

# Frequently Asked CCR Questions

6/10/99

## *Report Content*

### **1. Wholesalers**

- Q. If a system gets water wholesale from another system, can the buying system send out the selling system's report with the buying system's additional information? Or does the buying system have to completely generate a whole new report?
- A. Yes, the buying system is required to send a report of its own. The buying system is responsible for ensuring that their customers receive a CCR containing all the required content elements, regardless of who prepares the report. However, we don't want to make anyone do needless work and recognize that the buying system will be able to use most of the information in the sellers report. In some cases, the buying system will contract with the wholesaler to produce the report, since the wholesaler may have more staff and resources available. Under those circumstances, it would be acceptable for the buying system to send out the wholesaler's CCR with a cover letter explaining their relationship, if the retailer had no new data to add. If the buying system had data to add, it could reprint the wholesaler's CCR with a new title/letterhead and any new data the retailer had.

### **2. Name and location of body (or bodies) of water [§141.153 (b)(1)(ii)]**

- Q. Does body (or bodies) of water refer to ground water sources as well as surface water sources? In other words, if a system uses a ground water source, does it have to provide the name of the source (if it knows the name of the aquifer)? Also, what is required in identifying the location of the body of water? If it is a ground water source, little more could be said than it is underground.
- A. Yes, the body of water refers to both surface and ground water. The name of the aquifer(s) should be included in the CCR, if it is commonly known. For location information, the system may give a general description of the location of their wells. If many wells are located over a large area, the locational information can be more general.

### 3. Definitions [§141.153 (c)]

- Q. From the statute and final regulation, my understanding has been that only definitions that are pertinent to the report must be included. Does this apply to MCL and MCLG, as well? If a system had no detections of any contaminant and thus did not make any reference to an MCL or MCLG in its report, does it still have to include these definitions?
- A. Since the report is being used to educate customers, the definitions for MCL and MCLG must be included even if the terms are not used elsewhere in the report. We believe that it is unlikely for most systems to have no detections, especially for parameters such as fluoride and nitrate. Please remember when evaluating data that if sampling was not performed for a given parameter in the calendar year covered by the report, then data going back a maximum of five years must be used. In addition, if a system does not monitor as required, it must indicate that it is in violation of the monitoring requirements.

### 4. Detection of Contaminants [§141.153(d)]

#### Regulated Contaminants/Table

- Q. If the system does not detect a contaminant, does it have to list that contaminant in the table?
- A. Only the results for detected contaminants may be included in the table. Detected contaminants include: regulated contaminants subject to an MCL, AL, or TT; unregulated contaminants for which monitoring is required under 40 CFR 141.40; and disinfection by-products or microbial contaminants (except *Cryptosporidium*) for which monitoring is required under the ICR (40 CFR 141.142 and 141.143).

The intent of this provision is to avoid the situation where a system has a long table with more non-detects than detects shown. A system can highlight the fact that it tests for, and does not find, lots of contaminants, but it must do so outside of the table, in another section of the report. For example, a system could place the following explanation in the report: *In addition to the above constituents, we tested for 20 additional organic chemicals for which the State and EPA have set standards. We found no detectable levels of those chemicals.*

### **Lead and Copper [§141.153 (d)(4)(vi)]**

- Q. Do these requirements apply to all systems or just to those exceeding either or both of the action levels for lead and copper? If it is the former (that it applies to all systems), if the 90th percentile level for either lead or copper is below the detection limit, can any reference to the contaminant be omitted or does it still have to be listed on the report with the notation that it was not detected?
- A. If lead/copper was detected, it must be included in the report. Even if the 90th percentile lead or copper levels are below the detection limit, the system may have still detected lead or copper.
- Q. It is not a violation if there is an AL exceedance. The regulation is clear that AL exceedance information needs to be reported (along with the number of samples above the AL), but it is not clear that lead/copper health effects need to be included unless there is a violation (i.e. not following one of the lead and copper control requirements). Do I need to include health effects language if my system exceeded the action level but did not have a violation?
- A. Yes. Under §141.153 (d)(6) for any contaminant detected in exceedance of a MCL, a TT, or exceeding an AL, there must be an indication of the violation in the table and an accompanying explanation (outside of the table) of the potential health effects using language from Appendix C to Subpart O.
- Q. If my small system only collects samples from 5 or 10 sites, how do I know if I should include the special educational statement on lead, which is necessary when systems detect lead above the action level in more than 5%, but fewer than 10%, of homes sampled?
- A. Due to the difficulty of determining the action level between 5% and 10% of the sites sampled, when using small sample sizes, systems collecting fewer than 20 samples do not have to include the lead educational statement.

