
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 81

The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017

PART 5

Environmental Objectives and Programme of Measures

Content of programmes of measures

20.—(1) Each programme of measures must include basic measures and, where necessary, supplementary measures (see paragraph 4).

(2) The basic measures must comply with Article 11(3) of the Directive and must, in particular, include the following—

- (a) measures required to implement the EU instruments for the protection of water listed in Schedule 3;
- (b) measures in accordance with regulation 23(1) (charges for water services);
- (c) measures to promote an efficient and sustainable water use to avoid compromising the achievement of the environmental objectives;
- (d) the measures required by regulation 8(2) (drinking water protected areas);
- (e) measures to control the abstraction of fresh surface water and groundwater, and impoundment of fresh surface water, including a register of water abstractions and a requirement for prior authorisation for abstraction and impoundment;
- (f) measures to control the artificial recharge or augmentation of any body of groundwater, including a requirement for prior authorisation;
- (g) for point source discharges liable to cause pollution, a requirement for prior regulation or prior authorisation which sets emission controls for the pollutants concerned;
- (h) for diffuse sources liable to cause pollution, measures to prevent or control the input of pollutants;
- (i) measures to address any other significant adverse impacts on the status of water, including in particular measures to ensure that the hydromorphological conditions of each body of surface water are consistent with the achievement of the required ecological status or good ecological potential for any artificial or heavily modified body of surface water;
- (j) a prohibition of direct discharges of pollutants into groundwater, except for the following discharges which may be authorised—
 - (i) injection of water containing only substances resulting from operations for exploration and extraction of hydrocarbons or mining activities, and injection of water for technical reasons, into geological formations—
 - (aa) from which hydrocarbons or other substances have been extracted; or
 - (bb) which, for natural reasons, are permanently unsuitable for other purposes;

- (ii) reinjection of pumped groundwater from mines and quarries or associated with the construction or maintenance of civil engineering works;
 - (iii) injection of natural gas or liquefied petroleum gas for storage purposes into—
 - (aa) geological formations which, for natural reasons, are permanently unsuitable for other purposes; or
 - (bb) geological formations where there is an overriding need for security of gas supply and where the injection is such as to prevent any present or future danger of deterioration in the quality of any receiving groundwater;
 - (iv) injection of carbon dioxide streams for storage purposes into geological formations which, for natural reasons, are permanently unsuitable for other purposes, provided that such injection is—
 - (aa) made in accordance with [Directive 2009/31/EC\(1\)](#) of the European Parliament and of the Council on the geological storage of carbon dioxide; or
 - (bb) excluded from the scope of that Directive under Article 2(2) of it;
 - (v) construction, civil engineering and building works and similar activities on or in the ground which comes into contact with groundwater; and
 - (vi) discharges of small quantities of substances for scientific purposes for characterisation, protection or remediation of a body of water limited to the amount strictly necessary for the purposes concerned;
provided such discharges do not compromise the achievement of the environmental objectives for that body of groundwater;
 - (k) measures to eliminate pollution of surface waters by priority substances and to progressively reduce pollution by other substances which would otherwise prevent the achievement of the environmental objectives for bodies of surface water; and
 - (l) measures required to—
 - (i) prevent significant losses of pollutants from technical installations;
 - (ii) prevent or reduce the impact of accidental pollution incidents, such as from floods.
- (3) The measures required by paragraph (2)(l) may include—
- (a) systems to detect or give warning of such events which may lead to accidental pollution; and
 - (b) appropriate measures to reduce the risk to aquatic ecosystems from accidents which cannot reasonably be foreseen.
- (4) Where necessary, each programme of measures must include any other supplementary measures designed and implemented with the aim of achieving the environmental objectives set under regulation 12.

(1) O.J L140, 5.06.2009, p.114, as last amended by [Directive 2011/92/EU](#) (OJ No L26, 28.1.2012, p1)