



STATUTORY INSTRUMENTS.

S.I. No. 99 of 2023

EUROPEAN UNION (DRINKING WATER) REGULATIONS 2023

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S.I. No. 99 of 2023

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I, DARRAGH O' BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000¹ and Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020², hereby make the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation

1. (1) These Regulations may be cited as the European Union (Drinking Water) Regulations 2023.

Interpretation

2. (1) In these Regulations—

“authorised officer” means a person appointed under Regulation 22 for the purposes of these Regulations;

“composition” means the chemical composition of a metal, enamel, ceramic or other inorganic material;

“CRU” means the Commission for Regulation of Utilities;

“digital means” means an internet website (including part of such a website), social media or application—

- (a) to which access is readily available by members of the public, and
- (b) where anything published is readily available for inspection by members of the public;

¹ OJ No. L 327, 22.12.2000, p. 1.

² OJ No. L 435, 23.12.2020, p. 1.

“Directive” means Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020² on the quality of water intended for human consumption (recast);

“distribution network” means that part of a supply system consisting of the system of pipes and tanks operated by a water supplier that store and convey drinking water from a water treatment works to a domestic distribution system;

“domestic distribution system” means the pipework, fittings and appliances, within the curtilage of a premises, which are installed between the distribution network and the taps in the premises that are normally used for the provision of water for human consumption in both public and private premises and the distribution network, but only if they are not the responsibility of the water supplier;

“EPA” means the Environmental Protection Agency;

“food business” has the meaning given to it in point (2) of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002³;

“food business operator” has the meaning given to it in Regulation 3(6);

“FSAI” means the Food Safety Authority of Ireland;

“GSI” means the Geological Survey Ireland;

“hazard” means a biological, chemical, physical or radiological agent in water, or another aspect of the condition of water, with the potential to cause harm to human health;

“hazardous event” means an event that introduces hazards into, or fails to remove them from, the supply system of water intended for human consumption;

“HSE” means the Health Service Executive;

“ISO” means the International Organisation for Standardisation;

³ OJ No. 31, 012.02.2002, p. 1.

“local authority” means a local authority within the meaning of section 2 of the Local Government Act 2001 (No 37 of 2001);

“Minister” means the Minister for Housing, Local Government and Heritage;

“monitoring”, in respect of drinking water, includes its auditing, inspection, measurement, sampling or analysis, whether periodic or continuous during a period of time;

“owner” means, in relation to a premises, a person, other than a mortgagee not in possession, who, whether in that person’s own right or as a trustee or agent for any other person, is entitled to receive the rent of the premises or, where the premises are not let at a rent, would be so entitled if they were so let;

“point of compliance” shall be construed in accordance with Regulation 7;

“point of supply” means the point, typically at the outer edge of the curtilage of a premises, where a water distribution network ends and a domestic distribution system begins;

“premises” includes any building, structure or land (whether or not there are structures on the land), and any plant or related accessories on or under such land, or any hereditament of tenure, together with any outbuildings and curtilage;

“priority premises” means a large non-household premises with many users potentially exposed to water-related risks and includes, in particular, a large premises for public use, as identified by the water suppliers, in consultation with a supervisory authority, from time to time;

“private water supply” means a water supply, other than a public water supply;

“public water supply” means a water supply which is in the charge or ownership of Uisce Éireann or any person acting jointly with it, or on its behalf, under a service level agreement or contract;

“Regulations of 2003” means the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003);

“risk point” means an outlet or tap fitting in a domestic distribution system where a sample of water may be taken by the property owner, or occupier, to test for—

- (a) proliferation of *Legionella*, and
- (b) the water’s suitability for human consumption and compliance with these Regulations;

“source protection agencies” means those agencies or organisations that have been allocated a role in the risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption by these Regulations;

“starting substance” means a substance that has been intentionally added in the production of organic materials or of admixtures for cementitious materials;

“supervisory authority” means—

- (a) in the case of water intended for human consumption supplied by Uisce Éireann or any person acting jointly with it or on its behalf, the EPA,
- (b) in the case of water intended for human consumption supplied by any other person—
 - (i) the local authority in whose functional area the water is supplied, or
 - (ii) the local authority otherwise designated under Regulation 13(4), and
- (c) in the case of maritime vessels, the EPA;

“supply system” means the infrastructure required for the abstraction, treatment, storage, and distribution of water intended for human consumption to the point of supply as provided, and maintained, by the water supplier;

“watch list” means the watch list as established, and updated, by the European Commission in accordance with Article 13(8) of the Directive;

“water intended for human consumption” means all water—

- (a) either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic-type purposes in both public and private premises, regardless of its origin and whether it is supplied from a distribution network,

from a private source, supplied from a tanker or similar means, and

- (b) used in any food business for the manufacture, processing, preservation or marketing of products or substances intended for human consumption,

other than—

- (i) natural mineral waters, within the meaning of the European Union (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) Regulations 2016 (S.I. No. 282 of 2016),
- (ii) waters which are medicinal products within the meaning of Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001⁴,
- (iii) an exempted supply, or
- (iv) water supplied in bottles or containers;

“water supplier”, as the context so requires, means any person supplying water intended for human consumption and includes the following:

- (a) Uisce Éireann;
- (b) a private water supplier;

“Water Framework Directive” means Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000¹ establishing a framework for Community action in the field of water policy.

(2) A word or expression that is used in these Regulations and that is also used in the Directive or the Water Framework Directive has, unless the contrary intention appears, the same meaning in these Regulations as in those Directives.

Exemptions

3. (1) Water suppliers supplying less than 10 cubic metres of water a day as an average or serving fewer than 50 persons as part of a commercial or public activity shall only be subject to—

- (a) this Regulation,
- (b) Regulations, 4, 5, 6, 7, 13, 17 and 18, and
- (c) the relevant Schedules.

(2) For the purpose of these Regulations, a supply of water shall be exempted where the supply—

⁴ OJ No L 311, 28.11.2001, p. 67.

- (a) (i) constitutes an individual supply of less than 10 cubic metres a day on average or serves fewer than 50 persons, and
- (ii) is not supplied as part of a commercial or public activity, or
- (b) is used exclusively for purposes in respect of which the relevant supervisory authority is satisfied that the quality of the water has no influence, either directly or indirectly, on the health of the consumers concerned.

(3) Subject to paragraph (4), these Regulations shall not apply to a food business operator with its own water supply, in relation to the water used for the specific purposes of the food business, where—

- (a) the FSAI, or
- (b) an official agency of the FSAI carrying out functions under a service contract pursuant to section 48 of the Food Safety Authority of Ireland Act 1998 (No. 29 of 1998),

is satisfied that—

- (i) the quality of the water supply cannot affect the safety of the foodstuff in its finished form, and
- (ii) the water supply of the food business complies with relevant obligations, in particular under the procedures on hazard analysis and critical control point principles, where applicable, and remedial actions under relevant legislation on food.

(4) The exemption in paragraph (3) shall come into operation on 13 January 2026 and shall apply on and after that date.

(5) Maritime vessels that desalinate water, carry passengers and act as water suppliers shall only be subject to Regulations 4 to 7, 11 to 13 and 17 and any relevant Schedule.

(6) In this Regulation, “food business operator” has the meaning given to it in point (3) of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002³;

PART 2

OBLIGATIONS IN RELATION TO WATER

General obligations

4. (1) Subject to any departure granted under Regulation 18, a water supplier shall ensure that all water intended for human consumption supplied by them is—

- (a) wholesome and clean,
- (b) does not present a risk to human health, and
- (c) meets the requirements of these Regulations.

(2) For the purposes of paragraph (1), water shall be regarded as wholesome and clean where—

- (a) it is free from any micro-organisms and parasites,
- (b) it is free from any substances which in numbers, or concentrations, constitute a potential danger to human health,
- (c) it meets the quality standards set out in Tables A, B and D in Schedule 1, and
- (d) the water supplier concerned has taken all measures necessary to comply with Parts 2 to 4.

