STATUTORY RULES OF NORTHERN IRELAND

2016 No. 119

ENVIRONMENTAL PROTECTION

The Groundwater (Amendment) Regulations (Northern Ireland) 2016

Made - - - -	*7th March 2016*
Coming into operation	*20th June 2016*

The Department of the Environment, being a Department designated (**1**) for the purposes of section 2(2) of the European Communities Act 1972 (**2**) in relation to the environment, makes the following Regulations in exercise of the powers conferred upon it by that section.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Groundwater (Amendment) Regulations (Northern Ireland) 2016 and shall come into operation on 20th June 2016.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) applies to these Regulations as it applies to an Act of the Assembly.

Amendments to the Groundwater Regulations (Northern Ireland) 2009

2. The Groundwater Regulations (Northern Ireland) 2009(**4**) are amended in accordance with regulations 3 to 5.

Amendment of regulation 2

3. In paragraph (1) of regulation 2 (Interpretation) in the definition of "the Directive" after the word "deterioration" insert "as amended by Commission Directive 2014/80/EU(**5**)".

Substitution of regulation 18

4. For regulation 18 (Review of authorisations) substitute—

(**1**) S.I. 2008/301
(**2**) 1972 c.68
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 2009 No. 254 as amended by S.R. 2009 No. 359, S.R. 2011 No. 211 and S.R. 2014 No. 208
(**5**) OJNo. L 182, 21.6.2014, p.52

"**Review of authorisations**

18.—(1) The Department shall periodically review an authorisation.

(2) The Department shall on review assess compliance with the conditions of an authorisation and the effects on groundwater.

(3) An authorisation may be reviewed at anytime by the Department and where necessary the Department may update the authorisation.

(4) If the conditions of an authorisation are not complied with, enforcement action shall be taken to ensure compliance and, if necessary, revocation of the authorisation."

Amendment of Schedule

5. In the Schedule (Groundwater Threshold Values) for Table 1 substitute—

"**Table 1**

Threshold values for assessing groundwater chemical status

Parameter	*Unit*	*To examine if groundwater abstraction is causing saline or other intrusions*	*>To examine if groundwater is providing a significant contribution to the failure of the environmental objectives of associated surface water bodies*	*To examine if the quality of groundwater that is abstracted for potable use is deteriorating, possibly resulting in a need for increased purification*	*To examine the spatial extent of a groundwater body or group of bodies that are exceeding an EU Standard or threshold value*
Ammonium	mg/l				0.29
Arsenic	µg/l				7.5
Atrazine	µg/l				0.075
Cadmium	µg/l				3.75
Chloride	mg/l	25			
Electrical Conductivity	µS/cm	800		1875	
Lead	µg/l				7.5
MCPA	µg/l				0.075
Mecoprop	µg/l				0.075
Mercury	µg/l				0.75

(1) The surface water environmental standards are set out in Schedule 1 to The Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015(S.R. 2015 No. 351).

(2) The "dilution factor" is taken to be the fraction of the average annual river flow derived from groundwater inflows. It can be estimated from established hydrological indices such as the baseflow index, or from the ratio of catchment groundwater recharge to effective precipitation.