STATUTORY RULES OF NORTHERN IRELAND

2011 No. 238

EUROPEAN COMMUNITIES

ENVIRONMENTAL PROTECTION

The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011

Made - - - -	*1st July 2011*
Coming into operation	*20th August 2011*

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, in exercise of the powers conferred upon it by that section, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011 and shall come into operation on 20th August 2011.

Interpretation

2.—(1) In these Regulations—

"limit of detection" means the output signal or concentration value above which it can be affirmed, with a stated level of confidence that a sample is different from a blank sample containing no determinand of interest;

"limit of quantification" means a stated multiple of the limit of detection at a concentration of the determinand that can reasonably be determined with an acceptable level of accuracy and precision. The limit of quantification can be calculated using an appropriate standard or sample, and may be obtained from the lowest calibration point on the calibration curve, excluding the blank;

"the 2003 Regulations" means The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003(**3**);

"protected area" has the same meaning as in regulation 8(2) of the 2003 Regulations;

(**1**) S.I. 2008/301
(**2**) 1972 c.68
(**3**) S.R. 2003 No.544

"river basin district" and "international river basin districts" means the river basin districts designated under regulation 4(1) of the 2003 Regulations;

"the Department" means the Department of the Environment;

"the Directive" means Council Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status(**4**);

"the Water Framework Directive" means Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy(**5**); and

"uncertainty of measurement" means a non-negative parameter characterizing the dispersion of the quantity values being attributed to a measurand, based on the information used.

(2) Words and expressions used in these Regulations have the same meaning as they do in the Water Framework Directive.

(3) The Interpretation Act (Northern Ireland) 1954(**6**) shall apply to these Regulations as it applies to an Act of the Assembly.

Application of these Regulations

3. The Department when carrying out its functions under regulation 9 of the 2003 Regulations shall—

(a) monitor or secure the monitoring of the status of the water environment in the river basin district and the part of any international river basin districts falling within Northern Ireland;

(b) monitor or secure the monitoring of the status of the water environment in protected areas; and

(c) analyse or secure the analysis of information obtained following monitoring under sub paragraphs (a) and (b).

Methods of analysis

4. The Department shall ensure that all methods of analysis, including laboratory, field and on-line methods, used for the purposes of regulation 3(c) are validated and documented in accordance with EN ISO/IEC-17025 standard(**7**) or other equivalent standard accepted at international level.

Minimum performance criteria for methods of analysis

5. The Department shall ensure that—

(a) the minimum performance criteria for all methods of analysis applied are based on uncertainty of measurement of 50% or below (k = 2) estimated at the level of relevant environmental quality standards and a limit of quantification equal or below a value of 30% of the relevant environmental quality standards; and

(b) in the absence of relevant environmental quality standard for a given parameter, or in the absence of a method of analysis meeting the minimum performance criteria set out in paragraph (a), that monitoring is carried out using best available techniques not entailing excessive costs.

(**4**) O.J. No. L201, 1.8 2009, p.36
(**5**) O.J. No. L327, 22.12.2000, p.1.
(**6**) 1954 c. 33 (N.I.)
(**7**) ISO/IEC 17025:2005 General requirements for the competence of testing and calibration laboratories. Published by the International Organisation for Standardisation (www.iso.org).