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WELSH STATUTORY INSTRUMENTS

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**2001 No. 3911**

**The Water Supply (Water Quality) Regulations 2001**

**PART VIII**

**RECORDS AND INFORMATION**

**Maintenance of records**

**34.**—(1) A water undertaker shall prepare and maintain, in respect of each of its water supply zones, a record containing—

- (a) the name of the zone;
- (b) the name of every water treatment works, service reservoir and other supply point from which water is supplied to premises within the zone;
- (c) an estimate of the population of the zone;
- (d) particulars of any departure authorised under Part VI of these Regulations which applies to water supplied in the zone;
- (e) particulars of the action taken or required to be taken by the water undertaker to comply with—
  - (i) any enforcement order made under section 18 of the Act;
  - (ii) any departure authorised under Part VI; and
  - (iii) any notice under regulation 19(4);
- (f) particulars of the result of any analysis of samples taken in accordance with Part IV of these Regulations or any of regulations 12 to 14 and 29; and
- (g) such other particulars as the water undertaker may determine.

(2) A water undertaker shall make—

- (a) initial entries in the record in respect of the matters mentioned in paragraph (1) (a) to (d) and (e)(ii) before 1st March 2004;
- (b) entries in respect of the matters mentioned in paragraph (1)(e)(i) and (iii) within 28 days of the date of the order and notice respectively; and
- (c) entries relating to the results of the analysis of samples within 28 days of the day on which the result is first known to the water undertaker.

(3) Without prejudice to paragraph (2), the water undertaker shall at least once in each year review and bring up to date the record required to be kept by paragraph (1).

(4) Nothing in this regulation shall require a water undertaker to retain a record—

- (a) of information mentioned in any of sub-paragraphs (a), (b) and (f) of paragraph (1) at any time more than 30 years after the date on which the information was first entered in the record;
- (b) of information mentioned in any other sub-paragraph of that paragraph at any time more than five years after the date on which the information was first entered in the record.

**Provision of information**

35.—(1) A water undertaker shall make available for inspection by the public at all reasonable hours and free of charge at least one of its offices any record maintained by it in accordance with regulation 34.

(2) A water undertaker shall afford to any person facilities to take or obtain a copy of any part of a record maintained in accordance with regulation 34—

- (a) in the case of information relating to that zone, free of charge if the person receives a supply of water in the zone;
- (b) in any other case, on payment of such reasonable charge as the water undertaker may determine.

(3) A water undertaker shall include in or append to at least one of the accounts sent to each customer in any year a statement informing them —

- (a) that records of water quality may be inspected by the public free of charge; and
- (b) of the address, telephone number and hours of opening of the offices at which an inspection can be made.

(4) A water undertaker shall, not later than 30th June 2005 and not later than 30th June in each year thereafter, supply to each local authority to any part of whose area the water undertaker supplied water in the preceding year, information concerning the general quality of water supplied during that year to premises in the authority's area, and—

- (a) in respect of each treatment works from which water was so supplied, the particulars referred to in paragraph (5);
- (b) in respect of each service reservoir, and every other supply point (other than a treatment works), from which water was so supplied, the particulars referred to in paragraph (6);
- (c) in respect of—
  - (i) each water supply zone of which any part is within the authority's area, and
  - (ii) each parameter and residual disinfectant, the particulars referred to in paragraph (7); and
- (d) information as to the action taken by the water undertaker in that year to comply with—
  - (i) any enforcement order made under section 18 of the Act;
  - (ii) any departure authorised under Part VI; and
  - (iii) any notice under regulation 19(4).

(5) The particulars referred to in this paragraph are—

- (a) the names of the water supply zones supplied from the works during the preceding year;
- (b) the result of any analysis of samples taken in the preceding year in accordance with Part IV of these Regulations or any of regulations 12, 13 and 29;
- (c) in relation to those samples and each parameter other than an indicator parameter—
  - (i) the number and percentage of samples which contravened the prescribed concentration or value; and
  - (ii) if at the time that samples were taken a departure had been authorised in respect of that parameter, the number and percentage of samples which exceeded the concentration or value specified in the authorisation;
- (d) in respect of each indicator parameter, the number and percentage of the samples taken in the preceding year which did not meet the specification for that parameter;

- (e) in respect of cryptosporidium and, with the exception of *E.coli*, coliform bacteria and every indicator parameter, each parameter, the minimum, mean and maximum concentrations; and
  - (f) in respect of residual disinfectant and, with the exception of *clostridium perfringens* (including spores), each indicator parameter, the minimum, mean and maximum concentrations or values or, where a state is specified in relation to any such parameter, a commentary on its state.
- (6) The particulars referred to in this paragraph are—
- (a) the names of the water supply zones supplied from the service reservoir or, as the case may be, the supply point, during the preceding year;
  - (b) the result of any analysis of samples taken in the preceding year in accordance with Part IV of these Regulations, regulation 12 or regulation 14;
  - (c) in relation to those samples and each parameter other than an indicator parameter—
    - (i) the number and percentage of samples which contravened the prescribed concentration or value; and
    - (ii) if at the time that samples were taken a departure had been authorised in respect of that parameter, the number and percentage of samples which exceeded the concentration or value specified in the authorisation;
  - (d) in respect of each indicator parameter, the number and percentage of the samples taken in the preceding year which did not meet the specification for that parameter;
  - (e) in respect of each parameter, with the exception of *E.coli*, coliform bacteria and every indicator parameter, the minimum, mean and maximum concentrations; and
  - (f) in respect of residual disinfectant and, with the exception of *clostridium perfringens* (including spores), each indicator parameter, the minimum, mean and maximum concentrations or values or, where a state is specified in relation to any such parameter, a commentary on its state.
- (7) The particulars referred to in this paragraph are—
- (a) the number of samples taken in the preceding year;
  - (b) the result of any analysis of samples taken in the preceding year in accordance with Part IV of these Regulations;
  - (c) in relation to those samples and each parameter other than an indicator parameter—
    - (i) the number and percentage of samples which contravened the prescribed concentration or value; and
    - (ii) if at the time that samples were taken a departure had been authorised in respect of that parameter, the number and percentage of samples which exceeded the concentration or value specified in the authorisation;
  - (d) in respect of each indicator parameter, the number and percentage of the samples taken in the preceding year which did not meet the specification for that parameter;
  - (e) in respect of each parameter, with the exception of *E.coli*, enterococci, and every indicator parameter, the minimum, mean and maximum concentrations; and
  - (f) in respect of residual disinfectant and, with the exception of coliform bacteria and *clostridium perfringens* (including spores), each indicator parameter, the minimum, mean and maximum concentrations or values or, where a state is specified in relation to any such parameter, a commentary on its state.
- (8) As soon as may be after the occurrence of any event which, by reason of its effect or likely effect on the water supplied by a water undertaker, gives rise or is likely to give rise to a significant

