

WAC 246-290-72120 Report delivery, reporting, and recordkeeping.

This section takes effect on January 1, 2027.

(1) Each community water system must directly deliver a copy of the report to each customer.

(a) Systems must use at a minimum, one of the following forms of delivery:

(i) Mail or hand deliver a paper copy of the report;

(ii) Mail a notification that the report is available on a website via a direct link;

(iii) Email a direct link or electronic version of the report; or

(iv) Another direct delivery method approved in writing by the department.

(b) Systems using electronic delivery methods in (a)(ii), (iii), or (iv) of this subsection must provide a paper copy of the report to any customer upon request. The notification method must prominently display directions for requesting such copy.

(c) For systems that choose to deliver the reports electronically by posting the report to a website and providing a notification either by mail or email:

(i) The report must be publicly available on the website at time notification is made;

(ii) Notifications must prominently display the link and include an explanation of the nature of the link; and

(iii) Systems may use a web page to convey the information required in WAC 246-290-72200 through 246-290-72350.

(d) Systems that use a publicly available website to provide reports must maintain public access to the report for no less than three years.

(2) The system must make a good faith effort to reach consumers who do not get water bills. The department expects that an adequate good faith effort will be tailored to the consumers who are served by the system but are not bill-paying customers, such as renters or workers. A good faith effort to reach consumers includes a mix of methods to reach the broadest range of people served by the water system such as, but not limited to: Posting the reports on the internet; mailing reports or postcards with links to the reports to all service addresses, postal customers, or both; using an opt-in notification system to send emails, texts, or both with links to the reports to interested consumers; advertising the availability of the report in the news media and on social media; publication in a local newspaper or newsletter; 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 or large private employers; delivery to community organizations; and holding a public meeting to educate consumers on the reports.

(a) In locations where a system is aware that it serves a substantial number of nonbill paying consumers, the system is encouraged to directly deliver the reports or notices of availability of the reports to service addresses.

(b) In locations where a system is aware of a substantial number of bill-paying consumers without access to electronic forms of the report, the system should use at least one nonelectronic form of delivery.

(3) No later than 10 days after the date the system is required to distribute the report to its customers, each community water system

must submit a copy of the report to the department and a certification that the system has distributed the report(s) to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the department.

(4) No later than the date the system is required to distribute the report to its customers, each community water system must deliver the report to any other agency or clearinghouse identified by the department.

(5) Each community water system must 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.

(6) Each community water system serving 50,000 or more people must post its current year's report to a publicly accessible site on the internet.

(7) Any system subject to WAC 246-290-72100 through 246-290-72400 must retain copies of its consumer confidence report for no less than three years.

(8) Systems serving 100,000 or more people must develop a plan for helping consumers with limited-English proficiency. The system must evaluate the languages spoken by people with limited-English proficiency served by the water system, and the system's anticipated approach to address translation needs. Systems subject to this subsection shall:

(a) Evaluate the plan annually and update the plan as necessary; and

(b) Submit the plan with the certification required in subsection (3) of this section.

(9)(a) Each community water system must distribute reports by July 1st each year. Each report distributed by July 1st must use data collected during, or prior to, the previous calendar year using methods described in subsection (1) of this section.

(b) Each community water system serving 10,000 or more people must distribute a second report by December 31st using methods described in subsection (1) of this section.

(c) Systems required to comply with (b) of this subsection, with a violation or action level exceedance that occurred between January 1st and June 30th of the current year, or have received monitoring results from required monitoring under the Unregulated Contaminant Monitoring Rule under 40 C.F.R. 141.40, shall include a six-month update with the second report with the following:

(i) A short description of the nature of the six-month update and twice per calendar year delivery.

(ii) If a system receives an MCL, MRDL, or treatment technique violation, the six-month update must include the applicable contaminant section information in WAC 246-290-72230(4), and a readily understandable explanation of the violation including:

(A) The length of the violation;

(B) The potential adverse health effects using the relevant language of WAC 246-290-72400;

(C) Actions taken by the system to address the violation; and

(D) The time frame the system expects to complete those actions.

(iii) If a system receives any other violation, the six-month update must include the information in WAC 246-290-72250.

(iv) If a system exceeded the lead action level following monitoring conducted between January 1st and June 30th of the current

year, the system must include information identified in WAC 246-290-72230 (4)(f) and 246-290-72230(8).

(v) For systems monitoring under 40 C.F.R. 141.40 that become aware of results for samples collected during the reporting year but were not included in the reports distributed by July 1st, the system must include information as required by WAC 246-290-72230(7).

[Statutory Authority: RCW 43.20.250, 70A.125.080, and 70A.130.010. WSR 26-08-023, s 246-290-72120, filed 3/23/26, effective 4/23/26.]