(3) A person, in respect of a supply of water which is intended for human consumption, shall not act in a manner that deliberately or carelessly poses a risk to human health.

(4) Measures taken by a supervisory authority or a water supplier to apply the provisions of these Regulations are based on the precautionary principle and shall not allow, directly or indirectly, either—

- (a) any deterioration in the existing quality of water intended for human consumption, so far as that is relevant for the protection of human health, or
- (b) any deterioration in the existing quality of waters used for the production of drinking water.

(5) Each water supplier shall take measures, in accordance with guidelines made, and published, by the EPA under Regulation 28, to notify the population served by an exempted supply of—

- (a) the fact that these Regulations do not apply to such supply, and
- (b) action that can be taken to protect human health from the adverse effects resulting from any contamination of water intended for human consumption.

(6) Where it is apparent to a water supplier that a potential danger to human health arises from the quality of an exempted supply, it shall, in

accordance with guidelines mentioned in paragraph (5), ensure that the consumers of that supply are given appropriate advice promptly.

(7) A person that fails to comply with paragraph (1), (5) or (6) commits an offence.

(8) A person that contravenes paragraph (3) commits an offence.

Assessment of water leakage

5. (1) Not later than 31 December 2025, water suppliers to which these Regulations apply shall—

- (a) undertake an assessment of water leakage levels within their distribution network, and
- (b) evaluate the potential for improvements in water leakage reduction within their distribution network,

using the infrastructural leakage index (ILI) rating method or another appropriate method.

(2) The assessment, referred to in paragraph (1)—

- (a) shall take into account relevant public health, environmental, technical and economic aspects for all water suppliers—
 - (i) supplying not less than 10,000 cubic metres of water per day, or
 - (ii) serving not less than 50,000 people,
 and outline any action plans necessary for the purpose of reducing the water leakage rate, and
- (b) shall be evaluated by—
 - (i) the CRU for economic criteria, and
 - (ii) the EPA for other relevant criteria,

with the EPA approving, in writing, the assessment in relation to the preparation and implementation of action plans for the purposes of reducing the water leakage rate.

(3) Not later than two years after the date of adoption by the European Commission of the delegated act referred to in the third subparagraph of Article 4(3) of the Directive, where a leakage rate exceeding the threshold set out in the delegated act exists, the water supplier concerned shall present an action plan to the CRU and the EPA laying down a set of measures to be taken in order to reduce the leakage rate and such action plan, on approval of the EPA, shall be transmitted by the EPA to the European Commission.

(4) A water supplier that fails to undertake an assessment of water leakage, required under this Regulation, commits an offence.

Quality standards

6. (1) The parametric values for the quality standards applicable to water intended for human consumption are set out in Schedule 1.

(2) The parametric values mentioned in paragraph (1), or set by the Minister under paragraph (4), shall not be less stringent than those set out in Tables A to D in Schedule 1.

(3) As regards the parameters set out in Table C in Schedule 1, the values are solely for monitoring purposes and to ensure that the requirements set out in Regulation 17 are met.

(4) The Minister, following consultation with—

- (a) the EPA,
- (b) the HSE
- (c) the water supplier concerned, and
- (d) any organisation, or person, that the Minister considers appropriate having regard to all the circumstances,

may set values for additional parameters not set out in Schedule 1, where the protection of human health within the State or part of it so requires and these values set shall, at a minimum, satisfy the requirements of Regulation 4.

Point of compliance

7. Subject to the parametric values—

- (a) set in accordance with Regulation 6, and
- (b) set out in Schedule 1,

measurement of compliance with the parametric values set out in Tables A and B in Schedule 1 shall be made in the case of the following:

- (i) water intended for human consumption supplied from a distribution network or a private source, at the point within a premises at which it emerges from the tap or taps that are normally used for the provision of water for human consumption (in these Regulations referred to as the point of compliance);
- (ii) water supplied by tanker or similar means, at the point at which it emerges from it;
- (iii) risk points in a domestic distribution system;
- (iv) water intended for human consumption used in a food business, at the point at which the water is used in that business.

Duties in relation to water on premises

8. (1) A water supplier supplying water intended for human consumption in accordance with Regulation 7 shall not be in breach of its obligations under

Regulations 4(1) and 17 where non-compliance with the parametric values mentioned in Regulation 6 is due to the domestic distribution system in a premises, or the maintenance thereof, not being in the charge, or control, of the water supplier in its capacity as a water supplier.

(2) The owner of a premises to which water is supplied for human consumption as part of a commercial or public activity including, but not limited to, priority premises, shall maintain the domestic distribution system of the premises in such a condition that it does not cause, contribute to, or give rise to a risk of non-compliance of that water with a parametric value specified in—

- (a) Tables A to C, or
- (b) where there is a risk to public health, Table D,

in Schedule 1.

(3) In a case of non-compliance referred to in paragraph (1), where there is a risk that water intended for human consumption covered by paragraph (2) would not comply with the parametric values mentioned in Regulation 6(1), the water supplier concerned may issue a direction, or advice, that—

- (a) (i) appropriate measures are taken to reduce or eliminate the risk of non-compliance with the parametric values, including advising the property owners concerned—
 - (I) of any possible remedial action which could be taken by them, and
 - (II) if necessary, that other measures such as appropriate treatment techniques are taken to change the nature of the properties of the water before it is supplied so as to reduce or eliminate the risk of the water not complying with the parametric values after supply, and
- (ii) other measures are taken, such as application of appropriate treatment techniques, to change the nature or properties of the water before it is supplied so as to reduce or eliminate the risk of the water not complying with the parametric value after supply, and
- (b) the consumers concerned are duly informed and advised of any possible additional remedial action that should be taken by them.

(4) A person that—

- (a) fails to comply with paragraph (2), or
- (b) fails to comply with a direction issued under paragraph (3), commits an offence.

PART 3

RISK

Risk-based approach to water safety

9. (1) The supply, treatment and distribution of water intended for human consumption shall be subject to the application of a risk-based approach that covers the whole supply chain from the catchment area, abstraction, treatment, storage and distribution of water to the point of compliance specified in Regulation 7.

(2) The risk-based approach mentioned in paragraph (1) shall entail the following elements:

- (a) risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption in accordance with Regulation 10;
- (b) risk assessment and risk management for each supply system that includes the abstraction, treatment, storage and distribution of water intended for human consumption to the point of supply carried out by the water suppliers in accordance with Regulation 11;
- (c) risk assessment of the domestic distribution systems in accordance with Regulation 12.

(3) The implementation of the risk-based approach, mentioned in paragraph (1), may be adapted without compromising the objective of these Regulations concerning the quality of water intended for human consumption and the health of consumers, when there are particular constraints due to geographical circumstances such as remoteness or limited accessibility of the water supply zone.

(4) The risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption shall be carried out by the water supplier concerned for the first time not later than 12 July 2027.

(5) The risk assessment and risk management, mentioned in paragraph (4), shall be reviewed at regular intervals of not greater than six years, taking account of the requirements provided for in Regulation 10, and updated where necessary.

(6) The risk assessment and risk management of each supply system shall reflect the water safety plan approach set out in the World Health Organisation Guidelines and shall—

- (a) be carried out for the first time not later than 12 January 2029, and
- (b) be reviewed by the water supplier at regular intervals of not less than 6 years and updated where necessary.

(7) The EPA may review and assess the risk assessment and risk management, carried out under paragraph (6), including drinking water safety plans prepared by water suppliers, and provide feedback thereon to the water supplier concerned.

(8) A water supplier shall ensure that the corrective actions recommended in the risk assessment and risk management, including any feedback received under paragraph (7), are undertaken.

(9) The risk assessment of the domestic distribution systems shall be carried out for the first time not later than 12 January 2029 and that risk assessment shall be reviewed not later than each 6 years occurring after the anniversary of that date and updated where necessary.

