



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 1041 (Cy. 270)

2017 No. 1041 (W. 270)

DŴR, CYMRU

WATER, WALES

**Rheoliadau Cyflenwadau Dŵr
Preifat (Cymru) 2017**

**The Private Water Supplies (Wales)
Regulations 2017**

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn gweithredu Cyfarwydddeb y Cyngor 98/83/EC ar ansawdd dŵr a fwriedir i'w yfed gan bobl, (OJ Rhif L 330, 5.12.1998, t. 32) mewn perthynas â chyflenwadau dŵr preifat a Chyfarwydddeb y Cyngor 2013/51/Euratom sy'n nodi'r gofynion ar gyfer diogelu iechyd y cyhoedd o ran sylweddau ymbelydrol mewn dŵr a fwriedir i'w yfed gan bobl (OJ Rhif L 296, 7.11.2013, t. 12). Mae'r Rheoliadau hyn yn dirymu ac yn disodli Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) 2010 (O.S. 2010/66 (Cy. 16)).

Mae'r Rheoliadau hyn yn gymwys i gyflenwadau dŵr preifat (fel y'u diffinnir yn rheoliad 2) a fwriedir i'w yfed gan bobl. Mae Rhan 1 o'r Rheoliadau yn gwneud darpariaethau amrywiol mewn perthynas â safonau dŵr ar gyfer cyflenwadau dŵr preifat. Mae'n diffinio o dan ba amgylchiadau y mae dŵr i'w ystyried yn "iachus" (rheoliad 4 a Rhan 1 o Atodlen 1). Mae hefyd yn nodi'r gofynion sy'n gymwys pan ddiheintir dŵr (rheoliad 5) ac yn gosod dyletswydd ar bob awdurdod lleol i gynnal asesiad risg ar gyfer pob cyflenwad dŵr preifat yn ei ardal (rheoliad 6).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive 98/83/EC on the quality of water intended for human consumption (OJ No. L 330, 5.12.1998, p. 32) in relation to private water supplies and Council Directive 2013/51/Euratom laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (OJ No. L 296, 7.11.2013, p. 12). These Regulations revoke and replace the Private Water Supplies (Wales) Regulations 2010 (S.I. 2010/66 (W. 16)).

These Regulations apply to private water supplies (as defined in regulation 2) intended for human consumption. Part 1 of the Regulations makes miscellaneous provision in relation to water standards for private water supplies. It defines the circumstances in which water is to be regarded as "wholesome" (regulation 4 and Part 1 of Schedule 1). It also sets out the requirements which apply where water is disinfected (regulation 5) and imposes a duty on each local authority to carry out a risk assessment of every private water supply in its area (regulation 6).

Mae Rhan 2 o'r Rheoliadau yn gosod dyletswydd ar awdurdodau lleol i fonitro cyflenwadau dŵr preifat (rheoliadau 7 i 13 ac Atodlen 2) ac i sicrhau bod pob sampl a gymerir yn cael ei dadansoddi yn y ffyrdd a nodir yn Atodlen 4 (rheoliad 14). Mae'n nodi'r gofynion monitro penodol ar gyfer sylweddau ymbelydrol (dos dynodol, radon a thritiwm) (rheoliadau 12 a 13 ac Atodlen 3). Nodir y paramedrau dangosyddion ar gyfer sylweddau ymbelydrol yn Nhabl D yn Rhan 3 o Atodlen 1. Mae hefyd yn ei gwneud yn ofynnol i'r awdurdod lleol wneud a chadw cofnodion ar gyfer pob cyflenwad dŵr preifat yn ei ardal (rheoliad 16 ac Atodlen 5) ac i anfon copi o'r cofnodion i'r Arolygiaeth Dŵr Yfed ac, ar gais, at Weinidogion Cymru (rheoliad 16).

Mae Rhan 3 o'r Rheoliadau yn nodi'r gweithdrefnau sydd i'w dilyn os nad yw'r dŵr yn iachus neu os yw'n peri perygl posibl i iechyd dynol. Mae'n ei gwneud yn ofynnol i awdurdodau lleol ddarparu gwybodaeth i'r bobl hynny sy'n debygol o yfed y dŵr (rheoliad 17) ac i gynnal ymchwiliad (rheoliad 18). Os yw'r dŵr yn afiachus oherwydd y pibwaith o fewn mangre ddomestig, rhaid i awdurdodau lleol gynnig cyngor ar y mesurau sy'n angenrheidiol er mwyn diogelu iechyd dynol. Caiff awdurdodau lleol, o dan amgylchiadau diffiniedig, awdurdodi safonau gwahanol am gyfnod cyfyngedig (rheoliad 19).

Mae Rhan 4 o'r Rheoliadau yn ei gwneud yn ofynnol i gyflwyno hysbysiad i'r "person perthnasol" (fel y'i diffinnir yn rheoliad 2) os yw unrhyw gyflenwad yn peri perygl posibl i iechyd dynol (rheoliad 20) ac yn gwneud darpariaeth ar gyfer apelau a chosbau mewn cysylltiad â hysbysiau o'r fath (rheoliadau 21 a 22).

Mae Rhan 5 o'r Rheoliadau yn gwneud darpariaeth ar gyfer talu ffioedd (rheoliad 23 ac Atodlen 6), dirymiadau (rheoliad 24) a diwygiadau canlyniadol (rheoliad 25). Mae hefyd yn cynnwys darpariaethau trosiannol (rheoliad 26).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Part 2 of the Regulations places a duty on local authorities to monitor private water supplies (regulations 7 to 13 and Schedule 2) and to ensure that each sample taken is analysed in the ways set out in Schedule 4 (regulation 14). It sets out the specific monitoring requirements for radioactive substances (indicative dose, radon and tritium) (regulation 12 and 13 and Schedule 3). The indicator parameters for radioactive substances are set out in Table D in Part 3 of Schedule 1. It also requires the local authority to make and keep records for every private water supply in its area (regulation 16 and Schedule 5) and to send a copy of the records to the Drinking Water Inspectorate and upon request, to the Welsh Ministers (regulation 16).

Part 3 of the Regulations sets out the procedures to be followed if the water is not wholesome, or it constitutes a potential danger to human health. It requires local authorities to provide information to those people likely to consume the water (regulation 17) and to carry out an investigation (regulation 18). If the cause of the unwholesome water is in the pipework within a domestic premises, local authorities must offer advice on measures necessary for the protection of human health. Local authorities may, in defined circumstances, grant a time-limited authorisation of different standards (regulation 19).

Part 4 of the Regulations requires a notice to be served on the "relevant person" (as defined in regulation 2) if any supply constitutes a potential danger to human health (regulation 20) and makes provision for appeals and penalties in connection with such notices (regulations 21 and 22).

Part 5 of the Regulations makes provision for the payment of fees (regulation 23 and Schedule 6), revocations (regulation 24) and consequential amendments (regulation 25). It also contains transitional provisions (regulation 26).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**Rheoliadau Cyflenwadau Dŵr
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**The Private Water Supplies (Wales)
Regulations 2017**

Gwnaed 25 Hydref 2017

Made 25 October 2017

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 30 Hydref 2017

Laid before the National Assembly for Wales
30 October 2017

Yn dod i rym 20 Tachwedd 2017

Coming into force 20 November 2017

Mae Gweinidogion Cymru wedi eu dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) mewn perthynas ag ansawdd dŵr a fwriedir at ddibenion domestig neu ar gyfer ei ddefnyddio mewn menter cynhyrchu bwyd.

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the quality of water intended for domestic purposes or for use in food production undertaking.

Mae Gweinidogion Cymru wedi cynnal yr ymgynghoriad sy'n ofynnol o dan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor sy'n nodi egwyddorion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn nodi'r gweithdrefnau o ran materion diogelwch bwyd(3).

The Welsh Ministers have carried out the consultation required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(3).

(1) O.S. 2004/3328, fel y'i diwygiwyd gan O.S. 2005/850, O.S. 2007/1349, O.S. 2008/301, O.S. 2012/1759 ac O.S. 2014/1362. Mae'r swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru drwy'r Gorchymyn hwnnw bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 28 a 30 o Atodlen 11 iddi.

(2) 1972 p. 68; diwygiwyd adran 2(2) gan adran 27(1)(a) o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) a chan Ran 1 o'r Atodlen i Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7).

(3) OJ Rhif L 31, 1.2.2002, t. 1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EU) Rhif 652/2014 (OJ Rhif L 189, 27.6.14, t. 1).

(1) S.I. 2004/3328, as amended by S.I. 2005/850, S.I. 2007/1349, S.I. 2008/301, S.I. 2012/1759 and S.I. 2014/1362. The functions conferred on the National Assembly for Wales by means of that Order are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(2) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(3) OJ No. L 31, 1.2.2002, p. 1, as last amended by Regulation (EU) No. 652/2014 (OJ No. L 189, 27.6.14, p. 1).

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 ac adrannau 67, 77(3) a (4) a 213(2) o Ddeddf y Diwydiant Dŵr 1991(1).

RHAN 1

Safonau dŵr

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) 2017; maent yn gymwys o ran Cymru a deuant i rym ar 20 Tachwedd 2017.

Dehongli

2. Yn y Rheoliadau hyn—
ystyr “asesiad risg” (“*risk assessment*”) yw asesiad risg a gyflawnir o dan reoliad 6;

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and sections 67, 77(3) and (4) and 213(2) of the Water Industry Act 1991(1).

PART 1

Water standards

Title, application and commencement

1. The title of these Regulations is the Private Water Supplies (Wales) Regulations 2017; they apply in relation to Wales and come into force on 20 November 2017.

Interpretation

2. In these Regulations—
“the Act” (“*y Ddeddf*”) means the Water Industry Act 1991;

(1) 1991 p. 56. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 67 i Gynulliad Cenedlaethol Cymru (“y Cynulliad”) (a) ar gyfer gwneud rheoliadau ynghylch dŵr a gyflenwir drwy ddefnyddio system gyflenwi ymgwymerwr dŵr, mewn perthynas â system gyflenwi unrhyw ymgwymerwr dŵr sydd â'i ardal yn gyfan gwbl neu'n bennaf yng Nghymru a (b) ar gyfer gwneud rheoliadau ynghylch dŵr a gyflenwir ac eithrio drwy ddefnyddio system gyflenwi ymgwymerwr dŵr, o ran Cymru, gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) (“Gorchymyn 1999”); trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 77 o'r Ddeddf honno i'r Cynulliad o ran Cymru gan yr un darpariaethau yng Ngorchymyn 1999; yr oedd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 213 (fel y'i diwygiwyd gan baragraff 28 o Atodlen 1 i Ddeddf Cystadleuaeth a Gwasanaeth (Cyfleustodau) 1992 (p. 43), gan adran 36(2) o Ddeddf Dŵr 2003 (p. 37) a pharagraff 49(3) o Atodlen 8 iddi a chan adran 56 o Ddeddf Dŵr 2014 (p. 21) a pharagraff 119(4) o Atodlen 7 iddi) o'r Ddeddf honno yn arferadwy gan y Cynulliad i'r un graddau ag y gwnaed y pwerau y mae'r adran honno'n gymwys iddynt yn arferadwy gan y Cynulliad, yn rhinwedd yr un ddarpariaeth yng Ngorchymyn 1999: *gweler* y cofnod yn Atodlen 1 i Orchymyn 1999 ar gyfer y Ddeddf fel y'i hamnewidiwyd gan baragraff (e) o Atodlen 3 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2000 (O.S. 2000/253) ac fel y'i diwygiwyd gan adran 100(2) o Ddeddf Dŵr 2003 (p. 37); mae offerynnau diwygio eraill, ond nid oes yr un ohonynt yn berthnasol. Mae adran 100(6) o Ddeddf Dŵr 2003 yn trin y cyfeiriadau yn Atodlen 1 i Orchymyn 1999 at adrannau penodol o'r Ddeddf fel pe baent yn gyfeiriadau at yr adrannau hynny fel y'u diwygiwyd gan Ddeddf Dŵr 2003. *Gweler* adran 219(4A) o'r Ddeddf, fel y'i mewnosodwyd gan adran 101(1) o Ddeddf Dŵr 2003, a pharagraffau 2 a 50 o Atodlen 8 iddi, am ddiffiniad o “supply system”. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau a roddwyd i'r Cynulliad bellach yn arferadwy gan Weinidogion Cymru.

(1) 1991 c. 56. The functions of the Secretary of State under section 67 were transferred to the National Assembly for Wales (“the Assembly”) (a) for the making of regulations concerning water supplied using the supply system of a water undertaker, in relation to the supply system of any water undertaker whose area is wholly or mainly in Wales and (b) for the making of regulations concerning water supplied other than using the supply system of a water undertaker, in relation to Wales, by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (“the 1999 Order”); the functions of the Secretary of State under section 77 of that Act were transferred to the Assembly in relation to Wales by the same provisions of the 1999 Order; the functions of the Secretary of State under section 213 (as amended by paragraph 28 of Schedule 1 to the Competition and Service (Utilities) Act 1992 (c. 43), by section 36(2) of, and paragraph 49(3) of Schedule 8 to, the Water Act 2003 (c. 37) and by section 56 of, and paragraph 119(4) of Schedule 7 to, the Water Act 2014 (c. 21)) of that Act were exercisable by the Assembly to the same extent as the powers to which that section applies were made exercisable by the Assembly by virtue of the same provision of the 1999 Order: *see* the entry in Schedule 1 to the 1999 Order for the Act as substituted by paragraph (e) of Schedule 3 to the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253) and amended by section 100(2) of the Water Act 2003 (c. 37); there are other amending instruments but none are relevant. References in Schedule 1 to the 1999 Order to specific sections of the Act are treated by section 100(6) of the Water Act 2003 as referring to those sections as amended by the Water Act 2003. *See* section 219(4A) of the Act as inserted by section 101(1) of, and paragraphs 2 and 50 of Schedule 8 to, the Water Act 2003 for the definition of “supply system”. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006, the functions conferred on the Assembly are now exercisable by the Welsh Ministers.

ystyr “crynodiad neu werth rhagnodedig” (“*prescribed concentration or value*”) mewn perthynas ag unrhyw bamedr, yw’r crynodiad neu’r gwerth uchaf neu isaf a bennir mewn perthynas â’r paramedr hwnnw yn y Tablau yn Atodlen 1 fel y’u mesurir drwy gyfeirio at yr uned fesur a bennir felly, ac a ddarllenir, pan fo’n briodol, gyda’r nodiadau i’r Atodlen honno a’r Tablau hynny;

ystyr “cyflenwad dŵr preifat” (“*private water supply*”) yw cyflenwad dŵr ac eithrio cyflenwad a ddarperir yn uniongyrchol gan ymgwymerwr dŵr(1) neu drwyddedai cyflenwi dŵr(2), ac sy’n cynnwys yr holl asedau ffisegol o’r man tynnu dŵr i’r man defnyddio, gan gynnwys yr holl bibellau, ffitiadau a thanciau cysylltiedig;

ystyr “defnyddiwr” (“*consumer*”) yw person y darperir cyflenwad dŵr preifat iddo at ddibenion yfed y dŵr gan bobl;

ystyr “diheintio” (“*disinfection*”) yw proses o drin dŵr er mwyn dileu pob micro-organedd pathogenig a phob parasite pathogenig a fyddai fel arall yn bresennol yn y dŵr, neu eu gwneud yn anniweidiol i iechyd dynol;

ystyr “dos dangosol” (“*indicative dose*”) yw’r dos effeithiol cyflawnedig ar gyfer 1 flwyddyn o amlyncu o ganlyniad i’r holl radioniwclidau o darddiad naturiol ac artiffisial y canfyddwyd eu bod yn bresennol mewn cyflenwad dŵr a fwriedir i’w yfed gan bobl, ac eithrio tritiwm, potasiwm-40, radon a chynhyrchion dadfeilio radon byrhoedlog;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf y Diwydiant Dŵr 1991;

mae i “monitro ar gyfer paramedrau Grŵp A” (“*monitoring for Group A parameters*”) yr ystyr a roddir ym mharagraff 1 o Atodlen 2;

mae i “monitro ar gyfer paramedrau Grŵp B” (“*monitoring for Group B parameters*”) yr ystyr a roddir ym mharagraff 3 o Atodlen 2;

ystyr “NTU” (“*NTU*”) yw Uned Cymylogrwydd Neffelomedrig;

ystyr “paramedr” (“*parameter*”) yw priodoledd, elfen, organedd neu sylwedd a restrir yng nghlofn gyntaf y Tablau yn Atodlen 1 wedi eu darllen, pan fo’n briodol, gyda’r nodiadau i’r Atodlen honno a’r Tablau hynny;

ystyr “person perthnasol” (“*relevant person*”) yw—

“the 2010 Regulations” (“*Rheoliadau 2010*”) means the Private Water Supplies (Wales) Regulations 2010(1);

“the Chief Inspector of Drinking Water” (“*y Prif Arolygydd Dŵr Yfed*”) means the person designated by the Welsh Ministers under section 86(1B) of the Act (assessors for the enforcement of water quality)(2);

“consumer” (“*defnyddiwr*”) mean a person to whom a private water supply is provided for human consumption purposes;

“disinfection” (“*diheintio*”) means a process of water treatment to remove, or render harmless to human health, every pathogenic micro-organism and pathogenic parasite that would otherwise be present in the water;

“domestic tenancy” (“*tenantiaeth ddomestig*”) has the same meaning as in section 2 of the Housing (Wales) Act 2014 (meaning of key terms)(3);

“indicative dose” (“*dos dangosol*”) means the committed effective dose for 1 year of ingestion resulting from all the radionuclides whose presence has been detected in a supply of water intended for human consumption, of natural and artificial origin, excluding tritium, potassium-40, radon and short-lived radon decay products;

“monitoring for Group A parameters” (“*monitro ar gyfer paramedrau Grŵp A*”) has the meaning given in paragraph 1 of Schedule 2;

“monitoring for Group B parameters” (“*monitro ar gyfer paramedrau Grŵp B*”) has the meaning given in paragraph 3 of Schedule 2;

“NTU” (“*NTU*”) means Nephelometric Turbidity Unit;

“parameter” (“*paramedr*”) means a property, element, organism or substance listed in the first column of the Tables in the Schedule 1 as read, where appropriate, with the notes to that Schedule and those Tables;

“prescribed concentration or value” (“*crynodiad neu werth rhagnodedig*”) in relation to any parameter, means the maximum or minimum concentration or value specified in relation to that parameter in the Tables in Schedule 1 as measured by reference to the unit of measurement so specified, and as read, where appropriate, with the notes to that Schedule and those Tables;

(1) Gweler adran 6 o’r Ddeddf am ystyr “water undertaker”.

(2) Gweler adran 17A o’r Ddeddf am ystyr “water supply licensee”. Amnewidiwyd adran 17A gan adran 1(1) o Ddeddf Dŵr 2014 (p. 21).

(1) S.I. 2010/66 (W. 16), as amended by S.I. 2010/147 (W. 22), S.I. 2010/1384 (W. 123), S.I. 2013/235, S.I. 2015/1867 (W. 274), S.I. 2016/411 (W. 129), and S.I. 2017/506.

(2) Section 86(1B) was inserted by section 57(3) of the Water Act 2003 (c. 37).

(3) 2014 anaw 7.

- (a) perchennog a meddiannydd (a gaiff fod yr un person neu'n bersonau gwahanol) mangreoedd y cyflenwir dŵr iddynt drwy gyflenwad dŵr preifat at ddibenion domestig neu ddibenion cynhyrchu bwyd;
- (b) perchennog a meddiannydd (a gaiff fod yr un person neu'n bersonau gwahanol) tir y mae unrhyw ran o'r cyflenwad wedi ei leoli arno;
- (c) unrhyw berson arall sy'n arfer pwerau rheoli neu reolaeth mewn perthynas â'r cyflenwad hwnnw;

ystyr "y Prif Arolygydd Dŵr Yfed" ("*the Chief Inspector of Drinking Water*") yw'r person a benodir gan Weinidogion Cymru o dan adran 86(1B) o'r Ddeddf (aseswyr ar gyfer gorfodi ansawdd dŵr)(1);

ystyr "Rheoliadau 2010" ("*the 2010 Regulations*") yw Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) 2010(2);

mae i "tenantiaeth ddomestig" ("*domestic tenancy*") yr un ystyr ag a roddir yn adran 2 o Ddeddf Tai (Cymru) 2014 (ystyr y prif dermau)(3).

