
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Environment (Legislative Functions
from Directives) (EU Exit) Regulations 2019

PART 6

Water quality

CHAPTER 3

Retention of functions from the Groundwater Directive

Power to make provision in relation to groundwater threshold values

- 29.**—(1) The appropriate authority may, by regulations, make provision—
- (a) about the procedure for establishing threshold values, under retained EU law which implemented the Groundwater Directive, for pollutants and indicators of pollutants which indicate that a body of groundwater is at risk of failing to achieve good groundwater chemical status;
 - (b) specifying the information relating to threshold values which is to be included in river basin management plans, which may include—
 - (i) information about bodies of groundwater or groups of such bodies characterised as being at risk;
 - (ii) the threshold values that have been set and the area to which they apply;
 - (iii) the methodology for determining background levels;
 - (iv) information about the groundwater chemical status assessment.
- (2) The provision which may be made under paragraph (1) includes—
- (a) requiring a reference to Part A or Part C of Annex 2 to the Groundwater Directive (or a reference which encompasses that provision) to be read as a reference to that provision with modifications;
 - (b) amending provision corresponding to provision made by Part A or Part C of Annex 2 to the Groundwater Directive.
- (3) Regulations under paragraph (1) may amend the WEWS Act or subordinate legislation.
- (4) The appropriate authority may only exercise the power in paragraph (1) to the extent that the authority considers it is appropriate to do so as a result of scientific and technical progress.
- (5) In this regulation, “background levels” means the concentration of a substance or the value of an indicator in a body of groundwater corresponding to no, or only very minor, anthropogenic alterations to undisturbed conditions.