

Reference Document for Electronic Delivery of Consumer Confidence Reports

PURPOSE

The purpose of this memorandum is to provide guidance on methods for electronic delivery of the Consumer Confidence Report (CCR).

REGULATIONS – GENERAL REQUIREMENTS

Section 64483(a), Title 22, California Code of Regulations, requires each water system (defined in section 64480 as community water systems and nontransient-noncommunity water systems) to “mail or directly deliver one copy of the Consumer Confidence Report to each customer.” Section 64400.30 defines “Customer” as “a service connection to which water is delivered by a community water system or a person that receives water from a nontransient-noncommunity water system for more than six months a year.” Section 64483(b) requires that the water system “makes a good faith effort to reach consumers who are served by the water system but are not bill-paying customers, such as renters or workers...”

Direct Delivery

A water system that plans to use electronic delivery of its CCR should consider incorporating the six elements given below, as appropriate, to ensure it meets the requirement for “direct delivery” stated in section 64483(a) of the California Code of Regulations using one of the applicable methods given in Table 1. It should be understood that a water system can choose to meet the “direct delivery” requirement by alternate means and may obtain assistance for doing so at its local State Water Resources Control Board (State Water Board), Division of Drinking Water, District Office.

1. Electronic delivery must provide the CCR in a manner that is “direct.” A water system can use separate mailings, such as utility bills which provide a Uniform Resource Locator (URL), to meet the CCR “direct delivery” requirement if the URL provides a direct link to the CCR and if the communication prominently displays the URL and a notice explaining the nature of the link (see Appendix A for examples).
2. Ensuring delivery to every customer may require a combination of paper and/or electronic delivery in a service area. For example, a water system may provide the CCR through an email to electronic bill-paying customers; but to customers who receive paper bills, the water system may mail either a paper notification with a direct URL or a paper copy of its CCR.
3. To ensure delivery of a CCR to customers who do not have access to the internet, all methods of electronic delivery will need to include a customer option for delivery of a

mailed paper copy of the CCR. For example, a water system which intends to send a billing insert containing a URL directing the customer to the CCR would also place a message within the insert which explains to their consumers how they can obtain a paper copy from the water system.

4. If a water system is aware of a customer's inability to receive a CCR by the chosen electronic method, it must provide the CCR by an alternative method allowed by the rule. For example, if a water system sends the CCR via email and it receives a message that the email failed to reach the customer (*i.e.*, it bounced back), the water system must "directly deliver" the CCR by an allowable alternative means.
5. When using a notification method with a direct URL, attachment, or embedded image, the water system will need to prominently display the direct URL, attachment, or image and a message explaining the purpose of the URL, attachment, or image. The purpose of this is to ensure each customer is notified of the availability of the CCR. Examples of how the message could be prominently displayed can be found in Appendix A.
6. Electronic bill and auto-pay customers may not receive and/or may ignore their billing statements. Therefore, to ensure that each customer is aware of how to obtain their CCR, a water system should send a dedicated email (with a CCR-related subject line) to inform their customers of the availability of the CCR each year (see Figure 2 in Appendix A for an example). Attachment of the CCR or direct URL to electronic bill statements and electronic auto-pay statements do not meet the "direct delivery" requirement.

As stated previously, the State Water Board considers use of these six elements in delivering a CCR to each customer as meeting the "direct delivery" requirements of the CCR regulations. However, a water system may use alternatives for meeting this requirement, and State Water Board staff is available to provide assistance in these efforts.

Recommended Methods

The following are examples of some methods for electronic delivery of the CCR that the State Water Board has determined meet the requirements of applicable law and regulations.