Cwmpas

3.—(1) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â chyflenwadau dŵr preifat a fwriedir i'w yfed gan bobl; ac at y dibenion hyn, ystyr "dŵr a fwriedir i'w yfed gan bobl" yw—

- (a) pob dŵr, naill ai yn ei gyflwr gwreiddiol neu ar ôl ei drin, a fwriedir ar gyfer yfed, coginio, paratoi bwyd neu ddibenion domestig eraill, beth bynnag fo'i darddiad a pha un ai y'i cyflenwir o rwydwaith dosbarthu, neu o danc neu mewn poteli neu gynwysyddion;

"private water supply" ("*cyflenwad dŵr preifat*") means a supply of water other than a supply provided directly by a water undertaker(1) or water supply licensee(2), and which is comprised of all physical assets from the point of abstraction to the point of use, including associated pipes, fittings and tanks;

"relevant person" ("*person perthnasol*") means—

- (a) the owner and occupier (who may be the same or different persons) of premises which are supplied with water for domestic or food production purposes by means of a private water supply;
- (b) the owner and occupier (who may be the same or different persons) of land on which any part of the supply is situated;
- (c) any other person who exercises powers of management or control in relation to that supply;

"risk assessment" ("*asesiad risg*") means a risk assessment carried out under regulation 6.

Scope

3.—(1) These Regulations apply in relation to private water supplies intended for human consumption; and for these purposes "water intended for human consumption" means—

- (a) all water either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, from a tanker, or in bottles or containers;

(1) Mewnosodwyd adran 86(1B) gan adran 57(3) o Ddeddf Dŵr 2003 (p. 37).

(2) O.S. 2010/66 (Cy. 16) fel y'i diwygiwyd gan O.S. 2010/147 (Cy. 22), O.S. 2010/1384 (Cy. 123), O.S. 2013/235, O.S. 2015/1867 (Cy. 274), O.S. 2016/411 (Cy. 129) ac O.S. 2017/506.

(3) 2014 decc 7.

(1) See section 6 of the Act for the meaning of "water undertaker".

(2) See section 17A of the Act for the meaning of "water supply licensee". Section 17A was substituted by section 1(1) of the Water Act 2014 (c. 21).

- (b) pob dŵr a ddefnyddir mewn unrhyw fenter cynhyrchu bwyd ar gyfer gweithgynhyrchu, prosesu, cyffeithio neu farchnata cynhyrchion neu sylweddau a fwriedir ar gyfer eu bwyta gan bobl oni bai, yn unol â Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor ynghylch hylendid bwyd(1), bod yr awdurdod cymwys(2) wedi ei fodloni nad yw ansawdd y dŵr yn gallu effeithio ar iachusrwydd y bwyd yn ei ffurf orffenedig.

(2) Nid yw'r Rheoliadau hyn yn gymwys mewn perthynas â—

- (a) dŵr y mae Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Cymru) 2015(3) yn gymwys iddo;
- (b) dŵr sy'n gynnyrch meddyginiaethol yn yr ystyr a roddir i "medicinal product" yn Neddf Meddyginiaethau 1968(4);
- (c) dŵr a ddefnyddir yn unig ar gyfer golchi cnwd ar ôl ei gynaeafu, ac nad yw'n effeithio ar addasrwydd y cnwd, nac unrhyw fwyd neu ddiod sy'n tarddu o'r cnwd, ar gyfer ei fwyta neu ei yfed gan bobl.

Iachusrwydd

4.—(1) Mae cyflenwad dŵr preifat i'w ystyried yn iachus os bodlonir yr holl amodau a ganlyn—

- (a) nad yw'n cynnwys unrhyw ficro-organedd, parasit neu sylwedd mewn crynodiad neu werth a fyddai, ar ei ben ei hun neu ar y cyd ag unrhyw sylwedd arall, yn peri perygl posibl i iechyd dynol;
- (b) ei fod yn cydymffurfio â'r crynodiad neu'r gwerth rhagnodedig ar gyfer pob paramedr; ac
- (c) bod y dŵr yn bodloni'r fformiwla "[nitrad]/50 + [nitraid]/3 ≤ 1", pan fo'r bachau petryal yn dynodi'r crynodiadau mewn mg/l ar gyfer nitrad (NO3) a nitraid (NO2).

(2) Ystyr cyfeiriad yn y Rheoliadau hyn at ddŵr afiachus yw nad yw'r gofyniadau ym mharagraff (1) wedi eu bodloni.

- (b) all water used in any food production undertaking for the manufacture, processing, preservation or marketing of products or substances intended for human consumption unless, in accordance with Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(1), the competent authority(2) is satisfied that the quality of the water cannot affect the wholesomeness of the foodstuff in its finished form.

(2) These Regulations do not apply in relation to—

- (a) water to which the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015(3) apply;
- (b) water that is a medicinal product within the meaning of the Medicines Act 1968(4);
- (c) water used solely for washing a crop after it has been harvested and that does not affect the fitness for human consumption of the crop or of any food or drink derived from the crop.

Wholesomeness

4.—(1) A private water supply is to be regarded as wholesome if all the following conditions are met—

- (a) it does not contain any micro-organism, parasite or substance, alone or in conjunction with any other substance, at a concentration or value that would constitute a potential danger to human health;
- (b) it complies with the prescribed concentration or value for each parameter; and
- (c) the water satisfies the formula "[nitrate]/50 + [nitrite]/3 ≤ 1", where the square brackets signify the concentrations in mg/l for nitrate (NO3) and nitrite (NO2).

(2) A reference in these Regulations to water being unwholesome means the requirements in paragraph (1) not being met.

(1) OJ Rhif L 139, 30.4.2004, t. 1 fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 219/2009 (OJ Rhif L 87, 31.3.2009, t. 109).

(2) Yr awdurdod cymwys at ddibenion y Rheoliad hwn yw'r Asiantaeth Safonau Bwyd; gweler O.S. 2006/31 (Cy. 5).

(3) O.S. 2015/1867 (Cy. 274).

(4) 1968 p. 67.

(1) OJ No. L 139, 30.4.2004, p. 1 as last amended by Regulation (EC) No. 219/2009 (OJ No. L 87, 31.3.2009, p. 109).

(2) The competent authority for the purpose of this Regulation is the Food Standards Agency; see S.I. 2006/31 (W. 5).

(3) S.I. 2015/1867 (W. 274).

(4) 1968 c. 67.

Defnyddio cynhyrchion neu sylweddau mewn cyflenwadau dŵr preifat a threfniadau diheintio

5.—(1) Ni chaiff unrhyw gynnyrch neu sylwedd a ddefnyddir wrth baratoi neu ddosbarthu cyflenwad dŵr preifat, neu amhurdebau sy'n gysylltiedig â chynhyrchion neu sylweddau o'r fath, fod yn bresennol mewn dŵr yn y man defnyddio ar lefelau a fyddai'n ei wneud yn afiachus neu'n peri perygl posibl i iechyd dynol.

(2) Pan fo diheintio yn rhan o'r broses o baratoi neu ddosbarthu dŵr, rhaid i'r person perthnasol—

- (a) cynllunio, gweithredu a chynnal y broses ddiheintio er mwyn cadw presenoldeb sgil-gynhyrchion diheintio mor isel â phosibl heb beryglu effeithiolrwydd y broses ddiheintio;
- (b) sicrhau y cynhelir effeithiolrwydd y broses ddiheintio;
- (c) cadw cofnodion o'r gwaith cynnal a monitro a gyflawnir er mwyn gwirhau effeithiolrwydd y broses ddiheintio; a
- (d) cadw copïau o'r cofnodion hynny ar gael i'r awdurdod lleol edrych arnynt, am gyfnod o 5 mlynedd.

Gofyniad i gynnal asesiad risg

6.—(1) Rhaid i awdurdod lleol(1) gynnal asesiad risg ar gyfer pob cyflenwad dŵr preifat yn ei ardal, ac adolygu a diweddarau'r asesiad risg hwnnw bob 5 mlynedd (neu'n gynharach os yw o'r farn bod yr asesiad risg presennol yn annigonol).

(2) Yn achos cyflenwad a ddarperir i annedd sengl, nid yw'r ddyletswydd ym mharagraff (1) yn gymwys ond pan fo'r cyflenwad hwnnw'n cael ei ddarparu fel rhan o weithgarwch masnachol neu gyhoeddus, neu fel rhan o denantiaeth ddomestig.

(3) Yn achos cyflenwad a ddarperir i annedd sengl nad yw'n dod o fewn paragraff (2), rhaid i awdurdod lleol gynnal asesiad risg os gofynnir iddo wneud hynny gan berchennog neu feddiannydd yr annedd honno.

(4) Rhaid i asesiad risg—

- (a) cadarnhau a oes risg sylweddol o gyflenwi dŵr a fyddai'n peri perygl posibl i iechyd dynol;

Use of products or substances in private water supplies and disinfection arrangements

5.—(1) Any product or substance used in the preparation or distribution of a private water supply, or impurities associated with such products or substances, must not be present in water at the point of use at levels that would make it unwholesome or constitute a potential danger to human health.

(2) Where disinfection forms part of the preparation or distribution of water, the relevant person must—

- (a) design, operate and maintain the disinfection process so as to keep the presence of disinfection by-products as low as possible without compromising the effectiveness of the disinfection process;
- (b) ensure that the effectiveness of the disinfection process is maintained;
- (c) keep records of the maintenance and monitoring which have been undertaken in order to verify the effectiveness of the disinfection process; and
- (d) keep copies of those records available for inspection by the local authority, for a period of 5 years.

Requirement to carry out a risk assessment

6.—(1) A local authority(1) must carry out a risk assessment for every private water supply in its area and review and update that risk assessment every 5 years (or earlier if it considers that the existing risk assessment is inadequate).

(2) In the case of a supply provided to a single dwelling, the duty in paragraph (1) applies only where that supply is provided as part of a commercial or public activity or as part of a domestic tenancy.

(3) In the case of a supply provided to a single dwelling not falling within paragraph (2), a local authority must carry out a risk assessment if requested to do so by the owner or occupier of that dwelling.

(4) A risk assessment must—

- (a) establish whether there is a significant risk of supplying water that would constitute a potential danger to human health;

(1) *Gweler* adran 219 o'r Ddeddf (fel y'i diwygiwyd gan baragraff 2(2) o Atodlen 11 i Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19)) am ystyr "local authority".

(1) *See* section 219 of the Act (as amended by paragraph 2(2) of Schedule 11 to the Local Government (Wales) Act 1994 (c. 19)) for the meaning of "local authority".

- (b) bodloni gofynion y Canllawiau Diogelwch Cyflenwadau Dŵr Yfed ar gyfer Rheoli Risgiau ac Argyfyngau(1); ac
- (c) ystyried canlyniadau'r rhaglenni monitro a sefydlwyd gan ail baragraff Erthygl 7(1) o Gyfarwyddeb 2000/60/EC Senedd Ewrop a'r Cyngor(2).

(5) Rhaid i awdurdod lleol, o fewn 12 mis o gynnal yr asesiad risg, ddarparu crynodeb o ganlyniadau'r asesiad hwnnw i Weinidogion Cymru.

RHAN 2

Monitro

Monitro

7.—(1) Rhaid i awdurdod lleol fonitro'r holl gyflenwadau dŵr preifat yn ei ardal yn unol â'r Rhan hon wrth gyflawni ei ddyletswyddau o dan adran 77(1) o'r Ddeddf (swyddogaethau cyffredinol awdurdodau lleol mewn perthynas ag ansawdd dŵr).

(2) Rhaid i'r awdurdod lleol gyflawni'r rhwymedigaeth ym mharagraff (1) drwy sefydlu rhaglen fonitro ar ffurf naill ai—

- (a) casglu a dadansoddi samplau dŵr ar wahân;
- (b) mesuriadau a gofnodir drwy broses fonitro barhaus; neu
- (c) cyfuniad o'r dulliau yn is-baragraffau (a) a (b).

(3) Caiff rhaglenni monitro gynnwys y naill neu'r llall o'r dulliau a ganlyn, neu'r ddau ohonynt—

- (a) edrych ar gofnodion o weithrediad yr offer a'i statws o ran cynnal a chadw;
- (b) arolygu'r dalgylch, a'r seilwaith tynnu, trin, storio a dosbarthu dŵr.

- (b) satisfy the requirements of the Security of Drinking Water Supply Guidelines for Risk and Crisis Management(1); and
- (c) take into account the results from the monitoring programmes established by the second paragraph of Article 7(1) of Directive 2000/60/EC of the European Parliament and of the Council(2).

(5) A local authority must within 12 months of having carried out a risk assessment provide the Welsh Ministers with a summary of the results of that assessment.

PART 2

Monitoring

Monitoring

7.—(1) A local authority must monitor all private water supplies in its area in accordance with this Part when carrying out its duties under section 77(1) of the Act (general functions of local authorities in relation to water quality).

(2) The local authority must discharge the obligation in paragraph (1) by establishing a monitoring programme which consists of either—

- (a) the collection and analysis of discrete water samples;
- (b) measurement recorded by a continuous monitoring process; or
- (c) a combination of the methods in sub-paragraphs (a) and (b).

(3) Monitoring programmes may include either or both of—

- (a) inspections of records of the functionality and maintenance status of equipment;
- (b) inspections of the catchment area, water abstraction, treatment, storage and distribution infrastructure.

(1) EN 15975-2.

(2) OJ Rhif L 327, 22.12.2000, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2014/101/EU (OJ Rhif L 311, 31.10.2014, t. 32).

(1) EN 15975-2.

(2) OJ No. L 327, 22.12.2000, p. 1, as last amended by Commission Directive 2014/101/EU (OJ No. L 311, 31.10.2014, p. 32).

Dosbarthu ymhellach gyflenwadau a geir oddi wrth ymgymerwyr dŵr neu drwyddedeion cyflenwi dŵr

8. Pan fo dŵr yn cael ei gyflenwi gan ymgymerwr dŵr neu drwyddedai cyflenwi dŵr ac yna'n cael ei ddosbarthu ymhellach gan berson ac eithrio ymgymerwr dŵr neu drwyddedai cyflenwi dŵr, rhaid i'r awdurdod lleol gyflawni unrhyw waith monitro y mae'r asesiad risg yn dangos ei fod yn angenrheidiol.

Cyflenwadau mawr a chyflenwadau fel rhan o weithgarwch masnachol neu gyhoeddus

9.—(1) Mae'r rheoliad hwn yn gymwys i gyflenwad dŵr preifat, ac eithrio fel a bennir yn rheoliad 8—

- (a) sy'n cyflenwi cyfaint dŵr dyddiol cyfartalog o 10m³ neu ragor; neu
- (b) sy'n cyflenwi dŵr fel rhan o weithgarwch masnachol neu gyhoeddus.

(2) Rhaid i'r awdurdod lleol fonitro cyflenwad dŵr preifat sy'n dod o fewn y rheoliad hwn yn unol ag Atodlen 2 a chyflawni unrhyw waith monitro ychwanegol y mae'r asesiad risg yn dangos ei fod yn angenrheidiol.

Cyflenwadau i anheddau sengl

10.—(1) Mae'r rheoliad hwn yn gymwys i gyflenwad dŵr preifat i annedd sengl nas defnyddir fel rhan o weithgarwch masnachol neu gyhoeddus (os felly mae rheoliad 9 yn gymwys) neu fel rhan o denantiaeth ddomestig (os felly mae rheoliad 11 yn gymwys).

(2) Pan fo'r rheoliad hwn yn gymwys—

- (a) caiff yr awdurdod lleol fonitro'r cyflenwad yn unol â'r gofynion yn rheoliad 11(1); a
- (b) rhaid i'r awdurdod lleol wneud hynny os gofynnir iddo wneud hynny gan berchennog neu feddiannydd yr annedd honno.

Cyflenwadau preifat eraill gan gynnwys cyflenwadau fel rhan o denantiaeth ddomestig

11.—(1) Yn achos cyflenwad dŵr preifat nad yw rheoliadau 8, 9 neu 10 yn ei gwmpasu, rhaid i'r awdurdod lleol fonitro ar gyfer—

- (a) dargludedd;
- (b) enterococi;
- (c) *Escherichia coli* (*E. coli*);
- (d) crynodiad ïonau hydrogen;
- (e) cymylogrwydd;

Further distribution of supplies from water undertakers or water supply licensees

8. Where water is supplied by a water undertaker or a water supply licensee and is then further distributed by a person other than a water undertaker or a water supply licensee, the local authority must carry out any monitoring which the risk assessment shows to be necessary.

Large supplies and supplies as part of a commercial or public activity

9.—(1) This regulation applies to a private water supply, other than that specified in regulation 8, that—

- (a) supplies an average daily volume of water of 10m³ or more; or
- (b) supplies water as part of a commercial or public activity.

(2) The local authority must monitor a private water supply falling within this regulation in accordance with Schedule 2 and carry out any additional monitoring that the risk assessment shows to be necessary.

Supplies to a single dwelling

10.—(1) This regulation applies to a private water supply to a single dwelling not used as part of a commercial or public activity (in which case regulation 9 applies) or as part of a domestic tenancy (in which case regulation 11 applies).

(2) Where this regulation applies, the local authority—

- (a) may monitor the supply in accordance with the requirements in regulation 11(1); and
- (b) must do so if requested to do so by the owner or occupier of that dwelling.

Other private supplies including supplies as part of a domestic tenancy

11.—(1) In the case of a private water supply not covered by regulation 8, 9 or 10, the local authority must monitor for—

- (a) conductivity;
- (b) enterococci;
- (c) *Escherichia coli* (*E. coli*);
- (d) hydrogen ion concentration;
- (e) turbidity;

(f) unrhyw baramedr yn Rhan 1 neu 2 o Atodlen 1 y nodir yn yr asesiad risg bod risg y gallai fethu â chydymffurfio â'r crynodiadau neu'r gwerthoedd yn y Rhannau hynny o'r Atodlen honno; ac

(g) unrhyw beth arall a nodir yn yr asesiad risg y gallai beri perygl posibl i iechyd dynol.

(2) Rhaid i'r awdurdod lleol gyflawni'r gwaith monitro sy'n ofynnol gan y rheoliad hwn bob 5 mlynedd o leiaf, ac yn amlach os yw'r asesiad risg yn dangos bod hynny'n angenrheidiol.

Monitro sylweddau ymbelydrol: cyffredinol

12.—(1) Rhaid i awdurdod lleol fonitro pob cyflenwad dŵr preifat yn ei ardal (ac eithrio cyflenwad y mae rheoliad 13 yn gymwys iddo) ar gyfer y paramedrau sydd wedi eu cynnwys yn y tabl paramedrau sylweddau ymbelydrol yn unol â'r rheoliad hwn ac Atodlen 3.

(2) Yn y rheoliad hwn ac Atodlen 3, ystyr “y tabl paramedrau sylweddau ymbelydrol” yw Tabl D yn Rhan 3 o Atodlen 1.

(3) Pan fo awdurdod lleol wedi ei fodloni nad yw paramedr yn y tabl paramedrau sylweddau ymbelydrol yn debygol o fod yn bresennol mewn cyflenwad dŵr preifat yn ei ardal mewn crynodiadau a allai fod yn uwch na'r crynodiad neu'r gwerth rhagnodedig ar gyfer y paramedr perthnasol yn y tabl hwnnw, caiff yr awdurdod lleol, am ba gyfnod bynnag ag y gwêl yn briodol, benderfynu eithrio'r paramedr dan sylw o'r ddyletswydd fonitro ym mharagraff (1).

(4) Rhaid i benderfyniad o dan baragraff (3) gael ei wneud—

(a) ar sail arolygon cynrychioliadol, data monitro neu wybodaeth ddibynadwy arall (gan gynnwys unrhyw asesiad risg a gyflawnir yn unol â rheoliad 6); a

(b) gan ystyried unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.

(5) Rhaid i'r awdurdod lleol ddarparu i Weinidogion Cymru sail ei benderfyniad o dan baragraff (3) a'r ddogfennaeth angenrheidiol sy'n ategu'r penderfyniad (gan gynnwys canfyddiadau unrhyw arolygon, gwaith monitro neu asesiadau a gyflawnir yn unol â pharagraff (4)(a)).

(6) Rhaid i Weinidogion Cymru gyfleu i'r Comisiwn Ewropeaidd sail y penderfyniad o dan baragraff (3) ynghyd â'r ddogfennaeth a ddarperir o dan baragraff (5) sy'n ategu'r penderfyniad.

(7) Pan—

(a) fo penderfyniad wedi ei wneud yn flaenorol o dan baragraff (3), a

(f) any parameter in Part 1 or 2 of Schedule 1 identified in the risk assessment as being at risk of not complying with the concentrations or values in those Parts of that Schedule; and

(g) anything else identified in the risk assessment as a potential danger to human health.

(2) The local authority must carry out the monitoring required by this regulation at least every 5 years and more frequently if the risk assessment shows this to be necessary.

Monitoring of radioactive substances: general

12.—(1) A local authority must monitor each private water supply in its area (other than a supply to which regulation 13 applies) for the parameters contained in the radioactive substances parameters table in accordance with this regulation and Schedule 3.

