

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 14

Schedules 5, 6 and 7 to be added to the Natural Mineral Water, Spring Water and Bottled DRINKING Water Regulations 1999

“SCHEDULE 5

Regulation 2

Conditions for Treatment of Natural Mineral Waters and Spring Waters with Ozone–enriched Air

1. Treatment of natural mineral waters and spring waters with ozone–enriched air shall only be carried out if —

- (a) it is for the purpose of separating compounds of iron, manganese, sulphur and arsenic from water in which they occur naturally at source;
- (b) prior to treatment the water satisfies regulation 8 of these regulations;
- (c) the treatment does not have a disinfectant action.

2. Treatment of natural mineral waters and spring waters with ozone–enriched air shall not —

- (a) modify the physico–chemical composition of the water in terms of its characteristic constituents;
- (b) leave residues in the water which could pose a risk to public health, or, in the case of the substances listed below, above the levels specified:

<i>Treatment residue</i>	<i>Maximum limit (µg/l)</i>
Dissolved ozone	50
Bromate	3
Bromoforms	1

3. A person seeking to have a process of treatment with ozone–enriched air authorised shall —

- (a) make application in writing to the relevant authority within whose area the water is extracted;
- (b) permit representatives of that authority to examine the proposed method of treatment, and place of treatment, and take samples for analysis in accordance with regulation 14;
- (c) provide such information in support of the application as is requested by the relevant authority.

4. The relevant authority shall assess the application and any information in its possession and shall authorise the treatment process, if it is satisfied that —

- (a) the treatment process is justified by the composition of the water at source;
 - (b) the person carrying out the treatment is taking all necessary measures to ensure that the treatment is effective and safe;
 - (c) the treatment process otherwise complies with paragraphs 1 and 2 of this Schedule.
- (a) Where the relevant authority decides to authorise a treatment process pursuant to paragraph 4 above, it shall inform the operator of the treatment process in writing, and state the date on which the authorisation for commercial use of the process begins.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) Where the relevant authority refuses to authorise a treatment process pursuant to paragraph 4 above, it shall inform the operator of the treatment process in writing, stating its reasons.

6. Where a treatment process has been authorised pursuant to paragraph 4 above, the person carrying out the treatment process must continue to allow periodic examination of the treatment process by the relevant authority by the methods in paragraph 3(b) and (c), for the purpose of assessing whether the conditions in paragraph 4(a) and (b) continue to be satisfied.

7. If the relevant authority is satisfied that the conditions in paragraph 4 above are no longer fulfilled, it may withdraw its authorisation of a treatment process by giving the person operating that process a written notice stating the grounds for withdrawal.

- (a) Where the relevant authority decides either not to grant or to withdraw authorisation of a treatment process under paragraph 5(b) or paragraph 7 above, the person who wishes to carry out the treatment process may apply to the Agency for a review of that decision.
- (b) Upon receiving the application for review the Agency shall make such inquiry into the matter as may seem to the Agency to be appropriate, and having considered the results of that enquiry and any relevant facts elicited by it, shall either confirm the decision or direct the relevant authority to grant or restore, as appropriate, authorisation of the treatment process in operation. In the case of such a direction the relevant authority shall thereupon comply with the said direction.

SCHEDULE 6

Regulation 7A

Maximum Limits for Constituents of Natural Mineral Waters

<i>Constituents</i>	<i>Maximum limits (mg/l)</i>
Antimony	0.0050
Arsenic	0.010 (as total)
Barium	1.0
Cadmium	0.003
Chromium	0.050
Copper	1.0
Cyanide	0.070
Fluoride	5.0
Lead	0.010
Manganese	0.50
Mercury	0.0010
Nickel	0.020
Nitrate	50

Notes:

1. The constituents described above refer to constituents naturally present in the water at source and not to substances present as the result of contamination.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Constituents</i>	<i>Maximum limits (mg/l)</i>
Nitrite	0.1
Selenium	0.010

Notes:

- The constituents described above refer to constituents naturally present in the water at source and not to substances present as the result of contamination.

SCHEDULE 7

Regulation 7A

Performance characteristics for analysing the constituents in Schedule 6

<i>Constituent</i>	<i>Accuracy of parametric value in %</i>	<i>Precision of parametric value</i>	<i>Detection limit of parametric value in %</i>
Antimony	25	25	25
Arsenic	10	10	10
Barium	25	25	25
Cadmium	10	10	10
Chromium	10	10	10
Copper	10	10	10
Cyanide	10	10	10
Fluoride	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
Selenium	10	10	10 ²

Notes:

- The method of analysis used to measure the concentration of the constituents in Schedule 6 shall be able to measure at least concentrations equal to the parametric value with the specified accuracy, precision and detection limits.
- Regardless of the sensitivity of the method of analysis, the result must be expressed to the same number of decimal places as the maximum limit set out in Schedule 6 for the particular constituent being analysed.
- Accuracy is the systematic error and represents the difference between the average value of a large number of repeated measurements and the exact value.
- Precision represents the random error and is expressed in general as the standard deviation (within a batch and between batches) of a sample of results from the average.
- Acceptable precision is equal to twice the relative standard deviation.
- The detection limit is either —
 - three times the relative standard deviation within a batch of a natural sample containing a low concentration of the constituent; or
 - five times the relative standard deviation within a batch of a virgin sample.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

7. The method used to detect cyanide must be such that it is possible to determine total cyanide in all its forms.