
STATUTORY INSTRUMENTS

1994 No. 1057

WATER RESOURCES, ENGLAND AND WALES

**The Surface Waters (River Ecosystem)
(Classification) Regulations 1994**

<i>Made</i>	- - - -	<i>12th April 1994</i>
<i>Laid before Parliament</i>		<i>19th April 1994</i>
<i>Coming into force</i>	- -	<i>10th May 1994</i>

The Secretary of State for the Environment and the Secretary of State for Wales, acting jointly in exercise of the powers conferred on them by sections 82 and 219(2) of the Water Resources Act 1991⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Surface Waters (River Ecosystem) (Classification) Regulations 1994 and shall come into force on 10th May 1994.

(2) In these Regulations references to a numbered column are references to the column so numbered in the Schedule to these Regulations.

Classification of waters

2.—(1) A system employing the classifications RE1, RE2, RE3, RE4 and RE5 is prescribed as a system of classification applying to inland freshwaters which are relevant rivers or watercourses⁽²⁾.

(2) The criteria for each of the classifications RE1 to RE5 are that the following requirements are satisfied by a series of samples of water taken and analysed in accordance with regulation 3, that is to say—

- (a) the 10 percentile of the saturation of dissolved oxygen shall not be less than the value specified in respect of that classification in column (2);
- (b) the 90 percentile of the biochemical oxygen demand shall not exceed the value specified in respect of that classification in column (3);
- (c) the 90 percentile of the concentration of total ammonia shall not exceed the value specified in respect of that classification in column (4);

(1) 1991 c. 57; see section 221(7) as to the joint exercise of functions exercisable concurrently.

(2) See the Water Resources Act 1991, section 104, for the definitions of “inland freshwaters” and “relevant river or watercourse”.

- (d) the 95 percentile of the concentration of un-ionised ammonia shall not exceed the value, if any, specified in respect of that classification in column (5);
- (e) the 5 percentile of the pH value shall not be less than the lower value, if any, specified in respect of that classification in column (6), and the 95 percentile of the pH value shall not exceed the higher value, if any, so specified;
- (f) the 95 percentile of the concentration of dissolved copper shall not exceed the value, if any, which is specified in respect of that classification in column (8) by reference to the hardness of the water as described in column (7); and
- (g) the 95 percentile of the concentration of total zinc shall not exceed the value, if any, which is specified in respect of that classification in column (9) by reference to the hardness of the water as described in column (7).

Sampling, analysis and compliance

3. The following matters, that is to say—

- (a) the frequency, location and methods of sampling;
- (b) the samples to be used, or to be disregarded, for the purpose of assessing whether any requirement specified in regulation 2(2) is satisfied;
- (c) the requirements for analysis of samples; and
- (d) the methods of determining percentile values,

shall be determined by the National Rivers Authority in accordance with the procedures, and by reference to the principles, set out in the document dated 30th March 1994 and entitled “Water Quality Objectives: Procedures used by the National Rivers Authority for the purpose of the Surface Waters (River Ecosystem) (Classification) Regulations 1994”.

Signed by authority of the Secretary of State for the Environment

8th April 1994

Robert Atkins
Minister of State,
Department of the Environment

Signed by Authority of the Secretary of State for Wales

12th April 1994

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

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SCHEDULE

Regulation 2(2)

RIVER ECOSYSTEM CLASSIFICATIONS

(1) Class	(2) Dissolved Oxygen % saturation 10 percentile	(3) BOD(ATU) mg/l 90 percentile	(4) Total Ammonia mg N/ 1 90 percentile	(5) Un- ionised Ammonia mg N/ 1 95 percentile	(6) pH lower limit as 5 percentile; upper limit as 95 percentile	(7) Hardness mg/l CaCO ₃	(8) Dissolved Copper µg/l 95 percentile	(9) Total Zinc µg/l 95 percentile
RE1	80	2.5	0.25	0.021	6.0-9.0	≤ 10	5	30
						> 10 and ≤ 50	22	200
						> 50 and ≤ 100	40	300
						> 100	112	500
RE2	70	4.0	0.6	0.021	6.0-9.0	≤ 10	5	30
						> 10 and ≤ 50	22	200
						> 50 and ≤ 100	40	300
						> 100	112	500
RE3	60	6.0	1.3	0.021	6.0-9.0	5	300	
						≤ 10	22	700
						> 10 and ≤ 50	40	1000
						> 50 and ≤ 100	112	2000
RE4	50	8.0	2.5	—	6.0-9.0	> 100		
						≤ 10	5	300
						> 10 and ≤ 50	22	700
						> 50 and ≤ 100	40	1000
						> 100	112	2000
						> 100		

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(1) Class	(2) Dissolved Oxygen % saturation 10 percentile	(3) BOD(ATU) mg/l 90 percentile	(4) Total Ammonia mg N/ 1 90 percentile	(5) Un- ionised Ammonia mg N/ 1 95 percentile	(6) pH lower limit as 5 percentile; upper limit as 95 percentile	(7) Hardness mg/l CaCO ₃	(8) Dissolved Copper µg/l 95 percentile	(9) Total Zinc µg/l 95 percentile
RE5	20	15.0	9.0	—	—	—	—	—

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe a system of classifying the general quality of inland freshwaters which are relevant rivers or watercourses (as defined in section 104 of the Water Resources Act 1991 (“the Act”). The system, which consists of five classes ranging in order of decreasing quality from RE1 to RE5, will be used for establishing quality objectives under section 83 of the Act.

Compliance with the requirements prescribed for each classification is determined in accordance with procedures and by reference to principles set out in a document dated 30th March 1994 and entitled “Water Quality Objectives: Procedures used by the National Rivers Authority for the purpose of the Surface Waters (River Ecosystem) (Classification) Regulations 1994”. Copies of the document may be inspected free of charge at, and obtained from, the regional offices of the National Rivers Authority.

A compliance cost assessment in respect of these Regulations may be obtained from Water Quality Division, Department of the Environment, Room 412, Romney House, 43 Marsham Street, London SW1P 3PY, or Environment Division, Welsh Office, Cathays Park, Cardiff CF1 3NQ.