(2) In this regulation and Schedule 3, “the radioactive substances parameters table” means Table D in Part 3 of Schedule 1.

(3) Where a local authority is satisfied that a parameter in the radioactive substances parameters table is not likely to be present in a private water supply in its area in concentrations which could exceed the prescribed concentration or value for the relevant parameter in that table, the local authority may, for such a time as it sees appropriate, decide to exclude the parameter in question from the monitoring duty in paragraph (1).

(4) A decision under paragraph (3) must be made—

(a) on the basis of representative surveys, monitoring data or other reliable information (including any risk assessment carried out in accordance with regulation 6); and

(b) taking into account any guidance issued by the Welsh Ministers.

(5) The local authority must provide the Welsh Ministers with the grounds for its decision under paragraph (3) and the necessary documentation supporting the decision (including the findings of any surveys, monitoring or assessments carried out in accordance with paragraph (4)(a)).

(6) The Welsh Ministers must communicate the grounds for a decision under paragraph (3) to the European Commission with the documentation provided under paragraph (5) supporting the decision.

(7) Where—

(a) a decision has previously been made under paragraph (3), and

- (b) na fo'r awdurdod lleol yn fodlon mwyach bod sail y penderfyniad yn bodoli,

ni fydd yr eithriad rhag monitro o dan baragraff (3) yn gymwys mwyach a rhaid i'r awdurdod lleol hysbysu Gweinidogion Cymru yn ysgrifenedig yn unol â hynny.

(8) Yn achos radioniwelidau sy'n digwydd yn naturiol, pan fo canlyniadau blaenorol (gan gynnwys arolygon cynrychioliadol, data monitro neu wybodaeth ddibynadwy arall) yn dangos bod y crynodiad o radioniwelidau mewn cyflenwad yn ardal awdurdod lleol yn sefydlog, mae amlder gofynnol gwaith samplu a dadansoddi i'w benderfynu gan yr awdurdod lleol, a'i gadarnhau drwy hysbysiad ysgrifenedig i Weinidogion Cymru, gan ystyried y risg i iechyd dynol.

Monitro sylweddau ymbelydrol: cyflenwadau i anheddau sengl penodedig

13.—(1) Mae'r rheoliad hwn yn gymwys i gyflenwad dŵr preifat i annedd sengl nas darperir fel rhan o weithgarwch masnachol neu gyhoeddus neu fel rhan o denantiaeth ddomestig.

(2) Caiff awdurdod lleol fonitro cyflenwad sy'n dod o fewn paragraff (1) ar gyfer y paramedrau sydd wedi eu cynnwys yn Nhabl D yn Rhan 3 o Atodlen 1 yn unol ag Atodlen 3 a Rhan 3 o Atodlen 4, a rhaid iddo wneud hynny os gofynnir iddo wneud hynny gan y perchennog neu'r meddiannydd.

Samplu a dadansoddi

14.—(1) Pan fo awdurdod lleol yn monitro cyflenwad dŵr preifat, rhaid iddo gymryd sampl—

- (a) os yw'r dŵr wedi ei gyflenwi at ddibenion domestig, o dap a ddefnyddir fel arfer i gyflenwi dŵr i'w yfed gan bobl, ac sydd, os oes mwy nag un tap, yn gynrychioliadol o'r dŵr a gyflenwir i'r fangre;
- (b) os defnyddir y dŵr mewn menter cynhyrchu bwyd, yn y man y'i defnyddir yn y fenter;
- (c) os cyflenwir y dŵr o dancwr, yn y man y daw allan o'r tancwr;
- (d) mewn man addas yn unrhyw achos arall.

(2) Rhaid cymryd hapsampl yn ystod y dydd o un litr o gyfaint o dap y defnyddiwr, heb ei lifolchi ymlaen llaw, at ddiben samplu ar gyfer y paramedrau copr, plwm a nicel.

(3) O ran samplu o dan y rheoliad hwn—

- (a) ar gyfer paramedrau cemegol yn y rhwydwaith dosbarthu, rhaid ei gyflawni yn unol ag ISO 5667-5, ac eithrio pan fo'r sampl yn cael ei chymryd o dap defnyddiwr;

- (b) the local authority is no longer satisfied that the basis for the decision exists,

the exclusion from monitoring under paragraph (3) will no longer apply and the local authority must inform the Welsh Ministers in writing accordingly.

(8) In case of naturally occurring radionuclides, where previous results (including representative surveys, monitoring data or other reliable information) show that the concentration of radionuclides in a supply within a local authority's area is stable, the minimum sampling and analysis frequencies are to be decided by the local authority, and confirmed by notice in writing to the Welsh Ministers, taking into consideration the risk to human health.

Monitoring of radioactive substances: supplies to specified single dwellings

13.—(1) This regulation applies to a private water supply to a single dwelling not provided as part of a commercial or public activity or as part of a domestic tenancy.

(2) A local authority may monitor a supply falling within paragraph (1) for the parameters contained in Table D in Part 3 of Schedule 1 in accordance with Schedule 3 and Part 3 of Schedule 4, and must do so if requested to do so by the owner or occupier.

Sampling and analysis

14.—(1) When a local authority monitors a private water supply it must take a sample—

- (a) if the water is supplied for domestic purposes, from a tap normally used to supply water for human consumption, and which, if there is more than one tap, is representative of the water supplied to the premises;
- (b) if the water is used in a food production undertaking, at the point at which it is used in the undertaking;
- (c) if the water is supplied from a tanker, at the point at which it emerges from the tanker;
- (d) in any other case at a suitable point.

(2) A random daytime sample of one litre volume must be taken from a consumer's tap without prior flushing for the purpose of sampling for the copper, lead and nickel parameters.

(3) Sampling under this regulation—

- (a) for chemical parameters in the distribution network must be undertaken in accordance with ISO 5667-5, other than where the sample is taken from a consumer's tap;

- (b) ar gyfer paramedrau microbiolegol, rhaid ei gyflawni yn unol ag—
 - (i) EN ISO 19458 diben samplu A yn y rhwydwaith dosbarthu; a
 - (ii) EN ISO 19458 diben samplu B wrth dap y defnyddiwr.

(4) Rhaid i'r awdurdod lleol sicrhau bod y sampl yn cael ei dadansoddi yn unol ag Atodlen 4.

Cyflenwadau newydd

15.—(1) Pan fo awdurdod lleol yn dod yn ymwybodol o gyflenwad dŵr preifat sydd i'w ddefnyddio am y tro cyntaf (neu am y tro cyntaf ar ôl peidio â chael ei ddefnyddio am gyfnod o 12 mis neu ragor), neu sy'n cael ei ddefnyddio felly, rhaid cydymffurfio â gofynion rheoliadau 6 i 14 ac 16 i 19 cyn gynted ag y bo'n rhesymol ymarferol.

(2) Ni chaniateir dechrau defnyddio neu ddefnyddio cyflenwad dŵr preifat hyd nes bod yr awdurdod lleol wedi ei fodloni nad yw'r cyflenwad yn peri perygl posibl i iechyd dynol.

Cofnodion

16.—(1) Rhaid i awdurdod lleol wneud a chadw cofnodion mewn cysylltiad â phob cyflenwad dŵr preifat yn ei ardal yn unol ag Atodlen 5.

(2) Erbyn 31 Ionawr bob blwyddyn, rhaid i awdurdod lleol—

- (a) anfon copi o'r cofnodion y cyfeirir atynt ym mharagraff (1) at y Prif Arolygydd Dŵr Yfed; a
- (b) anfon copi o'r cofnodion hynny at Weinidogion Cymru os gofynnir amdanynt.

RHAN 3

Gweithredu yn dilyn methiant

Darparu gwybodaeth

17. Os yw awdurdod lleol o'r farn bod cyflenwad dŵr preifat yn ei ardal yn peri perygl posibl i iechyd dynol, rhaid iddo gymryd camau priodol yn brydlon i sicrhau bod y bobl sy'n debygol o yfed dŵr ohono—

- (a) yn cael gwybod bod y cyflenwad yn peri perygl posibl i iechyd dynol;
- (b) pan fo modd, yn cael gwybod am natur a graddau'r perygl posibl; ac
- (c) yn cael cyngor i'w caniatáu i leihau unrhyw berygl posibl o'r fath.

- (b) for microbiological parameters must be undertaken in accordance with—

- (i) EN ISO 19458 sampling purpose A in the distribution network; and
- (ii) EN ISO 19458 sampling purpose B at the consumer's tap.

(4) The local authority must ensure that the sample is analysed in accordance with Schedule 4.

New supplies

15.—(1) Where a local authority becomes aware of a private water supply that is to be, or is being, used for the first time (or for the first time after being out of use for a period of 12 months or more), the requirements of regulation 6 to 14 and 16 to 19 must be complied with as soon as reasonably practicable.

(2) A private water supply must not be brought into use or used until the local authority is satisfied that the supply does not constitute a potential danger to human health.

Records

16.—(1) A local authority must make and keep records in respect of every private water supply in its area in accordance with Schedule 5.

(2) By 31 January of every year, a local authority must—

- (a) send the Chief Inspector of Drinking Water a copy of the records referred to in paragraph (1); and
- (b) upon request, send the Welsh Ministers a copy of those records.

PART 3

Action in the event of failure

Provision of information

17. If a local authority considers that a private water supply in its area is a potential danger to human health it must promptly take appropriate steps to ensure that people likely to consume water from it—

- (a) are informed that the supply constitutes a potential danger to human health;
- (b) where possible, are informed of the nature and degree of the potential danger; and
- (c) are given advice to allow them to minimise any such potential danger.

Ymchwilio

18.—(1) Pan fo awdurdod lleol yn amau bod cyflenwad dŵr preifat yn methu â chydymffurfio ag—

- (a) gofynion rheoliad 4, neu
- (b) y crynodiadau neu'r gwerthoedd yn Rhan 2 neu Ran 3 o Atodlen 1 ar gyfer paramedr dangosydd,

rhaid iddo gynnal ymchwiliad i gadarnhau'r hyn a achosodd y methiant hwnnw.

(2) Unwaith y bydd awdurdod lleol wedi cynnal ymchwiliad ac wedi cadarnhau'r hyn a achosodd y methiant, rhaid iddo weithredu yn unol â pharagraffau (3) i (5).

(3) Os achoswyd y methiant o ganlyniad i'r system ddosbarthu o fewn mangre ddomestig (pa un a yw'r dŵr ar gael i'r cyhoedd yn y fangre honno ai peidio) rhaid i'r awdurdod lleol hysbysu'r bobl sy'n debygol o gael eu heffeithio yn brydlon a chynnig cyngor iddynt ar y mesurau sy'n angenrheidiol er mwyn diogelu iechyd dynol.

(4) Yn ogystal â'r ddyletswydd ym mharagraff (3) (pan fo'n gymwys), rhaid i'r awdurdod lleol weithredu yn unol â pharagraff (5) os achoswyd y methiant o ganlyniad i—

- (a) y system ddosbarthu mewn mangre ddomestig pan fo'r dŵr ar gael i'r cyhoedd; neu
- (b) system ddosbarthu nad yw mewn mangre ddomestig.

(5) Pan fo'r paragraff hwn yn gymwys, rhaid i'r awdurdod lleol—

- (a) os yw'r dŵr yn peri perygl posibl i iechyd dynol a bod yr amodau yn rheoliad 20 wedi eu bodloni, gyflwyno hysbysiad o dan y rheoliad hwnnw; neu
- (b) o fewn 28 o ddiwrnodau o gadarnhau'r hyn a achosodd y methiant, ac os nad yw camau unioni priodol wedi eu cymryd, gyflwyno hysbysiad yn unol ag adran 80 o'r Ddeddf (pŵerau unioni awdurdodau lleol mewn perthynas â chyflenwadau preifat) oni bai bod yr awdurdod lleol yn rhoi awdurdodiad yn unol â rheoliad 19(2).

(6) Pan fo'r rheoliad hwn yn gymwys a bod rhwymedigaethau monitro awdurdod lleol mewn cysylltiad â'r cyflenwad wedi eu lleihau (neu eu hamrywio fel arall) yn flaenorol o dan Atodlen 2 i'r Rheoliadau hyn, rhaid i'r fath amrywiad ddod i ben ar unwaith, a rhaid adfer yr amllderau safonol a amlinellir yn Nhablau 2 a 3 yn Atodlen 2.

Investigation

18.—(1) Where a local authority suspects that a private water supply fails to comply with—

- (a) the requirements of regulation 4, or
- (b) the concentrations or values in Part 2 or Part 3 of Schedule 1 for an indicator parameter,

it must carry out an investigation to establish the cause of the failure.

(2) Once a local authority has carried out an investigation and established the cause of the failure, it must act in accordance with paragraphs (3) to (5).

(3) If the cause of the failure is due to the distribution system within a domestic premises (whether or not the water is made available to the public in those premises) the local authority must promptly inform the people likely to be affected and offer them advice on measures necessary for the protection of human health.

(4) In addition to the duty in paragraph (3) (where it applies), the local authority must act in accordance with paragraph (5) if the cause of the failure is due to—

- (a) the distribution system within domestic premises where water is made available to the public; or
- (b) a distribution system not within domestic premises.

(5) Where this paragraph applies, the local authority must—

- (a) if the water is a potential danger to human health and the conditions in regulation 20 are fulfilled, serve a notice under that regulation; or
- (b) within 28 days of establishing the cause of the failure, and if appropriate remedial action has not been taken, serve a notice in accordance with section 80 of the Act (remedial powers of local authorities in relation to private supplies) unless the local authority grants an authorisation in accordance with regulation 19(2).

(6) Where this regulation applies and a local authority's monitoring obligations in respect of the supply have previously been reduced (or otherwise varied) under Schedule 2 to these Regulations, such variation is to cease immediately and the standard frequencies outlined in Tables 2 and 3 in Schedule 2 must be reinstated.

Awdurdodi safonau gwahanol

19.—(1) Caiff unrhyw berson perthnasol wneud cais i awdurdod lleol am awdurdodiad o dan y rheoliad hwn.

(2) Caiff awdurdod lleol roi awdurdodiad ar gyfer safonau gwahanol o dan y rheoliad hwn—

- (a) os yr unig beth sy'n achosi i'r dŵr fod yn afiachus yw na chydymffurfir â pharamedr yn Nhabl B o Ran 1 o Atodlen 1 (paramedrau cemegol);
- (b) os yw'r awdurdod lleol wedi ymgynghori â'r holl ddefnyddwyr dŵr y bydd yr awdurdodiad yn effeithio arnynt a chydag Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru, ac wedi ystyried eu safbwyntiau;
- (c) os nad yw rhoi'r awdurdodiad yn achosi perygl posibl i iechyd dynol; a
- (d) oni ellir cynnal y cyflenwad dŵr preifat drwy unrhyw ddulliau rhesymol eraill.

(3) Rhaid i awdurdodiad ei gwneud yn ofynnol i'r ceisydd gymryd camau dros gyfnod o amser i sicrhau y cydymffurfir â'r paramedrau angenrheidiol, a rhaid i'r awdurdodiad bennu—

- (a) y person y rhoddir yr awdurdodiad iddo;
- (b) y cyflenwad dŵr preifat dan sylw;
- (c) y sail ar gyfer rhoi'r awdurdodiad;
- (d) y paramedrau dan sylw, y canlyniadau monitro perthnasol blaenorol, a'r gwerthoedd uchaf a ganiateir o dan yr awdurdodiad;
- (e) yr ardal ddaearyddol, amcangyfrif o faint o ddŵr a gyflenwir bob diwrnod, nifer y personau y cyflenwir dŵr iddynt, a pha un a effeithir ai peidio ar unrhyw fenter cynhyrchu bwyd;
- (f) cynllun monitro priodol, gan fonitro'n amlach pan fo angen;
- (g) crynodeb o'r cynllun i weithredu'r mesurau unioni angenrheidiol, gan gynnwys amserlen ar gyfer cyflawni'r gwaith, ac amcangyfrif o'r gost, a darpariaethau ar gyfer adolygu cynnydd; a
- (h) hyd yr awdurdodiad.

(4) Os yw awdurdod lleol yn rhoi awdurdodiad, ac os yw'r person y'i rhoddir iddo yn gweithredu yn unol â'r amserlen a bennir yn yr awdurdodiad, ni chaiff yr awdurdod lleol gyflwyno hysbysiad o dan adran 80 o'r Ddeddf ynghylch y materion a bennir yn yr awdurdodiad heb yn gyntaf ddiwygio neu ddirymu'r awdurdodiad.

Authorisations of different standards

19.—(1) Any relevant person may apply to a local authority for the grant of an authorisation under this regulation.

(2) A local authority may grant an authorisation of different standards under this regulation if—

- (a) the only cause of the water being unwholesome is that a parameter in Table B of Part 1 of Schedule 1 (chemical parameters) is not complied with;
- (b) the local authority has consulted all water users who will be affected by the authorisation and the Public Health Wales National Health Service Trust and has taken their views into account;
- (c) granting the authorisation does not cause a potential danger to human health; and
- (d) the private water supply cannot be maintained by any other reasonable means.

(3) An authorisation must require the applicant to take action over a period of time to ensure that the necessary parameters are complied with, and must specify—

- (a) the person to whom the authorisation is granted;
- (b) the private water supply concerned;
- (c) the grounds for granting the authorisation;
- (d) the parameters concerned, previous relevant monitoring results, and the maximum permissible values under the authorisation;
- (e) the geographical area, the estimated quantity of water supplied each day, the number of persons supplied and whether or not any food production undertaking is affected;
- (f) an appropriate monitoring scheme, with an increased monitoring frequency where necessary;
- (g) a summary of the plan for the necessary remedial action, including a timetable for the work and an estimate of the cost and provisions for reviewing progress; and
- (h) the duration of the authorisation.

(4) If a local authority grants an authorisation, and the person to whom it is granted takes action in accordance with the timetable specified in the authorisation, the local authority may not serve a notice under section 80 of the Act concerning the matters specified in the authorisation without first amending or revoking the authorisation.

(5) Rhaid i hyd yr awdurdodiad fod mor fyr â phosibl, a pha un bynnag ni chaiff fod yn hwy na 3 blynedd.

(6) Rhaid i'r awdurdod lleol sicrhau bod y bobl a gyflenwir yn cael gwybod yn brydlon am yr awdurdodiad a'i amodau a sicrhau, pan fo'n angenrheidiol, y rhoddir cyngor i grwpiau penodol y gallai'r awdurdodiad beri risg arbennig iddynt.

(7) Os yw'r cyflenwad dŵr preifat yn fwy na 1,000 m³ y diwrnod ar gyfartaledd neu os yw'n gwasanaethu mwy na 5,000 o bobl rhaid i'r awdurdod lleol anfon copi o'r awdurdodiad at y Prif Arolygydd Dŵr Yfed a Gweinidogion Cymru o fewn 1 mis.

(8) Rhaid i'r awdurdod lleol adolygu cynnydd y camau unioni yn barhaus.

(9) Os oes angen, gyda chydysniad ymlaen llaw gan Weinidogion Cymru, caiff yr awdurdod lleol roi ail awdurdodiad am hyd at 3 blynedd ychwanegol, ond os yw'n gwneud hynny rhaid iddo, cyn gynted ag y bo'n rhesymol ymarferol, anfon copi o'r awdurdodiad ynghyd â sail ei benderfyniad at y Prif Arolygydd Dŵr Yfed a Gweinidogion Cymru.

(10) Caiff yr awdurdod lleol ddirymu neu ddiwygio'r awdurdodiad ar unrhyw adeg, ac yn benodol, caiff ei ddiddymu neu ei ddiwygio os na chedwir at yr amserlen ar gyfer y gwaith unioni.

(5) The duration of the authorisation must be as short as possible and in any event may not exceed 3 years.

(6) The local authority must ensure that people supplied are promptly informed of the authorisation and its conditions and, where necessary, ensure that advice is given to particular groups for which the authorisation could present a special risk.

(7) If the private water supply exceeds 1,000 m³ a day as an average or serves more than 5,000 persons the local authority must send a copy of the authorisation to the Chief Inspector of Drinking Water and the Welsh Ministers within 1 month.

(8) The local authority must keep the progress of the remedial action under review.

(9) If necessary, the local authority may grant a second authorisation for up to a further 3 years with the prior consent of the Welsh Ministers, but if it does so it must, as soon as is reasonably practicable, send a copy of the authorisation together with the grounds for its decision to the Chief Inspector of Drinking Water and the Welsh Ministers.

(10) The local authority may revoke or amend the authorisation at any time, and in particular may revoke or amend it if the timetable for remedial action has not been adhered to.

