
STATUTORY INSTRUMENTS

2000 No. 3184

The Water Supply (Water Quality) Regulations 2000

PART VI

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

Investigations: Schedule 1 parameters

17.—(1) Subject to paragraph (3), where a water undertaker has reason to believe that water supplied by it for regulation 4(1) purposes—

- (a) fails, or is likely to fail, to satisfy a requirement of paragraph (2) of regulation 4; or
- (b) is to be regarded as unwholesome by virtue of paragraph (4) of that regulation; or
- (c) if paragraph (6) of that regulation were ignored, would be regarded as unwholesome by virtue of paragraph (5) of that regulation,

the water undertaker shall immediately take such steps as are necessary to identify the matters specified in paragraph (2) below.

(2) The matters referred to in paragraph (1) are—

- (a) the cause and extent of the failure or, as the case may be, the apprehended failure;
- (b) the Schedule 1 parameters in respect of which the prescribed concentration or value has not been, or is unlikely to be, achieved; and
- (c) in relation to each parameter so identified, whether the failure, or apprehended failure, to achieve the prescribed concentration or value is attributable—
 - (i) to the domestic distribution system;
 - (ii) to the maintenance of that system; or
 - (iii) to neither of those matters.

(3) Where a departure has been authorised under Part VI—

- (a) paragraph (1) shall apply only in respect of the Schedule 1 parameters (if any) that are not specified in the authorisation; and
- (b) a water undertaker which has reason to believe that water supplied by it for regulation 4(1) purposes fails, or is likely to fail, to satisfy the concentration or value required by the authorisation in relation to any Schedule 1 parameter, shall immediately take such steps as are necessary to identify the matters specified in paragraph (4).

(4) The matters referred to in paragraph (3) are—

- (a) the cause and extent of the failure or, as the case may be, the apprehended failure;
- (b) the Schedule 1 parameters in respect of which the required concentration or value has not been, or is unlikely to be, achieved; and

- (c) in relation to each parameter so identified, whether the failure, or apprehended failure, to achieve that concentration or value is attributable—
 - (i) to the domestic distribution system;
 - (ii) to the maintenance of that system; or
 - (iii) to neither of those matters.
- (5) As soon as may be after the matters specified in paragraph (2) or (4), as the case may be, have been identified, the water undertaker shall notify the Secretary of State—
 - (a) of those matters;
 - (b) in relation to each parameter identified in accordance with paragraph (2)(b) or (4)(b), whether it is the opinion of the water undertaker that a failure in respect of that parameter is likely to recur; and
 - (c) of the action (if any) taken by the water undertaker in relation to a failure which is attributable to the domestic distribution system or the maintenance of that system.
- (6) Where the water undertaker has identified a failure attributable to the domestic distribution system or to the maintenance of that system, it shall, at the same time as notification is given under paragraph (5)—
 - (a) by notice in writing to those of its consumers—
 - (i) to whom it supplies water for regulation 4(1) purposes; and
 - (ii) who are likely to be affected by the failure,
inform them of the nature of the failure and provide details of the steps (if any) that, in the opinion of the water undertaker, it is necessary or desirable for those consumers to take in the interests of their health; and
 - (b) send a copy of that notice to the Secretary of State and to each appropriate local authority.
- (7) A water undertaker which has complied with the requirements of paragraphs (5) and (6) need not, in respect of the same failure or apprehended failure, comply with the requirements of regulation 35(9).
- (8) Where such a failure as is mentioned in paragraph (6) affects the supply of water to the public in premises in which water is so supplied, the water undertaker shall, as soon as may be, notify such persons as the Secretary of State may from time to time determine for the purposes of this paragraph of the matters of which notice is given to consumers in accordance with paragraph (6)(a).
- (9) Where such a failure as is mentioned in paragraph (1) relates to the copper or lead parameter, the water undertaker shall, as soon as reasonably practicable after the occurrence, modify or replace such of its pipes and their associated fittings as it knows or has reason to believe have the potential for contributing to copper or lead in the water supplied to the premises, so as to eliminate that potential (whether or not the presence of copper or lead in those pipes contributed to the failure).