Risk assessment and risk management of catchment areas for abstraction points of water intended for human consumption

10. (1) Having consulted with water suppliers, the EPA shall identify, within each river basin district, the following:

- (a) all bodies of water used for the abstraction of water intended for human consumption providing more than 10 cubic metres a day as an average or serving more than 50 persons;
- (b) those bodies of water intended for such future use.

(2) For each body of water identified under paragraph (1), in addition to meeting the objectives of Article 4 of the Water Framework Directive for surface water bodies including the quality standards established at European Union level under Article 16 of the Water Framework Directive, a water supplier shall ensure that under the water treatment regime applied, and in accordance with Community legislation, the resulting water will meet the requirements of these Regulations.

- (3) (a) Without prejudice to Articles 4 to 8 of the Water Framework Directive, the source protection agencies, identified in Schedule 6, shall ensure that risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption are carried out.
- (b) The Minister shall, not later than 12 months after the date of the coming into operation of these Regulations, publish guidelines, on a website maintained by the Minister, outlining the required coordinated approach, including the respective roles, and responsibilities, of the supervisory authorities and Uisce Éireann, to the State's obligations under the Directive and the Water Framework Directive for the protection of drinking water.

(4) The source protection agencies shall ensure that the risk assessment, mentioned in paragraph (1), includes the following elements:

- (a) characterisation of the catchment areas for abstraction points including the following:

- (i) identification and mapping of the catchment areas for abstraction points;
 - (ii) mapping of the safeguard zones, where those zones have been established in accordance with Article 7(3) of the Water Framework Directive;
 - (iii) geo-references for all abstraction points in the catchment areas; given that those data are potentially sensitive, in particular in the context of public health and public security, the source protection agencies shall ensure that such data are protected and communicated only to the relevant authorities and water suppliers;
 - (iv) description of land-use, runoff and recharge processes in the catchment areas for abstraction points;
- (b) identification of hazards and hazardous events in the catchment areas for abstraction points and an assessment of the risk they could pose to the quality of water intended for human consumption; that assessment shall assess potential risks that might cause deterioration of the water quality to the extent that it could constitute a risk to human health;
- (c) appropriate monitoring in surface water or groundwater, or both, in the catchment areas for abstraction points, or in raw water, of relevant parameters, substances or pollutants selected from the following:
- (i) parameters set out in Tables A and B in Schedule 1 or set in accordance with Regulation 6;
 - (ii) groundwater pollutants in Schedule 4 to the European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9 of 2010), and pollutants and indicators of pollution for which threshold values have been established by the State in accordance with Schedule 6 to those Regulations;
 - (iii) priority substances and certain other pollutants in—
 - (I) Table 11 (amended by Regulation (16) of the European Union Environmental Objectives (Surface Waters) (Amendment) Regulations 2015 (S.I. No. 386 of 2015)), and
 - (II) Table 12 (amended by Regulation 4 of the European Union Environmental Objectives (Surface Waters) (Amendment) Regulations 2019 (S.I. No. 77 of 2019)),
in Schedule 6 to the European Union Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009);
 - (iv) river basin specific pollutants in—

(I) Table 7, and

(II) Table 10,

in Schedule 5 to the European Union Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009);

(v) other pollutants relevant for water intended for human consumption established by the State on the basis of the information collected in accordance with paragraph (2);

(vi) naturally occurring substances that could constitute a potential danger for human health through use of water intended for human consumption;

(vii) substances and compounds included in the watch list.

(5) For the purposes of paragraph (4), reliance may be placed on information collected in accordance with this Regulation and Articles 5 and 7 of the Water Framework Directive.

(6) For the purposes of paragraph (4), reliance may be placed on the review of the impact of human activity undertaken in accordance with Regulation 10 of these Regulations and Article 5 of the Water Framework Directive and information on significant pressures—

(a) collected for the purpose of points 1.4 and 1.5 of Annex II to the Water Framework Directive, and

(b) in articles 10A to 10K (inserted by Regulation 10 of the European Union (Water Policy) (Amendment) Regulations 2022 (S.I. No. 166 of 2022)) of the Regulations of 2003 (S.I. No. 722 of 2003)).

(7) The source protection agencies shall select from paragraph (4)(c)(i) to (vii) the parameters, substances or pollutants that are considered relevant for monitoring in light of the hazards and hazardous events identified under paragraph (4)(b) or in light of the information provided by the water suppliers in accordance with paragraph (6).

(8) For the purpose of appropriate monitoring as referred to in paragraph (4)(c), including to detect new substances that are harmful to human health through use of water intended for human consumption, source protection agencies may use the monitoring performed in accordance with Regulation 10 of these Regulations, Articles 7 and 8 of the Water Framework Directive or other legislation of the State, relevant to the catchment areas for abstraction points.

(9) Water suppliers that perform monitoring in the catchment areas for abstraction points or in raw water shall be required to share that data with, and when required inform, the supervisory authorities of trends in, and of unusual numbers or concentrations of, monitored parameters, substances or pollutants.

(10) On the basis of the outcome of the risk assessment carried out in accordance with paragraph (4), the source protection agencies shall ensure

that the following risk management measures to prevent or control the risks identified are taken as relevant, starting with the preventive measures:

- (a) defining and implementing preventive measures in the catchment areas for abstraction points in addition to the measures foreseen or taken in accordance with paragraph 4 of Schedule 2 to the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009), where required to safeguard the quality of the water intended for human consumption; where appropriate, those preventive measures shall be included in the programmes of measures referred to in article 12 of the Regulations of 2003; where appropriate, the source protection agencies shall ensure that polluters, in cooperation with water suppliers and other relevant stakeholders, take such preventive measures in accordance with the Water Framework Directive;
- (b) defining and implementing mitigation measures in the catchment areas for abstraction points in addition to the measures foreseen or taken in accordance with paragraph 4 of Schedule 2 to the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009), where required to safeguard the quality of the water intended for human consumption; where appropriate, those mitigation measures shall be included in the programmes of measures referred to in article 12 of the Regulations of 2003; where appropriate, the source protection agencies shall ensure that polluters, in cooperation with water suppliers and other relevant stakeholders, take such mitigation measures mentioned in the Water Framework Directive;
- (c) ensuring appropriate monitoring of parameters, substances or pollutants in surface water or groundwater, or both, in the catchment areas of abstraction points, or in raw water, that could constitute a risk to human health through water consumption or lead to unacceptable deterioration of the quality of water intended for human consumption and that have not been taken into consideration in the monitoring performed in accordance with Regulation 10 of these Regulations and article 10 of the Regulations of 2003; where appropriate, this monitoring shall be included in the monitoring programmes referred to in article 10 of the Regulations of 2003;
- (d) evaluation of the need to establish or adapt safeguard zones for groundwater and surface water, as referred to in Article 7(3) of the Water Framework Directive, and any other relevant zones.

(11) The detailed description of the roles and responsibilities of the source protection agencies, under Schedule 6, may be further outlined in guidelines which shall –

- (a) be made by the Minister, and published on a website maintained by him and her, not later than 12 months of the date of the coming into operation of these Regulations, and
- (b) ensure that the effectiveness of any measures referred to in paragraph (10) are reviewed at appropriate intervals.

(12) Source protection agencies shall ensure that water suppliers and supervisory authorities have access to the information referred to in paragraphs (4) and (9) and, in particular, relevant water suppliers shall have access to the monitoring results obtained under paragraph (4)(c).