RHAN 4

Gweithdrefn hysbysu

Hysbysiadau

20.—(1) Os yw cyflenwad dŵr preifat yn peri perygl posibl i iechyd dynol, rhaid i awdurdod lleol gyflwyno hysbysiad o dan y rheoliad hwn i'r person perthnasol yn hytrach na chyflwyno hysbysiad o dan adran 80 o'r Ddeddf.

(2) Rhaid i'r hysbysiad—

- (a) nodi'r cyflenwad dŵr preifat y mae'n ymwneud ag ef;
- (b) pennu'r sail dros gyflwyno'r hysbysiad;
- (c) gwahardd defnyddio'r cyflenwad hwnnw neu gyfyngu ar y defnydd ohono;
- (d) pennu pa gamau eraill sy'n angenrheidiol er mwyn—
 - (i) diogelu iechyd dynol;
 - (ii) adfer iachusrwydd y cyflenwad dŵr preifat;
 - (iii) cynnal iachusrwydd parhaus y cyflenwad dŵr preifat ar ôl ei adfer; ac

PART 4

Notice procedure

Notices

20.—(1) If any private water supply constitutes a potential danger to human health, a local authority must serve a notice under this regulation on the relevant person instead of a notice under section 80 of the Act.

(2) The notice must—

- (a) identify the private water supply to which it relates;
- (b) specify the grounds for serving the notice;
- (c) prohibit or restrict the use of that supply;
- (d) specify what other action is necessary to—
 - (i) protect human health;
 - (ii) restore the wholesomeness of the private water supply;
 - (iii) maintain the continued wholesomeness of the private water supply following its restoration; and

(e) pennu'r dyddiad erbyn pryd y mae'n rhaid cymryd y camau sy'n ofynnol.

(3) Rhaid i'r awdurdod lleol hysbysu defnyddwyr y cyflenwad dŵr preifat y mae'r hysbysiad yn ymwneud ag ef yn brydlon, a darparu unrhyw gyngor sydd ei angen.

(4) Caiff yr hysbysiad fod yn ddarostyngedig i amodau, a chaniateir ei ddiwygio drwy hysbysiad pellach ar unrhyw adeg.

(5) Rhaid i'r awdurdod lleol ddirymu'r hysbysiad cyn gynted ag y bydd yn dod yn ymwybodol nad oes perygl posibl i iechyd dynol mwyach.

(6) Mae'n drosedd i berson perthnasol y cyflwynir hysbysiad iddo o dan y rheoliad hwn fetu â chydymffurfio â'r hysbysiad hwnnw.

(7) Pan fo person perthnasol ("P") yn methu â chymryd y camau sy'n ofynnol erbyn y dyddiad a bennir mewn hysbysiad a gyflwynir o dan baragraff (1), caiff yr awdurdod lleol a gyflwynodd yr hysbysiad gymryd y fath gamau ei hun.

(8) Pan fo unrhyw gamau yn cael eu cymryd gan awdurdod lleol o dan baragraff (7) mewn perthynas ag unrhyw fangre—

(a) caiff yr awdurdod lleol adennill oddi wrth P unrhyw dreuliau yr eir iddynt yn rhesymol ganddo wrth gymryd y camau hynny; a

(b) pan fo person, ac eithrio'r awdurdod lleol, yn atebol i wneud taliadau i P, bernir bod symiau a delir yn rhinwedd is-baragraff (a) yn dreuliau yr eir iddynt wrth gymryd y camau gan P.

Apelau

21.—(1) Caiff unrhyw berson a dramgwyddir gan hysbysiad a gyflwynir o dan reoliad 20 apelio i lys ynadon o fewn 28 diwrnod ar ôl cyflwyno'r hysbysiad.

(2) Mae'r weithdrefn apelio a ddilynir mewn llys ynadon o dan baragraff (1) ar ffurf achwyniad, ac mae Deddf Llysoedd Ynadon 1980(1) yn gymwys i'r achosion.

(3) Bydd hysbysiad yn parhau mewn grym oni chaiff ei atal gan y llys.

(4) Mewn apêl, caiff y llys naill ai ddileu'r hysbysiad neu ei gadarnhau, gydag addasiadau neu heb addasiadau.

(e) specify the date by which the action required must be taken.

(3) The local authority must promptly inform consumers of the private water supply to which the notice relates and provide any necessary advice.

(4) The notice may be subject to conditions and may be amended by further notice at any time.

(5) The local authority must revoke the notice as soon as it becomes aware that there is no longer a potential danger to human health.

(6) It is an offence for a relevant person on whom a notice is served under this regulation to fail to comply with it.

(7) Where a relevant person ("P") fails to take the action required by the date specified in a notice served under paragraph (1), the local authority which served the notice may take such action themselves.

(8) Where any action is taken by a local authority under paragraph (7) in relation to any premises—

(a) the local authority may recover from P any expenses reasonably incurred by it in taking that action; and

(b) where a person, other than the local authority, is liable to make payments to P, sums paid by virtue of sub-paragraph (a) are to be deemed to be expenses incurred in the taking of action by P.

Appeals

21.—(1) Any person who is aggrieved by a notice served under regulation 20 may appeal to a magistrates' court within 28 days of service of the notice.

(2) The procedure on an appeal to a magistrates' court under paragraph (1) is by way of complaint, and the Magistrates' Courts Act 1980(1) applies to the proceedings.

(3) A notice remains in force unless suspended by the court.

(4) On an appeal, the court may either cancel the notice or confirm it, with or without modification.

(1) 1980 p. 43.

(1) 1980 c. 43.

Cosbau

22.—(1) Mae person sy'n cyflawni trosedd o dan reoliad 20 yn atebol—

- (a) o'i euogfarnu'n ddiannod, i ddirwy nad yw'n fwy na'r uchafswm statudol neu gyfnod o garchar na fydd yn hwy na 3 mis, neu'r ddau; neu
- (b) o'i euogfarnu ar ddiad, i ddirwy neu gyfnod o garchar na fydd yn hwy na 2 flynedd, neu'r ddau.

(2) Pan fo corff corfforaethol yn euog o drosedd o dan y Rheoliadau hyn, ac os profir bod y drosedd wedi ei chyflawni gyda chydsyniad neu ymoddefiad, neu wedi ei phriodoli i unrhyw esgeulustod ar ran—

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu berson arall tebyg yn y corff corfforaethol, neu
- (b) unrhyw berson a oedd cymryd arno ei fod yn gweithredu yn rhinwedd unrhyw swydd o'r fath,

mae'r person hwnnw yn euog o'r drosedd yn ogystal â'r corff corfforaethol.

(3) Ym mharagraff (2), ystyr "cyfarwyddwr" mewn perthynas â chorff corfforaethol y mae ei fusnes yn cael ei reoli gan ei aelodau, yw aelod o'r corff corfforaethol.

RHAN 5

Amrywiol

Ffioedd

23. Mae Atodlen 6 yn gwneud darpariaeth ar gyfer ffioedd.

Dirymiadau

24.—(1) Mae'r offerynnau a ganlyn wedi eu dirymu—

- (a) Rheoliadau 2010;
- (b) Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) (Diwygio) 2010(1);
- (c) Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) (Diwygio) (Rhif 2) 2010(2); a

(1) O.S. 2010/147 (Cy. 22).
(2) O.S. 2010/1384 (Cy. 123).

Penalties

22.—(1) A person who commits an offence under regulation 20 is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to a term of imprisonment not exceeding 3 months or both; or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or both.

(2) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar person of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

that person is guilty of the offence as well as the body corporate.

(3) In paragraph (2), "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

PART 5

Miscellaneous

Fees

23. Schedule 6 makes provision for fees.

Revocations

24.—(1) The following instruments are revoked—

- (a) the 2010 Regulations;
- (b) the Private Water Supplies (Wales) (Amendment) Regulations 2010(1);
- (c) the Private Water Supplies (Wales) (Amendment) (No. 2) Regulations 2010(2); and

(1) S.I. 2010/147 (W. 22).
(2) S.I. 2010/1384 (W. 123).

(d) Rheoliadau Cyflenwadau Dŵr Preifat (Cymru) (Diwygio) 2016(1).

(2) Mae paragraff 142 o Atodlen 2 i Orchymyn yr Asiantaeth Genedlaethol ar gyfer Triniaethau (Dileu) a Deddf Iechyd a Gofal Cymdeithasol 2012 (Darpariaethau Canlyniadol a Throsiannol a Darpariaethau Arbed) 2013(2) wedi ei ddirymu.

Diwygiad canlyniadol

25. Yn rheoliad 21(7)(b) o Reoliadau Cyflenwi Dŵr (Ansawdd Dŵr) 2010(3), yn lle “regulation 15 or 16 of the Private Water Supplies (Wales) Regulations 2010” rhodder “regulation 18 of the Private Water Supplies (Wales) Regulations 2017”.

Darpariaethau trosiannol

26.—(1) Pan ddaw’r Rheoliadau hyn i rym—

- (a) mae awdurdodiad a roddir o dan reoliad 17(2) o Reoliadau 2010 sydd mewn grym yn union cyn i’r Rheoliadau hyn ddod i rym i’w gymryd i fod yn awdurdodiad a roddir o dan reoliad 19(2) o’r Rheoliadau hyn;
- (b) mae ail awdurdodiad a roddir o dan reoliad 17(9) o Reoliadau 2010 sydd mewn grym yn union cyn i’r Rheoliadau hyn ddod i rym i’w gymryd i fod yn ail awdurdodiad a roddir o dan reoliad 19(9) o’r Rheoliadau hyn;
- (c) mae hysbysiad a gyflwynir o dan reoliad 18 o Reoliadau 2010 sydd mewn grym yn union cyn i’r Rheoliadau hyn ddod i rym (“hysbysiad presennol”) i’w gymryd i fod yn hysbysiad a gyflwynir o dan reoliad 20 o’r Rheoliadau hyn.

(2) Caniateir gwneud apêl o dan reoliad 21(1) o’r Rheoliadau hyn yn erbyn hysbysiad presennol os nad yw’r cyfnod o amser ar gyfer gwneud apêl o dan reoliad 19(1) o Reoliadau 2010 wedi dod i ben ar y dyddiad y daw’r Rheoliadau hyn i rym.

(3) O ran awdurdod lleol sydd wedi—

- (a) lleihau amllder samplu ar gyfer paramedr o dan baragraff 2(2) yn Rhan 1 o Atodlen 2 (monitro) i Reoliadau 2010, neu

(d) the Private Water Supplies (Wales) (Amendment) Regulations 2016(1).

(2) Paragraph 142 of Schedule 2 to the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Savings Provisions) Order 2013(2) is revoked.

Consequential amendment

25. In regulation 21(7)(b) of the Water Supply (Water Quality) Regulations 2010(3), for “regulation 15 or 16 of the Private Water Supplies (Wales) Regulations 2010” substitute “regulation 18 of the Private Water Supplies (Wales) Regulations 2017”.

Transitional provisions

26.—(1) On the coming into force of these Regulations—

- (a) an authorisation granted under regulation 17(2) of the 2010 Regulations which is in force immediately before the coming into force of these Regulations is taken to be an authorisation granted under regulation 19(2) of these Regulations;
- (b) a second authorisation granted under regulation 17(9) of the 2010 Regulations which is in force immediately before the coming into force of these Regulations is taken to be a second authorisation granted under regulation 19(9) of these Regulations;
- (c) a notice served under regulation 18 of the 2010 Regulations which is in force immediately before the coming into force of these Regulations (“an existing notice”) is taken to be a notice served under regulation 20 of these Regulations.

(2) An appeal may be made under regulation 21(1) of these Regulations against an existing notice if, on the date these Regulations come into force, the time for making an appeal under regulation 19(1) of the 2010 Regulations had not expired.

(3) A local authority which has—

- (a) reduced the frequency of sampling for a parameter under paragraph 2(2) in Part 1 of Schedule 2 (monitoring) to the 2010 Regulations, or

(1) O.S. 2016/411 (Cy. 129).

(2) O.S. 2013/235.

(3) O.S. 2010/994 (Cy. 99); fel y’i diwygiwyd gan O.S. 2011/14 (Cy. 7), O.S. 2013/235, O.S. 2013/1387, O.S. 2016/410 (Cy. 128) ac O.S. 2017/506.

(1) S.I. 2016/411 (W. 129).

(2) S.I. 2013/235.

(3) S.I. 2010/994 (W. 99); as amended by S.I. 2011/14 (W. 7), S.I. 2013/235, S.I. 2013/1387, S.I. 2016/410 (W. 128) and S.I. 2017/506.

(b) eithrio paramedr o waith monitro archwilio o dan baragraff 3(3) yn Rhan 2 o Atodlen 2 i Reoliadau 2010,

rhaid iddo, pan ddaw'r Rheoliadau hyn i rym, ddod ag unrhyw leihad neu eithriad o'r fath i ben, ac yn lle hynny rhaid iddo ddechrau monitro yn unol â'r ddarpariaeth a wneir yn Atodlen 2 i'r Rheoliadau hyn.

(4) Caiff awdurdod lleol ddibynnu ar unrhyw ddata a gesglir yn ystod y cyfnod o 36 mis sy'n dod i ben â'r diwrnod y daw'r Rheoliadau hyn i rym i gyfiawnhau unrhyw amrywiad o ran monitro o dan Ran 4 o Atodlen 2.

(5) Mae Tabl 2 (nodweddion perfformiad rhagnodedig ar gyfer dulliau dadansoddi) yn Atodlen 4 yn parhau mewn grym hyd 23:59 ar 31 Rhagfyr 2019, a chaiff ei ddirymu at bob diben ar ôl hynny.

(b) excluded a parameter from audit monitoring under paragraph 3(3) in Part 2 of Schedule 2 to the 2010 Regulations,

must upon the coming into force of these Regulations bring any such reduction or exclusion to an end, and instead begin to monitor in accordance with the provision made in Schedule 2 to these Regulations.

(4) A local authority may rely upon any data collected in the 36 month period ending with the day on which these Regulations come into force to justify any variation in monitoring under Part 4 of Schedule 2.

(5) Table 2 (prescribed performance characteristics for methods of analysis) in Schedule 4 remains in force until 23:59 on 31 December 2019 following which it is revoked for all purposes.

Lesley Griffiths

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru
25 Hydref 2017

Cabinet Secretary for Environment and Rural Affairs,
one of the Welsh Ministers
25 October 2017

Crynodeiadau neu Werthoedd

RHAN 1

Iachusrwydd

TABL A:

PARAMEDRAU MICROBIOLEGOL

| Paramedrau crynodeiadau neu werthoedd rhagnodedig | Crynodeiad neu werth uchaf | Unedau Mesur |
|--|-----------------------------------|---------------------|
| <i>Escherichia coli</i> (<i>E. coli</i>) | 0 | Nifer/100ml |
| Enterococi | 0 | Nifer/100ml |
| Yn achos dŵr mewn poteli neu gynwysyddion: | | |
| <i>Escherichia coli</i> (<i>E.coli</i>) | 0 | Nifer/250ml |
| Enterococi | | Nifer/250ml |
| <i>Pseudomonas aeruginosa</i> | 0 | Nifer/250ml |
| Cyfrifiad cytreffi 22°C | 100 | Nifer/ml |

TABL B:

PARAMEDRAU CEMEGOL

| Paramedrau crynodeiadau neu werthoedd rhagnodedig | Crynodeiad neu werth uchaf | Unedau Mesur |
|--|-----------------------------------|---------------------|
| Acrylamid ⁽¹⁾ | 0.10 | µg/l |
| Antimoni | 5.0 | µg/l |
| Arsenig | 10 | µg/l |
| Bensen | 1.0 | µg/l |
| Benso(a)pyren | 0.010 | µg/l |
| Boron | 1.0 | mg/l |
| Bromad | 10 | µg/l |
| Cadmiwm | 5.0 | µg/l |
| Cromiwm | 50 | µg/l |
| Copr | 2.0 | mg/l |
| Cyanid | 50 | µg/l |
| 1.2 dicloroethan | 3.0 | µg/l |
| Epichlorohydrin ⁽¹⁾ | 0.10 | µg/l |
| Fflworid | 1.5 | mg/l |
| Plwm | 10 | µg/l |
| | | µg/l |
| Mercwri | 1.0 | µg/l |
| Nicel | 20 | µg/l |
| Nitrad ⁽²⁾ | 50 | mg/l |

| | | | |
|--|--------------------------------------|---|------|
| Nitraid ⁽²⁾ | | 0.5 (neu 0.1 yn achos gweithfeydd trin) | mg/l |
| Plaleiddiaid ⁽³⁾ — | | | |
| | Aldrin | 0.030 | µg/l |
| | Dieldrin | 0.030 | µg/l |
| | Heptaclor | 0.030 | µg/l |
| | Heptaclor epocsid | 0.030 | µg/l |
| | Plaleiddiaid eraill | 0.10 | µg/l |
| | Cyfanswm plaleiddiaid ⁽⁴⁾ | 0.50 | µg/l |
| Hydrocarbonau polysyclig aromatig ⁽⁵⁾ | | 0.10 | µg/l |
| Seleniwm | | 10 | µg/l |
| Tetracloroethen a Thricloroethen ⁽⁶⁾ | | 10 | µg/l |
| Trihalomethanau: Cyfanswm ⁽⁷⁾ | | 100 | µg/l |
| Fynyl clorid ⁽¹⁾ | | 0.50 | µg/l |

⁽¹⁾ Mae'r gwerth paramedrig yn cyfeirio at y crynodiad monomerau gweddillol yn y dŵr fel y'i cyfrifir yn ôl manylbau uchafswm y gollyngiad o'r polymer cyfatebol mewn cyffyrddiad â'r dŵr. Rheolir hyn drwy fanylebau cynnyrch.

⁽²⁾ *Gweler* hefyd y fformiwla nitrad-nitraid yn rheoliad 4(1)(c).

⁽³⁾ At y dibenion hyn, ystyr "plaleiddiaid" yw:

- pryfleiddiaid organig
- chwynleiddiaid organig
- ffyngeleiddiaid organig
- nematoleiddiaid organig
- gwiddonleiddiaid organig
- algaleiddiaid organig
- llygodleiddiaid organig
- llysnafeddeiddiaid organig
- cynhyrchion cysylltiedig (ymhlith eraill, rheoleiddwyr tyfiant) a'u metabolion a'u cynhyrchion diraddio ac adweithio perthnasol. Dim ond y plaleiddiaid hynny sy'n debygol o fod yn bresennol mewn cyflenwad penodol sydd angen eu monitro.

⁽⁴⁾ Ystyr "cyfanswm plaleiddiaid" yw swm y crynodiadau o'r plaleiddiaid unigol a ganfyddir ac a feintiolir yn y broses fonitro.

⁽⁵⁾ Y cyfansoddion penodedig yw:

- benso(b)ffloranthen
- benso(k)ffloranthen
- benso(ghi)perylene
- indeno(1,2,3-cd)pyren.

Mae'r gwerth paramedrig yn gymwys i swm y crynodiadau o'r cyfansoddion unigol a ganfyddir ac a feintiolir yn y broses fonitro.

⁽⁶⁾ Mae'r gwerth paramedrig yn gymwys i swm y crynodiadau o'r cyfansoddion unigol a ganfyddir ac a feintiolir yn y broses fonitro.

⁽⁷⁾ Y cyfansoddion penodedig yw:

- clorofform
- bromofform
- dibromocloromethan
- bromodicloromethan.

Mae'r gwerth paramedrig yn gymwys i swm y crynodiadau o'r cyfansoddion unigol a ganfyddir ac a feintiolir yn y broses fonitro.

Gofynion cenedlaethol - Crynodiadau neu werthoedd rhagnodedig

| Paramedrau | Crynodiaid neu werth uchaf | Unedau Mesur |
|-------------------|--|---------------------|
| Alwminiwm | 200 | µg/l |
| Lliw | 20 | mg/l Pt/Co |
| Haearn | 200 | µg/l |
| Manganîs | 50 | µg/l |
| Arogl | Derbyniol i ddefnyddwyr a dim newid annormal | |
| Sodiwm | 200 | mg/l |
| Blas | Derbyniol i ddefnyddwyr a dim newid annormal | |
| Tetracloromethan | 3 | µg/l |
| Cymylogrwydd | 4 | NTU |

RHAN 2**Paramedrau Dangosyddion****TABL C:****Crynodiadau, gwerthoedd neu gyflyrau rhagnodedig**

| Paramedrau | Crynodiaid neu werth uchaf | Unedau Mesur |
|---|---|---|
| Amoniwm | 0.50 | mg/l |
| Clorid ⁽¹⁾ | 250 | mg/l |
| <i>Clostridium perfringens</i> (gan gynnwys sborau) | 0 | Nifer/100ml |
| Bacteria coliform | 0 | Nifer/100ml (Nifer/250ml yn achos dŵr a roddir mewn poteli neu gynwysyddion) |
| Cyfrifau cytrefi | Dim newid annormal | Nifer/ml ar 22°C |
| Dargludedd ⁽¹⁾ | 2500 | µS/cm ar 20°C |
| Ïonau hydrogen | 9.5 (gwerth uchaf) 6.5 (gwerth isaf) (yn achos dŵr llonydd a roddir mewn poteli neu gynwysyddion y gwerth isaf yw 4.5) | Gwerth pH Gwerth pH |
| Sylffad ⁽¹⁾ | 250 | mg/l |
| Cyfanswm carbon organig (CCO) | Dim newid annormal | mgC/l |
| Cymylogrwydd ⁽²⁾ | 1 | NTU |

⁽¹⁾ Ni ddylai'r dŵr fod yn ymosodol.

