
STATUTORY INSTRUMENTS

1990 No. 119

The Water Supply (Water Quality) (Scotland) Regulations 1990

PART IV

MONITORING OF WATER SUPPLIES

Application and interpretation

9.—(1) This Part applies to water supplied for any of the purposes described in regulation 3(2) by a water authority.

(2) In this Part—

“corresponding number” means any relevant reduced or increased number shown in a Table as an alternative to the standard number; and

“the standard number” means such number specified in the column headed “Standard” in Tables 1 to 6 as is applicable to the parameter in question by reference to the number of persons estimated to have been supplied from the relevant water supply zone during the year preceding the year in question or, as the water authority may determine, by reference to the volume of water supplied for domestic purposes from that zone during that period; but a determination may not be varied after the beginning of the year for which it applies.

Monitoring—general provisions

10. For the purpose of determining whether water to which this Part applies satisfies the provisions of Part II or, as the case may be, those provisions as relaxed by an authorisation given under Part III, a water authority shall take and analyse or cause to be analysed such number of samples of the water within each of its water supply zones as is specified in this Part.

Determination of sampling points

11.—(1) Subject to paragraph (2), a water authority shall determine, in respect of each of its water supply zones, such number and location of sampling points as will, in its opinion, secure that analysis of samples obtained from those points in respect of the parameters listed in Tables A to E will, so far as is reasonably practicable, produce data which are representative of the quality of the water supplied by it to that zone.

(2) The sampling points selected in respect of copper, lead and zinc and at least 50% of the sampling points selected in respect of parameter 1, 2 and 5 listed in Table C and in respect of residual disinfectant shall be selected at random.

Authorisation of supply points

12.—(1) The Secretary of State may, in relation to any of the parameters listed as items 7 to 12, 18 to 20 and 26 to 28 in Table A, items 1 to 6 and 8 to 10 in Table B, items 1 to 6 and 8 to 10 in Table D, and items 1 and 2 in Table E, or trihalomethanes, upon the written application of a water

authority authorise the use for the purposes of regulation 10 of samples taken otherwise than from a sampling point.

(2) The Secretary of State shall grant an authorisation under paragraph (1) only if he is satisfied that analysis of samples taken from a point other than a sampling point will produce data in respect of the parameter in question which are unlikely to differ in any significant respect from the data that would be produced in respect of that parameter from analysis of samples obtained from sampling points.

Frequency of sampling

13.—(1) Subject to paragraphs (2) to (9), in each year a water authority shall take from its sampling points, or, as the case may be, its supply points, for analysis for testing for compliance with each parameter not less than such standard number of samples as is specified in Tables 1 to 6 in relation to the parameter in question.

(2) In the period from 1st July 1990 to 31st December 1990, the number of samples taken shall be not less than one-half of the standard number of samples so specified, which number shall be rounded upwards, if necessary, to the nearest whole number.

(3) For the purposes of the application of paragraphs (1) and (2) to the parameters listed in Table 1 or 2 or referred to in Table 5, a supply which consists of both ground water and surface water shall be deemed to be a supply which consists only of surface water.

(4) Where in each of three successive years the requirement mentioned in paragraph (5) below is satisfied in relation to a parameter listed in Table 1, 2 or 3 or referred to in Table 5 and the water authority is of the opinion that the concentration or value in respect of that parameter is unlikely to increase or, in the case of hydrogen ion, total hardness or alkalinity, decrease to any significant extent in the next following year, the number of samples to be taken in that year in respect of that parameter may be the reduced corresponding number:

Provided that this paragraph shall apply in order to determine the number of samples to be taken in 1991, 1992 and 1993 with the modifications specified in paragraph (6) below.

(5) The requirement referred to in paragraph (4) above is that analysis of each sample taken in relation to the parameter in question in accordance with paragraph (1) or (2), as the case may be, has established—

- (a) in the case of hydrogen ion, a pH value that is no less than 6.5 and no more than 8.5;
- (b) in the case of total hardness or alkalinity (where water has been softened or desalinated), a concentration that is no less than 90mg Ca/l or 45mg HCO₃/l, respectively; or
- (c) in any other case, a concentration or value which is less than 50% of the prescribed concentration or value.

(6) Paragraph (4) shall apply in order to determine the number of samples to be taken—

- (a) in 1991 as if it referred to the period from 1st July 1990 to 31st December 1990 instead of three successive years;
- (b) in 1992 as if it referred to the period from 1st July 1990 to 31st December 1991 instead of three successive years;
- (c) in 1993 as if it referred to the period from 1st July 1990 to 31st December 1992 instead of three successive years; and
- (d) in each of these years with the substitution of “and the Secretary of State has notified the authority that he” for “and the water authority”.

(7) Where—

- (a) the result of the analysis of any sample taken in accordance with paragraph (1) or (2), as the case may be, has established in relation to any parameter listed in Tables 1 to 5 that the prescribed concentration or value has been contravened; or
- (b) as a consequence of any change in a water authority's practices as regards the treatment of water (whether at a service reservoir, treatment works or otherwise), the authority is of the opinion that the prescribed concentration or value in respect of any parameter has been or may be contravened,

the number of samples to be taken in respect of that parameter—

- (i) in the remainder of that year and the following year; or
- (ii) in such longer or shorter period as the Secretary of State may specify by notice in writing given to the water authority,

shall, where an increased corresponding number is shown in relation to that parameter, be the number determined in accordance with paragraph (8).

- (8) The number determined for the purposes of paragraph (7) is—
 - (a) for any whole year in the period the increased corresponding number; or
 - (b) for any other part of the period the increased corresponding number multiplied by the number of whole months in that part and divided by 12; and, where the result is not a whole number, rounded upwards to the nearest whole number.

(9) Where an analysis of samples taken in accordance with paragraph (7) demonstrates that there has been no contravention of the prescribed concentration or value in the relevant period, the authority may revert to sampling in accordance with paragraph (1).

Sampling—further provisions

14.—(1) Where no standard number is specified in relation to a parameter listed in Schedule 1, a water authority shall take samples from water within a water supply zone in respect of that parameter as soon as it believes or has reasonable grounds for believing that—

- (a) the prescribed concentration or value in respect of that parameter has been exceeded or may be exceeded within the next three months within that zone; or
- (b) the prescribed concentration or value in respect of any other parameter has been exceeded or may be exceeded within the next three months within that zone; and the taking and analysis of samples in relation to the parameter first mentioned would assist in deciding whether, and, if so, what, remedial action should be taken.

(2) A water authority shall take samples from water within a water supply zone in respect of any element, organism or substance, other than a parameter, as soon as it believes or has reasonable grounds for believing that that element, organism or substance, whether alone or in combination with a parameter or any other element, organism or substance, may cause the supply within that zone to be a supply which does not satisfy the provisions of Part II of these Regulations or, where those provisions have been relaxed by an authorisation given under Part III, those provisions as so relaxed.