



DRINKING WATER INSPECTORATE

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1 July 2016

Information Letter 05/2016

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

Dear Sir/Madam

THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2016 (ENGLAND) AND THE WATER SUPPLY (WATER QUALITY) AMENDMENT REGULATION 2016 (WALES) – CHANGES TO THE PROCEDURES FOR RADIOACTIVITY NOTICES

Background

1. The Water Supply (Water Quality) Regulations 2016 (England) and the Water Supply (Water Quality) (Amendment) Regulations 2016 (Wales) have introduced new monitoring requirements for Radon and more minor changes to the requirements for indicative dose (ID) and tritium. The Regulations include provisions for the Secretary of State and Welsh Ministers to issue Notices to water companies allowing exemption from compliance monitoring for all of these radioactivity parameters. The regulations covering the issue of Notices are regulations 6(12) to 6(15) in the English Regulations, and regulations 6A(3) to 6A(6) in the Welsh Regulations.
2. As a consequence of these new requirements it has been necessary for the Inspectorate to make some changes to the processes for approving Notice applications and issuing Notices. Water companies were consulted on the proposed changes through a consultation paper issued on 14 March 2016. The consultation closed on 30 April 2016.
3. Ten companies responded to the consultation. The Inspectorate has reviewed the responses and the revised process is explained in this letter.

Purpose

4. The purpose of this letter is to inform water companies of the requirements when applying to the Inspectorate for exemption from monitoring for radioactivity parameters.

The Requirements

5. The revised process places an emphasis on robust catchment risk assessments, which should cover all raw water sources supplying all treatment works in companies' supply systems. Where companies wish to seek exemption from compliance monitoring with effect from 1 January 2017, companies should submit a report to the Inspectorate **no later than 31 October 2016**, which includes all treatment works to be covered by the Notice, and details of catchment risk assessments in respect of the radioactivity parameters for which exemption from monitoring is sought. These reports should be sent by email to DWI_Improvement_Programmes@defra.gsi.gov.uk.
6. The report should include summarised monitoring data for the radioactivity parameters undertaken, including operational and compliance monitoring of raw and final waters, and reference to the Regulation 28 (Regulation 29 in Wales) risk assessment reports submitted to the Inspectorate. The report should also contain explanatory details of relevant information used to support the risk assessment (for example permits issued by the Environment Agency or Natural Resources Wales), information about the geology of aquifers, risk of radon in air (for example if buildings on the treatment works site require radon-in-air monitoring because they are located in high risk areas), and any other information that is material to a potential risk of radioactivity being present in treated water.
7. Monitoring data used to support exemption from indicative dose monitoring should include data for gross alpha and gross beta activity, and evidence that where the screening level for one or both of these (0.1Bq/l and 1.0Bq/l respectively) has exceeded the limit, or is likely to exceed, that the assessed indicative dose is not likely to exceed the parametric value of 0.1mSv.
8. It is anticipated that the majority of public water supplies in England and Wales will qualify for Notices for all three of the radioactivity parameters. Therefore it is suggested that companies submit one report which covers all treatment works, and all three parameters. Where the Inspectorate is satisfied that treated water is at low risk of exceeding a parametric value, the Notice issued to the company will cover all specified treatment works and each specified parameter. It is anticipated that, in most cases, companies will be issued with one Notice which covers all or most of its treatment works, that allows exemption from monitoring for all three of the radioactivity parameters.

