
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 212

**The Water Supply (Water Quality)
Regulations (Northern Ireland) 2017**

PART 8

**INVESTIGATIONS, AUTHORISATION OF
DEPARTURES AND REMEDIAL ACTION**

Authorisation of temporary supply of water that is not wholesome

24.—(1) Subject to paragraph (2), the Department may, upon the written application of the water undertaker, authorise in accordance with regulation 25 a departure from the provisions of Part 3 in so far as they relate to—

- (a) a parameter specified in Table B in Schedule 1; and
- (b) the supply of water by the water undertaker in any of its water supply zones.

(2) The Department must not authorise a departure under paragraph (1) unless it is satisfied that—

- (a) the authorisation is necessary to maintain in that zone a supply of water for regulation 5(1) purposes;
- (b) a supply of water for those purposes cannot be maintained in that zone by any other reasonable means; and
- (c) the supply of water in accordance with the authorisation does not constitute a potential risk to human health.

(3) The water undertaker must provide with its application—

- (a) a statement—
 - (i) of the grounds on which the authorisation is sought;
 - (ii) of the water supply zone in respect of which the authorisation is sought;
 - (iii) of the parameters in respect of which the prescribed concentration or value cannot be met;
 - (iv) in respect of each parameter to which paragraph (iii) applies, of the results of the analysis of the samples taken in the water supply zone in question during the 12 months immediately preceding the first day on which the prescribed concentration or value could not be met;
 - (v) in respect of each parameter to which paragraph (iii) applies, of the results of the analysis of the samples (if any) taken in the water supply zone in question between the first day on which the prescribed concentration or value could not be met and the date of the application;
 - (vi) of the average daily quantity of water supplied to that zone or, if that quantity cannot readily be ascertained, of the average daily quantity of water supplied from the treatment works that supplies water to that zone;

- (vii) of the estimated population of that zone;
- (viii) as to whether, if a departure were authorised in the terms sought, any relevant food-production undertaking would be affected;
- (ix) of the period for which the authorisation is sought; and
- (x) of the reasons why the supply cannot be maintained by other reasonable means;
- (b) a scheme for monitoring the quality of water supplied in the zone during the period for which the authorisation is sought; and
- (c) a summary of the steps that it proposes to take in order to ensure that the supply fully satisfies the requirements of Part 3, including—
 - (i) a timetable for the work;
 - (ii) an estimate of the cost of the work; and
 - (iii) provisions for reviewing the progress of the work and for reporting the result of the review to the Department.
- (4) At the same time as it makes an application for an authorisation under paragraph (1), the water undertaker must serve on—
 - (a) every appropriate district council; and
 - (b) every appropriate health and social care trust,

a copy of the application and of the statement, scheme and summary referred to in paragraph (3).

(5) A body on whom documents have been served in accordance with paragraph (4) may make representations to the Department in connection with the application; and any such representations must be made not later than the end of the period of 30 days beginning with the date on which the application for the authorisation is made.