

SCHEDULE 1

Regulations 2(1) and 16(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 requirements of paragraphs 3, 4 and 5 of Schedule 4 are satisfied; and
- (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; or
- (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                           |
| Bromoform                | 1                           |

3. A person seeking to have a 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 17; and
- (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 if it is satisfied that—

- (a) the treatment 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; and
- (c) the treatment otherwise complies with paragraphs 1 and 2.

5. Where the relevant authority decides to authorise a treatment pursuant to paragraph 4, it shall inform the operator of the treatment in writing and state the date from which the authorisation for commercial use of the treatment has effect.

6. Where the relevant authority refuses to authorise a treatment pursuant to paragraph 4, it shall inform the operator of the treatment in writing, stating its reasons.

7. Where a treatment has been authorised pursuant to paragraph 4, the person carrying out the treatment must, for the purpose of enabling the relevant authority to assess whether the conditions in paragraph 4(a) and (b) continue to be satisfied—

- (a) permit representatives of the authority to examine the method of treatment and place of treatment and take samples for analysis in accordance with regulation 17; and
- (b) provide such information related to the treatment as is requested by the authority.

**Status:** *This is the original version (as it was originally made).*

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

**9.** Where the relevant authority has informed an operator under paragraph 6 of its refusal to authorise a treatment under paragraph 4 or withdraws authorisation of a treatment under paragraph 8, the person who wishes to carry out the treatment may apply to the Agency for a review of that decision.

**10.** 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.