

Local Authority Monitoring Programme Audit Report

Under the *European Union (Drinking Water) Regulations 2023*, the Environmental Protection Agency (EPA) is the supervisory authority in relation to Local Authority’s monitoring functions of regulated private drinking water supplies. This audit was carried out to assess the performance of Waterford City and County Council in carrying out its 2022 compliance monitoring programme of regulated private supplies in its functional area.

The audit process is a sample of the performance of a Local Authority in carrying out its monitoring functions of regulated private drinking water supplies.

Audit Detail	
Date of Audit	08/09/2023
Local Authority	Waterford City and County Council
Representing the Local Authority	Fergus Galvin (attended the opening meeting), Katia Hunter, Kevin O’Sullivan.
EPA Inspectors	Patrick Chan, Derval Devaney, Lisa Noone.

Report Detail	
Audit Specification	2022 Regulated Private Drinking Water Supply Compliance Monitoring Programme and Regulated Private Drinking Water Supply Register
Issue Date	13/10/2023
Prepared By	Derval Devaney, Inspector, EPA

> Report Main Findings and Recommendations

The EPA audit found Waterford County Council's oversight of Regulated Private Drinking Water Supplies wholly inadequate. The EPA is seriously concerned by the findings of this audit and requires Waterford City and County Council to implement the recommendations in this audit or face further enforcement actions by the EPA.

Waterford City and County Council was unable to demonstrate compliance with the key requirements and the EPA found serious shortcomings in relation to its supervisory role and monitoring functions regarding regulated private water supplies, including:

1. A Private Supply Register was not being maintained to record the details of each regulated water supply for which Waterford City and County Council is the supervisory authority.
2. A pre-determined compliance monitoring programme was not put in place by Waterford City and County Council for the 2022 sampling year.
3. Private water supplies were not adequately monitored for compliance during 2022 and information submitted to the EPA was incomplete.

> Introduction

During 2022, each Local Authority was required under Regulation 7 of the *European Union (Drinking Water) Regulations 2014 (S.I. 122 of 2014)*, as amended to establish a Compliance Monitoring Programme and monitor all Private Water Supplies in its functional area, other than exempted supplies, to determine whether they comply with the standards and other requirements of the Regulations.

The above Regulations have been replaced and so this audit was carried out in accordance with *Regulation 13(1) of the European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023)*, to assess the performance by Waterford City and County Council of its statutory functions in relation to the monitoring of regulated Private Water Supplies to ensure the provision of clean and wholesome drinking water.

Prior to the audit, the EPA assessed the 2022 monitoring returns submitted to the EPA by Waterford City and County Council to identify any areas of discrepancy between the required number of samples to be taken and analysed and that reported to EPA.

Waterford City and County Council staff were interviewed to ascertain the principles and methodology for establishing its Private Supply Register and 2022 Compliance Monitoring Programme. The HSE undertakes the compliance analysis of the regulated Private Water Supplies on behalf of Waterford City and County Council.



Register of Private Drinking Water Supplies

1.1

	Answer
Does the Private Supply Register contain all that is required by Regulation 8(3) of the European Union (Drinking Water) Regulations 2014 (S.I. 122 of 2014) and Regulation 14(5) of the European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023)?	No
Observation	
<ol style="list-style-type: none"> 1. Waterford City and County Council did not have in place an active and up-to-date Private Water Supply Register containing all that is required under Regulation 8(3) of the European Union (Drinking Water) Regulations 2014 (S.I. 122 of 2014) and Regulation 14(5) of the European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023). 2. Waterford City and County Council could not provide information during the audit regarding the number of regulated private water supplies that fall within its remit for which it has a supervisory role and monitoring function. 3. Three private water supplies in County Waterford, which were identified by the Health Service Executive (HSE) Tipperary as regulated private water supplies, were not added by Waterford City and County Council to a Private Water Supply Register. 	



2022 Compliance Monitoring Programme

2.1

	Answer
Was a pre-determined Compliance Monitoring Programme for the 2022 sampling year put in place by Waterford County Council?	No
Observation	
<ol style="list-style-type: none"> 1. Waterford City and County Council did not have a predetermined Compliance Monitoring Programme for 2022, listing the regulated private water supplies that were to be monitored throughout 2022 at the required frequency for Group A and Group B sampling parameters. 2. The HSE Waterford undertake compliance sampling of regulated private water supplies (i.e., Small Private Supplies and Group Water Schemes) on behalf of Waterford City and County Council. 3. Waterford City and County Council did not provide the HSE with a predetermined Compliance Monitoring Programme for 2022. 	

2.2

	Answer
Were the 2022 sampling locations pre-determined for each water supply zone?	No
Observation	
<ol style="list-style-type: none"> 1. The locations for sampling for private water supplies during 2022 were not pre-determined by Waterford City and County Council at the start of the year and were not entered into a 2022 Compliance Monitoring Programme. 2. Compliance sampling is carried out by the HSE, and sampling locations are selected by the HSE. 3. In the case of Ballydurn Group Water Scheme, the suitability of the sampling location used (a tap at a pumphouse) for measurement of compliance in accordance with Regulation 5 of the European Union (Drinking Water) Regulations 2014 (S.I. 122 of 2014) was questionable, as it was not clear if that sampling point is normally used for human consumption. 	