⁽²⁾ Yn achos dŵr wyneb neu ddŵr daear y dylanwadwyd arno gan ddŵr wyneb yn unig.

RHAN 3

Paramedrau sylweddau ymbelydrol

TABL D:

Gwerthoedd rhagnodedig ar gyfer radon, tritiwm a dos dangosol dŵr a fwriedir i'w yfed gan bobl

| Paramedrau | Crynodiad neu werth uchaf | Unedau Mesur |
|---|----------------------------------|---------------------|
| Dos dangosol (ar gyfer ymbelydredd) | 0.10 | mSv |
| Radon ⁽¹⁾ | 100 | Bq/l |
| Tritiwm (ar gyfer ymbelydredd) ⁽²⁾ | 100 | Bq/l |

⁽¹⁾ Bernir bod camau gorfodi gan yr awdurdod lleol wedi eu cyfiawnhau ar sail diogelwch radiolegol heb unrhyw ystyriaeth bellach pan fo'r crynodiadau radon yn uwch na 1,000 Bq/l.

⁽²⁾ Os yw'r crynodiad o dritiwm yn uwch na'i werth paramedrig, rhaid cynnal ymchwiliad (a gaiff gynnwys dadansoddiad) i bresenoldeb radioniwclidau artiffisial.

Monitro

RHAN 1

Monitro ar gyfer paramedrau Grŵp A

Samplu

1.—(1) Rhaid i awdurdod lleol fonitro ar gyfer paramedrau Grŵp A yn unol â'r Rhan hon.

(2) Ystyr “monitro ar gyfer paramedrau Grŵp A” yw samplu ar gyfer pob paramedr a restrir yng ngholofn 1 o Dabl 1 o dan yr amgylchiadau a restrir yn y cofnod cyfatebol ar gyfer y paramedr hwnnw yng ngholofn 2 o'r Tabl hwnnw er mwyn—

- (a) canfod pa un a yw'r dŵr yn cydymffurfio â'r crynodiadau neu'r gwerthoedd yn Atodlen 1 ai peidio;
- (b) darparu gwybodaeth am ansawdd organoleptig a microbiolegol y dŵr; ac
- (c) cadarnhau pa mor effeithiol fu'r driniaeth a roddwyd i'r dŵr, gan gynnwys y diheintio.

Tabl 1

Paramedrau Grŵp A

| Paramedrau | Amgylchiadau |
|---|---|
| Alwminiwm | Os y'i defnyddir fel cemegyn trin dŵr |
| Amoniwm | Os defnyddir cloramineiddio |
| <i>Clostridium perfringens</i> (gan gynnwys sborau) | Pan fo'r dŵr yn tarddu o ddyfroedd wyneb, neu y dylanwedir arno gan ddyfroedd wyneb |
| Bacteria coliform | Ym mhob cyflenwad |
| Cyfrifau cytrefi | Ym mhob cyflenwad |
| Lliw | Ym mhob cyflenwad |
| Dargludedd | Ym mhob cyflenwad |
| <i>Escherichia coli</i> (<i>E. coli</i>) | Ym mhob cyflenwad |
| Crynodiad ïonau hydrogen | Ym mhob cyflenwad |
| Haearn | Os y'i defnyddir fel cemegyn trin dŵr |
| Manganês | Pan fo'r dŵr yn tarddu o ddyfroedd wyneb, neu y dylanwedir arno gan ddyfroedd wyneb |
| Nitrad | Os defnyddir cloramineiddio |
| Nitraid | Os defnyddir cloramineiddio |
| Arogl | Ym mhob cyflenwad |
| <i>Pseudomonas aeruginosa</i> | Yn achos dŵr mewn poteli neu gynwysyddion yn unig |
| Blas | Ym mhob cyflenwad |
| Cymylogrwydd | Ym mhob cyflenwad |

Amllder samplu

2. Rhaid cyflawni gwaith samplu ar gyfer paramedrau Grŵp A mor aml ag a bennir yn Nhabl 2.

Tabl 2

Amllder samplu ar gyfer paramedrau Grŵp A

| <i>Cyfaint m³/diwrnod</i> | <i>Amllder samplu fesul blwyddyn</i> |
|--------------------------------------|--|
| ≤ 10 | 1 |
| > 10 ≤ 100 | 2 |
| > 100 ≤ 1,000 | 4 |
| > 1,000 ≤ 2,000 | 10 |
| > 2,000 ≤ 3,000 | 13 |
| > 3,000 ≤ 4,000 | 16 |
| > 4,000 ≤ 5,000 | 19 |
| > 5,000 ≤ 6,000 | 22 |
| > 6,000 ≤ 7,000 | 25 |
| > 7,000 ≤ 8,000 | 28 |
| > 8,000 ≤ 9,000 | 31 |
| > 9,000 ≤ 10,000 | 34 |
| > 10,000 | 4 + 3 am bob 1,000 m ³ /diwrnod o gyfanswm y cyfaint (gan dalgrynnu i fyny i'r lluosrif agosaf o 1,000 m ³ /diwrnod) |

RHAN 2

Monitro ar gyfer paramedrau Grŵp B

Samplu

3.—(1) Rhaid i awdurdod lleol fonitro ar gyfer paramedrau Grŵp B yn unol â'r Rhan hon.

(2) Ystyr “monitro ar gyfer paramedrau Grŵp B” yw samplu ar gyfer pob paramedr a restrir yn Rhan 1 neu 2 o Atodlen 1 (ac eithrio paramedrau Grŵp A sydd eisoes yn cael eu samplu o dan Ran 1 o'r Atodlen hon)—

- er mwyn darparu'r wybodaeth sy'n angenrheidiol i ganfod pa un a yw'r cyflenwad dŵr preifat yn bodloni pob crynodiad, gwerth neu gyflwr a bennir yn y naill neu'r llall o'r Rhannau hynny o'r Atodlen honno ai peidio; a
- os defnyddir diheintio, rhaid gwirio bod cyn lleied o sgil-gynhyrchion diheintio â phosibl heb beryglu effeithiolrwydd y diheintio.

Amllder samplu

4. Rhaid cyflawni gwaith samplu ar gyfer paramedrau Grŵp B mor aml ag a bennir yn Nhabl 3.

Tabl 3

Amllder samplu ar gyfer paramedrau Grŵp B

| <i>Cyfaint m³/diwrnod</i> | <i>Amllder samplu fesul blwyddyn</i> |
|--------------------------------------|---|
| ≤ 10 | 1 |
| > 10 ≤ 3,300 | 2 |
| > 3,300 ≤ 6,600 | 3 |
| > 6,600 ≤ 100,000 | 4 |
| > 10,000 ≤ 100,000 | 3 + 1 am bob 10,000 m ³ /diwrnod o gyfanswm y cyfaint (gan dalgrynnu i fyny i'r lluosrif agosaf o 10,000 m ³ /diwrnod) |
| > 100,000 | 10 + 1 am bob 25,000 m ³ /diwrnod o gyfanswm y cyfaint (gan dalgrynnu i fyny i'r lluosrif agosaf o 25,000 m ³ /diwrnod) |

RHAN 3

Amllder lleiaf monitro ar gyfer paramedrau Grŵp A a monitro ar gyfer paramedrau Grŵp B ar gyfer dŵr a roddir mewn poteli neu gynwysyddion

| <i>Cyfaint^a y dŵr a gynhyrchir mewn poteli neu gynwysyddion bob dydd (m³)</i> | <i>Monitro ar gyfer paramedrau Grŵp A: nifer y samplau fesul blwyddyn</i> | <i>Monitro ar gyfer paramedrau Grŵp B: nifer y samplau fesul blwyddyn</i> |
|---|--|--|
| ≤ 10 | 1 | 1 |
| > 10 ≤ 60 | 12 | 1 |
| > 60 | 1 am bob 5 m ³ /diwrnod o gyfanswm y cyfaint (gan dalgrynnu i fyny i'r lluosydd agosaf o 5 m ³ /diwrnod) | 1 am bob 100 m ³ /diwrnod o gyfanswm y cyfaint (gan dalgrynnu i fyny i'r lluosydd agosaf o 100 m ³ /diwrnod) |

^a Cyfrifir y cyfeintiau fel cyfartaleddau dros flwyddyn galendr.

RHAN 4

Amrywio gofynion monitro ar gyfer paramedrau Grŵp A a Grŵp B

Amrywio amllder samplu

5.—(1) Caiff awdurdod lleol leihau'r amllderau samplu sy'n ofynnol ar gyfer paramedr (ac eithrio ar gyfer *Escheria coli* (*E. coli*)) o dan Ran 1 neu 2 o'r Atodlen hon ar yr amod—

- bod y canlyniadau o samplau a gymerwyd mewn cysylltiad â'r paramedr hwnnw a gasglwyd ar adegau rheolaidd dros y 3 blynedd flaenorol oll yn is na 60% o'r gwerth paramedrig;
- bod canlyniadau asesiad risg yn cael eu hystyried, a bod yr asesiad risg hwnnw yn dangos na ellir yn rhesymol ragweld bod unrhyw ffactor yn debygol o achosi dirywiad yn ansawdd y dŵr sydd i'w yfed gan bobl;
- bod data a gesglir wrth gyflawni ei rwymedigaethau monitro o dan y Rhan hon yn cael eu hystyried; a

(d) bod o leiaf un sampl yn cael ei chymryd fesul blwyddyn.

(2) Caiff awdurdod lleol bennu amllder samplu uwch ar gyfer unrhyw bamedr os yw'n ystyried bod hynny'n briodol gan ystyried canfyddiadau unrhyw asesiad risg.

Amrywio paramedrau

6.—(1) Caiff awdurdod lleol beidio â monitro paramedr (ac eithrio *Escheria coli* (*E. coli*)) y mae fel arall yn ofynnol ei fonitro o dan Ran 1 neu 2 o'r Atodlen hon ar yr amod—

- (a) bod y canlyniadau o samplau a gymerwyd mewn cysylltiad â'r paramedr hwnnw a gasglwyd ar adegau rheolaidd dros y 3 blynedd flaenorol oll yn is na 30% o'r gwerth paramedrig;
- (b) bod canlyniadau asesiad risg yn cael eu hystyried, a bod yr asesiad risg hwnnw yn dangos na ellir yn rhesymol ragweld bod unrhyw ffactor yn debygol o achosi dirywiad yn ansawdd y dŵr sydd i'w yfed gan bobl; ac
- (c) bod data a gesglir wrth gyflawni ei rwymedigaethau monitro o dan y Rhan hon yn cael eu hystyried.

(2) Caiff awdurdod lleol fonitro ar gyfer priodoleddau, elfennau, organebau neu sylweddau eraill nad ydynt wedi eu cynnwys fel paramedr os yw'n ystyried bod hynny'n briodol gan ystyried canfyddiadau unrhyw asesiad risg.

Monitro sylweddau ymbelydrol

Radon

1.—(1) Mewn perthynas â'r paramedr radon yn y tabl paramedrau sylweddau ymbelydrol, rhaid i awdurdod lleol—

- (a) sicrhau y cynhelir arolwg cynrychioliadol yn unol ag is-baragraff (2) i ganfod pa mor debygol ydyw y bydd cyflenwad dŵr preifat yn methu â chydymffurfio â'r crynodiad neu'r gwerth paramedrig perthnasol a bennir yn y tabl paramedrau sylweddau ymbelydrol; a
- (b) cynnal gwaith monitro pan fo rheswm i gredu, ar sail canlyniadau'r arolygon cynrychioliadol neu wybodaeth ddibynadwy arall, gan gynnwys unrhyw asesiad risg a gyflawnir yn unol â rheoliad 6, y gall y gwerth paramedrig ar gyfer y paramedr radon fod yn uwch na'r hyn a nodir yn y tabl paramedrau sylweddau ymbelydrol.

(2) Rhaid llunio arolwg cynrychioliadol yn y fath fodd—

- (a) er mwyn gallu canfod maint a natur y tebygolrwydd o ddod i gysylltiad â radon mewn dŵr a fwriedir i'w yfed gan bobl sy'n dod o fathau gwahanol o ffynonellau dŵr daear a ffynhonnau mewn ardaloedd daearegol gwahanol; a
- (b) y gellir nodi'r paramedrau sylfaenol, yn enwedig daeareg a hydroleg yr ardal, ymbelydredd y creigiau neu'r pridd, a'r math o ffynnon, a defnyddio'r wybodaeth honno i gyfeirio camau gweithredu pellach i ardaloedd sy'n debygol o ddod i gysylltiad â lefel uchel o radon.

Tritiw

2.—(1) Mewn perthynas â'r paramedr tritiwm yn y tabl paramedrau sylweddau ymbelydrol, rhaid i awdurdod lleol—

- (a) cyflawni gwaith monitro pan fo ffynhonnell anthropogenig o dritiw neu radioniwclidau artiffisial eraill yn bresennol yn y dalgylch, ac ni ellir dangos ar sail rhaglenni gwyliadwriaeth neu ymchwiliadau eraill, gan gynnwys unrhyw asesiad risg a gyflawnir yn unol â rheoliad 6, fod lefel y tritiwm yn is na'r gwerth paramedrig a restrir yn y tabl paramedrau sylweddau ymbelydrol; a
- (b) cynnal ymchwiliad mewn perthynas â phresenoldeb radioniwclidau artiffisial eraill os yw'r crynodiad o dritiw yn uwch na'r gwerth paramedrig a restrir yn y tabl paramedrau sylweddau ymbelydrol.

(2) Pan fo monitro yn ofynnol o dan is-baragraff (1)—

- (a) rhaid cynnal y gwaith monitro mor aml ag a nodir ar gyfer monitro'r paramedrau Grŵp B yn Nhabl 3 yn Rhan 2 o Atodlen 2; neu
- (b) rhaid cynnal y gwaith monitro (yn achos cyflenwad dŵr preifat sy'n dod o fewn cwrpas rheoliad 11(1)) o leiaf bob 5 mlynedd neu'n amlach os yw'r asesiad risg y cyfeirir ato o dan is-baragraff (1)(a) yn dangos bod hynny'n angenrheidiol.

Dos Dangosol

3.—(1) Mewn perthynas â'r paramedr dos dangosol yn y tabl paramedrau sylweddau ymbelydrol, rhaid i awdurdod lleol gyflawni gwaith monitro pan fo ffynhonnell ymbelydredd artiffisial neu lefel uwch o ymbelydredd naturiol yn bresennol ac ni ellir dangos, ar sail rhaglenni gwyliadwriaeth neu ymchwiliadau eraill, gan gynnwys unrhyw asesiad risg a gyflawnir yn unol â rheoliad 6, fod lefel y dos dangosol yn is na'r gwerth paramedrig a restrir yn y tabl paramedrau sylweddau ymbelydrol.

(2) Pan fo monitro yn ofynnol gan is-baragraff (1) mewn perthynas â radioniwclidau artiffisial—

- (a) rhaid cynnal y gwaith monitro mor aml ag a nodir ar gyfer monitro'r paramedrau Grŵp B yn Nhabl 3 yn Rhan 2 o Atodlen 2; neu
 - (b) rhaid cynnal y gwaith monitro (yn achos cyflenwad dŵr preifat sy'n dod o fewn cwmpas rheoliad 11(1)) o leiaf bob 5 mlynedd neu'n amlach os yw'r asesiad risg yn dangos bod hynny'n angenrheidiol.
- (3) Pan fo monitro yn ofynnol gan is-baragraff (1) mewn perthynas â ffynhonnell lefel uwch o ymbelydredd naturiol—
- (a) o ran yr awdurdod lleol—
 - (i) caiff benderfynu pa mor aml y dylid monitro yn ei ardal yn dibynnu ar y strategaeth sgrinio a fabwysiedir gan yr awdurdod; a
 - (ii) rhaid iddo hysbysu Gweinidogion Cymru yn ysgrifenedig am ei benderfyniad o dan is-baragraff (i); a
 - (b) caniateir i'r amllder monitro a benderfynir o dan baragraff (a)(i) amrywio o un mesuriad gwirio i'r amllderau a nodir ar gyfer monitro'r paramedrau Grŵp B yn Nhabl 3 yn Rhan 2 o Atodlen 2.
- (4) Pan fo awdurdod lleol yn penderfynu o dan is-baragraff (3) bod un mesuriad gwirio ar gyfer ymbelydredd naturiol yn briodol, rhaid i'r awdurdod lleol gynnal gwiriad pellach os oes unrhyw newid yn digwydd mewn perthynas â'r cyflenwad dŵr preifat sy'n debygol o ddylanwadu ar y crynodiadau o radioniwclidau yn y cyflenwad.

Trin dŵr

4. Pan fo cyflenwad dŵr preifat wedi ei drin i leihau lefel y radioniwclidau, rhaid i'r awdurdod lleol fonitro'r cyflenwad ar gyfer cyfanswm y dos dangosol, radon a thritiwm yn unol â darpariaethau'r Rhan hon ac mor aml ag a nodir ar gyfer monitro paramedrau Grŵp B yn Nhabl 3 yn Rhan 2 o Atodlen 2 i wirhau effeithiolrwydd parhaus y driniaeth honno.

Gwerthoedd cyfartalog

5. Pan fo gwerth sampl benodol a gymerir gan awdurdod lleol yn uwch na'r gwerth paramedrig yn y tabl paramedrau sylweddau ymbelydrol, rhaid i Weinidogion Cymru bennu, drwy hysbysiad ysgrifenedig i'r awdurdod lleol, raddau'r gwaith ailsamplu sy'n angenrheidiol i sicrhau bod y gwerthoedd a fesurir yn gynrychioliadol o grynodiad gweithgarwch cyfartalog ar gyfer blwyddyn lawn.

Samplu a dadansoddi

RHAN 1

Cyffredinol

Samplau: cyffredinol

1.—(1) Rhaid i'r awdurdod lleol sicrhau, i'r graddau y bo'n rhesymol ymarferol, fod y gofynion priodol wedi eu bodloni wrth—

- (a) cymryd, trin, cludo a storio sampl y mae'n ofynnol ei chymryd yn unol â'r Atodlen hon;
- (b) dadansoddi sampl o'r fath; neu
- (c) achosi i unrhyw sampl o'r fath gael ei chymryd, ei thrin, ei chludo, ei storio neu ei dadansoddi.

(2) Yn y paragraff hwn, ystyr "y gofynion priodol" yw unrhyw rai o'r canlynol sy'n gymwys—

- (a) bod y sampl yn gynrychioliadol o ansawdd y dŵr ar yr adeg y cymerir y sampl;
- (b) bod y person sy'n cymryd y sampl yn ddarostyngedig i system reoli ansawdd i safon briodol sy'n cael ei gwirio o bryd i'w gilydd gan gorff achrededig addas;
- (c) nad yw'r sampl yn cael ei halogi wrth ei chymryd;
- (d) bod y sampl yn cael ei chadw ar y fath dymheredd ac o dan y fath amodau sy'n sicrhau nad oes unrhyw newid perthnasol o ran y crynodiad neu'r gwerth ar gyfer y mesur neu'r arsylwi y mae'r sampl wedi ei bwriadu ar ei gyfer;
- (e) bod y sampl yn cael ei dadansoddi cyn gynted ag y bo'n rhesymol ymarferol ar ôl ei chymryd—
 - (i) gan berson sy'n gymwys i wneud hynny, neu o dan oruchwyliaeth person o'r fath; a
 - (ii) gan ddefnyddio unrhyw gyfarpar sy'n addas ar gyfer y diben;
- (f) rhaid i'r broses o gasglu a chludo samplau, neu fesuriadau a gofnodir drwy fonitro parhaus, fod yn ddarostyngedig i system reoli ansawdd i safon briodol sy'n cael ei gwirio o bryd i'w gilydd gan gorff achrededig addas.

