

12 April 2019

Information Letter 01/2019

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

Dear Sir or Madam

**DRINKING WATER QUALITY LEGISLATION**

**1. Purpose**

This letter is to inform stakeholders of the publication of a new statutory instrument relating to the regulation of public water supplies in England, which came into force on 29 March 2019. The information below summarises the key aspects of this new legislation and the forward process for the update of the Inspectorate's guidance documents.

**2. Background**

The Statutory Instrument is:

- The Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019 – SI No. 526 (“the 2019 Regulations”)

The key aspects of the relevant regulation within the 2019 Regulations are described below. Copies of the full Statutory Instruments are available on the Inspectorate's website [www.dwi.gov.uk](http://www.dwi.gov.uk) or from [www.legislation.gov.uk](http://www.legislation.gov.uk) and using the following link:

[The Environment, Food and Rural Affairs \(Miscellaneous Amendments etc.\) Regulations 2019](#)

**3. Changes made to the Water Supply (Water Quality) Regulations 2016 in England by the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019, regulation 6**

The Regulations, at regulation 6, correct the following errors and inconsistencies in the Water Supply (Water Quality) Regulations 2016 (as amended) (“the 2016 Regulations”):<sup>1</sup>

- a) Previously, in regulation 8(1) of the 2016 Regulations, the list of parameters specified were ‘items 1 to 11 and 14 to 21 in column 1 of Table 3 in Schedule 3’.

Regulation 6(2) of the 2019 Regulations corrects this list to ‘items 1 to 12 and 14 to 21’.

- b) Previously, the table heading for Table 3 of Part 1 in Schedule 3 to the 2016 Regulations was ‘parameters and circumstances for monitoring to be used for sampling at works or supply points’.

Regulation 6(3)(a)(i) of the 2019 Regulations changes this title to ‘parameters and circumstances for monitoring to be used for sampling at works or in water supply zones (or supply points)’.

- c) Previously, in Table 3 of Part 1 in Schedule 3 to the 2016 Regulations, the footnote <sup>(1)</sup> was missing from item 5: *Clostridium perfringens* (including spores); and item 11: indicative dose.

Regulation 6(3)(a)(ii) and (iii) of the 2016 Regulations adds the footnotes so that the entries read ‘*Clostridium perfringens* (including spores) <sup>(1)</sup>’ and ‘indicative dose <sup>(1)</sup>’ respectively.

- d) Previously, in Table 3 of Part 1 in Schedule 3 to the 2016 Regulations, tetrachloroethene and trichloroethene had been separated into items 17 and 20.

Regulation 6(3)(a)(iv) and (v) of the 2019 Regulations replaces item 17 with ‘tetrachloroethene/trichloroethene <sup>(1)</sup>’, including the footnote <sup>(1)</sup>, and removes item 20 respectively.

- e) Previously, in Table 11 of Part 3 in Schedule 3 to the 2016 Regulations, the frequency for 20-1,999 m<sup>3</sup>/day was listed as 12.

Regulation 6(3)(b) of the 2019 Regulations changes this figure to 52.

#### **4. Regulation 9(4) Notices**

Notices were served to all companies in October 2018 to vary the frequency for 20-1,999 m<sup>3</sup>/day, in Table 11 of Part 3 in Schedule 3 to the 2016 Regulations, from 12 to 52. These notices will be withdrawn separately to this letter.

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<sup>1</sup> S.I. 2016/614, amended by S.I. 2017/506, 2018/706;

## 5. Guidance on the amended legislation

The Guidance to the Regulations, which is available on the DWI's website, will be amended to reflect the above.

Copies of this letter are being sent to Michael Roberts, Chief Executive, Water UK; Jan Dixon and Kirstin Green, Department for Environment, Food and Rural Affairs; Eifiona Williams and Cat Osborne, Welsh Government; Sue Petch, Drinking Water Quality Regulator for Scotland; Catriona Davis and David O'Neill, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Kevin Ridout, Ofwat; Helen Wakeham, Environment Agency; Benedict Duncan, Food Standards Agency; Stephen Robjohns and Ovnair Sepai at Public Health England.

This letter is being sent electronically to board Level and day to day contacts. Please acknowledge receipt by email to [dwi.enquiries@defra.gsi.gov.uk](mailto:dwi.enquiries@defra.gsi.gov.uk). Hard copies are not being sent but the letter may be freely copied. Any enquiries about the letter should be addressed directly to [dwi.enquiries@defra.gsi.gov.uk](mailto:dwi.enquiries@defra.gsi.gov.uk).

Yours faithfully



Laura Moss  
Deputy Chief Inspector of Drinking Water