

WELSH STATUTORY INSTRUMENTS

2006 No. 2989

The Contaminated Land (Wales) Regulations 2006

Pollution of controlled waters

- 3.—^{F1}(1) The circumstances to which regulation 2(1)(a), refers are where—
- (a) controlled waters which are, or are intended to be, used for the supply of drinking water for human consumption are being affected by the land and, as a result, require a treatment process or a change in such a process to be applied to those waters before use, so as to be regarded as wholesome within the meaning of Part 3 of the Water Industry Act 1991^{M1} (water supply);
 - ^{F2}(b) controlled waters are being affected by the land and, as a result—
 - (i) those waters do not meet or are not likely to meet the criterion for classification applying to the relevant description of waters specified in regulations made under section 82 of the Water Resources Act 1991 (classification of quality of waters); or
 - (ii) for controlled waters that are designated as ^{F3}shellfish water protected areas or bathing waters, those waters do not meet the environmental objectives that apply to them as set out in the relevant river basin management plan under Part 6 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017]; or]
 - (c) controlled waters are being affected by the land and—
 - (i) any of the substances by reason of which the pollution of the waters is being or is likely to be caused falls within any of the families or groups of substances listed in paragraph 1 of Schedule 1 to these Regulations, and
 - (ii) the waters, or any part of the waters, are contained ^{F4}in underground strata within the saturation zone] which comprise wholly or partly any of the formations of rocks listed in paragraph 2 of Schedule 1 to these Regulations.
- ^{F5}(2) In this regulation—
- (a) “bathing water” has the same meaning as in the Bathing Water Regulations 2013;
 - (b) “shellfish water protected area” means a body of water designated under regulation 9 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.]

Textual Amendments

- F1** Reg. 3 renumbered as reg. 3(1) (31.12.2020) by [The Flood and Water \(Amendments\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/460\)](#), regs. 1(1), **2(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Reg. 3(b) substituted (6.4.2012) by [The Contaminated Land \(Wales\) \(Amendment\) Regulations 2012 \(S.I. 2012/283\)](#), regs. 1(1), **2(2)(a)**
- F3** Words in reg. 3(1)(b)(ii) substituted (31.12.2020) by [The Flood and Water \(Amendments\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/460\)](#), regs. 1(1), **2(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation: *There are currently no known outstanding effects for the The Contaminated Land (Wales) Regulations 2006, Section 3. (See end of Document for details)*

- F4** Words in reg. 3(c)(ii) substituted (6.4.2012) by The Contaminated Land (Wales) (Amendment) Regulations 2012 (S.I. 2012/283), regs. 1(1), **2(2)(b)**
- F5** Reg. 3(2) inserted (31.12.2020) by The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019 (S.I. 2019/460), regs. 1(1), **2(c)**; 2020 c. 1, Sch. 5 para. 1(1)
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Marginal Citations

- M1** 1991 c. 56.

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