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WELSH STATUTORY INSTRUMENTS

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**2016 No. 410**

**The Water Supply (Water Quality)  
(Amendment) Regulations 2016**

**Title, commencement and interpretation**

1.—(1) The title of these Regulations is the Water Supply (Water Quality) (Amendment) Regulations 2016 and they come into force on 14 April 2016.

(2) In these Regulations, “the 2010 Regulations” means the Water Supply (Water Quality) Regulations 2010(1).

**Amendments to regulation 6 (monitoring: general provisions)**

2. In regulation 6 of the 2010 Regulations—

- (a) in paragraph (6), omit the words “and, subject to paragraph (7), the parameters relevant to radioactivity (total indicative dose and tritium),”; and
- (b) omit paragraphs (7) to (9).

**New regulation 6A (monitoring: radioactive substances)**

3. After regulation 6 of the 2010 Regulations, insert—

**“Monitoring: radioactive substances**

**6A.—**(1) A water undertaker must monitor each water supply zone within its area of supply for the parameters contained in the radioactive substances parameters table in accordance with this regulation and Schedule 3A.

(2) In this regulation and Schedule 3A, “the radioactive substances parameters table” means the table in Schedule 2A.

(3) The Welsh Ministers may, by notice to a water undertaker, confirm that they have established (on the basis of representative surveys, monitoring data or other reliable information) that, for a period specified in the notice, one or more of the parameters listed in the radioactive substances parameters table is not likely to be present in a water supply zone for human consumption purposes in concentrations which could exceed the prescribed concentration or value for the relevant parameter in that table.

(4) Where a notice is given to a water undertaker under paragraph (3), the water undertaker is not required to monitor the water supply zone for the parameter (or parameters) during the period specified in the notice.

(5) Where paragraph (3) applies, the Welsh Ministers must communicate the grounds for their decision to the European Commission with the necessary documentation supporting the decision (including the findings of any surveys, monitoring or investigations carried out).

(6) Where a notice has previously been given under paragraph (3) and the Welsh Ministers are no longer satisfied that the levels of radon, tritium or the calculated ID in relation to the water supply zone specified in the notice will remain below the respective parametric values in the radioactive substances parameters table, the Welsh Ministers must inform the water undertaker in writing accordingly, and the exemption under paragraph (4) will no longer apply.

(7) In case of naturally occurring radionuclides, where previous monitoring results show that the concentration of radionuclides in the supply is stable, the minimum sampling and analysis frequencies are to be decided by the Welsh Ministers, and confirmed by notice in writing to the water undertaker, taking into consideration the risk to human health.

(8) The additional requirements in Schedule 5 apply to monitoring for compliance with the indicative dose parameter.”

**Amendment of Schedule 2 (indicator parameters)**

- 4. In the table in Schedule 2 to the 2010 Regulations, omit—
  - (a) the entry in relation to total indicative dose (for radioactivity);
  - (b) the entry in relation to tritium (for radioactivity); and
  - (c) note (ii).

**Insertion of new Schedule 2A (radioactive substances parameters)**

5. After Schedule 2 (indicator parameters) to the 2010 Regulations, insert the schedule set out in Schedule 1 to these Regulations.

**Amendment of Schedule 3 (monitoring)**

- 6. In Schedule 3 to the 2010 Regulations—
  - (a) in Table 2 (annual sampling frequencies: water supply zones) under the “subject to audit monitoring” heading—
    - (i) insert in the appropriate place —

“Radon <sup>(b)</sup> ”				
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- (ii) for the entries relating to gross alpha and gross beta, substitute—

“Indicative dose (for radioactivity) <sup>(b)</sup> ”				
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; and

- (iii) omit note (v); and
- (b) in Table 3 (annual sampling frequencies: treatment works or supply points) under the “subject to audit monitoring” heading—
  - (i) insert in the appropriate place—

“17A	Radon”			
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- (ii) for the entries relating to gross alpha and gross beta, substitute—

“Indicative dose (for radioactivity) <sup>(b)</sup> ”				
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; and  
(iii) omit note (v).

**Insertion of new Schedule 3A (monitoring of radioactive substances)**

7. After Schedule 3 (monitoring) to the 2010 Regulations insert the schedule set out in Schedule 2 to these Regulations.

**Insertion of new Schedule 5 (monitoring for indicative dose and analytical performance characteristics)**

8. After Schedule 4(analytical methodology) to the 2010 Regulations insert the schedule set out in Schedule 3 to these Regulations.

21 March 2016

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Ministers