
STATUTORY INSTRUMENTS

2016 No. 614

The Water Supply (Water Quality) Regulations 2016

PART 8

Water treatment

Procedure following risk assessment and prohibition of supply

28.—(1) As soon as reasonably practicable after a water undertaker or combined licensee has carried out a risk assessment or review of such assessment under regulation 27, it must submit to the Secretary of State a report of the assessment or review.

(2) The report must contain—

- (a) a description of the methods used to carry out the assessment or review;
- (b) where the assessment or review establishes that there is no significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, a statement confirming this;
- (c) where the assessment or review establishes that measures have been taken to remove a significant risk of supplying water that could constitute a potential danger to human health or be unwholesome—
 - (i) monitoring data which verifies this;
 - (ii) details of those measures.

(3) Where the assessment or review establishes that there is a significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, the report must—

- (a) contain a full explanation including details of every property, organism or substance that has been identified as contributing to the risk;
- (b) specify the measures to mitigate the risk that the water undertaker or combined licensee—
 - (i) has made operational as at the date of the report, and
 - (ii) intends to make operational.

(4) Where the Secretary of State has received a report which states that there is or has been a significant risk of supplying water that could constitute a potential danger to human health or could be unwholesome, the Secretary of State may, by notice served on the water undertaker or combined licensee, require the water undertaker or combined licensee—

- (a) to maintain such specified measures for such period of time as the Secretary of State considers appropriate to mitigate the risk;
- (b) to review, revise or make operational such specified measures by such date as the Secretary of State considers appropriate to mitigate the risk;
- (c) to audit whether the measures have been effective by such means as may be specified;
- (d) not to supply water for regulation 4(1) purposes from specified treatment works or supply systems, or not to so supply unless specified conditions are satisfied;

- (e) to give the Secretary of State such information as the Secretary of State may require to monitor progress towards mitigation of that risk.
- (5) In paragraph (4), “specified” means specified in the notice served under that paragraph.
- (6) The Secretary of State may, by notice served on the relevant undertaker or licensed water supplier, revoke or vary a notice served under paragraph (4).
- (7) On the coming into force of these Regulations, a notice given under regulation 28(4) of the 2000 Regulations which had effect immediately before the coming into force of these Regulations is taken to be a notice given under paragraph (4) of this regulation.