2.3

	Answer
Were the 2022 sampling locations representative of the quality of water consumed throughout the year and equally distributed for each water supply zone?	No
Observation	
<ol style="list-style-type: none"> 1. From a review of the sampling locations selected for compliance monitoring purposes during 2022, provided to the EPA in the 2022 monitoring returns, the sampling locations do not appear to be randomly selected or evenly distributed for each water supply zone. 2. For example, all three Group Water Schemes listed in the 2022 monitoring returns used the same sampling location in their water supply zone throughout 2022. This indicates that sampling locations are not being randomly selected or evenly distributed. 3. The Ballydurn Group Water Scheme was monitored twice in 2022, but the sampling occasions occurred on the same month, in December 2022, rather than the sampling being spread across the year. 4. The laboratory's sampling results report contains the address of the sampling location; Grid references/GPS locations are not recorded for sampling locations once sampling is complete. And sampling locations are not routinely mapped to verify an even distribution of sampling is being attained throughout the distribution network and throughout the year. 	

2.4

	Answer
Was the required compliance monitoring for regulated private supplies undertaken during 2022?	No
Observation	
<p>Based on the data submitted by Waterford City and County Council to the EPA via EDEN for 2022, the following issues were identified during the audit:</p> <ol style="list-style-type: none"> 1. Fenor National School, a Small Private Supply, was not monitored during 2022. 2. Some Group A parameters were not monitored during 2022 (such as Colony Count for Stradbally National School). 3. Some Group A parameters were not monitored at the required frequency (such as Ardnahoe Private Water Supply which had just one Group A sampling round undertaken rather than the required two Group A monitoring events). 4. Most of the Group B parameters were omitted from the 2022 monitoring of private water supplies. Some Group B parameters such as manganese, chloride, nitrate, copper, and lead were undertaken, on some monitoring occasions, as part of a Group A sampling event. 5. Waterford City and County Council stated that the sampling for Group B parameters would have to be outsourced, as this does not fall within the remit of the HSE's sampling capabilities. 	

2.5

	Answer
Was a Risk Assessment carried out by Waterford City and County Council as a screening process for derogation of Group B monitoring in Small Private Supplies in accordance with the criteria outlined in Part C of the <i>European Union (Drinking Water) (Amendment) Regulations 2017 (S.I. No. 464 of 2017)</i> ?	No
Observation	
<ol style="list-style-type: none"> 1. Waterford City and County Council stated Group B parameters are monitored every 3 years rather than annually as required by legislation. 2. It is permissible under the Regulations to amend the parameters and sampling frequencies required, provided that the Risk Assessment is performed in accordance with Part C of the <i>European Union (Drinking Water) (Amendment) Regulations 2017 (S.I. No. 464 of 2017)</i>. 3. Waterford City and County Council did not provide details or evidence of such a risk assessment during the audit. As far as could be determined a risk assessment was not carried out in accordance with the requirements set out in Part C of the 2017 Regulations. 	

2.6

	Answer
Was 2022 data for Private Water Supplies reported accurately to the EPA (on EDEN)?	No
Observation	
<ol style="list-style-type: none"> 1. Waterford City and County Council stated the Ardnahoe Supply was a Group Water scheme and was incorrectly classified as a small private supply on EDEN. The Local Authority was unsure if this supply was a regulated supply. 2. Treatment was omitted from the details provided for some regulated private supplies (such as Stradbally National School, Ardnahoe Water Supply and Coolcormack Valley Group Water Supply). 3. Of the few Group B parameters which were monitored during 2022, these were mapped incorrectly as Group A parameters in EDEN. 	



2022 Monitoring Programme Audit Recommendations

Waterford City and County Council is responsible for undertaking compliance monitoring of regulated private drinking water supplies and should implement the following recommendations without delay.

1. Establish a Private Water Supply register which records all relevant information pertaining to each private water supply as required by *14(5) of the European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023)*.
2. Put in place a pre-determined Compliance Monitoring Programme before the start of each year which meets the requirements of *Regulation 13 of the European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023)*;
 - a) Include predetermined sampling locations and ensure they are representative of the water supply and equally distributed throughout the supply and the sampling year;
 - b) Ensure the required parameters are monitored at the appropriate frequencies;
 - c) Review the temporal and spatial distribution of sampling for compliance monitoring for water supply zones such as Group Water Schemes on an annual basis to ensure they are representative of water quality consumed throughout the year.
3. Ensure that any risk assessment used as a basis for derogation/amendment in the compliance monitoring frequency or exclusion of a parameter for any Private Water Supply meets the requirements of Regulation 11 and Part 3 of the *European Union (Drinking Water) Regulations 2023 (S.I. 99 of 2023)*.
4. Ensure data on regulated private water supplies entered into the EPA's database, EDEN, is accurate, mapped correctly and updated annually. The results of all Group A and Group B compliance samples required to be taken should be uploaded to EDEN to ensure there is no annual shortfall in compliance monitoring.

Follow-Up Actions required by Waterford City and County Council

During the audit, Waterford City and County Council representatives were advised of the audit findings and that action must be taken as a priority by Waterford City and County Council to address the issues raised.

Waterford City and County Council should **within 30 days** submit;

(a) a Private Water Supply Register and,

(b) an action plan with timelines detailing how Waterford City and County Council will action Recommendation 2 identified in this report.