

## Electronic Delivery of Consumer Confidence Reports – Guidelines for Community Waterworks

### **Background**

Starting in the late 1990s, every community waterworks has been required by federal and state drinking water rules to prepare an annual Consumer Confidence Report (CCR) describing the quality of drinking water provided to customers during the previous calendar year. The standard delivery method is to mail or hand deliver the CCR to each bill paying customer, along with a good faith effort to reach consumers who do not receive water bills. A good faith effort can include posting the CCR on the Internet, advertising the availability of the CCR in the news media, and posting the CCR in public places.

In 2011-12 EPA reviewed the CCR rule to find ways to improve the effectiveness of communicating water quality information to the public. That effort resulted in EPA issuing a memo dated January 3, 2013, entitled “Safe Drinking Water Act – Consumer Confidence Report Rule Delivery Options”, with associated attachment, to explain how electronic delivery methods can satisfy the delivery requirements of the CCR rule. The original rule requirement that the CCR be “mailed or otherwise directly delivered” to customers remains unchanged.

### **Electronic Delivery Methods**

The following methods have been identified by EPA to comply with the delivery requirements.

1. Mail notification that the CCR is available on a website

The waterworks owner mails to each bill-paying customer a notification that the CCR is currently available (*not will be available in the future*) and provides a URL to the CCR on a publicly available site on the Internet. “URL” means uniform resource locator and is commonly known as the web address. The web address must be prominently displayed in the notification and must provide a direct link to the entire CCR so that the customer does not have to search for the CCR or enter additional information. The web address should be short and easy to type.

The delivery of the paper notification can be a water bill insert, statement on the water bill, or a separate mailing. In addition to displaying the web address, instructions must be included to inform the customer how to request a paper CCR if the customer prefers paper delivery and/or is unable to participate in electronic delivery. The waterworks owner must immediately mail (or hand deliver) a paper CCR to every customer who requests one. Further, the paper notification should include a message explaining the purpose of the CCR and encouraging readership.

2. Email notification that the CCR is available on a website

The waterworks owner emails to each bill-paying customer a notification that the CCR is currently available (*not will be available in the future*) and provides a direct URL to the CCR on a publicly available site on the Internet. The same criteria mentioned in item 1 above – prominently displaying a web address taking the customer directly to the complete CCR, providing instructions in the email on how the customer can receive a paper CCR, and immediately delivering a paper CCR to every customer who requests one – applies to this scenario.

Valid email addresses must be used. If a message is received that the email failed to reach the customer, the waterworks owner must deliver the CCR to the customer by an acceptable alternative method.

Customers without an email address on file with the waterworks owner and those without Internet capabilities and access must be provided the CCR by other acceptable delivery methods, such as direct mailing or hand delivery of the paper CCR or mail notification of the CCR as described in item 1 above.

3. Email the CCR as an attachment to the email

The waterworks owner emails the CCR as an electronic file attachment that is readily retrievable by the customer, typically in portable document format (PDF). The attachment must be the complete CCR. As explained in item 2 above, if a message is received that the email failed to reach the customer, the waterworks owner must deliver the CCR to the customer by an acceptable alternative method.

Customers without Internet capabilities and access must be provided the CCR by other acceptable delivery methods, such as direct mailing or hand delivery of the paper CCR or mail notification of the CCR as described in item 1 above.

4. Email the CCR as an embedded image in the email

The waterworks owner emails the complete CCR as an insert in the body of the email. As in items 2 and 3 above, if a message is received that the email failed to reach the customer, the waterworks owner must deliver the CCR to the customer by an acceptable alternative method.

Customers without Internet capabilities and access must be provided the CCR by other acceptable delivery methods, such as direct mailing or hand delivery of the paper CCR or mail notification of the CCR as described in item 1 above.

5. If any other electronic method or procedure is being considered, you should consult with VDH-Office of Drinking Water (VDH-ODW) before distributing the CCR. VDH-ODW may need to consult with EPA to ensure it meets the intent of the rule requirement for direct delivery.

**Other considerations**

- A short message to encourage readership of the CCR should be included by the waterworks when sending a direct URL notification or email attachment. The CCR must be accessible and available to customers at the time they first receive notification.
- Use of social media (such as Twitter and Facebook) and automated phone calls to deliver the CCR do not meet the CCR rule requirement for direct delivery.
- While the CCR content and information (text and tables) must be the same, the CCR format does not have to be identical for paper and electronic delivery. The waterworks owner may choose to prepare the CCR in a single format that can be delivered both electronically and on paper to simplify the process.
- The CCR can include links to other, non-required information on the Internet that all customers can visit.
- Before providing electronic CCR delivery the waterworks owner should consider a public outreach effort to provide advance notification of the change in delivery methods. This will have special significance for electronic bill and auto-pay customers who may not receive and/or may ignore their billing statements.
- A good faith effort to reach consumers who do not receive a water bill is still required. This can be accomplished by such actions as posting on the internet, mailing to postal patrons, advertising the availability of the CCR in local news media, and posting in public places.

**Summary**

- Electronic delivery does not change or negate any CCR rule requirement, including content, delivery deadline to customers by July 1<sup>st</sup>, and delivery of certification to the VDH-ODW field office by October 1<sup>st</sup>.
- A copy of the EPA memo dated January 3, 2013, can be obtained from the VDH-ODW field office or at <http://water.epa.gov/lawsregs/rulesregs/sdwa/ccr/upload/ccrdeliveryoptionsmemo.pdf>.
- Any questions or concerns about preparation of the CCR or delivery methods should be directed to the VDH-ODW field office that serves your area.