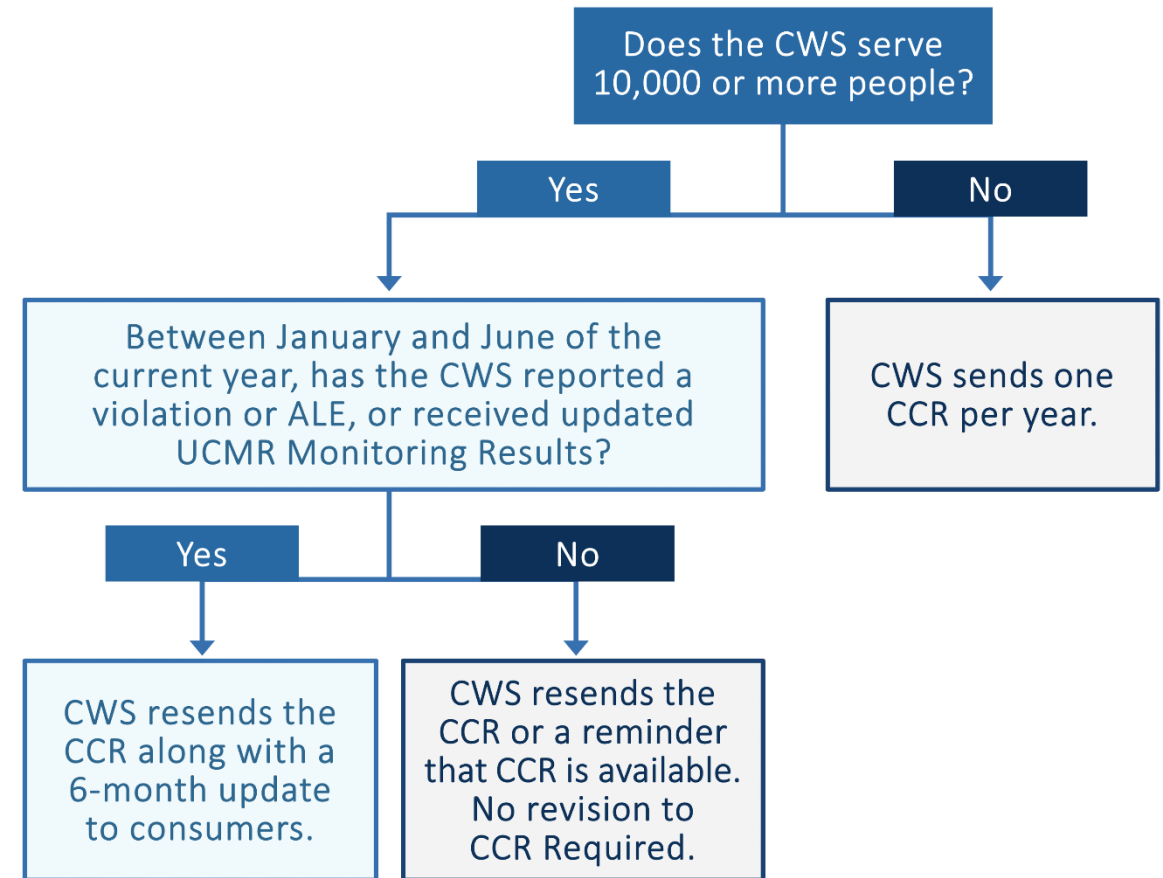
Report Delivery Methods

- CWSs may deliver an electronic version of their CCR or post their CCR to a website and provide notification to customers by mail or email.
- CWSs would have more options to provide a good faith delivery of CCRs to consumers that do not receive water bills.
 - E.g., social media advertising, sending alert text messages to interested consumers.
- All CWSs would need to make a reasonable effort to provide a CCR report in a format that is accessible (e.g., text-to-speech) to any person who requests accommodations.
- CWSs that use a publicly available website to provide reports to their customers would need to maintain public access to CCRs for at least three years.