(3) Wrth ymgymryd â'r gweithgarwch a ddisgrifir yn—

- (a) is-baragraff (1)(a), rhaid i'r awdurdod lleol ddangos cydymffurfedd ag unrhyw un neu ragor o EN ISO/IEC 17024, EN ISO/EIC 17025, neu safon gyfatebol arall sy'n cael ei derbyn yn rhyngwladol;
- (b) is-baragraff (1)(b), rhaid i'r awdurdod lleol ddangos cydymffurfedd ag EN ISO/EIC 17025, neu safon gyfatebol arall sy'n cael ei derbyn yn rhyngwladol.

(4) Caniateir gohirio gweithredu'r gofyniad yn is-baragraff (3)(a) am gyfnod o ddim mwy na 24 mis gan ddechrau ar y diwrnod y daw'r Rheoliadau hyn i rym.

(5) Yn y paragraff hwn, ystyr "corff achrededig addas" yw unrhyw berson sydd wedi ei achredu gan Wasanaeth Achredu'r Deyrnas Unedig(1).

Dadansoddi samplau: paramedrau microbiolegol

2. Ar gyfer pob paramedr a bennir yng ngholofn gyntaf Tabl 1 yn Rhan 2 o'r Atodlen hon, mae'r dull dadansoddi wedi ei bennu yn ail golofn y tabl hwnnw.

(1) *Gweler* O.S. 2009/3155 ynglŷn â phenodi Gwasanaeth Achredu'r Deyrnas Unedig yn gorff achredu cenedlaethol.

Dadansoddi samplau: paramedrau cemegol a dangosyddion

3.—(1) Ar 31 Rhagfyr 2019 neu cyn hynny, caiff yr awdurdod lleol gymhwyso'r dull o ddadansoddi ar gyfer paramedrau cemegol a dangosyddion yn naill ai is-baragraff (3) neu is-baragraff (4).

(2) Ar ôl 31 Rhagfyr 2019, rhaid i'r awdurdod lleol gymhwyso'r dull o ddadansoddi ar gyfer paramedrau cemegol a dangosyddion yn is-baragraff (4).

(3) Ar gyfer pob paramedr a bennir yng ngholofn gyntaf Tabl 2 yn Rhan 2 o'r Atodlen hon, mae'r dull yn un sy'n gallu—

- (a) mesur crynodiadau a gwerthoedd gyda'r gwiredd a'r trachywiredd a bennir yn ail golofn a thrydedd golofn y tabl hwnnw, a
- (b) canfod y paramedr ar y terfyn canfod a bennir ym mhedwaredd golofn y tabl hwnnw.

(4) Ar gyfer pob paramedr a bennir yng ngholofn gyntaf Tabl 3 yn Rhan 2 o'r Atodlen hon, mae'r dull yn un sy'n gallu mesur crynodiadau sy'n hafal â'r—

- (a) gwerth paramedrig gyda therfyn meintioliad o 30% neu lai o'r gwerth paramedrig perthnasol (fel sydd wedi ei gynnwys yn Atodlen 1), a
- (b) yr ansicrwydd mesuriadau yn ail golofn y tabl hwnnw.

(5) Rhaid i'r dull dadansoddi a ddefnyddir ar gyfer y paramedrau arogl a blas allu mesur gwerthoedd sy'n hafal â'r gwerth paramedrig gyda thrachywiredd o 1 rhif gwanediad ar 25°C.

(6) At y dibenion hyn—

- (a) y “terfyn canfod” yw—
 - (i) tair gwaith y gwyriad safonol perthynol o fewn swp, o sampl naturiol sy'n cynnwys crynodiad isel o'r paramedr; neu
 - (ii) pum gwaith y gwyriad safonol perthynol o fewn swp, o sampl wag;
- (b) “trachywiredd” (sef yr hapgyfeiliornad) yw dwywaith y gwyriad safonol (o fewn swp a rhwng sypiau) gwasgariad y canlyniadau o amgylch y cymedr. Trachywiredd derbynol yw dwywaith y gwyriad safonol cymharol. Mae manylebau pellach wedi eu nodi yn ISO 17025;
- (c) “gwiredd” (y cyfeiliornad systematig) yw'r gwahaniaeth rhwng gwerth cymedrig y nifer fawr o fesuriadau mynych a'r gwir werth. Mae manylebau pellach wedi eu nodi yn ISO 17025;
- (d) mae “ansicrwydd mesuriadau” yn baramedr annegyddol sy'n nodweddu gwasgariad y gwerthoedd nifer sy'n cael eu mesur, ar sail yr wybodaeth a ddefnyddir.

Awdurdodi dulliau dadansoddi eraill

4.—(1) Caiff Gweinidogion Cymru awdurdodi dull sy'n wahanol i'r rheini a nodir ym mharagraff 3(2) neu 3(3) os ydynt yn fodlon ei fod o leiaf yr un mor ddibynadwy.

(2) Caiff awdurdodiad fod am gyfnod cyfyngedig, a chaniateir ei ddirymu ar unrhyw adeg.

Samplu a dadansoddi gan bersonau ac eithrio awdurdodau lleol

5.—(1) Caiff awdurdod lleol ymrwymo i drefniant i unrhyw berson gymryd samplau a'u dadansoddi ar ran yr awdurdod lleol.

(2) Rhaid i awdurdod lleol beidio ag ymrwymo i drefniant o dan is-baragraff (1) oni fydd—

- (a) yn fodlon y cyflawnir y dasg yn brydlon gan berson sy'n gymwys i'w chyflawni, a
- (b) wedi gwneud trefniadau i sicrhau y caiff yr awdurdod lleol ei hysbysu ar unwaith am unrhyw doriad o'r Rheoliadau hyn, ac am unrhyw ganlyniad arall o fewn 28 diwrnod.

RHAN 2

Dulliau dadansoddi

Tabl 1

Dulliau dadansoddi rhagnodedig ar gyfer paramedrau microbiolegol

| <i>Paramedr</i> | <i>Dull</i> |
|---|---------------------------------|
| <i>Escherichia coli</i> (E. coli) | EN ISO 9308-1 neu EN ISO 9308-2 |
| Enterococi | EN ISO 7899-2 |
| <i>Pseudomonas aeruginosa</i> | EN-ISO 16266 |
| Cyfrifiad cytreffi 22°C - cyfrif micro-organebau meithrinadwy | EN ISO 6222 |
| Cyfrifiad cytreffi 36°C - cyfrif micro-organebau meithrinadwy | EN ISO 6222 |
| <i>Clostridium perfringens</i> (gan gynnwys sborau) | EN ISO 14189 |

Tabl 2

Nodweddion perfformiad rhagnodedig dulliau dadansoddi ar gyfer paramedrau cemegol a dangosyddion: gwiredd, trachywiredd a therfyn canfod (ar 31 Rhagfyr 2019 neu cyn hynny)

| <i>Paramedr</i> | <i>Gwiredd fel % o'r crynodiad neu werth neu fanyleb ragnodedig (ac eithrio pH)</i> | <i>Trachywiredd fel % o'r crynodiad neu werth neu fanyleb ragnodedig (ac eithrio pH)</i> | <i>Terfyn canfod fel % o'r crynodiad neu werth neu fanyleb ragnodedig (ac eithrio pH)</i> |
|---|---|--|---|
| Alwminiwm | 10 | 10 | 10 |
| Amoniwm | 10 | 10 | 10 |
| Antimoni | 25 | 25 | 25 |
| Arsenig | 10 | 10 | 10 |
| Bensen | 25 | 25 | 25 |
| Benso(a)pyren | 25 | 25 | 25 |
| Boron | 10 | 10 | 10 |
| Bromad | 25 | 25 | 25 |
| Cadmiwm | 10 | 10 | 10 |
| Clorid | 10 | 10 | 10 |
| Cromiwm | 10 | 10 | 10 |
| Lliw | 10 | 10 | 10 |
| Dargludedd | 10 | 10 | 10 |
| Copr | 10 | 10 | 10 |
| Cyanid ⁽¹⁾ | 10 | 10 | 10 |
| 1,2-dicloroethan | 25 | 25 | 10 |
| Fflworid | 10 | 10 | 10 |
| pH crynodiad ionau hydrogen (wedi ei fynegi mewn unedau pH) | 0.2 | 0.2 | |
| Haearn | 10 | 10 | 10 |
| Plwm | 10 | 10 | 10 |
| Manganês | 10 | 10 | 10 |
| Mercwri | 20 | 10 | 20 |

| | | | |
|--|----|----|----|
| Nicel | 10 | 10 | 10 |
| Nitrad | 10 | 10 | 10 |
| Nitraid | 10 | 10 | 10 |
| Ocsideidrwydd ⁽²⁾ | | | |
| Plaleiddiaid a chynhyrchion perthynol ⁽³⁾ | 25 | 25 | 25 |
| Hydrocarbonau polysyclig aromatig ⁽⁴⁾ | 25 | 25 | 25 |
| Seleniwm | 10 | 10 | 10 |
| Sodiwm | 10 | 10 | 10 |
| Sylffad | 10 | 10 | 10 |
| Tetracloroethen ⁽⁵⁾ | 25 | 25 | 10 |
| Tetracloromethan | 20 | 20 | 20 |
| Tricloroethen ⁽⁵⁾ | 25 | 25 | 10 |
| Trihalomethanau: | | | |
| Cyfanswm ⁽⁴⁾ | 25 | 25 | 10 |
| Cymylogrwydd ⁽⁶⁾ | 10 | 10 | 10 |
| Cymylogrwydd ⁽⁷⁾ | 25 | 25 | 25 |

⁽¹⁾ Dylai'r dull dadansoddi ganfod cyfanswm y cyanid ym mhob ffurf.

⁽²⁾ EN ISO 8476.

⁽³⁾ Mae'r nodweddion perfformiad yn gymwys i bob plaleiddiad unigol a byddant yn dibynnu ar y plaleiddiad dan sylw. Gellir cyflawni gwerthoedd ar gyfer ansicrwydd mesuriadau mor isel â 30% ar gyfer nifer o blaleiddiaid, a chaniateir gwerthoedd uwch hyd at 80% ar gyfer nifer o blaleiddiaid.

⁽⁴⁾ Mae'r nodweddion perfformiad yn gymwys i'r sylweddau unigol a bennir yn ôl 25% o'r gwerth paramedrig yn Nhabl B o Ran 1 o Atodlen 1.

⁽⁵⁾ Mae'r nodweddion perfformiad yn gymwys i'r sylweddau unigol a bennir yn ôl 50% o'r gwerth paramedrig yn Nhabl B o Ran 1 o Atodlen 1.

⁽⁶⁾ Mae'r nodweddion perfformiad yn gymwys i'r gwerth rhagnodedig o 4 NTU.

⁽⁷⁾ Mae'r nodweddion perfformiad yn gymwys i'r fanyleb o 1 NTU ar gyfer dŵr wyneb neu ddŵr daear y dylanwedir arno gan ddŵr wyneb.

Tabl 3

Dull dadansoddi ar gyfer paramedrau cemegol a dangosyddion: ansicrwydd mesuriadau⁽¹⁾

| <i>Paramedr</i> | <i>Ansicrwydd mesuriadau fel % o'r gwerth paramedrig (ac eithrio pH)</i> |
|------------------------------|--|
| Alwminiwm | 25 |
| Amoniwm | 40 |
| Antimoni | 40 |
| Arsenig | 30 |
| Bensen | 40 |
| Benso(a)pyren ⁽²⁾ | 50 |
| Boron | 25 |
| Bromad | 40 |
| Cadmiwm | 25 |
| Clorid | 15 |
| Cromiwm | 30 |
| Dargludedd | 20 |

| | |
|---|-----|
| Copr | 25 |
| Cyanid ⁽³⁾ | 30 |
| 1,2-dicloroethan | 40 |
| Fflworid | 20 |
| pH crynodiad ionau hydrogen (wedi ei fynegi mewn unedau pH) | 0.2 |
| Haearn | 30 |
| Plwm | 25 |
| Manganîs | 30 |
| Mercwri | 30 |
| Nicel | 25 |
| Nitrad | 15 |
| Nitraid | 20 |
| Ocsideiddrwydd ⁽⁴⁾ | 50 |
| Plaleiddiaid ⁽⁵⁾ | 30 |
| Hydrocarbonau polysyclig aromatig ⁽⁶⁾ | 50 |
| Seleniwm | 40 |
| Sodiwm | 15 |
| Sylffad | 15 |
| Tetracloroethen ⁽⁷⁾ | 30 |
| Tricloroethen ⁽⁷⁾ | 40 |
| Trihalomethanau: cyfanswm ⁽⁶⁾ | 40 |
| Cyfanswm carbon organig (CCO) ⁽⁸⁾ | 30 |
| Cymylogrwydd ⁽⁹⁾ | 30 |

⁽¹⁾ Ni chaniateir defnyddio ansicrwydd mesuriadau fel goddefiant ychwanegol i'r gwerthoedd paramedrig a nodir yn Atodlen 1.

⁽²⁾ Os na ellir cyflawni gwerth yr ansicrwydd mesuriadau, dylid dewis y dechneg orau sydd ar gael (hyd at 60%).

⁽³⁾ Dylai'r dull dadansoddi ganfod cyfanswm y cyanid ym mhob ffurf.

⁽⁴⁾ EN ISO 8476.

⁽⁵⁾ Mae'r nodweddion perfformiad yn gymwys i bob plaleiddiad unigol a byddant yn dibynnu ar y plaleiddiad dan sylw. Gellir cyflawni gwerthoedd ar gyfer ansicrwydd mesuriadau mor isel â 30% ar gyfer nifer o blaleiddiaid, a chaniateir gwerthoedd uwch hyd at 80% ar gyfer nifer o blaleiddiaid.

⁽⁶⁾ Mae'r nodweddion perfformiad yn gymwys i'r sylweddau unigol a bennir yn ôl 25% o'r gwerth paramedrig yn Nhabl B o Ran 1 o Atodlen 1.

⁽⁷⁾ Mae'r nodweddion perfformiad yn gymwys i'r sylweddau unigol a bennir yn ôl 50% o'r gwerth paramedrig yn Nhabl B o Ran 1 o Atodlen 1.

⁽⁸⁾ Rhaid amcangyfrif yr ansicrwydd mesuriadau ar lefel 3mg/l o'r CCO. Rhaid defnyddio'r Canllawiau CEN 1484 ar gyfer canfod CCO a charbon organig tawdd.

⁽⁹⁾ Rhaid amcangyfrif yr ansicrwydd mesuriadau ar lefel 1,0 NTU yn unol ag EN ISO 7027.

RHAN 3

Monitro ar gyfer y dos dangosol a nodweddion perfformiad dadansoddol

6. Caiff awdurdod lleol ddefnyddio strategaethau sgrinio dibynadwy i ddangos bod ymbelydredd yn bresennol mewn dŵr a fwriedir i'w yfed gan bobl.

7. Caiff y strategaethau y cyfeirir atynt ym mharagraff 6 gynnwys sgrinio ar gyfer—

- radioniwclidau penodol neu radioniwclid unigol; neu
- gweithgarwch alffa gros neu weithgarwch beta gros (pan fo'n briodol caniateir disodli gweithgarwch beta gros gan weithgarwch beta gweddilliol ar ôl didynnu'r crynodiad gweithgarwch K-40).

Sgrinio ar gyfer radioniwclidau penodol neu sgrinio ar gyfer radioniwclid unigol

8. Os yw un o'r crynodiadau gweithgarwch yn uwch nag 20% o'r gwerth deilliedig cyfatebol neu os yw'r crynodiad tritiwm yn uwch na'i werth paramedrig a restrir yn Rhan 3 o Atodlen 1, mae'n ofynnol dadansoddi'r radioniwclidau ychwanegol.

9. Rhaid i awdurdod lleol, wrth benderfynu pa radioniwclidau y mae'n ofynnol eu mesur ar gyfer pob cyflenwad, ystyried yr holl wybodaeth berthnasol am ffynonellau tebygol o ymbelydredd.

Strategaethau sgrinio ar gyfer gweithgarwch alffa gros a gweithgarwch beta gros

10. Yn ddarostyngedig i baragraff 11 y lefelau sgrinio a argymhellir yw—

- (a) 0,1Bq/l ar gyfer gweithgarwch alffa gros; a
- (b) 1,0Bq/l ar gyfer gweithgarwch beta gros.

11. Os yw'r gweithgarwch alffa gros yn uwch na 0,1Bq/l neu os yw'r gweithgarwch beta gros yn uwch na 1,0Bq/l, mae'n ofynnol dadansoddi ar gyfer radioniwclidau penodol.

12. Caiff Gweinidogion Cymru bennu lefelau sgrinio gwahanol ar gyfer gweithgarwch alffa gros a gweithgarwch beta gros pan fo'r awdurdod lleol yn gallu dangos bod y lefelau gwahanol yn cydymffurfio â dos dangosol o 0,1 mSv.

Cyfrifo'r dos dangosol

13. Rhaid cyfrifo'r dos dangosol o—

- (a) y crynodiadau radioniwclid a fesurwyd a'r cyfernodau dos a nodwyd yn Atodiad III, Tabl A o Gyfarwyddeb 96/29/Euratom(1); neu
- (b) gwybodaeth ddiweddarach a gydnabyddir gan Weinidogion Cymru, ar sail y cymeriant dŵr blynyddol (730 l ar gyfer oedolion).

14. Pan fo'r fformiwla a ganlyn wedi ei bodloni, gellir tybio bod y dos dangosol yn is na'r gwerth paramedrig o 0,1mSv ac nid yw'n ofynnol cynnal unrhyw ymchwiliadau pellach—

Crynodiadau deilliedig ar gyfer ymbelydredd mewn dŵr a fwriedir i'w yfed gan bobl ⁽¹⁾

| Tarddiad | Niwclid | Cryniad deilliedig |
|-------------|--------------------|--------------------|
| Naturiol | U-238 ³ | 3,0 Bq/l |
| | U-234 ³ | 2,8 Bq/l |
| | Ra-226 | 0,5 Bq/l |
| | Ra-228 | 0,2 Bq/l |
| | Pb-210 | 0,2 Bq/l |
| | Po-210 | 0,1 Bq/l |
| Artiffisial | C-14 | 240 Bq/l |
| | Sr-90 | 4,9 Bq/l |
| | Pu-239/Pu-240 | 0,6 Bq/l |
| | Am-241 | 0,7 Bq/l |
| | Co-60 | 40 Bq/l |
| | Cs-134 | 7,2 Bq/l |
| | Cs-137 | 11 Bq/l |
| | I-131 | 6,2 Bq/l |

⁽¹⁾ Mae'r tabl hwn yn caniatáu ar gyfer priodoleddau radiolegol wraniwm yn unig, nid ei wenwyndra cemegol.

(1) OJ Rhif. L 159, 29.6.1996, t. 1, caiff hwn ei ddirymu a'i ddisodli'n rhagolygol gan Gyfarwyddeb 2013/59 Euratom (OJ L 13, 17.1.2014, t. 1) gydag effaith o 6 Chwefror 2018.

Nodweddion perfformiad a dulliau dadansoddi

15. Ar gyfer y paramedrau a'r radioniwclidau a ganlyn, rhaid i'r dull dadansoddi a ddefnyddir, o leiaf, allu mesur crynodiadau gweithgarwch gyda'r terfyn canfod a bennir isod:

| Paramedrau a radioniwclidau | Terfyn canfod (Nodiadau 1,2) | Nodiadau |
|-----------------------------|------------------------------|----------|
| Tritiwm | 10 Bq/l | Nodyn 3 |
| Radon | 10 Bq/l | Nodyn 3 |
| alfa gros | 0,04 Bq/l | Nodyn 4 |
| beta gros | 0,4 Bq/l | Nodyn 4 |
| U-238 | 0,02 Bq/l | |
| U-234 | 0,02 Bq/l | |
| Ra-226 | 0,04 Bq/l | |
| Ra-228 | 0,02 Bq/l | Nodyn 5 |
| Pb-210 | 0,02 Bq/l | |
| Po-210 | 0,01 Bq/l | |
| C-14 | 20 Bq/l | |
| Sr-90 | 0,4 Bq/l | |
| Pu-239/Pu-240 | 0,04 Bq/l | |
| Am-241 | 0,06 Bq/l | |
| Co-60 | 0,5 Bq/l | |
| Cs-134 | 0,5 Bq/l | |
| C2-137 | 0,5 Bq/l | |
| I-131 | 0,5 Bq/l | |

Nodyn 1: Rhaid cyfrifo'r terfyn canfod yn unol â safon ISO 11929: Pennu terfynau nodweddion (trothwy penderfyniad, terfyn canfod a therfynau'r cyfwng hyder) ar gyfer mesur ymbelydredd ìoneiddio — Hanfodion a chymhwyso, gyda thebygolrwydd gwallau o'r math cyntaf a'r ail fath o 0,05 yr un.

