

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations implement the Groundwater Directive (Council Directive [80/68/EEC](#)) for Northern Ireland. They supplement existing water pollution legislation.

The Regulations require the Department of the Environment to use its new powers under the Regulations and its existing powers under the Water Act (Northern Ireland) 1972 to prevent the direct or indirect discharge of list I substances to groundwater and to control pollution resulting from the direct or indirect discharge of list II substances (regulations 4 to 14).

The new powers are conferred by regulations 13 and 16 to 20 which introduce—

- (a) a new requirement for an authorisation for the disposal, or tipping for the purposes of disposal, of list I or II substances;
- (b) a new procedure for prohibiting or regulating by notice other activities in or on land which pose an indirect threat to groundwater from list I or II substances.

There are exclusions from the Regulations in relation to radioactive substances, domestic effluent from isolated dwellings and discharges containing small quantities and concentrations of list I or II substances (regulation 3). There are also exceptions from the main controls (subject to certain safeguards) in relation to—

- (a) discharges to groundwater unsuitable for other uses,
- (b) water used for geothermal purposes or pumped out of mines, quarries or civil engineering works, and
- (c) artificial recharges of groundwater for management purposes (regulations 4(6) and 12).

The Regulations apply certain modifications to section 8 of the Water Act (Northern Ireland) 1972 in connection with the new controls (regulations 15 and 16).

Regulation 21 deals with information to be included on registers maintained under section 9(9) of the Water Act (Northern Ireland) 1972. Regulation 22 makes transitional provisions in relation to the new authorisation procedure. Regulation 23 makes provision for consultation with the competent authorities in the Republic of Ireland if the Department intends to grant an authorisation which might affect transfrontier groundwater. Regulation 24 revokes the Pollution of Groundwater by Dangerous Substances Regulations (Northern Ireland) 1994.

Copies of the Groundwater Directive may be obtained from the Stationery Office Ltd, 16 Arthur Street, Belfast BT1 4GD.