

SCHEDULE 3

MONITORING

PART C

Deviation from standard parameters and frequencies

1. An enforcing authority may (or, where required, must), in accordance with this Part, deviate from the requirements of paragraphs 2, 3 and 4 in Part B of this schedule.

2. Based on the results of a risk assessment, the list of parameters in Part B of this schedule (including any micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part), must be extended and/or the minimum sampling frequencies under that Part increased if—

- (a) the list of parameters or frequencies required to be monitored under that Part B is not sufficient to fulfil the obligations imposed by regulation 18(1), (3) and (4);
- (b) additional monitoring is required by regulation 18(2); or
- (c) this is necessary to verify the matters in paragraph 1(a) of Part A of this schedule.

3. Subject to paragraph 4, based on the results of a risk assessment the list of parameters in Part B of this schedule (including any micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part) and the sampling frequencies under that Part B may be reduced, provided that the following conditions are met:—

- (a) the frequency of sampling for *Escherichia coli* must not be reduced below the minimum frequency required by that Part B; and
- (b) for other parameters in the list—
 - (i) the location and frequency of sampling must be determined in relation to the parameter's origin, as well as the variability and long-term trend of its concentration, taking into account the water quality standards;
 - (ii) to reduce the minimum sampling frequency for a parameter under Part B of this schedule, the results obtained from samples collected at regular intervals over a period of at least 3 years from sampling points representative of the whole supply zone must all be less than 60 % of the parametric value;
 - (iii) to remove a parameter from the list of parameters to be monitored under Part B of this schedule, the results obtained from samples collected at regular intervals over a period of at least 3 years from points representative of the whole supply zone must all be less than 30 % of the parametric value; and
 - (iv) the removal of a parameter from the list of parameters to be monitored under Part B of this schedule must be based on the result of the risk assessment, informed by the results of monitoring of sources of water and confirming that human health is protected from the adverse effects of any contamination of water.

4.—(1) The minimum sampling frequency for a parameter under Part B of this schedule (including for a micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part) may be reduced under paragraph 3(b)(ii) only if the risk assessment confirms that no factor (that can be reasonably anticipated) is likely to cause deterioration of the quality of the water.

(2) Any such parameter may be removed from the list of parameters to be monitored by an enforcing authority under paragraph 3(b)(iii) only if—

- (a) the risk assessment confirms that no factor (that can be reasonably anticipated) is likely to cause deterioration of the quality of the water; and

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- (b) the Drinking Water Quality Regulator for Scotland, by notice to the enforcing authority, consents to the removal of the parameter from the list of parameters to be monitored in relation to a supply of water (or in relation to more than one supply of water), and that consent has not been revoked under sub-paragraph (3).
- (3) The Drinking Water Quality Regulator for Scotland may, by notice to the enforcing authority, revoke with immediate effect any consent given by it under sub-paragraph (2)(b).