(13) On the basis of the information referred to in paragraphs (4) and (9)

- (a) water suppliers may be required by the relevant supervisory authority from time to time to perform additional monitoring or treatment of certain parameters, and
- (b) subject to appropriate monitoring of the parameters concerned being performed when reviewing the risk assessment and risk management of the catchment areas for abstraction points, in accordance with Regulation 9(4), the relevant supervisory authority may allow water suppliers to decrease the monitoring frequency of a parameter, or to remove a parameter from the list of parameters to be monitored by the water supplier in accordance with Regulation 13(2)(a), without being required to carry out a risk assessment of the supply system, provided that—
 - (i) the parameter is not a core parameter within the meaning of point 1 of Part 2 of Schedule 2, and
 - (ii) no factor that can be reasonably anticipated is likely to cause deterioration of the quality of water intended for human consumption.

(14) Where a water supplier is allowed to decrease the monitoring frequency of a parameter or remove a parameter from the list of parameters to be monitored, as referred to paragraph (13), the supervisory authority shall ensure that appropriate monitoring of those parameters is performed when reviewing the risk assessment and risk management of the catchment areas for abstraction points, in accordance with Regulation 9(4) and (5).

Risk assessment and risk management of supply system

11. (1) The supervisory authority shall ensure that risk assessment and risk management of the supply system are carried out by each water supplier for all water supplies—

- (a) 10 cubic metres, or greater, per day as an average, or
- (b) serving 50, or more, persons.

(2) A water supplier shall ensure that the risk assessment of the supply system mentioned in paragraph (1)—

- (a) takes into account the results of the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with Regulation 10,
 - (b) includes a description of the supply system from the abstraction point, treatment, storage and distribution of water to the point of supply, and
 - (c) identifies the hazards and hazardous events in the supply system and includes an assessment of the risks they could pose to human health through use of water intended for human consumption, taking into consideration risks stemming from climate change, leakage and leaking pipes.
- (3) On the basis of the outcome of the risk assessment carried out in accordance with paragraph (2), the water supplier shall ensure that the following risk management measures are taken:
- (a) defining and implementing control measures for the prevention and mitigation of the risks identified in the supply system that could compromise the quality of water intended for human consumption;
 - (b) defining and implementing control measures in the supply system in addition to the measures foreseen or taken in accordance with Regulation 10(10) or article 12 of the Regulations of 2003, for the mitigation of risks coming from the catchment areas for abstraction points that could compromise the quality of water intended for human consumption;
 - (c) implementing a supply-specific operational monitoring programme in accordance with Regulation 13;
 - (d) where disinfection forms part of the preparation or distribution of water intended for human consumption, that the following are ensured:
 - (i) that the efficiency of the disinfection applied is validated;
 - (ii) that any contamination from disinfection by-products is kept as low as possible without compromising the disinfection;
 - (iii) that any contamination from treatment chemicals is kept as low as possible;
 - (iv) that any substances remaining in the water do not compromise the fulfilment of the general obligations set out in Regulations 4 and 5;
 - (e) verifying that materials, treatment chemicals and filter media that come into contact with water intended for human consumption used in the supply system comply with Regulations 19 and 20.

(4) On the basis of the outcome of the risk assessment of the supply system carried out in accordance with paragraph (2), the supervisory authority shall—

- (a) allow the possibility of decreasing the monitoring frequency of a parameter or of removing a parameter from the list of parameters to be monitored, other than for the core parameters referred to in point 1 of Part 2 of Schedule 2, if the supervisory authority is satisfied that to do so would not compromise the quality of water intended for human consumption—
 - (i) on the basis of the occurrence of a parameter in raw water, in accordance with the risk assessment of the catchment areas for abstraction points as set out in Regulation 10(1) to (8),
 - (ii) when a parameter can only occur as a result of the use of a certain treatment technique or disinfection method, and that technique or method is not used by the water supplier, or
 - (iii) on the basis of the specifications set out in Part 3 of Schedule 2,
- (b) ensure that the list of parameters to be monitored in water intended for human consumption in accordance with Regulation 13 is extended or that the monitoring frequency is increased—
 - (i) on the basis of the occurrence of a parameter in raw water, in accordance with the risk assessment of the catchment areas for abstraction points as set out in Regulation 10(1) to (7), or
 - (ii) on the basis of the specifications set out in Part 3 of Schedule 2.

(5) The risk assessment of the supply system, mentioned in paragraph (1), shall concern parameters set out in Tables A to C in Schedule 1, parameters set in accordance with Regulation 6 and substances or compounds included in the watch list.

(6) Where a water supplier has not undertaken risk assessment and risk management, the supervisory authority may direct the water supplier concerned that the risk assessment, or risk management, as the case may be, be carried out and the water supplier shall comply with that direction.

(7) A water supplier that—

- (a) fails to ensure that, where disinfection forms part of the preparation or distribution of water for human consumption—
 - (i) that any contamination from disinfection by-products is kept as low as possible, or

- (ii) that any substances remaining in the water do not compromise the fulfilment of the general obligations in Regulation 4, or
- (b) fails to comply with a direction given under paragraph (6), commits an offence.

Risk Assessment of domestic distribution systems

12. (1) Uisce Éireann shall ensure that a risk assessment of domestic distribution systems is carried out and that risk assessment shall comprise the following elements:

- (a) a general analysis of the potential risks associated with domestic distribution systems, and with related products and materials, and whether those potential risks affect the quality of water at the point where it emerges from the taps that are normally used for water intended for human consumption; this general analysis shall not entail an analysis of individual properties;
- (b) monitoring of the parameters set out in Table D in Schedule 1 in premises where specific risks to water quality and human health have been identified during the general analysis performed under subparagraph (a).

(2) In relation to *Legionella* or lead, Uisce Éireann, having had regard to the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005), may decide to focus the monitoring referred to in paragraph (1)(b) on priority premises.

(3) Where Uisce Éireann concludes, on the basis of the general analysis carried out under paragraph (1)(a), that there is a risk to human health stemming from domestic distribution systems or from the related products and materials, or where monitoring performed in accordance with paragraph (1)(b) demonstrates that the parametric values set out in Table D in Schedule 1 are not met, Uisce Éireann shall in writing—

- (a) inform the owner of the property concerned, and
- (b) inform the relevant supervisory authority.

(4) On being informed under paragraph (3), the owner of the property concerned shall, without delay, ensure that appropriate measures are taken to eliminate or reduce the risk of non-compliance with the parametric values in Table D Schedule 1 and, in the case of *Legionella*, those measures shall target at least priority premises.

(5) In order to reduce the risks connected with domestic distribution across all domestic distribution systems, a water supplier shall ensure that the following measures are considered and that those measures considered relevant are taken;

- (a) encourage owners of public and private premises to carry out a risk assessment of the domestic distribution system;

- (b) inform consumers and owners of public and private premises about measures to eliminate or reduce the risk of non-compliance with the quality standards for water intended for human consumption due to the domestic distribution system;
- (c) advise consumers about the conditions of consumption and use of water intended for human consumption, and about possible action to avoid the reoccurrence of those risks;
- (d) promote training for plumbers and other professionals dealing with domestic distribution systems and the installation of construction products and materials that come into contact with water intended for human consumption;
- (e) in relation to *Legionella*, ensure that effective control and management measures which are proportionate to the risk are in place to prevent and address possible outbreaks of the disease;
- (f) in relation to lead, if economically and technically feasible, implement measures for substitution of components made of lead in existing domestic distribution systems.

PART 4

MONITORING AND INFORMATION

Monitoring

13. (1) The EPA shall supervise the performance by Uisce Éireann and each local authority of their monitoring functions under these Regulations, and may issue such direction to those bodies as it considers necessary to ensure that Uisce Éireann or the local authority concerned, as the case may be, are complying with their obligations under these Regulations.

- (2) (a) Uisce Éireann shall—
 - (i) be responsible for monitoring public water supplies, with the parametric values set out in Tables A, B and C in Schedule 1, and
 - (ii) undertake raw water monitoring as required under Regulation 10(10)(c).
 - (b) The supervisory authority shall verify compliance of water intended for human consumption supplied by Uisce Éireann, or any person acting jointly with it or on its behalf, with the parametric values set out in Tables A, B and C in Schedule 1.
- (3) Subject to paragraphs (2)(a) and (4), each local authority shall supervise the performance of private water suppliers in its functional area, including monitoring compliance of water intended for human consumption with the parametric values set out in Tables A, B and C in Schedule 1.