9. Companies should include with the reports a list of all treatment works to be covered, and clearly reference the water supply zones supplied by each works. An annex will be appended to each Notice with a list of the treatment works covered, and the zones supplied by each.
10. The Notices will be time-limited, and it is proposed that the maximum period will be five years from the effective date. Therefore, Notices which take effect on 1 January 2017 will expire on 31 December 2022. The Inspectorate will keep this under review, and may change this if information emerges which indicates that 5 years is inappropriate.
11. Existing Notices issued under the Water Supply (Water Quality) Regulations 2000 (as amended) (England) and the Water Supply (Water Quality) Regulations 2010 (Wales) will be revoked.
12. Information Letter 05/2015 issued in October 2015 informed companies of the monitoring requirements for radon, from 1 January 2016 to the end of the year. Therefore it is expected that by the end of October 2016, most companies should have sufficient radon data that is representative of one year's audit monitoring, for groundwater sources in moderate and high risk radon hazard areas. Information available to the Inspectorate suggests that levels of radon in sources in these areas are unlikely to exceed the parametric value of 100 Bq/l. Therefore, unless companies' risk assessments indicate otherwise, the Inspectorate will accept the equivalent of one year's monitoring data for radon (at audit monitoring frequency) to support applications for Notices effective from January 2017. Companies are not expected to provide monitoring data for surface water supplies and groundwaters in low risk radon hazard areas, but should still confirm in their reports that a risk assessment has been carried out and that there is a low risk of radon being detected with activity levels above 100Bq/l.
13. The Inspectorate has recently provided water companies' data contacts with more detailed water risk maps than those referred to in IL 05/2015. These maps show groundwater fed treatment works located in or near moderate and high radon hazard aquifers. Companies should be undertaking monitoring for radon at sites identified on these maps, including those in low risk areas that straddle or are very close to the border with a moderate or high risk area.
14. It is acknowledged that some companies have recently submitted applications to the Inspectorate for indicative dose and tritium Notices. The Inspectorate is requesting that companies resubmit these applications as part of the reports referred to in paragraph 6 above. This will enable new Notices to be issued under the provisions of the 2016 Regulations. Existing Notices will be revoked at the same time that new Notices are issued.

15. The proposed timetable for receipt of applications and issuing Notices in time to be effective from 1 January 2017 is very tight. Companies are invited to submit applications early if they are able to do so. To facilitate rapid turnaround time, if a company has identified a risk of radioactivity being present in a supply and wishes to apply for a Notice but is uncertain whether the supply would qualify or not, then this should be highlighted in the application. The Inspectorate is happy to enter into discussions with companies about specific situations, where there is uncertainty about the level of risk, and will advise companies if additional monitoring data or other information is required.
16. Companies will be expected to reapply for Notices in advance of Notices expiring in 2022, or earlier, depending on the expiry date. Re-applications will need to be supported with a risk assessment, if necessary validated with an appropriate level of operational monitoring.
17. There is provision in the 2016 Regulations for the Secretary of State and Welsh Ministers to implement a more relaxed screening limit for gross alpha activity, up to 0.5Bq/l, where it can be demonstrated that the levels of activity are consistent with an ID below 0.1mSv. The Inspectorate is considering whether this could be implemented in the next revisions of the Regulations. To facilitate this it would be helpful if those companies who indicated in their response to the consultation that they have data which corroborates this, to include it with the reports referred to in paragraph 6 above.
18. Where treatment works are not covered by a Notice, compliance monitoring is required. The Inspectorate considers that radioactivity monitoring should be undertaken at treatment works. Therefore each works where monitoring is carried out should be designated as a supply point for all zones supplied by the works.
19. Where monitoring is undertaken, there is provision in the Regulations for companies to apply for reduced monitoring where the source of the radioactivity is naturally derived and the levels are stable (regulations 6(7) in England and 6A(3) in Wales). The Inspectorate will accept applications for reduced monitoring at any time. Companies should provide monitoring data and evidence from risk assessment that radioactivity is naturally derived in support of applications for reduced monitoring.
20. Recipients of bulk supplies may use supplying companies' risk assessments and data for compliance purposes, and to support applications for Notices.
21. Companies have been consulted on the Inspectorate's draft Guidance on implementing the 2016 Regulations. The consultation has now closed, and the final Guidance will be published shortly.

Any enquiries about the content of this letter should be referred to Jacky Atkinson, Acting Deputy Chief Inspector, email address jacqueline.atkinson@defra.gsi.gov.uk.

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Copies of this letter are being sent to Michael Roberts, Chief Executive, Water UK; Catherine Harrold, Water Resources Management, Efficiency, Innovation, Drainage & Sewers, Department for Environment, Food and Rural Affairs; Eifiona Williams, Water Management Team, Welsh Government; Sue Petch, Drinking Water Quality Regulator for Scotland; David O'Neill, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Nicci Russell, Ofwat; Paul Hickey, Environment Agency; Liz Stretton, Food Standards Agency; and Stephen Robjohns at Public Health England.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JA', followed by a long, wavy horizontal line.

Jacqueline Atkinson
Acting Deputy Chief Inspector of Drinking Water