Maryland
Department of
the Environment

Consumer Confidence Report (CCR) Rule Revisions

MDE Summary Guidance

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What is the Consumer Confidence Report

- Consumer Confidence Reports (CCRs) serve as a critical component of the public right-to-know provisions within the Safe Drinking Water Act (SDWA).

- These reports are essential for increasing consumer awareness regarding water sources and the processes involved in delivering safe drinking water. Furthermore, they educate the public on the importance of preventative measures, such as source water protection.

- By providing detailed information on source water assessments, health effects data, and water system operations; CCRs facilitate a productive dialogue between consumers and their water utilities. This transparency encourages public involvement in health-related decisions and empowers consumers to make informed choices regarding their drinking water.

Timeline of CCR Milestones

1996 - Safe Drinking Water Act (SDWA) Amendments Passed by Congress and signed into law by President Clinton in August 1996.

- Explicitly directed the EPA to issue regulations requiring community water systems to provide annual reports to their customers.
- Shift public water management from closed-door municipal tracking to proactive public disclosure.

1998 - EPA finalized the CCR

2013 - CCR delivery allowed Electronic Delivery

2018 - CCR is required to be revised in the America's Water Infrastructure Act (AWIA)

- EPA's final rule will support the goal of the Safe Drinking Water Act "right-to-know" provisions by improving the Consumer Confidence Reports so that people can make better decisions about their drinking water.

Modernization of the CCR

America's Water Infrastructure Act (AWIA)

- **AWIA 2018 Legislation:** Passed by Congress to address emerging water challenges and modernize infrastructure transparency.

- **Some Key Areas:**
  - Risk Communication: Developing more effective strategies to communicate potential risks to the public.
  - Contaminants: Addressing lead levels and managing emerging contaminants.
  - Accessibility: Improving resources and outreach for non-English speakers to ensure equitable access to information.

Modernization of the CCR cont.

- The EPA published a final rule revising the Consumer Confidence Report (CCR) Rule on May 24, 2024, to make annual drinking water quality reports more accessible, readable, and frequent.

- While the rule became effective on June 24, 2024, community water systems (CWSs) must comply with the new reporting requirements starting January 1, 2027.

Changes that affect all CWS

- **CCR Certification submission date has changed**
  - The CCR certification is due to MDE **no later** than 10 days after the Water System is required to distribute the reports to the customers
- **Translation Access**
  - In Communities with large portion of non or limited English-speaking populations, CCRs must contain either information where consumers can obtain a translated copy of the report or assistance in the appropriate language.
- **Accessibility for the Public to access the CCR**
  - Water Systems MUST make reasonable effort to provide the CCR in an accessible format to anyone who requires accommodations.

Changes that affect all CWS

Definition Changes

- **New Mandatory Definitions**
  - Contaminant - Any physical, chemical, biological, or radiological substance or matter in water.
  - Pesticide - Generally, any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.
  - Herbicide - Any chemical(s) used to control undesirable vegetation.
- **Refined Definitions for Clarity**
  - MCL - The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
  - MCLG - The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Changes that affect all CWS

Examples of Changes on Additional Health Wording

(Required if results are greater than one-half of the Maximum Contaminant Level)

- **Arsenic -** Arsenic is known to cause cancer in humans. Arsenic also may cause other health effects such as skin damage and circulatory problems. *[NAME OF UTILITY]* meets the EPA arsenic drinking water standard, also known as a Maximum Contaminant Level (MCL). However, you should know that EPA's MCL for arsenic balances the scientific community's understanding of arsenic-related health effects and the cost of removing arsenic from drinking water. The highest concentration of arsenic found in [*YEAR*] was [*INSERT MAX ARSENIC LEVEL per 40 CFR§ 141.153(d)(4)(iv)]* ppb.

- **Nitrate -** Must include a short informational statement about the impacts of nitrate on children using language such as: Even though [*NAME OF UTILITY*] meets the EPA nitrate drinking water standard, also known as a Maximum Contaminant Level (MCL), if you are caring for an infant and using tap water to prepare formula, you may want to use alternate sources of water or ask for advice from your health care provider. Nitrate levels above 10 ppm pose a particularly high health concern for infants under 6 months of age and can interfere with the capacity of the infant's blood to carry oxygen, resulting in a serious illness. Symptoms of serious illness include shortness of breath and blueness of the skin, known as “blue baby syndrome.” Nitrate levels in drinking water can increase for short periods of time due to high levels of rainfall or agricultural activity, therefore we test for nitrate [*INSERT APPLICABLE SAMPLING FREQUENCY*]. The highest level for nitrate found during [*YEAR*] was [*INSERT MAX NITRATE LEVEL per 40 CFR§ 141.153(d)(4)(iv)*] ppm.

Changes that affect all CWS

Summary Section at the beginning of the CCR is now required

- Reports must open with a brief summary section resembling an academic abstract.
- **Required Content:**
  - High-level overview of violations and compliance.
  - Summary of any Action Level Exceedances (ALEs).
  - Instructions on how to request a paper copy or translated version of the full CCR.

