STATUTORY RULES OF NORTHERN IRELAND

2010 No. 128

WATER AND SEWERAGE

The Water Supply (Water Quality) (Amendment) Regulations (Northern Ireland) 2010

Made - - - -	*29th March 2010*
Coming into operation	*20th April 2010*

The Department for Regional Development is designated (**1**) for the purposes of section 2(2) of the European Communities Act 1972 (**2**), in relation to the environment.

The Department for Regional Development has carried out the consultation required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**3**).

The Department for Regional Development makes these Regulations under Articles 109 and 300(2) of the Water and Sewerage Services (Northern Ireland) Order 2006(**4**) and section 2(2) of the European Communities Act 1972(**5**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Water Supply (Water Quality) (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on the 20th April 2010.

(2) In these Regulations, "the principal Regulations" means the Water Supply (Water Quality) Regulations (Northern Ireland) 2007(**6**).

(3) The Interpretation Act (Northern Ireland) 1954 shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly(**7**).

Amendments to the principal Regulations

2.—(1) The principal Regulations are amended as follows:

(**1**) S.I. 2008 No. 301
(**2**) 1972 c.68
(**3**) OJ No L31, 1.2.2002, p 1.
(**4**) S.I. 2006/3336 (N.I. 21)
(**5**) 1972 c. 68.
(**6**) S.R. 2007/147 as amended by S.R. 2009/246
(**7**) 1954 c.33 (N.I.)

(2) In regulation 2 (Interpretation), in paragraph (1) omit the definition for regional health and social services care trust.

(3) In regulation 8, for paragraph (1) substitute—

2.—"(1) The Department, being satisfied that analysis of samples taken from—

(a) any blending point;

(b) the water leaving any service reservoir which receives water from a treatment works before its supply to any consumer; and

(c) the water leaving any treatment works,

shall produce data in respect of the parameters specified as items 7, 8, 9 to 15, and 17 to 25 in column (1) of Table 3 in Schedule 3 which are unlikely to differ in material respect from the data that would be produced in respect of those parameters from analysis of samples obtained from sampling points, and hereby authorises the use for the purposes of regulation 6 of samples in relation to those parameters taken from a water supply zone from a blending point, a service reservoir of that description or a treatment works."

(4) In regulation 17 (investigations: Schedule 1 parameters) omit paragraph (8).

(5) In regulation 18 (investigations: indicator parameters)—

(a) in paragraph (1) after the words "indicator parameters set out in Schedule 2, it shall", insert "immediately"; and

(b) omit paragraph (4).

(6) In regulation 19 (action by the Department)—

(a) In paragraph (1)(a)(i) omit the words "Part II of Table A or"

(b) In paragraph (2)(a)(i) omit the words "Part II of Table A or"

(c) In paragraph (3)(b) for "risk to human health" substitute "potential danger to human health" and substitute "may" with "shall".

(7) In regulation 20 (authorisation of temporary supply that is not wholesome), in paragraph (1)(a) omit the words "Part II of Table A or".

(8) After regulation 26(1) insert—

"(1A) A water undertaker must—

(a) design, operate and maintain the disinfection process so as to keep the presence of disinfection by-products as low as possible without compromising the effectiveness of the disinfection; and

(b) verify the performance of the disinfection process.".

(9) In regulation 33(6)(a)(ii) for regional health and social services trust substitute—

"the Regional Agency for Public Health and Social Well-being (established by section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009)."

(10) For Table 2 in Schedule 3 substitute the table in Schedule 1.

(11) For Table 3 in Schedule 3 substitute the table in Schedule 2.

Amendments to the Water and Sewerage Services (Northern Ireland) Order 2006

3. For Article 31(3)(b) of the 2006 Order substitute—

"(b) publish in such manner as the enforcement authority considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be affected by them—

(i) a copy of the notice, and

(ii) where the enforcement authority is satisfied as mentioned in sub-paragraph (b) of paragraph (1) above, a summary of the undertaking describing the steps to be taken in it; and"

Sealed with the Official Seal of the Department for Regional Development on 29th March 2010

L.S.

John Mills
A Senior Officer of the
Department for Regional Development

SCHEDULE 1 Regulation 9

Table 2 in Schedule 3 of the Water Supply (Water Quality) Regulations (Northern Ireland) 2007

"TABLE 2

Annual Sampling Frequencies: Water Supply Zones

Note: This table sets out the annual sampling frequencies for all the substances and parameters in column 1. These are determined for each water supply zone according to its estimated population (column 2). The number of samples is either the standard number in column 4 or the reduced number in column 3 (if one is given). Regulation 9 provides for the circumstances in which the reduced number of samples may be taken.

(1) *Substances and parameters subject to monitoring*	*(2)* *Estimated population of water supply zone*	*(3)* *Reduced*	*(4)* *Standard*
Subject to check monitoring			
E. coli Coliform bacteria Residual disinfectant	< 100 ≥ 100		4 12 per 5,000 population[(i)]
Aluminium Ammonium *Clostridium perfringens* (including spores)[(*)] Colony counts Colour Conductivity[(*)] Hydrogen ion Iron	<100 100–4,999 5,000–9,999 10,000–29,999 30,000–49,999 50,000–79,999 80,000–100,000	1 2 6 12 18 26 38	2 4 12 24 36 52 76

(*) Sampling for these parameters may be within water supply zones or at supply points as specified in Table 3, subject to notes (ii) and (iii) below.

(i) Where the population is not an exact multiple of 5,000, the population figure should be rounded up to the nearest multiple of 5,000.

(ii) Check monitoring in water supply zones is required only where chloramination is practised. In other circumstances audit monitoring is required.

(iii) Audit monitoring in water supply zones is required only where sodium hypochlorite is added after water has left the treatment works. In other circumstances, audit monitoring is required at supply points.

(iv) To monitor for total indicative dose (for radioactivity).

(**1**)
(**1**)
(**1**)

(1) *Substances and parameters subject to monitoring*	*(2)* *Estimated population of water supply zone*	*(3)* *Reduced*	*(4)* *Standard*
Manganese Nitrate[ii] Nitrite[ii] Odour Taste Turbidity			
Subject to audit monitoring			
Aluminium Antimony Arsenic Benzene[*] Benzo(a)pyrene Boron[*] Bromate[iii] Cadmium Chromium *Clostridium perfringens* (including spores) Copper Cyanide[*]	<100 100–4,999 5,000–100,000		1 4 8

(*) Sampling for these parameters may be within water supply zones or at supply points as specified in Table 3, subject to notes (ii) and (iii) below.

(i) Where the population is not an exact multiple of 5,000, the population figure should be rounded up to the nearest multiple of 5,000.

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