

**EUROPEAN COMMUNITIES
(DRINKING WATER) (NO.2)
REGULATIONS 2007**



**A HANDBOOK ON THE IMPLEMENTATION OF THE
REGULATIONS FOR WATER SERVICE AUTHORITIES
FOR PRIVATE WATER SUPPLIES**

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 (S.I. 278 of 2007)

A Handbook on the
 Implementation of the Regulations
 for Water Services Authorities
 for Private Water Supplies



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for Private Water Supplies**

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Notice

This handbook has been compiled to provide guidance to private water suppliers and the Water Services Authorities as the supervisory authority on the implementation of the European Communities (Drinking Water) (No. 2) Regulations 2007 (S.I. 278 of 2007) in respect of private water supplies. It is not a legal document and it must not be taken to be an authoritative interpretation of these Regulations. The only definitive documents relating to the quality of drinking water are these Regulations and the European Communities Directive 98/83/EC on the quality of water intended for human consumption, which is given effect in Irish law by these Regulations. In all cases of doubt or possible ambiguity reference must be made to the Regulations.

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- ◆ Mr Darragh Page, the EPA
- ◆ Mr Brendan Wall, the EPA
- ◆ Mr Tom Kirby, Water Services Training Group
- ◆ Mr Oliver Fogarty, Department of Environment, Heritage and Local Government
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- ◆ Mr Sean Clerkin, National Federation of Group Water Schemes
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Foreword

This handbook has been prepared to assist the private water suppliers and the Water Services Authorities (WSAs) as the supervisory authorities to implement the provisions of the European Communities (Drinking Water) (No. 2) Regulations 2007 (S.I. 278 of 2007) (the Regulations) in respect of private water supplies. A parallel handbook has been prepared to assist the WSAs to implement the Regulations in respect of public water supplies. This handbook and the parallel handbook together replace the previous handbook on the implementation of the European Communities (Drinking Water) Regulations 2000 (S.I. 439 of 2000).

The handbook is presented as a controlled document in loose leaf format in an A4 ring binder and consists of a list of contents and 13 separate sections dealing with the principal aspects of the Regulations and some related matters of good practice. Each section begins with a brief summary of the material covered in the section together with a contents list. This format will allow the EPA to readily up-date the handbook should there be a need for further guidance or if there are any amendments to the Regulations in the future.

The handbook begins with a comprehensive summary (section 1) of the Regulations for those personnel in the private water suppliers and in WSAs that need an overview of the Regulatory requirements. This summary sets out the water supplies that are covered by the Regulations and the water supplies that are exempt. In respect of private water supplies, Public Group Water Schemes, Private Group Water Schemes, other private water supplies of 10 m³/d or more (supplying 50 people or more) and other private water supplies of less than 10 m³/d (supplying less than 50 people) that are part of a commercial or public activity are covered by the Regulations. It outlines the supervisory role of the WSAs over the private water suppliers, including powers of direction to improve the quality of private water supplies. It explains the duty of the private water suppliers to supply wholesome and clean water - defined by standards and the point at which these standards apply (mainly at consumers' taps). It outlines the monitoring requirements (sampling and analysis) that WSAs must carry out on private water supplies and sets out what the WSAs and private water suppliers must do when there is a failure to meet a standard or an indicator parameter value. These include investigations to establish the cause of the failure, actions to protect human health if the Health Service Executive (the HSE) considers the failure to be a potential danger to human health and remedial actions to ensure that the standards and indicator parameter values are met, including those associated with authorised departures

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from the standards. The handbook sets out the enforcement powers of the WSAs to require private water suppliers to take action and the records about private water supplies that must be maintained by private water suppliers and the WSAs. It explains the responsibilities of private water suppliers and owners of premises when a failure is caused by the condition of pipe work and fittings within premises (the domestic distribution system). It outlines the requirements on the use of treatment chemicals and materials of construction in the provision of private water supplies. It details the requirement on the WSAs to audit private water suppliers to check whether they are meeting the regulatory requirements. Finally it explains the offences that private water suppliers can commit if they fail to meet particular regulatory requirements and the prosecution powers of the EPA. The full text of the Regulations is included as an appendix to section 1.

