



GUIDANCE ON THE IMPLEMENTATION OF THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2016 IN ENGLAND AND THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2010 (as amended) IN WALES

The Regulations

Part 5 – Monitoring Additional Provisions

Regulation 15: Sampling: new sources

PART 5 – MONITORING ADDITIONAL PROVISIONS

Regulation 15 – Sampling: new sources

- 15.1 Regulation 15 specifies the sampling requirements for
- (a) sources that have never previously been used for public water supply purposes and
 - (b) sources which have been previously been used for public supply purposes, but not for a period of 6 months or more.
- 15.2 Under the requirements of regulation 27 [28], water companies must carry out a risk assessment for sources in both categories before using the source to supply drinking water. The risk assessment should inform the monitoring that should be undertaken to demonstrate compliance with regulation 15. These requirements apply equally to combined licensees introducing a new source for public supply purposes.
- 15.3 Any new abstraction point identified by a company, licensed for abstraction, represented by a sample point and intended for drinking water supply (defined by regulation 17) is deemed to be a category (a) new source, and therefore subject to the sampling, risk assessment and reporting requirements of regulation 15. Sources used previously for private supply, or non-domestic purposes, must be treated as new sources for the purposes of regulation 15.
- 15.4 Regulation 15(2) requires that sources in category (a) must be sampled **before use** for all parameters in Schedules 1 and 2 of the Regulations, and any other element, organism or substance that could cause the water supply to be unwholesome, and to ensure that necessary treatment is in place to prevent unwholesome water being supplied.
- 15.5 Sources in category (b) must be sampled for conductivity, pH and turbidity as soon as reasonably practicable after the source has been put into supply, and for any other parameter, organism, element or substance whose concentration may have deteriorated since the source was last used, causing a risk to wholesomeness.
- 15.6 In England, companies' risk assessment reports as required under regulation 28 should be submitted to the Inspectorate at least one month before the company plans to use a category (a) source. This is because regulation 15(5) prohibits the use of a new source for a period of one month following the date on which the Regulation 28 report was submitted to the Inspectorate.
- 15.7 In Wales, companies' risk assessment reports must be submitted to the Inspectorate at least three months before the company plans to use a category (a) source. This is because Regulation 15(4) prohibits the use of a new source for a period of three months following the date on which the regulation 29 report was submitted to the Inspectorate.
- 15.8 Regulation 15(6) [15(5)] allows new sources to be used before the relevant waiting period following submission of the risk assessment report has elapsed, with the following conditions:
- i. that the source is required for emergency use only, to prevent an unforeseen loss of supply, **and**
 - ii. That a regulation 27 [28] risk assessment has been completed (and therefore documented) **before** the source is put into supply.
- 15.9 Where any new source is introduced into an existing treated water bulk supply, it is the responsibility of the supplier to inform the recipient and to meet the requirements of regulation 15. The receiving company must ensure that the introduction of the new

source is reflected within its own water safety planning methodology and regulation 27 [28] risk assessment for the associated supply system.

- 15.10 Where any new source is introduced to an existing raw water bulk supply arrangement, the company intending to use the water for public water supply purposes must ensure that the requirements of regulation 15 are met.
- 15.11 Regulation 15 does not apply to new bulk supply arrangements (routine, emergency or otherwise) between existing companies, including inset appointees, when the source(s) has/have been used for public supply purposes within the last 6 months. The receiving company should carry out a full risk assessment as required by regulation 27 [28], ideally before the supply is used, to ensure that consumers are protected from being supplied with unwholesome water. Supplying companies should make any necessary information available to receiving companies to allow the recipient to carry out a full risk assessment. [Information Letter 01/2014](#) reminded companies of their duties under section 68(1)(b) of the Water Industry Act 1991, to ensure no deterioration in the quality of water supplied to consumers. Companies should not, therefore, introduce any new bulk supplies, or extend any existing bulk supply arrangements, where there is a risk of unwholesomeness, even where a legal instrument is in place covering the relevant parameter(s).
- 15.12 Regulation 15(7) [15(6)] specifies that existing treatment works must be subject to a full regulation 27 [28] risk assessment if a category (a) raw water source is introduced into the raw water supply to the works in order to maintain supplies during an emergency. The risk assessment must be carried out before the treated water is used to supply consumers.
- 15.13 If a company wishes to recommission an existing treatment works and it is not an emergency, then it is good practice to take and analyse samples for an appropriate suite of parameters and other substances, elements and organisms as determined by the risk assessment, to ensure that the supply is wholesome, before any water is supplied from the works. This is irrespective of the length of time that the treatment works has been out of use.
- 15.14 [Information Letter 06/12](#) includes the reporting formats for providing the necessary monitoring data and risk assessment information to the Inspectorate, and when seeking exemption from the one month [3 month] rule for new sources.