

## SCHEDULE 3

Regulation 8

### MONITORING

#### PART 1

#### INTESTINAL ENTEROCOCCI AND ESCHERICHIA COLI

##### Location of monitoring point

1.—(1) Where the Department takes samples in compliance with this Part it shall do so from the monitoring point situated at each bathing water.

(2) The Department shall—

(a) locate the monitoring point at every bathing water where—

(i) most bathers are expected; or

(ii) the bathing water profile indicates that the greatest risk of pollution is expected; and

(b) where possible, take samples 30 centimetres below the water's surface and in water that is at least one metre deep.

##### Commencement Information

**I1** Sch. 3 para. 1 in operation at 24.3.2012, see [reg. 1\(4\)](#)

##### Monitoring calendar

2.—(1) The Department shall —

(a) establish a calendar which specifies dates for sampling for every bathing water before the start of every bathing season ('a monitoring calendar'); and

(b) take samples at every bathing water no later than four days after the date specified in the monitoring calendar.

(2) In relation to abnormal situations—

(a) during the situation, the Department may suspend the monitoring calendar for the duration of such; and

(b) as soon as possible after the end of the situation, the Department shall—

(i) take one additional sample in order to verify that the incident has ended;

(ii) take sufficient additional samples to ensure it has the minimum number required for the bathing water for the bathing season.

(3) The Department shall not include the sample taken under sub-paragraph (2)(b)(i) in the set of bathing water quality data for a bathing water.

##### Commencement Information

**I2** Sch. 3 para. 2(1)(a) in operation at 30.6.2008, see [reg. 1\(2\)](#)

**I3** Sch. 3 para. 2(1)(b) in operation at 24.3.2012, see [reg. 1\(4\)](#)

**I4** Sch. 3 para. 2(2)(3) in operation at 24.3.2012, see [reg. 1\(4\)](#)

### Frequency of monitoring

3. The Department shall —
- (a) take and analyse at least four samples from every bathing water during every bathing season;
  - (b) take the first such sample for every bathing season shortly before the start of that season; and
  - (c) take samples from every bathing water throughout the bathing season at regular intervals not exceeding one month.

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#### Commencement Information

**I5** Sch. 3 para. 3 in operation at 24.3.2012, see [reg. 1\(4\)](#)

### Sampling equipment

- 4.—(1) The Department shall only use sampling bottles which—
- (a) have been—
    - (i) sterilised in an autoclave for at least 15 minutes at 121 degrees Celsius;
    - (ii) dry sterilised at no lower than 160 degrees Celsius and no higher than 170 degrees Celsius for at least one hour; or
    - (iii) irradiated by their manufacturer and not used previously;
  - (b) are of a size which allows sufficient water to be taken and analysed for the presence of Intestinal enterococci and Escherichia coli; and
  - (c) are made of transparent and colourless material.
- (2) The Department shall—
- (a) use aseptic techniques to maintain the sterility of the sample bottles; and
  - (b) clearly identify every sample taken by marking in indelible ink the sample bottle and associated paperwork.

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#### Commencement Information

**I6** Sch. 3 para. 4 in operation at 24.3.2012, see [reg. 1\(4\)](#)

### Storage and transport of samples before analysis

- 5.—(1) The Department shall—
- (a) at all times, protect every sample taken from exposure to light, and in particular, direct sunlight; and
  - (b) conserve every sample at a temperature of around 4 degrees Celsius between sampling and laboratory analysis.
- (2) In relation to any sample, if the interval between sampling and laboratory analysis is likely to exceed four hours, the Department shall conserve the sample in a refrigerator.
- (3) The Department shall ensure that the time between sampling and laboratory analysis does not exceed 24 hours and must use its best endeavours to keep this time as short as possible.

**Commencement Information**

**I7** Sch. 3 para. 5 in operation at 24.3.2012, see [reg. 1\(4\)](#)

**Reference methods of analysis**

6.—(1) Subject to sub-paragraph (2), the Department shall use the following reference methods of analysis—

- (a) for Intestinal enterococci, ISO 7899-1 or ISO 7899-2; and
- (b) for Escherichia coli, ISO 9308-3 or ISO 9308-1.

(2) The Department may use such other reference methods of analysis as it considers are substantively equivalent to those specified in sub-paragraph (1).

**Commencement Information**

**I8** Sch. 3 para. 6 in operation at 24.3.2012, see [reg. 1\(4\)](#)

**Short-term pollution**

7.—(1) This paragraph applies where relevant procedures for short-term pollution are in place.

(2) The Department shall not include samples taken during a short-term pollution incident in the set of bathing water quality data for a bathing water.

(3) As soon as possible after the end of the short-term pollution incident, the Department shall take one additional sample in order to verify that the incident has ended.

(4) The Department shall not include the sample taken under sub-paragraph (3) in the set of bathing water quality data for a bathing water.

(5) Seven days after the end of the short-term pollution incident, the Department shall, if necessary, take an additional sample to ensure that it has the minimum number required for the bathing water for the bathing season.

(6) The number of samples disregarded under sub-paragraph (2) by the Department shall represent no more than the greater of either—

- (a) 15 percent of the total number of samples provided for in the monitoring calendars established under paragraph 2 of Schedule 3 for the same period; or
- (b) one sample per bathing season.

**Commencement Information**

**I9** Sch. 3 para. 7 in operation at 24.3.2012, see [reg. 1\(4\)](#)

## PART 2

### CYANOBACTERIA

8. Where any bathing water profile indicates a potential for cyanobacterial proliferation, the Department shall monitor that bathing water at the frequency necessary to allow adequate management measures to be put in place in accordance with regulation 13.

**Changes to legislation:** There are currently no known outstanding effects for the The Quality of Bathing Water Regulations (Northern Ireland) 2008, SCHEDULE 3. (See end of Document for details)

**Commencement Information**

**I10** Sch. 3 para. 8 in operation at 24.3.2012, see [reg. 1\(4\)](#)

## PART 3

### MACRO-ALGAE AND MARINE PHYTOPLANKTON

9. Where any bathing water profile indicates a tendency for proliferation of macro-algae or marine phytoplankton, the Department shall carry out such investigations at that bathing water as are necessary to determine whether such proliferation constitutes a health risk to bathers.

**Commencement Information**

**I11** Sch. 3 para. 9 in operation at 24.3.2012, see [reg. 1\(4\)](#)

## PART 4

### OTHER POLLUTION

10.—(1) The Department shall establish a visual monitoring programme at every bathing water at the frequency necessary to allow adequate management measures to be put in place in accordance with regulation 13.

(2) Every bathing water operator shall establish a visual monitoring programme at its bathing water at the frequency necessary to allow adequate management measures to be put in place in accordance with regulation 13.

**Commencement Information**

**I12** Sch. 3 para. 10 in operation at 24.3.2012, see [reg. 1\(4\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Quality of Bathing Water Regulations (Northern Ireland) 2008, SCHEDULE 3.