



Guardians of drinking water quality

DRINKING WATER INSPECTORATE

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DWI Information Letter 07/2007

28 September 2007

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 – PUBLICATION OF THE AMENDMENT REGULATIONS AND THE GOVERNMENT RESPONSE TO THE CONSULTATION

Dear Sir or Madam

Purpose

1. The purpose of this letter is:
 - a) to inform you that both the amendment regulations (SI 2734) and the government response to the consultation have now been published; and
 - b) to provide companies with a high level summary of the ways in which the new regulations differ from the consultation proposals.

Publication

2. The consultation exercise ran from 29 December 2006 until 31 March 2007. The consultation replies have been analysed, and amendment regulations were laid before Parliament on 18 September. Subject to Parliamentary procedures, the regulations should come into force on 22 December 2007. The regulations are entitled “The Water Supply (Water Quality) Regulations 2000 (Amendment) Regulations 2007” and are available on the OPSI website, both web and reprinted versions can be accessed from webpage <http://www.opsi.gov.uk/si/si200727.htm>
3. The government response to the consultation has also been published. This is available at <http://www.defra.gov.uk/environment/water/industry/index.htm> on the Defra website.

Key differences

4. The key differences between the published regulations and the provisions of the consultation proposals are outlined in paragraphs 5 to 10 below. For full details of the new provisions changes, companies should refer the Regulations and for details of the considerations behind the changes companies should refer to the consultation response.

Bottled water

5. The Regulations continue to require bottled water supplied by companies in place of piped supplies to be wholesome but they no longer specify monitoring requirements.

Authorisation of supply points

6. The restrictions on so called automatic supply point authorisations are now much more limited. The restrictions now only apply where a combined licensee introduces water into a supply zone.

Approval of new sources

7. The new regulations no longer require the Secretary of State to issue a notice in respect of data submitted by water companies in relation to new sources. Instead companies will be able to use such new sources automatically after a period of three months has elapsed after submission of the relevant data.

Raw water monitoring

8. These provisions have changed significantly. To give companies as much time as possible to adapt to the new changes, the Inspectorate issued Information Letter 6/2007 which provides details of the changes to raw water monitoring.

Risk assessments

9. The requirement for water companies to submit risk assessments has been retained and the risk assessments will be required by 1 October 2008.

Transitional provisions

10. Given the time required to introduce the new risk based approach transitional provisions have been introduced to require continuation of the statutory monitoring for cryptosporidium until 1 January 2009.

Guidance

11. The Inspectorate recognises the need for further guidance on some aspects of the regulations and will work together with the industry to produce guidance over the coming months.
12. 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 similar requirements, including those in respect of their raw water monitoring programmes.

Enquiries

13. Any enquiries regarding this letter should be made to Pete Marsden.
14. 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



Prof. Jeni Colbourne MBE
Chief Inspector of Drinking Water