



Guardians of drinking water quality

DRINKING WATER INSPECTORATE

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DWI Information Letter 05/2007

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To: Board Level and Day to Day Contacts of Water and Sewerage Companies and Water Companies in England and Wales

OUTCOME OF THE CONSULTATION EXERCISE ON AMENDMENT TO THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2000 - REQUIREMENTS FOR RAW WATER MONITORING

Dear Sir or Madam

Purpose

1. The purpose of this letter is to inform you of the outcome of the consultation exercise on amendment to the Water Supply (Water Quality) Regulations 2000 and in particular the requirements in respect of raw water monitoring.

Background

2. The consultation exercise ran from 29 December 2006 until 31 March 2007. The consultation replies have been analysed, revised regulations drafted and agreed, in principle, by Defra ministers. Both the consultation response document and the revised regulations will be published shortly.
3. The purpose of this letter is to inform companies of the forthcoming new requirements for raw water monitoring and allow them the maximum time available to develop raw water monitoring strategies.

Detail

4. The provision for raw water monitoring within the consultation proposals raised considerable comment from stakeholders. Many of the respondents, and the water industry in particular, saw the proposed measures as a transfer of responsibility, and hence costs, from the Environment Agency to the water companies. Furthermore there was concern that the proposals were not sufficiently risk based.

5. In light of these concerns, Defra has significantly revised the raw water monitoring requirements that are to be included in the new regulations. The regulations no longer include a prescriptive list of the parameters that are required to be monitored. Instead it will be for each company to assess the risks within its catchments and establish monitoring programmes accordingly. Many water companies will already have made this kind of assessment as part of a Drinking Water Safety Plan (DWSP) approach or as part of their work to identify the present operational raw water monitoring required for the management of their treatment processes.
6. The DWI will issue guidance that in developing their programmes companies should, as a minimum, consider the parameters listed in Annex X of the Water Framework Directive (WFD) and any parameters in the Drinking Water Directive (DWD). Given the adoption of a more risk based approach the new regulations give the Secretary of State power to direct companies to monitor for specific parameters. It is envisaged that this power would only be used where companies' strategies are considered inadequate or inappropriate.
7. The regulations will also make clear that the purpose of the monitoring is to support companies' risk assessments and the water treatment requirements of the regulations. The implication of this is that raw water monitoring only needs to address substances, properties and organisms where they may be present in levels that may pose a risk to human health or where they may have an impact on treatment. Where more sensitive analysis is required to address environmental standards, then the Environment Agency, not water companies, will carry out the monitoring or analysis. DWI will supply monitoring results it receives from water companies to the Environment Agency for WFD purposes.
8. Given the clearer focus of the monitoring, it should be conducted at the normal raw water monitoring point at the works intake. In many cases these points will be representative of the water body as defined under the WFD. Where the Environment Agency considers they will not be representative of the water body, then again it will be for the Agency to conduct monitoring at other representative points.
9. Nonetheless, the monitoring will contribute to meeting the UK's obligations under the WFD. Accordingly the frequencies specified in the regulations fall in line with the minimum requirements of the WFD. The frequencies are only specified for surface water bodies supplying over 100m³/day and vary depending on population supplied. They are four per year for water bodies supplying less than 10,000 people, eight per year for water bodies supplying between 10,000 and 30,000 people and twelve per year for water bodies supplying more than 30,000 people. In many cases companies may want to retain existing operational frequencies which are likely to exceed these minima.

10. No frequencies are specified for surface waters yielding less than 100m³/day or for groundwater. It is a matter for the water companies to decide these frequencies, though the regulations give the Secretary of State a general power to specify frequencies that must be met. Again it is not envisaged that this power would be used unless companies' frequencies are considered inadequate.
11. The new requirements will come into force on 22 December 2007 when the Surface Water Abstraction Directive (SWAD) will be revoked. In practice, since sampling programmes are usually based around the calendar year, no regulatory sampling of raw water will be required before 1 January 2008.

Action by water companies

12. Where they have not already done so, water companies must now review and develop their raw water monitoring strategy, so that regulatory monitoring can commence on 1 January 2008. This will involve assessing the risk to each catchment and defining the suite of substances, properties and organisms and the associated frequencies.
13. The Inspectorate recognises that there is limited time to do this and will take this into account when considering water companies' approach to the first year of monitoring. Where companies are satisfied that their existing procedures have addressed all the risks they may simply want to adopt their existing operational raw water monitoring as their statutory monitoring programme.
14. It is envisaged that the monitoring programmes will not be static but will be updated in future years to take account of the outcome of more refined risk assessments. The Inspectorate may wish to issue further guidance on monitoring strategies as knowledge develops and common issues are identified and it will work with the industry to do this.
15. The Inspectorate also recognises that requirements for reporting the raw water data will need to be set out and it will do this shortly.
16. This letter relates to the amendments to the Water Supply (Water Quality) Regulations 2000 that are being made by the Secretary of State. Following the joint consultation referred to at paragraph 2 above, the Welsh Assembly Government plans to make equivalent amendments to the Water Supply (Water Quality) Regulations 2001. Therefore water undertakers whose area is wholly or mainly in Wales, and licensed water suppliers so far as relating to licensed activities using the supply system of any water undertaker whose area is wholly or mainly in Wales, may wish to start planning for the introduction of the same requirements, including those in respect of their raw water monitoring programmes.

Enquiries

17. Any enquiries regarding this letter should be made to Pete Marsden.
18. Copies of this letter are being sent to Pamela Taylor, Chief Executive, Water UK; Richard Wood, Water Supply and Regulation Division, Department for Environment, Food and Rural Affairs; Natalie Howes, Climate Change and Water Division, Welsh Assembly Government; Colin McLaren, Drinking Water Quality Regulator for Scotland; Randal Scott, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Rowena Tye for Office of Water Services; Baroness Young, Environment Agency; Tony Warn, Environment Agency; Nigel Harrison, Food Standards Agency; and Gary Coleman at the Health Protection Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeni Colbourne', with a long horizontal line extending to the left and right of the name.

Prof. Jeni Colbourne MBE
Chief Inspector of Drinking Water