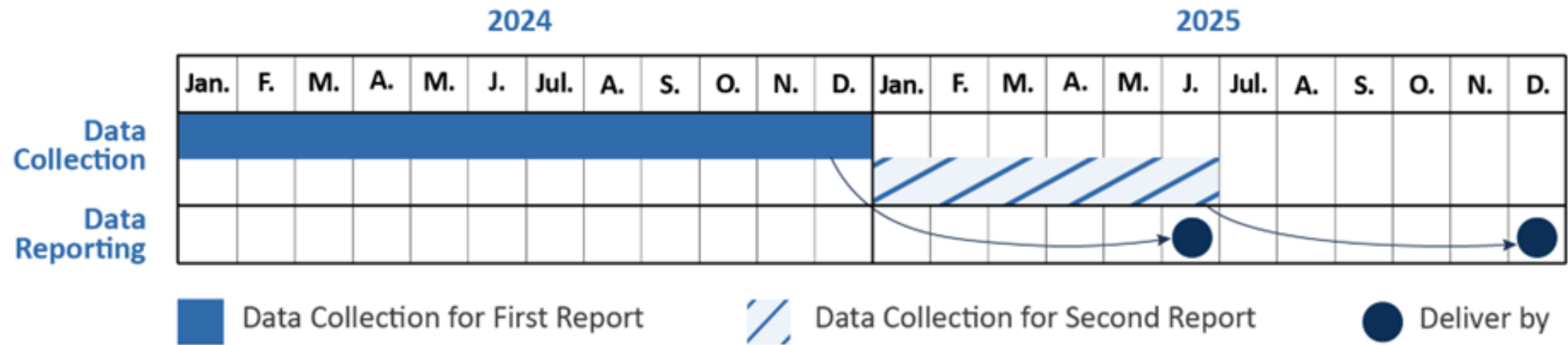
Biannual (Twice Per Year) Delivery

CWSs serving 10,000 or more:

- Would distribute a 6-month update with the annual CCR by December 31 that includes:
 - An update with information about any violations and/or action level exceedances (ALEs), that occur between January 1 and June 30 of the current year.
 - Newly available Unregulated Contaminants Monitoring Rule (UCMR) monitoring results from the previous reporting year.
- That had no violations or ALEs between January and June of the current year, or updated UCMR information would resend their annual CCR by December 31.



Biannual (Twice Per Year) Delivery Cont.



State Requirements

- Approve CWS modifications of certain information statements used in CCRs.
- Support systems and limited English proficient consumers with translation assistance.
- Maintain submitted language access plans for a period of five years.

Compliance Monitoring Data Reporting

- Primacy agencies would need to submit all compliance monitoring data (CMD) to EPA annually.
- EPA needs regular annual access to CMD for all NPDWRs to:
 - Ensure data quality and provide oversight.
 - Assess trends of contaminant levels to build capacity, leverage existing program authorities.
 - Develop tools to share information with the public, improve transparency and accountability, and amplify best practices that maximize direct benefits.

Compliance Monitoring Data Reporting Cont.

- Each primacy agency can choose how it delivers these data to EPA, such as through EPA's Safe Drinking Water Information System (SDWIS) State Data Extraction Tool or by delivering an extract of the primacy agency's monitoring management database.

Compliance Monitoring Data Reporting Cont.

- The evolution of data sharing technologies, in particular the SDWIS data extraction tool, has made sharing of CMD between states and EPA a relatively low burden effort. The tool has been used recently for 6-Year Review monitoring data sharing.
- EPA plans to enhance the current data extraction tool to enable the 42 states that use SDWIS (Safe Drinking Water Information System) State to automatically extract and submit comprehensive CMD to EPA.
 - The remaining 8 states can provide EPA with an annual data extract from their state management compliance system, along with documentation that allows EPA to understand the data definitions.
- The future SDWIS Modernization data system (the long-term replacement for SDWIS State) will include an automated state to EPA annual compliance monitoring data sharing feature.



WRAP UP AND NEXT STEPS

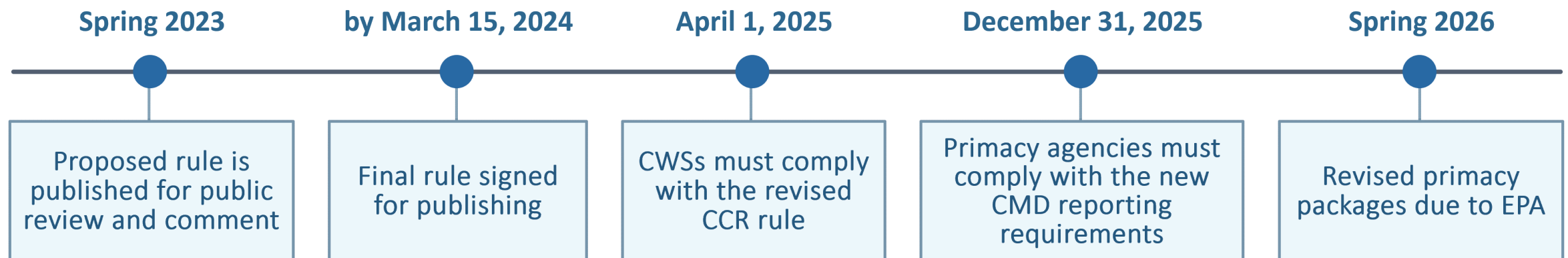
CCR Rule Primacy

- States, Tribes, and Territories with primacy must submit applications to EPA for program revisions that adopt the revised CCR Rule.
 - Timing: Within two years after the final rule being published in the Federal Register. States may request up to a two year extension.
- Applications must include:
 - A description of how the state intends to provide translation assistance.
 - A description of procedures for waiving the mailing requirement for small systems.