(4) Where a water supply referred to in paragraph (3) is provided within the functional area of two, or more, local authorities then the following applies;

- (a) subject to subparagraph (b), those local authorities may decide that one of them shall perform the functions required under that paragraph (3) in respect of that water supply;
 - (b) the Minister may direct those local authorities to nominate a single local authority from among themselves to perform those functions, and where the authorities fail to comply with such a direction the Minister may direct that a specified local authority shall perform them;
 - (c) the authority nominated under subparagraph (a), or directed under subparagraph (b), shall have such functions in regard to such supply as if it was provided solely in its functional area in the first instance.
- (5) (a) For the purpose of establishing compliance with the parametric values set out in Parts 1 and 2 of Schedule 2 and of fulfilling their respective obligations under paragraphs (2) and (3), each water supplier or relevant supervisory authority shall take all measures necessary to ensure that monitoring of the quality of water intended for human consumption is carried out on water supplies in accordance with any guidelines issued by the EPA under paragraph (12).
- (b) Guidelines issued by the EPA, mentioned in subparagraph (a), shall be in accordance with this Regulation and Schedule 2 in order to check that the water available to consumers meets the requirements of these Regulations and, in particular, the additional parametric values set in accordance with Regulation 6(4).
- (c) Each supervisory authority shall be responsible for the enforcement of compliance with these Regulations by the water suppliers for whom it has supervisory responsibility under these Regulations.
- (6) For the purposes of paragraph (5), without prejudice to paragraph (4)—
- (a) in the case of a public water supply, Uisce Éireann, and
 - (b) in the case of a private water supply, the local authority concerned,

shall—

- (i) specify the points at which samples shall be taken for analysis and establish a related monitoring programme in accordance with Parts 1, 2 and 4 of Schedule 2, or ensure that such a monitoring programme is established in respect of every supply of water for human consumption, other than an exempted supply, in its functional area, and

(ii) submit the monitoring programme referred to in subparagraph (i) to the EPA for review at such times as the EPA may direct.

(7) The supervisory authority may direct a water supplier to amend, in such manner as the EPA may specify, a monitoring programme submitted by the water supplier to the EPA under paragraph (6)(ii), and the water supplier shall comply with that direction.

(8) Samples taken for the purposes of this Regulation shall be representative of the quality of the water consumed throughout the year and shall be equally distributed through the supply.

(9) A monitoring programme established under paragraph (6) shall comply with the specifications for the analysis of parameters specified in Schedule 3 and may provide for the use of in accordance with the following principles:

(a) methods of analysis, other than those specified in Part 1 of Schedule 3, provided that—

- (i) the EPA is satisfied that the results obtained are at least as reliable as those produced by the specified methods, and
- (ii) the European Commission is provided with all relevant information concerning such methods and their equivalence;

(b) any method of analysis for those parameters in Part 2 of Schedule 3, provided that it meets the requirements set out therein.

(10) Where, for the purposes of paragraph (9)(a), a supervisory authority satisfies itself that the results obtained from an alternative method of analysis are at least as reliable as those produced by the specified method, it shall forward to the Minister all relevant information concerning its comparative evaluation of the equivalent method, and the Minister shall forward the information to the European Commission.

(11) A supervisory authority shall ensure that additional monitoring is carried out on a case-by-case basis (whether by itself or the relevant water supplier) of substances and micro-organisms for which no parametric value has been set out in Schedule 1, if there is reason to suspect that such substances or micro-organisms may be present in amounts or numbers that constitute a potential danger to human health, and may direct a water supplier to carry out such monitoring as it considers necessary for this purpose, and, where so directed, the water supplier shall comply with such direction within such time as set out in the direction or, where no such time is set out, in a timely manner.

(12) The EPA may issue guidelines on the manner, frequency and method by which parameters set out in Schedule 1 shall be monitored, and in relation to appropriate monitoring points.

(13) To meet the obligations imposed in Article 13(1) of the Directive, appropriate monitoring programmes shall be established in accordance with

Part 1 of Schedule 2 for all water intended for human consumption and those monitoring programmes shall be supply-specific, taking into account the outcomes of the risk assessment of the catchment areas for abstraction points and of the supply systems, and shall consist of the following elements:

- (a) monitoring of the parameters listed in Tables A, B and C in Schedule 1, and of the parameters set in accordance with Regulation 6, in accordance with Schedule 2, and, where a risk assessment of the supply system is carried out, in accordance with Regulation 11 and Part 3 of Schedule 2, unless the supervisory authority decides that one of those parameters can be removed, in accordance with—
 - (i) Regulation 10(13), or
 - (ii) Regulation 11(4)(a),

from the list of parameters to be monitored.

- (b) monitoring of the parameters set out in Table D in Schedule 1, for the purposes of the risk assessment of domestic distribution systems, as provided for in Regulation 12(1)(b).
- (c) monitoring of the substances and compounds included in the watch list, in accordance with Regulation 13(14)(a).
- (d) monitoring, of the purposes of the identification of hazard and hazardous events, as provided for in Regulation 10(4)(c).
- (e) operational monitoring conducted in accordance with Regulation point 3 of Part 1 of Schedule 2.

- (14) (a) A water supplier, having consulted with the supervisory authority and the HSE, shall put in place monitoring requirements with regard to the potential presence of the substances or compounds which are included in the watch list, at relevant points of the supply chain for water intended from human consumption.
- (b) For this purpose, the supervisory authority may take into account the information collected under Regulation 10 and may use the monitoring data collected in accordance with—
 - (i) articles 10A to 10K (inserted by Regulation 10 of the European Union (Water Policy) (Amendment) Regulations 2022 (S.I. No. 166 of 2022)) of the Regulations of 2003, and
 - (ii) Regulation 26, and Regulation 44 (amended by Regulation 6 of the European Communities Environmental Objectives (Surface Waters) (Amendment) Regulations 2022 (S.I. No. 288 of 2022)), of the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009), or other relevant European Union or State legislation, in order to avoid overlapping of monitoring requirements.

- (c) The monitoring results shall be included in the data sets, set up in accordance with Regulation 16(1)(i), together with the results of the monitoring performed under Regulation 8(4).

(15) Where a substance or compound included in the watch list is detected, under Regulation 10(4) or under paragraph (14)(a), in concentrations exceeding the guidance values set out in the watch list, the water supplier concerned, in consultation with the HSE and the supervisory authority, shall ensure that the following measures are considered and that those measures considered relevant are taken:

- (a) preventative measures, mitigation measures or appropriate monitoring in the catchment areas for abstraction points or in raw water as set out in Regulation 10(10);
- (b) requiring water suppliers to carry out monitoring of those substances or compounds, in accordance with Regulation 10(13);
- (c) requiring water suppliers to check whether treatment is adequate to reach the guidance value and, where necessary, to optimise the treatment;
- (d) remedial actions in accordance with Regulation 17(4)(a) where the EPA or the HSE, as the case may be, considers it necessary to protect human health.

(16) Guidelines for consultations under paragraph (15) shall be jointly developed by the EPA, the HSE and the water suppliers in relation to managing watch list substances.

(17) Sampling points, for the purposes of these Regulations, shall be determined by the water supplier, or supervisory authority, concerned and shall meet the relevant requirements set out in Part 4 of Schedule 2.

(18) Where there is reason to suspect that substances and micro-organisms for which no parametric value has been set in accordance with Regulation 6 may be present in numbers or concentrations which constitute a potential danger to human health, the water supplier or supervisory authority, concerned shall ensure that additional monitoring is carried out on a case-by-case basis.

(19) A person that fails to comply with a direction from the supervisory authority under paragraph (7) or (11) commits an offence.

