

## SCHEDULE 9

Monitoring for radioactive substances in water bottled and labelled as “spring water” or “dŵr ffynnon” and bottled drinking water

### PART 1

#### General

1. Each food authority must monitor water bottled and labelled as “spring water”, “dŵr ffynnon”, or its equivalent in any other language, and bottled drinking water, for radon, tritium and indicative dose in accordance with this Part.

#### Radon

2. Each food authority must undertake representative surveys to determine the scale and nature of likely exposure to radon originating from different types of ground water sources and wells in different geological areas.

3. The representative surveys must be designed in such a way that underlying parameters, including the geology and hydrology of the area, radioactivity of rock or soil and well type, can be identified and used to direct further action to areas of likely high exposure.

4. Each food authority must monitor for radon if there is reason to believe, on the basis of the results of the representative surveys or other reliable information, that the parametric value for radon specified in Part 4 of Schedule 7 might be exceeded.

#### Tritium

5. Each food authority must monitor for tritium if an anthropogenic source of tritium or other artificial radionuclide is present within the catchment area and it cannot be shown on the basis of other surveillance programmes or investigations that the level of tritium is below the parametric value specified in Part 4 of Schedule 7.

6. Sampling must be carried out at the frequencies specified in the Table in Part 2 of this Schedule.

7. If the concentration of tritium exceeds the parametric value specified in Part 4 of Schedule 7, the food authority must investigate the presence of other artificial radionuclides.

#### Indicative dose

8. Each food authority must monitor for indicative dose if a source of artificial or elevated natural radioactivity is present and it cannot be shown on the basis of representative monitoring programmes or other investigations that the level of indicative dose is below the parametric value specified in Part 4 of Schedule 7.

9. Sampling must be carried out at the frequencies specified in the Table in Part 2 of this Schedule.

10. The food authority may use various reliable screening strategies to monitor for the parametric indicator value for indicative dose.

11. If the food authority screens for an individual radionuclide or certain radionuclides and—

(a) one of the activity concentrations exceeds 20% of the corresponding derived value specified in Table 1 in Part 2 of Schedule 11; or

(b) where applicable, the concentration of tritium exceeds the parametric value specified in Part 4 of Schedule 7, the food authority must investigate the presence of other

**Changes to legislation:** There are currently no known outstanding effects for the *The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, PART 1.* (See end of Document for details)

radionuclides, as determined by the food authority, taking into account all relevant information about likely sources of radioactivity.

**12.—**(1) If the food authority screens for gross alpha activity and gross beta activity and—

- (a) the screening level for gross alpha activity exceeds 0.1 Bq/l; or
- (b) the screening level for gross beta activity exceeds 1.0 Bq/l, the food authority must investigate the presence of other radionuclides as determined by the food authority, taking into account all relevant information about likely sources of radioactivity.

(2) The food authority may set alternative screening levels for gross alpha activity and gross beta activity if it can demonstrate that the alternative levels are in compliance with an indicative dose of 0.1mSv.

(3) If elevated levels of tritium are detected which indicate the presence of other artificial radionuclides, tritium, gross alpha activity and gross beta activity must be measured in the same sample.

(4) If the gross alpha activity and gross beta activity are less than 0.1 Bq/l and 1.0 Bq/l respectively, the food authority may assume that the indicative dose is less than the parametric value of 0.1 mSv in which case further radiological investigation is not required unless it is known from other sources of information that specific radionuclides are present in the water that are liable to cause an indicative dose in excess of 0.1 mSv.

### Exemption from monitoring

**13.—**<sup>[F1]</sup>(1) A food authority is not required to monitor water bottled and labelled as “spring water”, “dŵr ffynnon”, or its equivalent in any other language, or bottled drinking water, for radon, tritium or indicative dose if—

- (a) it is satisfied on the basis of representative surveys, monitoring data or other reliable information that, for a minimum period of 5 years, the parameter in question will remain below the respective parametric value specified in Part 4 of Schedule 7; and
- (b) it notifies the Agency of that decision and provides the Agency with a copy of the representative surveys, monitoring data or other reliable information referred to in sub-paragraph (a).

<sup>[F2]</sup>(2) Subject to sub-paragraph (3), the exemption from monitoring under sub-paragraph (1) lapses after a period of 5 years, beginning on the date the food authority notifies its decision to the Agency in accordance with sub-paragraph (1)(b).

(3) The exemption from monitoring under sub-paragraph (1) lapses immediately if the level of radon, tritium or indicative dose exceeds the relevant parametric value specified in Part 4 of Schedule 7.]

#### Textual Amendments

- F1** Sch. 9 para. 13(1): words in Sch. 9 para. 13 renumbered as Sch. 9 para. 13(1) (27.10.2017) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/935\)](#), regs. 1(3), **15(1)**
- F2** Sch. 9 para. 13(2)(3) inserted (27.10.2017) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/935\)](#), regs. 1(3), **15(2)**

### **Treatment of bottled drinking water**

**14.** Where bottled drinking water has been treated to reduce the level of radionuclides, the food authority must carry out monitoring at the frequencies indicated in the Table in Part 2 to ensure the continued efficacy of that treatment.

### **Averaging**

**15.** If a parametric value specified in Part 4 of Schedule 7 is exceeded in a sample of water, the food authority must take further samples as appropriate, having regard to guidance issued by the Agency, to ensure that the measured values are representative of an average activity concentration for a full year.

**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015, PART 1.