



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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February 11, 2013

TO: All Community Water System's (CWS)

FROM: Patrick Carroll, Chief *Patrick Carroll*
Drinking Water Branch
Office of Water Quality

RE: Consumer Confidence Report Direct Delivery Requirements

On January 3, 2013, the United States Environmental Protection Agency (U.S. EPA) made a clarification associated with the interpretation of delivery requirements for the Consumer Confidence Report (CCR). The current federal regulatory language indicates that a public water system must meet the requirement to "mail or otherwise directly deliver" the CCR to consumers. EPA has considered the number and type of communication tools now available and is providing flexibility in the methods allowed to satisfy the requirement to "mail or otherwise directly deliver" the CCR. Based on EPA's clarification of the federal rule, IDEM reviewed the Indiana requirements for CCR delivery and is providing additional flexibility for CCR delivery.

Community Water Systems (CWS) now have additional choices to meet the "directly deliver" requirement of the CCR and they should choose one of the following options:

Option 1

No change from previous years, you continue to deliver paper copies of the CCR to your customers.

Option 2

In addition to providing paper copies, you select to use one or more of the electronic delivery approaches which include a URL link, an e-mailed CCR as an attached pdf and a CCR embedded in an e-mail. To utilize one or more of these approaches you will need to follow the guidelines below:

1. For customers that currently receive paper bills, the CWS must notify customers of the availability to receive the CCR electronically. This can be done through the use of mailings, such as utility bills or postcards. The communication must prominently display a URL that links to the CCR and a notice explaining the nature of the link (in at least as large a font as the largest font on the bill or postcard). The communication must ask the customer if they wish to receive a paper copy of the CCR, an electronic copy of the CCR or if the URL is adequate. It must also incorporate an easy method to respond

back to the CWS such as check boxes on the return portion of the bill or a prepaid return postcard that contains the response and has space for an email address. If a CWS does not receive a response from the customer, that customer shall be assumed to desire a paper copy of the CCR;

2. A CWS that already utilizes electronic billing for some or all customers may provide a CCR electronically to e-mail billing customers. The CCR must be delivered in a separate e-mail from their water bill. The CCR must either be imbedded in the text of the e-mail or attached as a pdf copy to the e-mail; and
3. A CWS must prominently display a message and the direct URL in all mailing notifications electronic or paper of CCR availability.

There are delivery methods that **do not meet** the requirement to "mail or otherwise directly deliver" the CCR and they are:

1. Customers must not have to navigate to another webpage to find any required CCR content if viewing the CCR on a website (e.g., address search engine).
2. Use of social media (e.g., Twitter or Facebook) directed at bill-paying customers since these are membership Internet outlets and would require a customer to join the website to read their CCR.
3. The use of automated phone calls (e.g., emergency telephone notification systems) to distribute CCRs because the entire content of the CCR cannot be provided in the phone call.

To summarize, the following are the methods allowed for delivery of CCR (It is important to note that a CWS will likely need to use a combination of delivery methods to reach all customers):

1. Continue to directly deliver a paper copy of the CCR to all billing customers.
2. Mail a notification that CCR is available via direct URL after the CWS receive a positive response from customers that they wish to receive the CCR by this method.
3. E-mail the CCR as a file attachment for current electronically billed customers or after the CWS receives a positive response from customers that they wish to receive the CCR by this method and the CWS has a current e-mail address.
4. E-mail the CCR embedded in the message for current electronically billed customers or after the CWS receive a positive response from customers that they wish to receive the CCR by this method and the CWS has a current e-mail address.
5. Additional electronic delivery methods may be approved by IDEM if that method satisfies "otherwise directly deliver" language in the rule (to account for future technologies).

Please remember that you must provide a paper copy of the CCR to any customer who requests one or to any customer who did not receive the information about the availability of electronic versions (bounced back e-mail, etc). You may also need to use other methods to alert customers that the CCR is being delivered electronically (note on the water bill, newspaper or radio notices, etc.) so that they are aware of how to request a paper copy.

Please consult with our office before you distribute your CCR electronically to be sure that the methods you are planning to use will meet IDEM's expectations for direct delivery.

If you would like to read EPA's entire document, it can be found online at <http://water.epa.gov/lawsregs/rulesregs/sdwa/ccr/regulations.cfm#reviewsum>. Please be informed that certain provisions allowed by U.S. EPA may not be acceptable for IDEM's approval.

If you have any other questions please feel free to contact Dennis Pace at 317/234-7440 or dpace@idem.IN.gov.