



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

January 12, 2026

MEMORANDUM

SUBJECT: Primacy Requirements for the Revised Consumer Confidence Report Rule

FROM: Marietta Echeverria, Director
Drinking Water Capacity & Compliance Assistance Division

TO: EPA Regional Water Division Directors
Regions 1- 10

This memorandum provides guidance to States, territories, and Tribes with primary enforcement responsibility (primacy) under the Safe Drinking Water Act (SDWA) concerning the requirements for the Consumer Confidence Report (CCR) Rule, [40 CFR 141 subpart O](#). Implementation of the final revised CCR Rule will support drinking water consumer awareness by more clearly communicating important information in water quality reports and improving access to the reports. In the CCR Rulemaking, the EPA also introduced a new reporting requirement in [40 CFR Part 142, subpart B](#) applicable to primacy agencies that will provide the U.S. Environmental Protection Agency (EPA) with better information to make decisions on oversight, enforcement, regulatory revisions, and training and technical assistance. Specifically, this memorandum addresses:

1. Implementation timeline for the revisions to the CCR Rule;
2. The requirements for primacy program revisions; and
3. Recordkeeping requirements for states.

REVISED CCR RULE IMPLEMENTATION TIMELINE

The EPA published revisions to the CCR Rule on May 24, 2024, as required by the America's Water Infrastructure Act (AWIA). The final rule became effective on June 24, 2024¹. Consistent with SDWA section 1414(c)(4)(A), the CCR Rule applies to community water systems (CWSs). Beginning January 1, 2027, CWSs will need to comply with the revised CCR Rule requirements in [40 CFR 141 subpart O](#), including delivering reports biannually, or twice per year, for those systems serving 10,000 or more people.

¹ [National Primary Drinking Water Regulations: Consumer Confidence Reports; Final Rule. 89 FR 45980 \(May 24, 2024\).](#)

REQUIREMENTS FOR PRIMACY

Under SDWA and EPA regulations, Primacy Agencies have two years to adopt and submit to EPA for approval rules that reflect new or revised federal regulations. For the revisions to the CCR Rule, Primacy Agencies have until May 25, 2026, to submit a primacy program revision application. Primacy Agencies that meet the criteria in [40 CFR 142.12\(b\)\(2\)](#) may request and receive up to a two-year extension to submit an application package. During any extension period, an extension agreement outlining the Primacy Agency's responsibilities and EPA's responsibilities is required and may include activities detailed in [40 CFR 142.12\(b\)\(3\)](#).

A State, Tribe, or territory with primacy for each existing national primary drinking water regulation shall be considered to have interim primacy for each new or revised regulation that it adopts, beginning when the new or revised State regulation becomes effective or when the complete primacy revision application is submitted to the Administrator, whichever is later. Interim primacy ends when the Administrator approves or disapproves the primacy agency's revised primacy program.

As authorized by SDWA section 1413, the required contents for a primacy revision application are provided in [40 CFR 142.12\(c\)](#) and include the following:

- A side-by-side comparison (e.g. CCR Rule cross walk) of the Federal requirements and the corresponding Primacy Agency authorities, including citations to the specific statutes and administrative regulations or ordinances which demonstrate adequate authority to meet the requirements of [40 CFR 142.10](#).
- Identification of those elements of the approved State, Tribe, or territory primacy program that have not changed because of the program revision;
- Special primacy requirements provided in [40 CFR 142.16\(f\)](#); and
- A statement by the State Attorney General (or the attorney for the Primacy Agency if it has independent legal counsel) or the attorney representing the Indian Tribe that certifies that the laws and regulations adopted by the State, Tribal, or territory ordinances to carry out the program revision were duly adopted and are enforceable.