Nodyn 2: Rhaid cyfrifo ansicrwydd mesuriadau, a chyflwyno adroddiadau arnynt, fel ansicrwydd safonol cyflawn, neu fel ansicrwydd estynedig gyda ffactor ehangu o 1,96 yn unol â Chanllaw yr ISO sef 'Guide for the Expression of Uncertainty in Measurement'.

Nodyn 3: Y terfyn canfod ar gyfer tritiwm a radon yw 10% o'i werth paramedrig o 100 Bq/l.

Nodyn 4: Y terfyn canfod ar gyfer gweithgarwch alffa gros a gweithgarwch beta gros yw 40% o'r gwerthoedd sgrinio o 0,1 a 1,0 Bq/l yn y drefn honno.

Nodyn 5: Nid yw'r terfyn canfod ond yn gymwys i'r sgrinio cychwynnol ar gyfer dos dangosol ar gyfer ffynhonnell ddŵr newydd; os yw'r gwirio cychwynnol yn dangos nad yw'n debygol bod lefel yr Ra-228 yn uwch nag 20% o'r crynodiad deilliedig, caniateir cynyddu'r terfyn canfod i 0,08 Bq/l ar gyfer mesuriadau penodol arferol ar gyfer niwclidau Ra-228, nes y bydd yn ofynnol cynnal ail-wiriad dilynol.

Cofnodion

Cofnodion cychwynnol

1.—(1) Rhaid i awdurdod lleol gofnodi nifer y cyflenwadau dŵr preifat yn ei ardal, ac ar gyfer pob cyflenwad rhaid iddo gofnodi—

- (a) enw'r cyflenwad, ynghyd â nod adnabod unigryw;
- (b) y math o ffynhonnell;
- (c) y lleoliad daearyddol gan ddefnyddio cyfeirnod grid;
- (d) amcangyfrif o nifer y bobl a gyflenwir;
- (e) amcangyfrif o'r cyfaint cyfartalog dyddiol o ddŵr a gyflenwir mewn metrau ciwbig;
- (f) y math o fangreoedd a gyflenwir;
- (g) manylion unrhyw broses drin, ynghyd â'r lleoliad.

(2) Rhaid iddo adolygu a diweddarau'r cofnodion o leiaf unwaith y flwyddyn.

(3) Rhaid iddo gadw'r cofnod am o leiaf 30 mlynedd.

Cofnodion ychwanegol

2.—(1) Ar gyfer pob cyflenwad y cyfeirir ato ym mharagraff 1(1), rhaid i'r awdurdod lleol gofnodi pob un o'r canlynol o fewn 28 diwrnod ar ôl iddynt ddigwydd—

- (a) plan a disgrifiad o'r cyflenwad;
- (b) rhaglen fonitro'r cyflenwad;
- (c) yr asesiad risg;
- (d) crynodeb o ganlyniadau'r asesiad risg;
- (e) crynodeb o'r rhesymau dros wneud penderfyniad i leihau monitro paramedr penodol o dan Ran 4 o Atodlen 2, neu ei eithrio yn llwyr;
- (f) dyddiad, canlyniadau a lleoliad unrhyw samplu a dadansoddi mewn perthynas â'r cyflenwad hwnnw, a'r rheswm dros gymryd y sampl;
- (g) canlyniadau unrhyw ymchwiliad a gynhelir yn unol â'r Rheoliadau hyn;
- (h) unrhyw awdurdodiad;
- (i) unrhyw hysbysiadau a gyflwynir o dan adran 80 o'r Ddeddf, neu reoliad 20;
- (j) unrhyw gamau gweithredu y cytunir sydd i'w cymryd gan unrhyw berson o dan y Rheoliadau hyn;
- (k) unrhyw gais a wneir i'r awdurdod lleol i gyflawni gwaith samplu a dadansoddi, cynnal asesiad risg neu roi cyngor;
- (l) crynodeb o unrhyw gyngor a roddir mewn perthynas â'r cyflenwad.

(2) Rhaid iddo gadw'r asesiad risg a'r cofnodion samplu a dadansoddi am o leiaf 30 mlynedd, a chadw pob cofnod arall o dan y paragraff hwn am o leiaf 5 mlynedd.

Ffioedd

Ffi

1. Caiff yr awdurdod lleol godi ffi, sy'n daladwy pan geir anfoneb ar ei chyfer, am y gweithgarwch a nodir yn y tabl a ganlyn, a swm y ffi fydd cost resymol darparu'r gwasanaeth, yn ddarostyngedig i'r uchafsymiau a ganlyn.

| Gwasanaeth | Uchafswm y ffi (£) |
|--|---------------------------|
| Asesiad risg (pob asesiad): | |
| cyflenwad rheoliad 9 | 700 |
| cyflenwadau rheoliadau 10 ac 11 | 300 |
| Samplu (am bob ymweliad) ⁽¹⁾ : | 100 |
| Ymchwiliad (am bob ymchwiliad): | 250 |
| Rhoi awdurdodiad (am bob awdurdodiad): | 100 |
| Dadansoddi sampl— | |
| a gymerir o dan reoliad 10 neu 11: | 25 |
| a gymerir yn ystod monitro ar gyfer paramedrau Grŵp A: | 110 |
| a gymerir yn ystod monitro ar gyfer paramedrau Grŵp B: | 600 |

⁽¹⁾ Nid oes ffi'n daladwy pan gymerir ac y dadansoddir sampl dim ond er mwyn cadarnhau canlyniadau dadansoddi sampl flaenorol neu eu hegluro.

Y personau sy'n atebol i dalu

2.—(1) Mae unrhyw berson sy'n gofyn am unrhyw beth o dan y Rheoliadau hyn yn atebol am y gost.

(2) Ac eithrio pan fo is-baragraff (1) yn gymwys, mae ffioedd yn daladwy, fel a bennir yn yr anfoneb, gan y person perthnasol.

(3) Pan fo mwy nag un person yn atebol, wrth benderfynu pwy ddylai wneud taliad i'r awdurdod lleol—

- (a) caiff yr awdurdod lleol rannu'r tâl rhyngddynt; a
- (b) rhaid i'r awdurdod lleol roi sylw i unrhyw gytundeb neu ddogfen arall a ddangosir iddo ynglŷn â'r telerau y cyflenwir y dŵr oddi tanynt.

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Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

SCHEDULE 1 Regulations 2, 11, 12, 13, 18 and 19
Concentrations or Values

PART 1
Wholesomeness

**TABLE A:
MICROBIOLOGICAL PARAMETERS**

| Prescribed concentrations or values | | |
|---|---------------------------------------|-----------------------------|
| Parameters | Maximum concentration or value | Units of Measurement |
| <i>Escherichia coli (E. coli)</i> | 0 | Number/100ml |
| Enterococci | 0 | Number/100ml |
| In the case of water in bottles or containers: | | |
| <i>Escherichia coli (E.coli)</i> | 0 | Number/250ml |
| Enterococci | | Number/250ml |
| <i>Pseudomonas aeruginosa</i> | 0 | Number/250ml |
| Colony count 22°C | 100 | Number/ml |

**TABLE B:
CHEMICAL PARAMETERS**

| Prescribed concentrations or values | | |
|--|---------------------------------------|-----------------------------|
| Parameters | Maximum concentration or value | Units of Measurement |
| Acrylamide ⁽¹⁾ | 0.10 | µg/l |
| Antimony | 5.0 | µg/l |
| Arsenic | 10 | µg/l |
| Benzene | 1.0 | µg/l |
| Benzo(a)pyrene | 0.010 | µg/l |
| Boron | 1.0 | mg/l |
| Bromate | 10 | µg/l |
| Cadmium | 5.0 | µg/l |
| Chromium | 50 | µg/l |
| Copper | 2.0 | mg/l |
| Cyanide | 50 | µg/l |
| 1,2 dichloroethane | 3.0 | µg/l |
| Epichlorohydrin ⁽¹⁾ | 0.10 | µg/l |
| Fluoride | 1.5 | mg/l |
| Lead | 10 | µg/l |
| | | µg/l |
| Mercury | 1.0 | µg/l |
| Nickel | 20 | µg/l |
| Nitrate ⁽²⁾ | 50 | mg/l |

| | | | |
|--|---------------------------------|---|------|
| Nitrite ⁽²⁾ | | 0.5 (or 0.1 in the case of treatment works) | mg/l |
| Pesticides ⁽³⁾ — | | | |
| | Aldrin | 0.030 | µg/l |
| | Dieldrin | 0.030 | µg/l |
| | Heptachlor | 0.030 | µg/l |
| | Heptachlor epoxide | 0.030 | µg/l |
| | Other pesticides | 0.10 | µg/l |
| | Pesticides total ⁽⁴⁾ | 0.50 | µg/l |
| Polycyclic aromatic hydrocarbons ⁽⁵⁾ | | 0.10 | µg/l |
| Selenium | | 10 | µg/l |
| Tetrachloroethene and Trichloroethene ⁽⁶⁾ | | 10 | µg/l |
| Trihalomethanes: Total ⁽⁷⁾ | | 100 | µg/l |
| Vinyl chloride ⁽¹⁾ | | 0.50 | µg/l |

⁽¹⁾ The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water. This is controlled by product specification.

⁽²⁾ See also the nitrate-nitrite formula in regulation 4(1)(c).

⁽³⁾ For these purposes “Pesticides” means:

- organic insecticides
- organic herbicides
- organic fungicides
- organic nematocides
- organic acaricides
- organic algicides
- organic rodenticides
- organic slimicides
- related products (inter alia, growth regulators) and their relevant metabolites, degradation and reaction products. Only those pesticides likely to be present in a given supply need be monitored.

⁽⁴⁾ “Pesticides total” means the sum of the concentrations of the individual pesticides detected and quantified in the monitoring process.

⁽⁵⁾ The specified compounds are:

- benzo(b)fluoranthene
- benzo(k)fluoranthene
- benzo(ghi)perylene
- indeno(1,2,3-cd)pyrene.

The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

⁽⁶⁾ The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

⁽⁷⁾ The specified compounds are:

- chloroform
- bromoform
- dibromochloromethane
- bromodichloromethane.

The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

National requirements – Prescribed concentrations or values

| Parameters | Maximum concentration or value | Units of Measurement |
|--------------------|--|----------------------|
| Aluminium | 200 | µg/l |
| Colour | 20 | mg/l Pt/Co |
| Iron | 200 | µg/l |
| Manganese | 50 | µg/l |
| Odour | Acceptable to consumers and no abnormal change | |
| Sodium | 200 | mg/l |
| Taste | Acceptable to consumers and no abnormal change | |
| Tetrachloromethane | 3 | µg/l |
| Turbidity | 4 | NTU |

PART 2

Indicator Parameters

TABLE C:

Prescribed concentrations, values or states

| Parameters | Maximum concentration or value | Units of Measurement |
|---|---|---|
| Ammonium | 0.50 | mg/l |
| Chloride ⁽¹⁾ | 250 | mg/l |
| <i>Clostridium perfringens</i> (including spores) | 0 | Number/100ml |
| Coliform bacteria | 0 | Number/100ml in the case of water put into bottles or containers) |
| Colony counts | No abnormal change | Number/ml at 22°C |
| Conductivity ⁽¹⁾ | 2500 | µS/cm at 20°C |
| Hydrogen ion | 9.5 (maximum) 6.5 (minimum) (in the case of still water put into bottles or containers the minimum is 4.5) | pH value pH value |
| Sulphate ⁽¹⁾ | 250 | mg/l |
| Total organic carbon (TOC) | No abnormal change | mgC/l |
| Turbidity ⁽²⁾ | 1 | NTU |

⁽¹⁾ The water should not be aggressive.

⁽²⁾ Only in the case of surface water or groundwater that has been influenced by surface water.

PART 3

Radioactive substances parameters

TABLE D:

Prescribed values for radon, tritium and indicative dose of water intended for human consumption

| Parameters | Maximum concentration or value | Units of Measurement |
|--|---------------------------------------|-----------------------------|
| Indicative dose (for radioactivity) | 0.10 | mSv |
| Radon ⁽¹⁾ | 100 | Bq/l |
| Tritium (for radioactivity) ⁽²⁾ | 100 | Bq/l |

⁽¹⁾ Enforcement action by the local authority is deemed justified on radiological protection grounds without further consideration where radon concentrations exceed 1,000 Bq/l.

⁽²⁾ If tritium concentration exceeds its parametric value, an investigation (which may include analysis) of the presence of artificial radionuclides must be carried out.

Monitoring

PART 1

Monitoring for Group A parameters

Sampling

1.—(1) A local authority must undertake monitoring for Group A parameters in accordance with this Part.

(2) “Monitoring for Group A parameters” means sampling for each parameter listed in column 1 of Table 1 in the circumstances listed in the corresponding entry for that parameter in column 2 of that Table, in order to—

- (a) determine whether or not water complies with the concentrations or values in Schedule 1;
- (b) provide information on the organoleptic and microbiological quality of the water; and
- (c) establish the effectiveness of the treatment of the water, including disinfection.

Table 1**Group A parameters**

| Parameter | Circumstances |
|---|--|
| Aluminium | If used as a water treatment chemical |
| Ammonium | If chloramination is used |
| <i>Clostridium perfringens</i> (including spores) | Where the water originates from, or is influenced by, surface waters |
| Coliform bacteria | In all supplies |
| Colony counts | In all supplies |
| Colour | In all supplies |
| Conductivity | In all supplies |
| <i>Escherichia coli</i> (<i>E. coli</i>) | In all supplies |
| Hydrogen ion concentration | In all supplies |
| Iron | If used as a water treatment chemical |
| Manganese | Where the water originates from, or is influenced by, surface waters |
| Nitrate | If chloramination is used |
| Nitrite | If chloramination is used |
| Odour | In all supplies |
| <i>Pseudomonas aeruginosa</i> | Only in the case of water in bottles or containers |
| Taste | In all supplies |
| Turbidity | In all supplies |

Frequency of sampling

2. Sampling for Group A parameters must be carried out at frequencies specified in Table 2.

Table 2

Sampling frequency for Group A parameters

| <i>Volume m³/day</i> | <i>Sampling frequency per year</i> |
|---------------------------------|---|
| ≤10 | 1 |
| > 10 ≤ 100 | 2 |
| > 100 ≤ 1,000 | 4 |
| > 1,000 ≤ 2,000 | 10 |
| > 2,000 ≤ 3,000 | 13 |
| > 3,000 ≤ 4,000 | 16 |
| > 4,000 ≤ 5,000 | 19 |
| > 5,000 ≤ 6,000 | 22 |
| > 6,000 ≤ 7,000 | 25 |
| > 7,000 ≤ 8,000 | 28 |
| > 8,000 ≤ 9,000 | 31 |
| > 9,000 ≤ 10,000 | 34 |
| > 10,000 | 4 + 3 for each 1,000 m ³ /day of the total volume (rounding up to the nearest multiple of 1,000 m ³ /day) |

PART 2

Monitoring for Group B parameters

Sampling

3.—(1) A local authority must undertake monitoring for Group B parameters in accordance with this Part.

(2) “Monitoring for Group B parameters” means sampling for each parameter listed in Part 1 or 2 of Schedule 1 (other than Group A parameters already being sampled under Part 1 of this Schedule)—

- (a) in order to provide information necessary to determine whether or not the private water supply satisfies each concentration, value or state specified in either of those Parts of that Schedule; and
- (b) if disinfection is used, to check that disinfection by-products are kept as low as possible without compromising the effectiveness of disinfection.

Frequency of sampling

4. Sampling for Group B parameters must be carried out at the frequencies specified in Table 3.

Table 3

Sampling frequency for Group B parameters

| <i>Volume m³/day</i> | <i>Sampling frequency per year</i> |
|---------------------------------|--|
| ≤10 | 1 |
| > 10 ≤ 3,300 | 2 |
| > 3,300 ≤ 6,600 | 3 |
| > 6,600 ≤ 100,00 | 4 |
| > 10,000 ≤ 100,000 | 3 + 1 for each 10,000 m ³ /day of the total volume (rounding up to the nearest multiple of 10,000 m ³ /day) |
| > 100,000 | 10 + 1 for each 25,000 m ³ /day of the total volume (rounding up to the nearest multiple of 25,000 m ³ /day) |

PART 3

Minimum frequency for both monitoring for Group A parameters and monitoring for Group B parameters for water put into bottles or containers

| <i>Volume^a of water produced in bottles or containers each day (m³)</i> | <i>Monitoring for Group A parameters: number of samples per year</i> | <i>Monitoring for Group B parameters: number of samples per year</i> |
|---|---|---|
| ≤10 | 1 | 1 |
| > 10 ≤ 60 | 12 | 1 |
| > 60 | 1 for each 5 m ³ /day of the total volume (rounding up to the nearest multiple of 5 m ³ /day) | 1 for each 100 m ³ /day of the total volume (rounding up to the nearest multiple of 100 m ³ /day) |

^a The volumes are calculated as averages taken over a calendar year.

PART 4

Variation of monitoring requirements for Group A and Group B parameters

Variation of sampling frequency

5.—(1) A local authority may reduce the sampling frequencies required for a parameter (other than for *Escherichia coli* (*E. coli*)) under Part 1 or 2 of this Schedule provided that—

- (a) the results from samples taken in respect of that parameter collected at regular intervals over the preceding 3 years are all at less than 60% of the parametric value;
- (b) the results of a risk assessment are considered, and that risk assessment indicates that no factor can be reasonably anticipated to be likely to cause deterioration of the quality of the water for human consumption;
- (c) data collected in the course of discharging its monitoring obligations under this Part are taken into account; and

(d) at least one sample is taken per year.

(2) A local authority may set a higher frequency for any parameter if it considers it appropriate taking into account the findings of any risk assessment.

Variation of parameters

6.—(1) A local authority may cease to monitor a parameter (other than *Escherichia coli* (*E. coli*)) otherwise required to be monitored under Part 1 or 2 of this Schedule provided that—

- (a) the results from samples taken in respect of that parameter collected at regular intervals over the preceding 3 years are all at less than 30% of the parametric value;
- (b) the results of a risk assessment are considered, and that risk assessment indicates that no factor can be reasonably anticipated to be likely to cause deterioration of the quality of the water for human consumption; and
- (c) data collected in the course of discharging its monitoring obligations under this Part are taken into account.

(2) A local authority may monitor for other properties, elements, organisms or substances not included as a parameter if it considers it appropriate taking into account the findings of any risk assessment.

Monitoring of radioactive substances

Radon

1.—(1) In relation to the radon parameter in the radioactive substances parameters table, a local authority—

- (a) must ensure that a representative survey is carried out in accordance with sub-paragraph (2) to determine the likelihood of a private water supply failing to comply with the relevant parametric concentration or value specified in the radioactive substances parameters table; and
- (b) must carry out monitoring where there is reason to believe, on the basis of the results of the representative surveys or other reliable information, including any risk assessment carried out in accordance with regulation 6, that the parametric value for the radon parameter laid down in the radioactive substances parameters table might be exceeded.

(2) A representative survey must be designed in such a way—

- (a) as to be capable of determining the scale and nature of likely exposure to radon in water intended for human consumption originating from different types of groundwater sources and wells in different geological areas; and
- (b) that underlying parameters, especially the geology and hydrology of the area, radioactivity of rock or soil, and well type, can be identified and used to direct further action to areas of likely high exposure to radon.

Tritium

2.—(1) In relation to the tritium parameter in the radioactive substances parameters table, a local authority—

- (a) must carry out monitoring where an anthropogenic source of tritium or other artificial radionuclides is present within the catchment area and it cannot be shown on the basis of other surveillance programmes or investigations, including any risk assessment carried out in accordance with regulation 6, that the level of tritium is below the parametric value listed in the radioactive substances parameters table; and
- (b) must carry out an investigation of the presence of other artificial radionuclides if the concentration of tritium exceeds the parametric value listed in the radioactive substances parameters table.

(2) Where monitoring is required by sub-paragraph (1)—

- (a) it must be carried out at the frequencies as set out for monitoring for Group B parameters in Table 3 in Part 2 of Schedule 2; or
- (b) it must (in the case of a private water supply falling within the scope of regulation 11(1)) be carried out at least every 5 years or more frequently if the risk assessment referred to under sub-paragraph (1)(a) shows this to be necessary.

Indicative Dose

3.—(1) In relation to the indicative dose parameter in the radioactive substances parameters table, a local authority must carry out monitoring where a source of artificial radioactivity or elevated natural radioactivity is present and it cannot be shown on the basis of other surveillance programmes or investigations, including any risk assessment carried out in accordance with regulation 6, that the level of indicative dose is below the parametric value listed in the radioactive substances parameters table.