### **Total Coliform [§141.153 (d)(4)(vii)]**

- Q. If a system has no positive samples for the entire year, can it omit any reference to total coliform on the report or must it be listed with the notation that it was not detected?
- A. It can be omitted if it was not detected during the year.

**Fecal Coliform [§141.153 (d)(4)(viii)]**

Q. The rule says the total number of positive samples must be reported. Is this the total for the entire year? If not, what period is it referring to?

A. The total number of positive samples for the year.

**5. Voluntary monitoring for *Cryptosporidium*, radon, and other contaminants [141.153 (e)(1)]**

Q. If a system performed monitoring but found nothing to indicate that *Cryptosporidium* was present in the source water or finished water, does the system have to include this information in the report?

A. The system does not have to include that information. Only when monitoring results indicate that *Cryptosporidium*, radon, and other unregulated contaminants are present, does a system have to include that information. Systems may wish to include a statement that they tested for these contaminants but did not find detect them.

**6. Bottled water explanation [141.153 (h)(1)]**

Q. In order to comply with 141.153 (h)(1) and provide a complete explanation for contaminants found in bottled water, is language from both (h)(1)(iv) and (h)(1)(i) to (h)(1)(iii) required? Is the paragraph below enough?

*All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.*

A. The above paragraph is not enough to satisfy the requirements of the regulation. Language from h(1)(i) through (iii) or the equivalent must be included in the explanation as well as the language from (h)(1)(iv). Information on the sources of drinking water, contaminants that may be present in source water, and why EPA and FDA establish regulations must also be included in the explanation.

## ***Report Delivery and Recordkeeping***

### **1. Deadline for report and certification form [§141.155 (c)]**

- Q. The rule states that the certification form is due three months after the report itself is due. Can we require the certification form to be due at the same time as the report?
- A. Yes, the States can require CWS to submit the report and certification letter together, and specify this in State Rules.
- Q. On the certification form, how specific must the information be on distribution of the report? Can the State have places to check for individual distribution, posting on the Internet, publishing in newspaper, and making availability of report known. Also if a system distributes the report with its water bills, do they need to list the "good-faith efforts" they made to reach non-bill-paying customers?
- A. The State may ask the CWS to indicate what "good faith efforts" they took to ensure delivery, but it is not required to do so. "Good Faith" efforts are in addition to the mailing.

### **2. Distribution by systems serving fewer than 10,000 people [§141.155 (g)(1)(i)]**

- Q. If a system (under 10,000) satisfies the requirement by publishing the report in a local newspaper, do we need them to include a copy of the publication with their certification form? To satisfy the requirement through newspaper publication, does the report have to be published in its entirety including all the mandatory language? What happens if the newspaper summarizes the report, includes information on the source of the water and the monitoring results, but doesn't include all the required language? (The only way a water system can make sure everything gets published is to purchase advertising space. Is that what they are expected to do?)
- A. If the Governor of a State or his/her designee waive the mailing requirement, it would be beneficial for the State for the CWS to indicate how/when the report was published, in case water customers inquire about the report. An actual copy of the newspaper article may be asked for, at the discretion of the State. The report must be included in its entirety to satisfy the publication requirement. The CWS should take whatever actions are needed, such as purchasing ad space, to ensure that the entire CCR is published.

**3. Distribution by systems serving fewer than 500 people [§141.155 (g)(2)]**

- Q. Systems serving 500 or fewer people, that have received a mailing waiver from the State, can forego other distribution requirements if they provide notice at least once per year to their customers by mail, door-to-door delivery or by posting in an appropriate location that the report is available upon request. Would this requirement be satisfied if they did their notification of the report availability through radio and/or newspapers?
- A. No. The regulation specifically states the options: (1) mail, (2) door to door, or (3) posting. Systems can use other notification methods in addition to choosing one of three specified in the rule.