

3745-96-04

Consumer confidence report delivery and recordkeeping.

- (A) Each community water system shall ~~mail or otherwise directly~~ deliver one copy of the report to each customer.
- (1) Community water systems shall use at a minimum, one of the following forms of delivery:
 - (a) Mail or hand deliver a paper copy of the report.
 - (b) Mail a notification that the report is available on a website via a direct link.
 - (c) Email a direct link or electronic version of the report.
 - (d) Another direct delivery method approved in writing by the director.
 - (2) Community water systems using electronic delivery methods in paragraph (A)(1)(b), (A)(1)(c), or (A)(1)(d) of this rule shall provide a paper copy of the report to any customer upon request. The notification method shall prominently display directions for requesting such a copy.
 - (3) For community water systems that choose to electronically deliver the reports by posting the report to a website and providing a notification either by mail or email shall do the following:
 - (a) Ensure the report is publicly available on the website at the time of notification.
 - (b) Ensure that the notifications prominently display the link and include an explanation of the nature of the link.
 - (4) Community water systems may use a web page to convey the information required in rules 3745-96-02, 3745-96-03, and 3745-96-05 of the Administrative Code.
- (B) The community water system shall make a good faith effort to reach consumers who do not receive water bills, using means recommended by the director. A good faith effort will be tailored to the consumers who are served by the community water system but are not bill-paying customers, such as renters and workers. A good faith effort to reach consumers shall include a mix of methods appropriate to the particular system to reach the broadest possible range of persons served such as, but not limited to: posting the reports on the internet; mailing ~~to reports or postcards with links to the reports to all service addresses or~~ postal patrons in metropolitan areas; using an opt in notification system to send emails or texts with links to the reports

to interested consumers; advertising the availability of the report in the news media or social media; publication in a local newspaper or newsletter; ~~posting~~ posting a copy of the report or notice of availability with links (or equivalent, such as quick response (QR) codes) in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings, condominium complexes and large private employers; and delivery to community organizations; and holding a public meeting to educate consumers on the reports.

(1) Where a community water system is aware that the system serves a substantial number of non-bill paying consumers, the system is encouraged to directly deliver the reports or notices of availability of the reports to service addresses.

(2) Where a community water system is aware of a substantial number of bill-paying customers without access to electronic forms of the report, the system shall use as least one non-electronic form of delivery.

(C) By July first annually, and also by December thirty first annually for those systems required to comply with (H)(2) of this rule, each community water system shall provide to the director all of the following information:

(1) A copy of the report.

(2) A distribution certification, on a form acceptable to the director, certifying that the report has been distributed to customers, a good faith effort to reach non-bill paying customers has been completed, and that the information is correct and consistent with the compliance monitoring data previously submitted to the director.

(D) Each community water system shall make its reports available to the public upon request. Systems should make a reasonable effort to provide the reports in an accessible format to anyone who requests an accommodation.

(E) Each community water system serving ~~one hundred~~ fifty thousand or more consumers shall post its current year's report to a publicly-accessible site on the Internet ~~for at least a one-year period.~~

(F) Any community water system subject to this chapter shall retain copies of its consumer confidence report for no less than three years. Systems that use a publicly available website to provide reports shall maintain public access for no less than three years.

(G) Community water systems serving one hundred thousand or more persons shall develop a plan for providing assistance to consumers with limited English proficiency. The system shall 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 shall be provided to the director with the first report in 2027. Plans shall be evaluated annually and updated as necessary and reported with the certification required in paragraph (C) of this rule.

(H) Delivery timing and biannual delivery:

- (1) Each community water system shall distribute reports by July first each year. Each report distributed by July first shall use data collected during, or prior to, the previous calendar year using methods described in paragraph (A) of this rule.
- (2) Each community water system serving ten thousands or more persons shall distribute the report biannually, or twice per calendar year, by December thirty-first using methods described in paragraph (A) of this rule.
- (3) Community water systems required to comply with paragraph (H)(2) of this rule, with a violation or action level exceedance that occurred between January first and June thirtieth of the current year, or have received monitoring results from required monitoring under the "Unregulated Contaminant Monitoring Rule" in 40 CFR 141.40, shall include a six-month update with the second report with the following:
 - (a) A short description of the nature of the six-month update and the biannual delivery.
 - (b) If a community water system receives an MCL, MRDL, or treatment technique violation, the six-month update shall include the applicable contaminant section information in paragraph (D)(4) of rule 3745-96-02 of the Administrative Code, and a readily understandable explanation of the violation including: the length of the violation, the potential adverse health effects, actions taken by the system to address the violation, and timeframe the system expects to complete those actions. To describe the potential health effects, the system shall use the relevant language of the appendix to 3745-96-02 of the Administrative Code.
 - (c) If a community water system receives any other violation, the six-month update shall include the information in paragraph (F) of rule 3745-96-02 of the Administrative Code.
 - (d) If a system exceeded the lead action level following monitoring conducted between January first and June thirtieth of the current year, the system

shall include information identified in paragraphs (D)(4)(f) and (D)(8) of rule 3745-96-02 of the Administrative Code.

- (e) For community water systems monitoring under 40 CFR 141.40 that become aware of results of samples collected during the reporting year but were not included in the reports distributed by July first, the system shall include information as required by paragraph (D)(7) of rule 3745-96-02 of the Administrative Code.

Effective:

Five Year Review (FYR) 9/24/2026
Dates:

Certification

Date

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