(2) Where monitoring is required by sub-paragraph (1) in relation to artificial radionuclides—

- (a) it must be carried out at the frequencies as set out for monitoring for Group B parameters in Table 3 in Part 2 of Schedule 2; or
 - (b) it must (in the case of a private water supply falling within the scope of regulation 11(1)) be carried out at least every 5 years or more frequently if the risk assessment shows this to be necessary.
- (3) Where monitoring is required by sub-paragraph (1) in relation to a source of elevated natural radioactivity—
- (a) the local authority—
 - (i) may decide the frequency of monitoring in its area depending on the screening strategy adopted by the authority; and
 - (ii) must notify the Welsh Ministers in writing of its decision under sub-paragraph (i); and
 - (b) the frequency of monitoring decided under paragraph (a)(i) may vary from a single check measurement to the frequencies as set out for monitoring for Group B parameters in Table 3 in Part 2 of Schedule 2.
- (4) Where a local authority decides under sub-paragraph (3) that a single check measurement for natural radioactivity is appropriate, the local authority must carry out a further check if any change occurs in relation to the private water supply which is likely to influence the concentrations of radionuclides in the supply.

Water treatment

4. Where treatment to reduce the level of radionuclides in a private water supply has been undertaken, the local authority must monitor the supply for total indicative dose, radon and tritium in accordance with the provisions of this Part and the frequencies as set out for monitoring for Group B parameters in Table 3 in Part 2 of Schedule 2 to verify the continued efficacy of that treatment.

Averaging

5. Where a parametric value in the radioactive substances parameters table is exceeded in relation to a particular sample taken by a local authority, the Welsh Ministers must specify, by notice in writing to the local authority, the extent of resampling necessary to ensure that the measured values are representative of an average activity concentration for a full year.

Sampling and analysis

PART 1

General

Samples: general

1.—(1) The local authority must ensure, so far as reasonably practicable, that the appropriate requirements are satisfied when—

- (a) taking, handling, transporting and storing a sample required to be taken in accordance with this Schedule;
- (b) analysing such a sample; or
- (c) causing any such sample to be taken, handled, transported, stored or analysed.

(2) In this paragraph, “the appropriate requirements” means such of the following as are applicable—

- (a) the sample is representative of the quality of the water at the time of sampling;
- (b) the person taking a sample is subject to a system of quality control to an appropriate standard checked from time to time by a suitably accredited body;
- (c) the sample is not contaminated when being taken;
- (d) the sample is kept at such a temperature and in such conditions as secure that there is no material alteration of the concentration or value for the measurement or observation of which the sample is intended;
- (e) the sample is analysed as soon as reasonably practicable after it has been taken—
 - (i) by, or under the supervision of, a person who is competent to perform that task; and
 - (ii) with the use of such equipment as is suitable for the purpose;
- (f) the collection and transportation of samples, or measurements recorded by continuous monitoring must be subject to a system of quality control to an appropriate standard checked from time to time by a suitably accredited body.

(3) When undertaking the activity described in—

- (a) sub-paragraph (1)(a), the local authority must demonstrate compliance with any of EN ISO/IEC 17024, EN ISO/EIC 17025, or another equivalent standard accepted at international level;
- (b) sub-paragraph (1)(b), the local authority must demonstrate compliance with EN ISO/EIC 17025 or another equivalent standard accepted at international level.

(4) Implementation of the requirement in sub-paragraph (3)(a) may be delayed for a period of no more than 24 months beginning on the day on which these Regulations come into force.

(5) In this paragraph, “suitably accredited body” means any person accredited by the United Kingdom Accreditation Service⁽¹⁾.

Analysing samples: microbiological parameters

2. For each parameter specified in the first column of Table 1 in Part 2 of this Schedule the method of analysis is specified in the second column of that table.

(1) See S.I. 2009/3155 for the appointment of the United Kingdom Accreditation Service as the national accreditation body.

Analysing samples: chemical and indicator parameters

3.—(1) On or before 31 December 2019, the local authority may apply the method of analysis for chemical and indicator parameters in either sub-paragraph (3) or sub-paragraph (4).

(2) After 31 December 2019, the local authority must apply the method of analysis for chemical and indicator parameters in sub-paragraph (4).

(3) For each parameter specified in the first column of Table 2 in Part 2 of this Schedule the method is one that is capable of—

- (a) measuring concentrations and values with the trueness and precision specified in the second and third columns of that table, and
- (b) detecting the parameter at the limit of detection specified in the fourth column of that table.

(4) For each parameter specified in the first column of Table 3 in Part 2 of this Schedule the method is one that is capable of measuring concentrations equal to—

- (a) the parametric value with a limit of quantification of 30% or less of the relevant parametric value (as contained in Schedule 1), and
- (b) the uncertainty of measurement in the second column of that table.

(5) The method of analysis used for odour and taste parameters must be capable of measuring values equal to the parametric value with a precision of 1 dilution number at 25°C.

(6) For these purposes—

- (a) “limit of detection” is—
 - (i) three times the relative within-batch standard deviation of a natural sample containing a low concentration of the parameter; or
 - (ii) five times the relative within-batch standard deviation of a blank sample;
- (b) “precision” (the random error) is twice the standard deviation (within a batch and between batches) of the spread of results about the mean. Acceptable precision is twice the relative standard deviation. Further specifications are set out in ISO 17025;
- (c) “trueness” (the systematic error) is the difference between the mean value of the large number of repeated measurements and the true value. Further specifications are set out in ISO 17025;
- (d) “uncertainty of measurement” is a non-negative parameter characterising the dispersion of the quantity values being measured, based on the information used.

Authorisation of alternative methods of analysis

4.—(1) The Welsh Ministers may authorise a method different from those set out in paragraph 3(2) or 3(3) if satisfied that it is at least as reliable.

(2) An authorisation may be time-limited and may be revoked at any time.

Sampling and analysis by persons other than local authorities

5.—(1) A local authority may enter into an arrangement for any person to take and analyse samples on its behalf.

(2) A local authority must not enter into an arrangement under sub-paragraph (1) unless—

- (a) it is satisfied that the task will be carried out promptly by a person competent to perform it, and
- (b) it has made arrangements that ensure that any breach of these Regulations is communicated to it immediately, and any other result is communicated to it within 28 days.

PART 2
Analytical methods

Table 1

Prescribed methods of analysis for microbiological parameters

| <i>Parameter</i> | <i>Method</i> |
|--|--------------------------------|
| <i>Escherichia coli</i> (E. coli) | EN ISO 9308-1 or EN ISO 9308-2 |
| Enterococci | EN ISO 7899-2 |
| <i>Pseudomonas aeruginosa</i> | EN-ISO 16266 |
| Colony count 22°C — enumeration of culturable microorganisms | EN ISO 6222 |
| Colony count 36°C — enumeration of culturable microorganisms | EN ISO 6222 |
| <i>Clostridium perfringens</i> (including spores) | EN ISO 14189 |

Table 2

Prescribed performance characteristics for methods of analysis for chemical and indicator parameters: trueness, precision and limit of detection (on or before 31 December 2019)

| <i>Parameter</i> | <i>Trueness % of prescribed concentration or value or specification (except for pH)</i> | <i>Precision % of prescribed concentration or value or specification (except for pH)</i> | <i>Limit of detection % of prescribed concentration or value or specification (except for pH)</i> |
|---|---|--|---|
| Aluminium | 10 | 10 | 10 |
| Ammonium | 10 | 10 | 10 |
| Antimony | 25 | 25 | 25 |
| Arsenic | 10 | 10 | 10 |
| Benzene | 25 | 25 | 25 |
| Benzo(a)pyrene | 25 | 25 | 25 |
| Boron | 10 | 10 | 10 |
| Bromate | 25 | 25 | 25 |
| Cadmium | 10 | 10 | 10 |
| Chloride | 10 | 10 | 10 |
| Chromium | 10 | 10 | 10 |
| Colour | 10 | 10 | 10 |
| Conductivity | 10 | 10 | 10 |
| Copper | 10 | 10 | 10 |
| Cyanide ⁽¹⁾ | 10 | 10 | 10 |
| 1,2-dichloroethane | 25 | 25 | 10 |
| Fluoride | 10 | 10 | 10 |
| Hydrogen ion concentration pH (expressed in pH units) | 0.2 | 0.2 | |
| Iron | 10 | 10 | 10 |
| Lead | 10 | 10 | 10 |
| Manganese | 10 | 10 | 10 |
| Mercury | 20 | 10 | 20 |

| | | | |
|---|----|----|----|
| Nickel | 10 | 10 | 10 |
| Nitrate | 10 | 10 | 10 |
| Nitrite | 10 | 10 | 10 |
| Oxidisability ⁽²⁾ | | | |
| Pesticides and related products ⁽³⁾ | 25 | 25 | 25 |
| Polycyclic aromatic hydrocarbons ⁽⁴⁾ | 25 | 25 | 25 |
| Selenium | 10 | 10 | 10 |
| Sodium | 10 | 10 | 10 |
| Sulphate | 10 | 10 | 10 |
| Tetrachloroethene ⁽⁵⁾ | 25 | 25 | 10 |
| Tetrachloromethane | 20 | 20 | 20 |
| Trichloroethene ⁽⁵⁾ | 25 | 25 | 10 |
| Trihalomethanes: | | | |
| Total ⁽⁴⁾ | 25 | 25 | 10 |
| Turbidity ⁽⁶⁾ | 10 | 10 | 10 |
| Turbidity ⁽⁷⁾ | 25 | 25 | 25 |

⁽¹⁾ The method of analysis should determine total cyanide in all forms.

⁽²⁾ EN ISO 8476.

⁽³⁾ The performance characteristics apply to each individual pesticide and will depend on the pesticide concerned. Values for the uncertainty of measurement as low as 30% can be achieved for several pesticides, higher values up to 80% may be allowed for a number of pesticides.

⁽⁴⁾ The performance characteristics apply to the individual substances specified at 25% of the parametric value in Table B of Part 1 of Schedule 1.

⁽⁵⁾ The performance characteristics apply to the individual substances specified at 50% of the parametric value in Table B of Part 1 of Schedule 1.

⁽⁶⁾ The performance characteristics apply to the prescribed value of 4 NTU.

⁽⁷⁾ The performance characteristics apply to the specification of 1 NTU for surface waters or ground waters influenced by surface water.

Table 3

Method of analysis for chemical and indicator parameters: uncertainty of measurement⁽¹⁾

| <i>Parameter</i> | <i>Uncertainty of measurement % of parametric value (except for pH)</i> |
|-------------------------------|---|
| Aluminium | 25 |
| Ammonium | 40 |
| Antimony | 40 |
| Arsenic | 30 |
| Benzene | 40 |
| Benzo(a)pyrene ⁽²⁾ | 50 |
| Boron | 25 |
| Bromate | 40 |
| Cadmium | 25 |
| Chloride | 15 |
| Chromium | 30 |
| Conductivity | 20 |

| | |
|---|-----|
| Copper | 25 |
| Cyanide ⁽³⁾ | 30 |
| 1,2-dichloroethane | 40 |
| Fluoride | 20 |
| Hydrogen ion concentration pH (expressed in pH units) | 0.2 |
| Iron | 30 |
| Lead | 25 |
| Manganese | 30 |
| Mercury | 30 |
| Nickel | 25 |
| Nitrate | 15 |
| Nitrite | 20 |
| Oxiedisability ⁽⁴⁾ | 50 |
| Pesticides ⁽⁵⁾ | 30 |
| Polycyclic aromatic hydrocarbons ⁽⁶⁾ | 50 |
| Selenium | 40 |
| Sodium | 15 |
| Sulphate | 15 |
| Tetrachloroethene ⁽⁷⁾ | 30 |
| Trichloroethene ⁽⁷⁾ | 40 |
| Trihalomethanes: total ⁽⁶⁾ | 40 |
| Total organic carbon (TOC) ⁽⁸⁾ | 30 |
| Turbidity ⁽⁹⁾ | 30 |

⁽¹⁾ The uncertainty of measurement must not be used as an additional tolerance to the parametric values set out in Schedule 1.

⁽²⁾ If the value of uncertainty of measurement cannot be met, the best available technique should be selected (up to 60%).

⁽³⁾ The method of analysis should determine total cyanide in all forms.

⁽⁴⁾ EN ISO 8476.

⁽⁵⁾ The performance characteristics apply to each individual pesticide and will depend on the pesticide concerned. Values for the uncertainty of measurement as low as 30% can be achieved for several pesticides, higher values up to 80% may be allowed for a number of pesticides.

⁽⁶⁾ The performance characteristics apply to the individual substances specified at 25% of the parametric value in Table B of Part 1 of Schedule 1.

⁽⁷⁾ The performance characteristics apply to the individual substances specified at 50% of the parametric value in Table B of Part 1 of Schedule 1.

⁽⁸⁾ The uncertainty of measurement must be estimated at the level of 3mg/l of TOC. CEN 1484 Guidelines for the determination of TOC and dissolved organic carbon must be used.

⁽⁹⁾ The uncertainty of measurement must be estimated at the level of 1,0 NTU in accordance with EN ISO 7027.

PART 3

Monitoring for indicative dose and analytical performance characteristics

6. A local authority may use reliable screening strategies to indicate the presence of radioactivity in water intended for human consumption.

7. The strategies referred to in paragraph 6 may include screening for—

- (a) certain radionuclides or individual radionuclide; or
- (b) gross alpha activity or gross beta activity (where appropriate gross beta activity may be replaced by residual beta activity after subtraction of the K-40 activity concentration).

Screening for certain radionuclides, or screening for an individual radionuclide

8. If one of the activity concentrations exceeds 20% of the corresponding derived value or the tritium concentration exceeds its parametric value listed in Part 3 of Schedule 1 an analysis of additional radionuclides is required.

9. A local authority must, in deciding which radionuclides require to be measured for each supply, take into account all relevant information about likely sources of radioactivity.

Screening strategies for gross alpha activity and gross beta activity

10. Subject to paragraph 11 the recommended screening levels are—

- (a) 0,1Bq/l for gross alpha activity; and
- (b) 1,0Bq/l for gross beta activity.

11. If the gross alpha activity exceeds 0,1Bq/l or the gross beta activity exceeds 1,0Bq/l, analysis for specific radionuclides is required.

12. The Welsh Ministers may set alternative screening levels for gross alpha activity and gross beta activity where it can be demonstrated by the local authority that the alternative levels are in compliance with an indicative dose of 0,1 mSv.

Calculation of the indicative dose

13. The indicative dose must be calculated from—

- (a) the measured radionuclide concentrations and the dose coefficients laid down in Annex III, Table A of Directive 96/29/Euratom(1); or
- (b) more recent information recognised by the Welsh Ministers, on the basis of the annual intake of water (730 l for adults).

14. Where the following formula is satisfied, it can be assumed that the indicative dose is less than the parametric value of 0,1 mSv and no further investigation is required—

Derived concentrations for radioactivity in water intended for human consumption ⁽¹⁾

| Origin | Nuclide | Derived concentration |
|------------|--------------------|-----------------------|
| Natural | U-238 ³ | 3,0 Bq/l |
| | U-234 ³ | 2,8 Bq/l |
| | Ra-226 | 0,5 Bq/l |
| | Ra-228 | 0,2 Bq/l |
| | Pb-210 | 0,2 Bq/l |
| | Po-210 | 0,1 Bq/l |
| Artificial | C-14 | 240 Bq/l |
| | Sr-90 | 4,9 Bq/l |
| | Pu-239/Pu-240 | 0,6 Bq/l |
| | Am-241 | 0,7 Bq/l |
| | Co-60 | 40 Bq/l |
| | Cs-134 | 7,2 Bq/l |
| | Cs-137 | 11 Bq/l |
| | I-131 | 6,2 Bq/l |

⁽¹⁾ This table allows only for the radiological properties of uranium, not for its chemical toxicity.

(1) OJ No. L 159, 29.6.1996, p. 1, prospectively repealed and replaced by Directive 2013/59 Euratom (OJ L 13, 17.1.2014, p. 1) with effect from 6 February 2018.

Performance characteristics and methods of analysis

15. For the following parameters and radionuclides, the method of analysis used must, as a minimum, be capable of measuring activity concentrations with a limit of detection specified below:

| Parameters and radionuclides | Limit of detection (Notes 1,2) | Notes |
|------------------------------|--------------------------------|--------|
| Tritium | 10 Bq/l | Note 3 |
| Radon | 10 Bq/l | Note 3 |
| gross alpha | 0,04 Bq/l | Note 4 |
| gross beta | 0,4 Bq/l | Note 4 |
| U-238 | 0,02 Bq/l | |
| U-234 | 0,02 Bq/l | |
| Ra-226 | 0,04 Bq/l | |
| Ra-228 | 0,02 Bq/l | Note 5 |
| Pb-210 | 0,02 Bq/l | |
| Po-210 | 0,01 Bq/l | |
| C-14 | 20 Bq/l | |
| Sr-90 | 0,4 Bq/l | |
| Pu-239/Pu-240 | 0,04 Bq/l | |
| Am-241 | 0,06 Bq/l | |
| Co-60 | 0,5 Bq/l | |
| Cs-134 | 0,5 Bq/l | |
| C2-137 | 0,5 Bq/l | |
| I-131 | 0,5 Bq/l | |

Note 1: The limit of detection must be calculated according to the ISO standard 11929: Determination of the characteristic limits (decision threshold, detection limit, and limits of confidence interval) for measurements of ionising radiation — Fundamentals and application, with probabilities of errors of 1st and 2nd kind of 0,05 each.

Note 2: Measurement uncertainties must be calculated and reported as complete standard uncertainties, or as expanded uncertainties with an expansion factor of 1,96 according the ISO Guide for the Expression of Uncertainty in Measurement.

Note 3: The limit of detection for tritium and for radon is 10% of its parametric value of 100 Bq/l.

Note 4: The limit of detection for gross alpha activity and gross beta activities are 40% of the screening values of 0,1 and 1,0 Bq/l respectively.

Note 5: This limit of detection applies only to initial screening for indicative dose for a new water source; if initial checking indicates that it is not plausible that Ra-228 exceeds 20% of the derived concentration, the limit of detection may be increased to 0,08 Bq/l for routine Ra-228 nuclide specific measurements, until a subsequent re-check is required.

Records

Initial records

1.—(1) A local authority must record the number of private water supplies in its area, and for each supply must record—

- (a) the name of the supply, together with a unique identifier;
- (b) the type of source;
- (c) the geographical location using a grid reference;
- (d) an estimate of the number of people supplied;
- (e) an estimate of the average daily volume of water supplied in cubic metres;
- (f) the type of premises supplied;
- (g) detail of any treatment process, together with its location

(2) It must review and update the record at least once a year.

(3) It must keep the record for at least 30 years.

Additional records

2.—(1) For each supply referred to in paragraph 1(1), the local authority must record, within 28 days of each of the following taking place—

- (a) a plan and description of the supply;
- (b) the monitoring programme for the supply;
- (c) the risk assessment;
- (d) a summary of the results of the risk assessment;
- (e) a summary of the reasons for a decision to reduce or exempt altogether the monitoring of a particular parameter under Part 4 of Schedule 2;
- (f) the date, results and location of any sampling and analysis relating to that supply, and the reason for taking the sample;
- (g) the results of any investigation undertaken in accordance with these Regulations;
- (h) any authorisation;
- (i) any notices served under section 80 of the Act, or regulation 20;
- (j) any action agreed to be taken by any person under these Regulations;
- (k) any request for the local authority to carry out sampling and analysis, undertake a risk assessment or give advice;
- (l) a summary of any advice given in relation to the supply.

(2) It must keep the risk assessment and records of sampling and analysis for at least 30 years, and all other records under this paragraph for at least 5 years.

SCHEDULE 6

Regulation 23

Fees

Fee

1. The local authority may charge a fee, payable on invoice, for the activities in the following table, and the fee is the reasonable cost of providing the service subject to the following maximum amounts.

| Service | Maximum fee (£) |
|---|-----------------|
| Risk assessment (each assessment): | |
| regulation 9 supply | 700 |
| regulation 10 and 11 supplies | 300 |
| Sampling (each visit) ⁽¹⁾ | 100 |
| Investigation (each investigation): | 250 |
| Granting an authorisation (each authorisation): | 100 |
| Analysing a sample— | |
| taken under regulation 10 or 11: | 25 |
| taken during monitoring for Group A parameters: | 110 |
| taken during monitoring for Group B parameters: | 600 |

⁽¹⁾ No fee is payable where a sample is taken and analysed solely to confirm or clarify the results of the analysis of a previous sample.

Persons liable to pay

2.—(1) Any person requesting anything under these Regulations is liable for the cost.

(2) Except where sub-paragraph (1) applies, fees are payable, as specified in the invoice, by the relevant person.

(3) Where more than one person is liable, in determining who is required to make payment the local authority—

- (a) may apportion the charge between them; and
- (b) must have regard to any agreement or other document produced to the local authority relating to the terms on which water is supplied.

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