Table 1: CCR Electronic Delivery Methods

Method Number	CCR Delivery Method	Method Description
1	Mail – Notification that CCR is available on website via a direct URL	Water system mails to each customer a notification that the CCR is available and provides a direct URL to the CCR on a publicly available site on the Internet where it can be viewed. A URL that navigates to a webpage that requires a customer to search for the CCR or enter other information does not meet the "directly deliver" requirement. The mail method for the notification may be, but is not limited to, a water bill insert, statement on the water bill or community newsletter. See Figure 1

Method Number	CCR Delivery Method	Method Description
		in Appendix A for an example.
2	Email – Direct URL to CCR	Water system emails to each customer a notification that the CCR is available and provides a direct URL to the CCR on a publicly available site on the Internet. A URL that navigates to a webpage that requires a customer to search for the CCR or enter other information does not meet the “directly deliver” requirement. See Figure 2 in Appendix A for an example.
3	Email – CCR sent as an attachment to the email	Water system emails the CCR as an electronic file email attachment (e.g., portable document format (PDF)). See Figure 3 in Appendix A for an example.
4	Email – CCR sent as an embedded image in an email	Water system emails the CCR text and tables inserted into the body of an email (not as an attachment). See Figure 4 in Appendix A for an example.

The State Water Board does not recommend the following delivery methods as they do not meet the requirements of the regulations:

- A URL that does not take the customer to the entire CCR but requires navigation to another webpage(s) to find any required CCR content (e.g., a ZIP code search mechanism or webpage with multiple links to view required information).
- Exclusive use of social media (e.g., Twitter or Facebook) directed at customers does not meet the requirement to “directly deliver” since these are membership Internet outlets and would require a customer to join the website to read their CCR.
- The use of automated phone calls (e.g., emergency telephone notification systems) to distribute CCRs unless the entire content of the CCR can be provided in the phone call.

Multilingual Requirement

Section 64481(l) of the California Code of Regulations, requires that all CCRs contain information in Spanish on the importance of the report or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the report or assistance in Spanish. For any language spoken by a non-English speaking group that exceeds 1,000 residents or 10 percent of the residents in a community, the CCR is required to contain the same information in the appropriate language(s).

*This report contains important information about your drinking water. Please contact **[Enter Water System’s Name Here]** at **[Enter Water System’s Address or Phone Number Here]** for assistance in **[Language]**.*

Examples, translated into Spanish, using Delivery Methods 1 to 4 are presented in Figures 1 to 4 of Appendix A.

Regulations – Delivery Certification Requirement

Section 64483(c) of the California Code of Regulations requires a water system to “mail a copy of the report [CCR] to the State Water Board, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the State Water Board.”

Water systems are encouraged to use the certification form template in Appendix B to provide information about the applicable methods used to distribute the CCR. The certification may be submitted to the State Water Board or the Local Primacy Agency (LPA) by either paper or electronic mail.

CONCLUSION

The list of electronic delivery methods in Table 1 is not a complete list of acceptable electronic delivery methods. The State Water Board is available to consult with water systems regarding any electronic delivery method they propose.

GLOSSARY

Autopay. Autopay is an arrangement between a business and a customer that preauthorizes periodic payment from the customer’s credit card or bank account to pay bills (for example, automatic monthly payment of water bills).

Electronic Billing. Electronic billing is a process that enables bills to be created and delivered by an electronic delivery method rather than by postal delivery.

Electronic Delivery. Electronic delivery is the delivery of information over electronic mediums, such as phone calls, voicemails, text messages, faxes, emails, and postings on the Internet. Information provided in this manner requires a computer or other electronic device to transmit and receive the information.

HTML. HTML or “Hypertext Markup Language” is a set of instructions imbedded in a webpage that tells a web browser how to display the words and images in the webpage.

PDF. PDF or "Portable Document Format" is a file format that provides an electronic version of a document that looks the same to anyone, no matter what kind of computer or device they are using. To open and view a file in PDF format, an appropriate reader or plug-in is needed (these programs are generally available online at no cost).

Plug-In. A plug-in is a small software program that adds specific abilities to a larger program. Many plug-ins are available as free downloads from the Internet.

URL. A URL or "Uniform Resource Locator" is the address of a specific web site or file on the Internet. It often takes the form of <http://www.a-web-site.com>.