
WELSH STATUTORY INSTRUMENTS

2001 No. 3911

The Water Supply (Water Quality) Regulations 2001

PART VI

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

Authorisation of temporary supply of water that is not wholesome

20.—(1) Subject to paragraph (2), the National Assembly for Wales may, upon the written application of a water undertaker, authorise in accordance with regulation 21 a departure from the provisions of Part III of these Regulations in so far as they relate to—

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

(2) The National Assembly for Wales shall not authorise a departure under paragraph (1) unless it is satisfied—

- (a) that the authorisation is necessary to maintain in that zone a supply of water for regulation 4(1) purposes;
- (b) that a supply of water for those purposes cannot be maintained in that zone by any other reasonable means; and
- (c) that the supply of water in accordance with the authorisation does not constitute a potential danger to human health.

(3) A water undertaker shall 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 secure that the supply fully satisfies the requirements of Part III, 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 National Assembly for Wales.
- (4) At the same time as it makes an application for an authorisation under paragraph (1), the water undertaker shall serve on—
- (a) every appropriate local authority;
 - (b) every appropriate health authority; and
 - (c) the relevant customer services committee,

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 National Assembly for Wales in connection with the application; and any such representations shall 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.