The EPA encourages Primacy Agencies to submit a preliminary request for program revision approval containing the information provided above in draft form as soon as practicable. To assist in the development of the primacy revision application, the EPA provides a CCR Rule cross walk which is included as an attachment to this memorandum. As provided under [40 CFR 142.12\(d\)\(1\)](#), the preliminary request does not require an Attorney General's statement in draft form. The preliminary request does require draft State, Tribe, or territory statutory or regulatory changes and a side-by-side comparison of State, Tribe, or territory authorities with EPA requirements to demonstrate that the State, Tribe, or territory program revisions meets EPA requirements under [40 CFR 142.10](#). As

authorized under SDWA section 1414(c)(4)(E), a state exercising primary enforcement responsibility may establish, by rule, after notice and public comment, alternative requirements with respect to the form and content of consumer confidence reports. As provided in [40 CFR 141.151\(e\)](#), if State, Tribe, or territory requirements are not the same as federal requirements, the alternative requirements must provide the same type and amount of information as required in [40 CFR 141.153](#) and [40 CFR 141.154](#), and must be designed to achieve an equivalent level of public information and education as would be achieved under [40 CFR subpart O](#). Pursuant to [40 CFR 142.12\(d\)\(3\)](#), the EPA must act on the request for approval of a primacy revision application within 90 days after receipt of a complete and final application package and inform the State, Tribe, or territory in writing of its decision. A final determination by the EPA on the request for program revision approval will take effect in accordance with the public notice requirements and related procedures under [40 CFR 142.13](#).

STATE RECORDKEEPING

The rulemaking that revised the CCR Rule also includes new CCR related recordkeeping requirements for Primacy Agencies in [40 CFR 142.14](#). The States, Tribes, and territories should use the included crosswalk to demonstrate that Primacy Agency's recordkeeping programs meet the federal requirements of [40 CFR 142.14](#). All records must be available to the Regional Administrator upon request as provided in [40 CFR 142.14\(g\)](#).

OTHER RULEMAKING REVISIONS TO THE CCR RULE

The EPA notes that in addition to the revisions the EPA made to the CCR Rule and reporting requirements, the following recent rulemakings also revised provisions in the CCR Rule ([40 CFR 141 subpart O](#)): Lead and Copper Rule Revisions^{2, 3} and the Lead and Copper Rule Improvements^{4 5}. On May 14, 2025, the EPA announced⁶ its intent to keep the existing Maximum Contaminant Levels (MCLs) for PFOA and PFOS, while undertaking a rulemaking to provide two extra years to comply with these MCLs, and rescind the regulations and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index mixture to include these PFAS plus PFBS to follow the legal process laid out in the Safe Drinking Water Act (SDWA). EPA encourages primacy agencies request an extension to developing their primacy applications for the PFAS Rule.

EPA recognizes that primacy agencies will be working toward program revisions and implementation for three drinking water regulations in the next few years: 1) Per- and Poly-fluoroalkyl Substances (PFAS) National Primary Drinking Water Rule (NPDWR); 2) Consumer Confidence Report (CCR) Rule Revisions; and 3) Lead and Copper Rule Improvements (LCRI) NPDWR. We look forward to working

² [National Primary Drinking Water Regulations: Lead and Copper Rule Revisions; Final Rule. 86 FR 4198 \(January 15, 2021\)](#).

³ [National Primary Drinking Water Regulations: Lead and Copper Rule Revisions; Delay of Effective and Compliance Dates; Final Rule. 86 FR 31939 \(June 16, 2021\)](#).

⁴ [Lead and Copper Rule Improvements | US EPA](#)

⁵ [LCRI crosswalk](#)

⁶ [EPA Announces It Will Keep Maximum Contaminant Levels for PFOA, PFOS | US EPA](#)

with you and our co-regulators to find ways to reduce burden and streamline implementation, while providing safe drinking water throughout the country.

The attachment to this memorandum includes documents that are intended to support states in developing their primacy program revisions incorporating these new requirements.

- Primacy Crosswalk
- Primacy Revisions Timetables
- Primacy Revision and Extension Request Checklist
- Example Extension Agreement Letter
- Example Attorney General's Statement

Please share these this information on the requirements for CCR Rule primacy with your primacy agencies. If you have additional questions, please contact Treda Grayson at 202-566-0916 (Grayson.Treda@epa.gov).

cc: Association of State Drinking Water Administrators