Information to members of the public

14. (1) Subject to paragraph (2), a water supplier shall maintain adequate and up-to-date records in accordance with—

- (a) Schedule 4, and
- (b) with applicable data protection legislation.

(2) The records maintained under paragraph (1) shall be provided to the relevant supervisory authority on written request and may specify the following:

- (a) the management and treatment of water intended for human consumption;
- (b) the monitoring of compliance with water quality standards or other parametric values set out in Schedule 1;
- (c) corrective action taken following a non-compliance with water quality standards or other parametric values set out in Schedule 1;
- (d) verification of the efficiency of a disinfection treatment in accordance with Regulation 11(3).

(3) A water supplier shall ensure that all persons supplied with water intended for human consumption receive the following information regularly and not less than once a year, without being required to request that information, in the most appropriate and easily accessible form, including, but not limited to, invoices to commercial customers or by digital means such as smart applications, websites or forms accessible to their customer:

- (a) information on the quality of water intended for human consumption, including the indicator parameters;
- (b) where chargeable, the price of water intended for human consumption supplied, per litre and cubic metre;
- (c) the volume consumed by the household, not less than once per year or per statement period, together with yearly trends of the household consumption, if technically feasible and if this information is available to the water supplier;
- (d) comparisons of the yearly water consumption of the household with an average household consumption, when applicable in accordance with subparagraph (c);
- (e) a link to the website containing the information set out in Schedule 4 (or access to that information by means, appropriate to the water supplier and customer base).

(4) Each supervisory authority shall carry out, cause to be carried out, or arrange for such monitoring as it considers necessary to verify information provided to it under paragraph (2).

(5) For the purposes of its functions under these Regulations, each supervisory authority shall keep a register to record the details of each water supply for which it is a supervisory authority, and such register at a minimum shall record the following:

- (a) the name and address of the water supplier;
- (b) the volume of water supplied per day (expressed either in cubic metres or a population equivalent);
- (c) the type of water treatment in place;
- (d) the source of the water supply;
- (e) the supply zone code allocated under the Drinking Water National Monitoring Programme (as referred to in the

Department of the Environment, Community and Local Government circular letter, Reference WSP11/04, dated 17th December 2004), or such code as shall be allocated subsequently by Uisce Éireann or the relevant local authority.

(6) Water suppliers and each local authority shall maintain up to date records on an ongoing basis of monitoring results in relation to each water supply that they are required to monitor under Regulation 13(2), (3) or (4).

(7) A water supplier shall, as directed by a supervisory authority, provide the supervisory authority with such details as the authority considers are necessary for it to maintain up to date the register and records referred to in paragraphs (5) and (6).

(8) A water supplier that fails to comply with a direction from a supervisory authority under paragraph (7) commits an offence.

(9) The register and records referred to in paragraph (1) shall be kept at the principal office of the water supplier concerned, and shall be made available for inspection by any person during office hours.

(10) Where a request is made to—

- (a) a supervisory authority for a copy of an entry in the register maintained by it under paragraph (5), or
- (b) the water supplier concerned for a copy of a record maintained by it under paragraph (1), the recipient of the request concerned shall issue such a copy to the applicant on, if so required, the payment by the applicant of a fee of such an amount (not exceeding the reasonable cost of making the copy) as may be determined.

(11) Subject to any guidelines that the CRU may issue for the purposes of this paragraph, in order to facilitate public access to information, a water supplier may keep a register or record (or part of it) under this Regulation in electronic format (such as on an internet website), provided that the register or record is capable of being used to make a legible copy or reproduction of any entry in it, and references in this Regulation to a copy of an entry in a register or a record shall be construed as including references to such electronic format or such legible copy or reproduction.

(12) Evidence of an entry in a register or a record may be given by production of a copy of it certified by an officer of Uisce Éireann or the authority concerned as being a true copy.

(13) Where a person fails to comply in full with a request under paragraph (2) within a period of 6 weeks, or such longer period as may be specified in the request, the relevant supervisory authority may apply to the High Court for an order directing the person concerned to comply with the request.

(14) Where, following an application by a supervisory authority under paragraph (13), the High Court is satisfied that it is appropriate to do so, the court may make an order compelling the person concerned to comply with the request under paragraph (2).

(15) Where the High Court makes an order under paragraph (14), it may, for the purpose of giving full effect to the order, include such conditions in the order and make such ancillary or other orders as it deems fit.

Protection of human health

15. (1) Where a water supplier or a local authority considers that a supply of water intended for human consumption constitutes a potential danger to human health, the water supplier or the local authority, as the case may be, shall consult with the HSE, and with the agreement of the HSE, ensure that—

- (a) the supply of such water is prohibited, or the use of such water is restricted, or such other action is taken as is necessary to protect human health,
- (b) consumers are informed promptly thereof and given the necessary advice,
- (c) in the case of a public water supply, the EPA is informed promptly, and
- (d) the relevant local authority is informed promptly.

(2) The water supplier concerned or the relevant local authority, with the agreement of the HSE, shall decide what action under paragraph (1) is to be taken, bearing in mind the risks to human health which would be caused by an interruption of the supply or a restriction in the use of water intended for human consumption.

(3) The duty imposed on a water supplier by paragraph (1) shall apply whether or not any failure to meet a parametric value set out in Schedule 1, or set under Regulation 6, has occurred.

(4) A supervisory authority may give a direction to a water supplier in respect any action to be taken by the water supplier under paragraph (1).

(5) The supervisory authority may issue guidelines to assist water suppliers to fulfil their obligations under this Regulation.

(6) A water supplier that fails—

- (a) to comply with a direction from a supervisory authority under this Regulation, or
- (b) to inform the EPA in accordance with paragraph (1)(c),

commits an offence.

Information on monitoring of implementation

16. (1) Without prejudice to—

- (a) the European Communities (Access to Information on the Environment) Regulations 2007 (S.I. No. 133 of 2007), and

(b) the State's obligations under Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007,⁵

the EPA, shall—

- (i) set up by 12 January 2029, and update not later than every 6 years thereafter, a data set containing information on measures taken to improve access to and promote the use of water intended for human consumption in accordance with Regulation 21, and on the share of their population that has access to water intended for human consumption,
- (ii) set up by 12 July 2027, and update not later than every six years thereafter, a data set containing information related to the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with Regulation 10, and set up by 12 January 2029, and update not later than every 6 years thereafter, a data set containing information related to the risk assessment of domestic distribution systems carried out in accordance with Regulation 12, including the following elements:
 - (I) information on catchment areas for abstraction points under Regulation 10(4);
 - (II) the results of the monitoring performed under Regulations 10(4) and 12(1)(b);
 - (III) concise information on measures taken pursuant to Regulations 10(10) and 12(3), (4) and (5), including information on the type of measures taken, and the progress made, under Regulation 12(5)(f),
- (iii) set up, and update annually thereafter, a data set containing monitoring results, in cases of exceedances of the parametric values set out in Tables A and B in Schedule 1, collected in accordance with Regulations 11 and 13 and information about the remedial actions taken in accordance with Regulation 17,
- (iv) set up, and update annually thereafter, a data set containing information on incidents relating to water intended for human consumption that have caused a potential risk to human health, regardless of whether any failure to meet the parametric values occurred, that lasted for more than 10 consecutive days and that affected not less than 1,000 people, including the causes of those incidents and remedial actions taken in accordance with Regulation 17, and

⁵ OJ No. L 108, 25.04.2007, p. 1.

(v) set up, and update annually thereafter, a data set containing information on all derogations granted in accordance with Regulation 18(1), including the information provided for in paragraph (6) of that Regulation.

(2) Where possible, spatial data services as defined in point (4) of Article 3 of Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007⁵ shall be used to present the data sets referred to in paragraph (1).

(3) The EPA shall provide access to data sets referred to in paragraph (1) to the European Commission, the European Environment Agency and the European Centre of Disease Prevention and Control.