Next Steps

- EPA is accepting comments on the proposed rule through May 22, 2023.
- EPA will sign the final Revised CCR Rule by March 15, 2024.
- EPA is proposing that community water systems and primacy agencies would comply with new requirements beginning in 2025.

Proposed Timeline for Compliance:



Request for Public Comment

- EPA is requesting comments on all aspects of the proposed CCR Rule Revisions.
- EPA specifically requests comments in each of the five areas:
 - General Matters Concerning CCRs.
 - Timing of CCRs.
 - Increasing the Readability, Understandability, and Clarity of CCRs.
 - Corrosion Control and ALEs.
 - CMD Requirements.

Request for Public Comment: General Matters

- The information that should be included in the CCR summary at the beginning of the reports.
- Ways to increase accessibility to the CCR for consumers with specific needs and the challenges those consumers may face with the current and proposed delivery options.
- Ways to improve delivery of the CCR to non-bill paying customers - such as apartment residents.
- The feasibility of lowering the threshold for systems that are required to post their CCR on the internet.
- The feasibility for systems and states with primary enforcement responsibility to implement the revised CCR Rule by the proposed compliance date in 2025.

Request for Public Comment: Timing of CCRs

- Should EPA require water systems to deliver the first CCR earlier in the year?
 - For example, should the first CCR be delivered by April 1st and the second report by October 1st of each year?
 - Should the original delivery deadline for systems serving less than 10,000 consumers remain July 1 if the first delivery deadline for systems serving 10,000 or more people is changed?
- Should the deadline to deliver the second CCR be 3 or 6 months after delivering the first CCR, or some other length of time?
- Should EPA require that each CCR cover the previous 6 months, rather than provide an annual summary?
- Would requiring water systems to certify delivery of the CCR at the same time the CCR is distributed create any benefits or challenges?
 - Would requiring CWSs to certify delivery of the CCR within 10 days or 30 days of delivery create any benefits or challenges?
 - Are there additional delivery certification dates EPA should consider?

Request for Public Comment: Readability, Clarity, and Understandability of CCRs

- Can CCRs improve the way detected contaminants are reported?
- What challenges do CWSs face when presenting detected contaminant results?
- Can the detected contaminants results be presented in a more clear and concise manner?
- How can CCRs make it easier for consumers to understand what contaminants may reasonably be expected to be present in drinking water, including bottled water, and what the health effects might be?
- How can CCRs improve communication about arsenic and nitrate detections?
 - How can CCRs improve communication when arsenic or nitrate levels are above half of the MCL but less than the MCL?
 - How can EPA revise the educational statements for nitrate and arsenic to improve risk communication?

Request for Public Comment: Readability, Clarity, and Understandability of CCRs Cont.

- How can primacy agencies best provide meaningful access to consumers and customers with Limited English Proficient (LEP)?
- How can primacy agencies best provide translation support to LEP customers and consumers so that they can better understand the information presented in the CCR?
- How soon should a primacy agency be expected to provide translation services for CCRs to a LEP customer?

Request for Public Comment: Corrosion Control and Action Level Exceedances


- What information would consumers find most helpful in the CCR:
 - When a CWS identifies actions taken to address corrosion control efforts?
 - When a CWS is required to identify an ALE and describe any corrective actions the system has or will take?
- How can this information be presented so that consumers can understand what these actions will accomplish and why they are important?
- Should the regulation include either required or optional template language to identify an ALE or to describe corrosion control efforts?

Request for Public Comment: Compliance Monitoring Data

- EPA is seeking suggestions and comments on the following areas related to the proposed rule for annual collection by EPA of compliance monitoring data from primacy agencies:
 - Methods to limit the burden on primacy agencies of the proposed requirement to report CMD to EPA.
 - EPA and primacy agency partnerships and their respective roles for ensuring high quality compliance monitoring data.

Public Comment Period and Docket

- The public is invited to review the proposal and supporting information and provide their written input to EPA through the public docket.
- The public docket can be accessed at: www.regulations.gov under Docket ID: EPA-HQ-OW-2022-0260.
- Written comments must be submitted to the public docket by May 22, 2023.
- For more information about submitting information on EPA dockets, please visit: <https://www.epa.gov/dockets/commenting-epa-dockets>



EPA'S CCR Rule Revision website:
<https://www.epa.gov/ccr/consumer-confidence-report-rule-revisions>