



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

**MEMORANDUM**

SUBJECT: Definition of Significant Noncompliance under the Consumer Confidence Rule

FROM: Mark Pollins, Director Water Enforcement Division, ORE

TO: Water Management Division Directors

The Consumer Confidence Rule was effective September 18, 1998. This important public right to know rule insures that consumers and regulatory agencies receive an annual water quality report. Over the last four years, we have worked with the Regions and the states to utilize compliance assistance, outreach and enforcement to ensure that all public water systems develop the required annual Consumer Confidence Report ("CCR") in accordance with the Federal regulations. The next step in our national strategy is to integrate this rule into the long term Public Water Supply Supervision program. In order to assist the Regions in prioritizing violations for follow-up enforcement activities and, in furtherance of the Congressional mandate that the American public be fully informed of the quality of the drinking water they consume, the definition of significant noncompliance under the Consumer Confidence Rule is:

A Community Water System ("CWS") is in significant noncompliance six months after it fails to produce and deliver a copy of the Consumer Confidence Report ("CCR") to the public and to the primacy agency or when a CWS issues a CCR that is significantly deficient in content to the extent that the CCR does not meet the requirements of the Safe Drinking Water Act and the Federal regulations.

Essentially, on January 1<sup>st</sup>, a CWS is in significant noncompliance with the Safe Drinking Water Act if it fails to file the CCR due the previous July 1<sup>st</sup>. Return to compliance ("RTC") is

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163 FR 44512 (August 19, 1998) 240 C.F.R. 141.151, et seq., Subpart O-Consumer Confidence Reports Internet Address (URL) .http://www.epa.gov/Recycled/Recyclable" Printed with Vegetable 011 Based Inks on Recycled Paper (Minimum 50% Postconsumer content)



accomplished by the delivery by a CWS to their customers, and to the appropriate regulatory agency, of the CCR currently due.

Thank you for your efforts and assistance in this definition. If you have any comments on this memo, please contact Marged Harris at 202-564-6025.

CC: Bill Diamond, OGWDW  
Carrie Wehling, OGC  
PWS Branch Chiefs, Regions I-X