Remedial action and restrictions of use

17. (1) (a) A water supplier shall ensure that any failure to meet the parametric values set out in Schedule 1 or the detection of pathogenic micro-organisms or parasites in its water supply is immediately investigated so as to identify the cause of such failure.

(b) Each relevant local authority shall ensure that any failure to meet the parametric values set out in Schedule 1 or the detection of pathogenic micro-organisms or parasites in a water supply for which it is a supervisory authority, is immediately investigated by the relevant water supplier so as to identify the cause of such failure.

(2) For the purposes of paragraph (1), where a water supplier discovers a failure to meet the values set out in Schedule 1 or detects pathogenic micro-organisms or parasites in its water supply, that person shall notify the relevant supervisory authority for that supply in accordance with such guidelines as the EPA may issue for that purpose.

(3) Subject to Regulation 15 and Regulations 17(4) and (8), where it is found, as a result of monitoring carried out for the purposes of these Regulations, that the quality of water intended for human consumption does not meet the parametric values set out in Schedule 1, or set in accordance with Regulation 6, the supervisory authority shall, subject to any departures in force under these Regulations—

(a) ensure that the necessary remedial action is taken by the water supplier as soon as possible to restore the quality of the water, and may issue such directions as the supervisory authority considers appropriate for this purpose to the relevant water supplier,

(b) give priority to its enforcement action, having particular regard to the extent to which the relevant parametric value has been exceeded and to the potential danger to human health,

- (c) unless indicated otherwise in guidelines issued under paragraph (8), within 14 days of receiving the monitoring results, direct a water supplier to prepare an action programme and to submit it for the approval of the supervisory authority within 60 days, and to implement such action programme for the improvement of the quality of the water so as to secure compliance with these Regulations as soon as possible and not later than—
 - (i) one year from the date of approval by the supervisory authority of the action programme in relation to the water quality standards set out in Tables A and B in Schedule 1 in relation to matters that present a risk to human health, and
 - (ii) two years from the date of approval by the supervisory authority of the action programme in relation to all the water quality standards set out in Table B in Schedule 1, other than those referred to in clause (i).
- (4) (a) In the event of non-compliance with the parametric values or with the specifications set out in Table C in Schedule 1, a supervisory authority, in consultation with the HSE, shall consider whether or not such non-compliance poses a risk to human health.
 - (b) Where it is determined that such risk to human health under subparagraph (a) exists, the supervisory authority shall apply the provisions of paragraph (3)(c), and the relevant water supplier shall take remedial action to restore the quality of the water within the timeframe specified in the programme.
- (5) Where, despite the measures taken to meet the obligations imposed in Regulation 4(1), water intended for human consumption does not meet the parametric values set out in Schedule 1, or set in accordance with Regulation 6, and without prejudice to Regulation 8(1), the water supplier concerned shall ensure that the necessary remedial action is taken as soon as possible to restore the quality of that water and shall give priority to its obligations to comply with Regulation 4, having regard to, amongst other things, the extent to which the relevant parametric value has been exceeded and the associated potential danger to human health.
- (6) A supervisory authority may amend an action programme submitted to it under paragraph (3)(c) before approving it, and the action programme thus amended and approved shall be regarded as the action programme for the purposes of these Regulations.
- (7) An action programme under this Regulation shall include such interim measures as may be appropriate, and shall have regard to the provisions of any water services strategic plan made by Uisce Éireann or the relevant local authority.
- (8) The EPA may issue guidelines in relation to the nature and timing of remedial, enforcement or other relevant action under this Regulation in specified circumstances, depending on the extent and likely consequences of

a non-compliance with parametric values set out in Schedule 1, and local authorities shall take such guidelines fully into account when fulfilling their obligations under paragraph (3).

(9) Where remedial action is taken in relation to a water supply, the water supplier shall ensure that consumers are informed of such action, save where the supervisory authority considers the non-compliance with the parametric value to be trivial in nature or extent.

(10) For the purposes of paragraph (1), each water supplier shall maintain a record of any incidence of failure to meet the parametric values set out in Schedule 1, and such record shall include details of—

- (a) the date of the incident,
- (b) the extent and duration of the failure,
- (c) the cause of the failure, and
- (d) details of any complaint received arising from such failure.

(11) In the cases described in paragraphs (5) and (13), where the non-compliance with the parametric values is considered to be a potential danger to human health, the water supplier concerned, in consultation with the relevant local authority and the HSE, shall as soon as possible take the following measures:

- (a) notify all affected consumers of the potential danger to human health and its cause, of the exceedance of a parametric value and of the remedial actions taken, including prohibition or restriction of use or other action;
- (b) give, and regularly update, the necessary advice to consumers on conditions of consumption and use of the water, taking particular account of population groups with increased water-related health risks;
- (c) inform consumers once it has been established that there is no longer a potential danger to human health and inform them that the service has returned to normal.

(12) Records referred to in paragraph (10) shall be made available by a water supplier to a supervisory authority on written request from the authority concerned.

(13) Regardless of whether any failure to comply with the parametric values set out in Schedule 1, or set in accordance with Regulation 6, has occurred, the water supplier or supervisory authority concerned shall ensure that any supply of water intended for human consumption which constitutes a potential danger to human health is prohibited or the use of such water restricted and that any other remedial action that is necessary to protect human health is taken.

(14) A water supplier that fails to—

- (a) notify the relevant supervisory authority in accordance with paragraph (2),
- (b) comply with a direction issued under paragraph (3)(a) or (c),

- (c) inform consumers in accordance with paragraph (9),
- (d) maintain a record for the purposes of paragraph (10), or
- (e) make a record available to a supervisory authority on request under paragraph (12),

commits an offence.

Derogations

18. (1) In duly justified circumstances, a departure from the parametric values set out in Table B in Schedule 1, or set in accordance with Regulation 6, up to a maximum value for each such departure to be determined by the EPA, may on application by Uisce Éireann in respect of a public water supply, or by the relevant local authority in respect of a private water supply, subject to the agreement of the HSE, be granted by the EPA in relation to a water supply, provided no such departure constitutes a potential danger to human health and that the supply of water intended for human consumption in the area concerned cannot otherwise be maintained by any other reasonable means; such derogations shall be limited to the following:

- (a) a new catchment area for the abstraction of water intended for human consumption;
- (b) a new source of pollution detected at the catchment area for the abstraction of water intended for human consumption or parameters newly searched for or detected;
- (c) an unforeseen and exceptional situation in an existing catchment area for the abstraction of water intended for human consumption that could lead to temporary limited exceedances of the parametric values.

(2) An application for a departure under paragraph (1) shall contain such information as may be specified by the EPA.

(3) A departure granted under paragraph (1) shall—

- (a) be subject to such conditions as may be specified by the EPA,
- (b) have effect for as short a period of time as possible, which shall not exceed 3 years,
- (c) subject to paragraph (4), specify the requirements set out in Regulation 18(6), and
- (d) be reviewed by the EPA prior to the end of the period of the departure so as to determine whether sufficient progress has been made in the opinion of the EPA.

