

Drinking Water Inspectorate Guidance to water companies



GUIDANCE ON THE IMPLEMENTATION OF THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2016 (as amended) IN ENGLAND AND THE WATER SUPPLY (WATER QUALITY) REGULATIONS (WALES) 2018

The Regulations

Part 1 – General

Regulation 1: Citation, commencement and application

Regulation 2: Interpretation

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Note: In all sections covering the regulations themselves, the main paragraph reference numbers relate directly to the relevant English regulation number. Where the Welsh regulation number is different to the equivalent English regulation, the Welsh regulation is referred to alongside in square brackets thus: [].

Regulation 1 - Citation, commencement and application

1.1 England:

- 1.1.1 The Water Supply (Water Quality) Regulations 2016 came into force on 27 June 2016 and were amended in 2018 (S.I. No. 706), in 2019 (SI No. 526) and on implementation period (IP) completion date by (SI No. 558).
- 1.1.2 The regulations apply to water suppliers based wholly, or mainly in England, including areas supplied by those companies that are in Wales. They also apply to inset appointments operating and supplying water in England. Regulation 34, which covers the requirements to maintain a public record, applies also to retail service providers.

1.2 Wales:

- 1.2.1 The Water Supply (Water Quality) Regulations (Wales) 2018 (S.I. No. 647 (W.121)) came into force on 15 June 2018 and are amended by the Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019 (S.I. 460 (W. 110)), coming into force on IP completion date.
- 1.2.2 The regulations apply to water suppliers based wholly, or mainly in Wales, including areas supplied by those companies that are in England. They also apply to inset appointments operating and supplying water in Wales. Regulation 34, which covers the requirements to maintain a public record, also applies to retail service providers.

Regulation 2 - Interpretation

- 2.1 Regulation 2 lists definitions of some of the terms used in the regulations.
- 2.2 Changes introduced into the English and Welsh Regulations in 2018 remove the definitions of check monitoring and audit monitoring, which are replaced with provisions detailing Group A and Group B monitoring requirements. Definitions of “*E. coli*”, “monitoring programme” and “suitably accredited body” are added, and the definition of a service reservoir is amended (see section 2.4 below).
- 2.3 Monitoring programme (regulation 2(1) [2(3)]) is defined as the identification and collection of data on any substance or organism identified during a risk assessment to confirm compliance with prescribed concentrations set out in Schedule 1 of the Regulations, and it includes collection and analysis of discrete samples and measurements from a continuous monitoring process, or a combination of the two. The definition also includes records of inspection and maintenance of continuous monitoring equipment and inspections of the catchment area, abstraction points, treatment, storage and distribution assets.
- 2.4 **Definition of a service reservoir:**
 - 2.4.1 Regulation 2(3) [2(4)] provides a definition of a service reservoir for the purposes of these regulations. It is defined as any structure in the public supply network in which a reserve of water that has been treated is contained

or stored for onward supply to consumers, either directly, or via further service reservoir(s) and/or booster pumping station(s).

- 2.4.2 The definition includes tanks used for storage of treated water which are situated on water treatment works sites. The outlet of any storage of treated water downstream of the final compliance sampling point at a treatment works must, therefore, be designated and sampled as a service reservoir.
 - 2.4.3 Tanks used for treatment, for example contact with chlorine or blending to alter the concentration of a parameter, are not covered by this definition. Compliance sampling points at treatment works must be downstream of final disinfection and contact, final chemical dosing to prepare the water for onward supply to consumers (for example dechlorination, pH correction, phosphate dosing and artificial fluoridation) and blending. See also Guidance section *Monitoring Additional Provisions Part 1 – Sampling at Treatment Works* which covers regulation 13 [12].
 - 2.4.4 The definition of a service reservoir includes temporary structures such as static tanks or tankers **that are connected** to the distribution system and are being used for storage of treated water prior to onward supply to consumers.
 - 2.4.5 In 2015 the Inspectorate carried out a technical audit of break pressure tanks and other small tanks connected to distribution systems. The findings indicated that, in most circumstances, break pressure tanks provide some storage, and consequently fall within the definition of a service reservoir. Therefore break pressure tanks and other tanks connected to the system, irrespective of size, should be considered to be service reservoirs and sampled in accordance with the requirements of regulation 14 [13]. In practice this means that all tanks apart from very small tanks with a minimal retention time must be so sampled.
 - 2.4.6 Regulation 2(4) [2(5)] explains the requirements for service reservoir compliance sampling points depending on the hydraulic configuration of the reservoir with respect to compartments. See also Guidance section *Monitoring Additional Provisions Part 1 - Sampling at Service Reservoirs*, which covers regulation 14 [13], in *Monitoring Additional Provisions Part 1*.
- 2.5 Following the implementation period (IP) completion date, references to Directives in the Regulations take on a different meaning. Any reference to the United Kingdom as a Member State should be construed as a reference to the body (e.g. DEFRA, DWI, Ofwat) or local authority which holds the rights or responsibilities in question.

Revision notes –

Version	Revision	Date
1.0	First major version covering the 2016 Regulations	July 2016
1.1	Company changed to supplier in para 1.1.2 & in various other places. References to combined licensees removed. Retail-only companies replaced with retail service providers in 1.1.2 and 1.2.3.	April 2017
2.0	Updated following publication of the 2018 amendment regulations in England and the 2018 Welsh Regulations	September 2018
2.1	Updated following publication of the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019 – SI No. 526	April 2019
3.0	Updated following UK's exit from the European Union	April 2020