risk to the health of persons residing in the area of a local authority or a health authority, the water undertaker shall notify each such authority and the relevant customer services committee of the occurrence.

(9) A water undertaker shall send to the National Assembly for Wales a copy of every notification given under paragraph (8).

(10) Where an authority have received a notification under paragraph (8), they may require the water undertaker to provide them with such information relating to the event and its consequences as they may reasonably require.

### **Publication of information**

**36.**—(1) A water undertaker shall, not later than 30th June 2005 and not later than 30th June in each year thereafter, publish a report relating to the preceding year containing—

- (a) a statement of the number of treatment works, service reservoirs and other supply points from which it supplied water during any part of the year;
- (b) a statement of the number of its water supply zones for the year;
- (c) in respect of water supplied from its treatment works, the particulars referred to in paragraph (4);
- (d) in respect of its service reservoirs and other supply points (other than treatment works), the particulars referred to in paragraph (5);
- (e) in respect of its water supply zones, the particulars referred to in paragraph (6);
- (f) a statement of the action taken by the water undertaker during the year to comply with—
  - (i) any enforcement order made under section 18 of the Act;
  - (ii) any departure authorised under Part VI; and
  - (iii) any notice under regulation 19(4);
- (g) a statement that any person may, free of charge, inspect the records of water quality kept by the water undertaker in accordance with regulation 34; and
- (h) particulars of the times and places at which such inspection may be made.

(2) A report under paragraph (1) may include such other information as the water undertaker thinks fit.

(3) At the same time as it publishes a report in accordance with paragraph (1) the water undertaker shall send a copy of it to every local authority within whose area the water undertaker supplied water in the preceding year.

(4) The particulars referred to in this paragraph are—

- (a) the total number of samples taken from all of the water undertaker's treatment works in the preceding year in respect of cryptosporidium, residual disinfectant and each parameter;
- (b) in relation to those samples and each parameter other than an indicator parameter—
  - (i) the number and percentage of samples which contravened the prescribed concentration or value; and
  - (ii) if at the time that samples were taken a departure had been authorised in respect of that parameter, the number and percentage of samples which exceeded the concentration or value specified in the authorisation;
- (c) the number and percentage of treatment works at which samples of the descriptions mentioned in paragraphs (i) and (ii) of sub-paragraph (b) were produced;

- (d) in relation to the samples mentioned in sub-paragraph (a) and each indicator parameter, the number and percentage of the samples which did not meet the specification for that parameter; and
  - (e) the number and percentage of treatment works at which samples of the description mentioned in sub-paragraph (d) were produced.
- (5) The particulars referred to in this paragraph are—
- (a) the total number of samples taken from all of the water undertaker's service reservoirs and other supply points (other than treatment works), in the preceding year in respect of residual disinfectant and each parameter;
  - (b) in relation to those samples—
    - (i) the number and percentage which contravened the prescribed concentration or value; and
    - (ii) if at the time that they were taken a departure had been authorised, the number and percentage which exceeded the concentration or value specified in the authorisation;
  - (c) the number and percentage of service reservoirs, and other supply points (other than treatment works), at which samples of the descriptions mentioned in paragraphs (i) and (ii) of sub-paragraph (b) were produced;
  - (d) in relation to the samples mentioned in sub-paragraph (a) and each indicator parameter, the number and percentage of the samples which did not meet the specification for that parameter; and
  - (e) the number and percentage of service reservoirs, and other supply points (other than treatment works), at which samples of the description mentioned in sub-paragraph (d) were produced.
- (6) The particulars referred to in this paragraph are—
- (a) the total number of samples taken from all of the water undertaker's water supply zones in the preceding year in respect of residual disinfectant and each parameter;
  - (b) in relation to those samples and each parameter other than an indicator parameter—
    - (i) the number and percentage of samples which contravened the prescribed concentration or value; and
    - (ii) if at the time that samples were taken a departure had been authorised in respect of that parameter, the number and percentage of samples which exceeded the concentration or value specified in the authorisation;
  - (c) the number and percentage of water supply zones at which samples of the descriptions mentioned in paragraphs (i) and (ii) of sub-paragraph (b) were produced;
  - (d) in relation to the samples mentioned in sub-paragraph (a) and each indicator parameter, the number and percentage of the samples which did not meet the specification for that parameter; and
  - (e) the number and percentage of water supply zones at which samples of the description mentioned in sub-paragraph (d) were produced.