Sections 2 to 13 provide more detailed and specific guidance to private water suppliers and WSAs on the principal requirements of the Regulations. Individual sections will be of interest to different groups of personnel within private water suppliers and WSAs (and any contractors to the private water suppliers and the WSAs).

Section 2 describes and lists the standards that define a wholesome and clean water supply and the action that private water suppliers must take to restore compliance if there is a failure to meet an indicator parameter value. It also describes and lists the indicator parameter values that are not part of the definition of wholesomeness. If there is a failure to meet an indicator parameter value, the private water supplier is only required to take remedial action if the HSE considers the failure to be a potential danger to human health.

Section 3 describes and provides comprehensive guidance on the two types of “compliance monitoring” - “check monitoring” and “audit monitoring” that WSAs are required to carry out on each private water supply to determine whether the supply complies with the standards and indicator parameter values. It also expands the frequency tables in the Regulations for ease of reference. It also provides comprehensive guidance on the “operational monitoring” that private water suppliers should consider carrying out to check that treatment works and distribution networks are operating effectively to deliver water that meets the standards.

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It is very important that sampling and analysis for compliance monitoring is carried out properly so that there is confidence that the results obtained are accurate. Sections 4 and 5 provide comprehensive guidance on sampling and analysis. This guidance is not significantly different from the guidance in the 2004 Handbook because the regulatory requirements on sampling and analysis have not changed.

Section 6 deals with the very important procedures when there is a failure to meet a standard or indicator parameter value. It describes, and gives examples of, the investigations that private water suppliers must carry out to determine the cause of the failure (deterioration of raw water quality, a failure of a treatment process, a problem in the distribution network or the condition of the domestic distribution system). It sets out how the WSA must consult with the HSE on whether a failure is a potential danger to human health and if it is the WSA must take action with the agreement of the HSE to require, by direction if necessary, the private water supplier to prohibit or restrict the use of the supply (such as advice to boil water) in order to protect human health. It also describes the requirement, under a direction from the WSA if necessary, upon the private water supplier to prepare a programme of remedial action to bring a failing supply back into compliance and gives guidance on the actions for important parameters. Much of the guidance in this section is issued by the EPA pursuant to powers in the Regulations and is legally binding on the private water suppliers and the WSAs. This section also describes the process whereby WSAs can apply to the EPA for a departure from the standards - that is permission for the private water supplier to carry on supplying non-compliant water whilst remedial action is being taken.

Section 7 provides guidance for private water suppliers on the handling of consumers' complaints about drinking water quality. Section 8 defines incidents and emergencies affecting drinking water quality and provides guidance to private water suppliers on the management of such events including the use of Drinking Water Incident Response Plans (DWIRPs).

Section 9 sets out the information on drinking water quality and other information about private water supplies that WSAs are required to provide annually to the EPA to enable the EPA to compile its Annual Report on Drinking Water Quality in Ireland.

The EPA has adopted a drinking water safety plan (DWSP) approach to ensuring drinking water is both "safe" and "secure". Section 10 provides guidance to private water suppliers on preparing DWSPs based on the approach adopted by the World Health

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Organisation (WHO). The appendix to this section provides comprehensive guidance as part of a DWSP on carrying out risk assessments for *Cryptosporidium*, an important water borne parasite which if present can cause outbreaks of Cryptosporidiosis.

It is vital to ensure that in ensuring drinking water quality that water treatment works and distribution networks are designed, operated and maintained properly. Sections 11 and 12 provide guidance on matters related to the operation of water treatment works and distribution networks including the importance of quality management systems and standard operating procedures and the training of operators.

Finally section 13 describes the requirement on WSAs to audit private water supplies and sets out the EPA's guidance to WSAs on the priority for audits, the format of audits and the reporting mechanism.

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