Changes that affect all CWS

Summary Section on the top of the CCR - Detailed Requirements

- **Violations and Compliance Overview**: A brief description of any water quality violations or Action Level Exceedances (ALEs), particularly for lead or copper, that occurred during the reporting period.
- **Public Notices**: A clear indication of whether any required public notices are included within the CCR.
- **Contact Information**: Direct contact details for the community water system (CWS) so consumers can ask questions or report concerns.
- **Paper Copy Instructions**: For reports delivered electronically, the summary must provide clear instructions on how to request a free paper copy.
- **Language & Translation Assistance**: Information on how consumers with Limited English Proficiency (LEP) can obtain a translated version or translation assistance.
- **Sharing Encouragement**: Standardized language that encourages consumers to share the report with others who may not receive a bill (e.g., renters, nursing home residents).

Changes that affect all CWS

Changes on Primary and Good Faith CCR distribution

General - If a system posts the CCR online, it is required to maintain continuous public access to those CCRs on their website for at least 3 years

Good Faith Distribution – Several additional tools are now allowed to engage the Public:

- Bulk delivery of postcards with direct links to reports.
- Opt-in notification system to send email and/or texts notifying the availability of the CCRs.
- Advertise the availability of the reports on social media.
- Holding a public meeting to educate community members.

Additional CCR Requirements

For Systems with a Community Population Over 10,000

*Requirements in addition to previous slides

Changes that affect CWS with a Population Over 10,000

Must Provide the CCR Twice A Year

- First report due by July 1 – No change
- Second report due by December 31.
  - Updates must include new violations or action level exceedances from Jan 1–June 30.
  - The 2nd report must be delivered by December 31st, **12/31/2027**, and include an annual summary of previous calendar year
  - If applicable, the report must also include a 6-month update for any violations, action level exceedances (ALE), or received results from the Unregulated Contaminant Monitoring Rule (UCMR).
  - If there are no updated violation, ALE, or UCMR data, the system may distribute the same CCR used in the initial submission.

Changes that affect CWS with a Population Over 10,000

Delivery Deadlines for Wholesalers

Instead of providing data only once a year, a wholesale system selling to a biannual CWS must deliver the necessary contaminant data and information twice a year:

- **First Deadline:** By April 1st – No change
- **Second Deadline:** By October 1st.

Note: *Systems may mutually agree on alternative dates, provided they allow the buying system to meet its own customer delivery deadlines*

Changes that affect CWS with a Population Over 10,000

Summary Section on the top of the CCR

For the second CCR

- For the new biannual (second) report due by December 31, if a violation or ALE occurred between January 1 and June 30 of that same year, the first-page summary must also include:
  - A 6-month update describing the nature of the violation or exceedance.
  - Steps taken by the system to address the issue and the estimated timeframe for completion.
  - 6-Month Update Requirements (40 CFR § 141.156(e))

Additional CCR Requirements

For Systems with a Community Population Over 50,000

*Requirements in addition to previous slides

Changes that affect CWS with a Population Over 50,000

The CCR must be available online

- Must be placed on to a publicly accessible website.
- Must maintain the availability of CCRs from at least the two previous years.

Lead Service Line Inventory Requirements

- Under the Lead and Copper Rule Revisions (LCRR), any CWS serving more than 50,000 people is required to host its complete lead service line material inventory online.
- The Lead Service Line statement on the CCR must indicate that the report is available online and give the website.

Additional CCR Requirements

For Systems with a Community Population Over 100,000

*Requirements in addition to previous slides

Changes that affect CWS with a Population Over 100,000

The CWS has the requirement to develop, maintain, and annually update a written Language Access Plan.

- CWS must develop a plan for providing assistance to consumers with limited English proficiency. The system must evaluate the languages spoken by persons with limited English proficiency served by the water system, and the system's anticipated approach to address translation needs.

- The first plan must be provided to the State with the first report in 2027. Plans must be evaluated annually and updated as necessary and reported with the CCR certification.

CCR Rule Revision Resources

- ***EPA CCR Rule Revisions Comparison Fact Sheet:***

  https://www.epa.gov/system/files/documents/2024-12/ccr-rule-comparison-factsheet_508.pdf

- ***EPA CCR Rule Revisions Website:***

  https://www.epa.gov/ccr/consumer-confidence-report-rule-revisions

- ***MDE CCR Preparation Assistance Website:***

  https://mde.maryland.gov/programs/water/water_supply/Pages/CCR-Preparation-Assistance.aspx

MDE CCR Rule Revision Questions

If you have any questions regarding the CCR Rule Revision, please feel free to email us at: water.supply@maryland .gov.

- **When you send your email, please note CCR question in the subject line**
- **If you have a question regarding a specific Town or Water System, please mention that in the email.**

