

[^{F1}SCHEDULE 1A

MONITORING: MINIMUM REQUIREMENTS

F1 Sch. 1A inserted (27.10.2017) by [The Public Water Supplies \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/281\)](#), reg. 1(1), **sch. 1** (as amended by [The Public and Private Water Supplies \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/321\)](#), regs. 1, **3(2)**)

PART C

Deviation from standard parameters and frequencies

1. Scottish Water may (or, where required, must), in accordance with this Part, deviate from the requirements of paragraphs 2 and 3 in Part B of this schedule.

2. Based on the results of a risk assessment, the list of parameters in Part B of this schedule (including any micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part), must be extended and/or the minimum sampling frequencies under that Part increased if—

- (a) the list of parameters or frequencies required to be monitored under that Part B is not sufficient to fulfil the obligations imposed by regulation 5(1), (3) and (4);
- (b) additional monitoring is required by regulation 5(2); ^{F2}...
- (c) this is necessary to verify the matters in paragraph 1(a) of Part A of this schedule [^{F3},
- (d) a risk assessment has established that raw water—
 - (i) in the catchment area used to abstract water for human consumption purposes, or
 - (ii) as a result of abstraction through the public water supply system,contains a parameter at a concentration or value which would (whether in conjunction with another parameter in the water or otherwise) constitute a potential danger to human health, or
- (e) a risk assessment has identified extension of the list of parameters and/or increase of the minimum sampling frequencies as the most appropriate means of mitigating a risk to human health]

F2 Word in [sch. 1A Pt. C para. 2](#) omitted (1.1.2023) by virtue of [The Public Water Supplies \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/387\)](#), regs. 1(1), **17(4)(a)(i)**

F3 [Sch. 1A Pt. C paras. 2\(d\)\(e\)](#) inserted (1.1.2023) by [The Public Water Supplies \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/387\)](#), regs. 1(1), **17(4)(a)(ii)**

3. Subject to paragraph 4, based on the results of a risk assessment the list of parameters in Part B of this schedule (including any micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part) and the sampling frequencies under that Part B may be reduced, provided that the following conditions are met:—

- (a) the frequency of sampling for *Escherichia coli* [^{F4}and enterococci] must not be reduced below the minimum frequency required by that Part B; and
- (b) for other parameters in the list—
 - [^{F5}(i) a risk assessment has established that the parameter to be removed from the list of parameters to be monitored under Part B of this schedule, or for which the minimum

Changes to legislation: There are currently no known outstanding effects for the The Public Water Supplies (Scotland) Regulations 2014, PART C. (See end of Document for details)

sampling frequencies are to be reduced, is not present or, as the case may be, is not likely to be present in raw water—

- (aa) in the catchment area used to abstract water for human consumption purposes, and
- (bb) as a result of abstraction through the public water supply system, at a concentration or value which would (whether in conjunction with another parameter in the water or otherwise) constitute a potential danger to human health,
- (ii) where a parameter from the list of parameters to be monitored under Part B of this schedule can only occur as a result of the treatment technique or disinfection method, that technique or method is not used by Scottish Water, or
- (iii) the specifications in paragraph 3A are complied with.]

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| F4 | Words in sch. 1A Pt. C para. 3(a) inserted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), 17(4)(b)(i) |
| F5 | Sch. 1A Pt. C paras. 3(b)(i)-(iii) substituted for sch. 1A Pt. C paras. 3(b)(i)-(iv) (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), 17(4)(b)(ii) |

3A. The specifications are that—

- (a) the location and frequency of sampling must be determined in relation to the parameter's origin, as well as the variability and long-term trend of its concentration, taking into account the water quality standards,
- (b) to reduce the minimum sampling frequency for a parameter under Part B of this schedule, the results obtained from samples collected at regular intervals over a period of at least 3 years from sampling points representative of the whole water supply zone must all be less than 60% of the prescribed concentration or value for the parameter,
- (c) to remove a parameter from the list of parameters to be monitored under Part B of this schedule, the results obtained from samples collected at regular intervals over a period of at least 3 years from points representative of the whole water supply zone must all be less than 30% of the prescribed concentration or value of the parameter,
- (d) the removal of a parameter from the list of parameters to be monitored under Part B of this schedule must be based on the result of the risk assessment, informed by the results of monitoring of sources of water and confirming that human health is protected from the adverse effects of any contamination of water, and
- (e) for a reduction in the minimum sampling frequency for a parameter under Part B of this schedule or removal of a parameter from the list of parameters to be monitored under that Part, the risk assessment confirms that no factor (that can be reasonably anticipated) is likely to cause deterioration of the quality of the water.

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| F6 | Sch. 1A Pt. C paras. 3A, 3B inserted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), 17(4)(c) |
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3B. Any parameter removed from the list of parameters to be monitored in Part B of this schedule under paragraph 3(b) must be monitored—

- (a) at least once every six years, and
- (b) in cases where—
 - (i) a new water source is integrated into the water supply chain (from the catchment area through abstraction, treatment and storage to distribution), or

- (ii) changes made to the water supply chain are expected to have a potentially adverse effect on the quality of water.]

F6 Sch. 1A Pt. C paras. 3A, 3B inserted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), **17(4)(c)**

4.—^{F7}(1) The minimum sampling frequency for a parameter under Part B of this schedule (including for a micro-organism, parasite or substance referred to in paragraph 2(1)(b) of that Part) may be reduced or any such parameter may be removed from the list of parameters to be monitored under paragraph 3(b), only if the Drinking Water Quality Regulator for Scotland, by notice to Scottish Water, consents in accordance with sub-paragraph (2) to the reduction or removal, and that consent has not been revoked under sub-paragraph (4).]

^{F8}(2) The Drinking Water Quality Regulator for Scotland may consent, under sub-paragraph (1), if the Regulator is satisfied that to do so would not compromise the quality of the water.]

(3) The Drinking Water Quality Regulator for Scotland may not consent, under paragraph ^{F9}(1)], to the removal of any of the following from the list of parameters to be monitored:—

- (a) enterococci, *Escherichia coli*, coliform bacteria, colony count 22 °C, colour, turbidity or hydrogen ion concentration (pH);
- (b) iron, lead or manganese;
- (c) where the water is supplied to premises within a nitrate vulnerable zone, nitrate; or
- (d) any other parameter, or other micro-organism, parasite or substance, identified (for the time being) as relevant in the monitoring programme in relation to a supply of water—
 - (i) by virtue of regulation 5(2); or
 - (ii) where relevant, through a risk assessment.

(4) The Drinking Water Quality Regulator for Scotland may, by notice to Scottish Water, revoke with immediate effect any consent given by it under sub-paragraph ^{F10}(1)].

(5) In sub-paragraph (3) “nitrate vulnerable zone” means any area of land designated as a nitrate vulnerable zone by regulation 2 of the Designation of Nitrate Vulnerable Zones (Scotland) Regulations 2015.]

F7 Sch. 1A Pt. C para. 4(1) substituted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), **17(4)(d)(i)**

F8 Sch. 1A Pt. C para. 4(2) substituted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), **17(4)(d)(ii)**

F9 Word in sch. 1A Pt. C para. 4(3) substituted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), **17(4)(d)(iii)**

F10 Word in sch. 1A Pt. C para. 4(4) substituted (1.1.2023) by The Public Water Supplies (Scotland) Amendment Regulations 2022 (S.S.I. 2022/387), regs. 1(1), **17(4)(d)(iii)**

Changes to legislation:

There are currently no known outstanding effects for the The Public Water Supplies (Scotland) Regulations 2014, PART C.