(4) (a) Subject to subparagraph (b), the requirement to specify the information in paragraph (6) shall not apply in any case where the EPA considers that—

- (i) the non-compliance with the parametric value is trivial, and

- (ii) the action taken in accordance with Regulation 17(5) is sufficient to remedy the problem within 30 days, and in such a case, a departure granted under this Regulation need specify only the maximum permissible value for the parameter and the time allowed to remedy the problem.
 - (b) Subparagraph (a) shall not apply in the case of a water supply where failure to comply with any one parametric value in relation to that supply has occurred on more than 30 days on aggregate during the previous 12 months.
- (5) In exceptional circumstances, the EPA may grant a second departure in respect of subparagraphs (a) or (b) of paragraph (1), which shall not exceed 3 years, up to a maximum value to be determined by the EPA and subject to the agreement of the HSE, and where it does so—
- (a) the EPA shall forward the related review to the Minister, and notify him or her of the departure and the reasons for granting it;
 - (b) the Minister shall forward the related review and details of the reasons for granting the second departure to the European Commission.
- (6) Any derogation granted in accordance with paragraph (1) or (5) shall specify the following:
- (a) the grounds for the derogation;
 - (b) the parameter concerned, previous relevant monitoring results, and the maximum permissible parametric value under the derogation;
 - (c) the geographical area, the quantity of water supplied each day, the population concerned;
 - (d) an appropriate monitoring scheme, with an increased monitoring frequency where necessary;
 - (e) a summary of the plan for the necessary remedial action, including a timetable for the work and an estimate of the cost and provisions for reviewing;
 - (f) the duration of the derogation.
- (7) Subject to paragraph (8), where a departure is granted under this Regulation, other than a departure to which paragraph (4) applies, the water supplier concerned shall ensure that—
- (a) the population affected by such departure is informed promptly in an appropriate manner of the departure and of the conditions governing it,
 - (b) advice is given, where necessary, to particular population groups for which the departure could present a special risk, and
 - (c) informed of any action that can be taken to protect human health from the adverse effects resulting from any contamination of water intended for human consumption.

(8) The obligations referred to in paragraph (7) shall not apply to the circumstances mentioned in paragraph (4) other than where the supervisory authority concerned decides otherwise.

PART 5

MINIMUM REQUIREMENTS

Minimum hygiene requirements for materials that come into contact with water intended for human consumption

19. (1) For the purposes of Regulation 4, a water supplier shall ensure that materials that are intended to be used in their new installations or, in the case of repair works or reconstruction, in existing installations for the abstraction, treatment, storage or distribution of water intended for human consumption and that come into contact with such water do not—

- (a) directly or indirectly compromise the protection of human health as provided by these Regulations,
 - (b) adversely affect the colour, odour or taste of the water,
 - (c) enhance microbial growth, or
 - (d) leach contaminants into the water at levels that are higher than necessary in view of the intended purpose of the material.
- (2) (a) Products that meet the specific minimum hygiene requirements, adopted by the European Commission under paragraph (2) of Article 11 of the Directive, satisfy the requirements set out in paragraph (1).
- (b) Products in contact with water intended for human consumption that use final materials approved in accordance with these Regulations can be placed on the market for the purposes of these Regulations.

(3) Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019⁶ shall apply to products covered by this Regulation.

Minimum requirement for treatment chemicals and filter media that come into contact with water intended for human consumption

20. (1) For the purposes of Regulation 4, a water supplier shall ensure that treatment chemicals and filter media that come into contact with water intended for human consumption do not—

- (a) directly or indirectly compromise the protection of human health as provided for by these Regulations,
- (b) adversely affect the colour, odour or taste of the water,

⁶ OJ No. L 169, 25.06.2019, p. 1.

- (c) unintentionally enhance microbial growth, or
- (d) contaminate the water at levels that are higher than necessary in view of the intended purpose.

(2) For the purposes of this Regulation, Article 4(2) of the Directive shall apply accordingly.

(3) Pursuant to paragraph (1), and without prejudice to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012⁷ and by using relevant European standards for specific treatment chemicals or filter media, a water supplier shall ensure that the purity of treatment chemicals and filter media is assessed and the quality of such chemicals and filter media is guaranteed.

Access to water intended for human consumption

21. (1) A water supplier, without prejudice to the principles of subsidiarity and proportionality, whilst taking into account the local, regional and cultural perspectives and circumstances for water distribution, shall take the necessary measures to improve or maintain access to water intended for human consumption for all its customers, in particular for those in vulnerable or marginalised groups.

(2) For the purposes of paragraph (1), Uisce Éireann, having consulted with the public, the CRU, local authorities and each Minister of the Government concerned, shall—

- (a) identify people without access, or with limited access, to water intended for human consumption, including vulnerable and marginalised groups, and reasons for such lack of access,
- (b) assess possibilities for improving access for such people,
- (c) inform such people about possibilities for connecting to the distribution network or about alternative means of having access to water intended for human consumption, and
- (d) take measures that they consider necessary and appropriate to ensure that there is access to water intended for human consumption for vulnerable and marginalised groups.

(3) In order to promote the use of tap water intended for human consumption, water suppliers, in conjunction with local authorities and appropriate public bodies, shall ensure that outdoor and indoor equipment is set up in public spaces, where technically feasible, in a manner that is proportionate to the need for such measures and taking into account specific local conditions, such as climate and geography.

(4) Water suppliers, local authorities and appropriate public bodies may also take the following measures to promote the use of tap water intended for human consumption:

- (a) raising awareness of the nearest outdoor or indoor equipment;

⁷ OJ No L 167, 27.06.2012, p. 1.

- (b) launching campaigns to inform citizens about the quality of such water;
- (c) encouraging the provision of such water in public administrations and public buildings;
- (d) encouraging the provision of such water, for free or for low service fee, for customers in restaurants, canteens and catering services.

PART 6

AUTHORISED OFFICERS

Authorised officers

22. (1) A supervisory authority, may appoint in writing such and so many persons, including members of the staff of the supervisory authority concerned, to be authorised officers for the purpose of obtaining, or verifying, any information which may be required in relation to a matter mentioned in these Regulations, and such appointment may be specified to be for a fixed period.

(2) Every authorised officer appointed under this Regulation shall be furnished with a warrant of appointment, which shall be issued by the appointing supervisory authority, and shall, when exercising any power conferred on him or her by any of the relevant statutory provisions if requested by a person affected, produce the warrant of appointment or copy of it to that person.

(3) An appointment under this Regulation shall cease—

- (a) if the appointing supervisory authority revokes the appointment,
- (b) if the appointment is for a fixed period, on the expiry of that period, or
- (c) if the person appointed is a member of staff of the appointing supervisory authority concerned, when that person ceases to be a member of staff of the supervisory authority.

(4) An authorised officer, when exercising any powers conferred on an authorised officer by these Regulations, may be accompanied by such other authorised officers or members of the Garda Síochána, or both, as he or she considers necessary.

(5) Nothing in paragraph (4) affects the exercise by an authorised officer who is a member of the Garda Síochána of any power, which apart from that paragraph, he or she could exercise by virtue of paragraph (1) of Regulation 23 or otherwise.

(6) A person who—

- (a) obstructs or impedes an authorised officer in the exercise of a power under Regulation 23,
- (b) fails to comply with a request or requirement of an authorised officer under Regulation 23,
- (c) in purported compliance with a request or requirement, mentioned in subparagraph (b), gives information that is false or misleading in a material respect, or
- (d) fails, or refuses, to comply with a request or requirement, mentioned in subparagraph (b),

commits an offence.

Powers of authorised officers

23. (1) For the purpose of obtaining, or verifying, any information which may be required in relation to a matter mentioned in these Regulations, an authorised officer may, on production of an appointment under Regulation 22 authorising him or her to exercise one or more specified powers under paragraph (2), exercise that power or those powers.

(2) The powers mentioned in paragraph (1) are the following:

- (a) to enter, if necessary by reasonable force, and search any place, other than a dwelling, at which any activity in connection with the business of a relevant person, or a person having control of a relevant person, is carried on;
- (b) to seize and retain any books, documents or records relating to an activity found at any place referred to in subparagraph (a) and take any other steps which appear to the officer to be necessary for preserving, or preventing interference with, such books, documents or records;
- (c) to require any person who carries on an activity referred to in subparagraph (a) and any person employed in connection therewith to—
 - (i) give to the authorised officer his or her name, home address and occupation, and
 - (ii) provide to the authorised officer any books, documents or records relating to that activity which are in that person's power or control, and to give to the officer such information as he or she may reasonably require in regard to any entries in such books, documents or records, and where such books, documents or records are kept in a non-legible form to reproduce them in a legible form;
- (d) to inspect and take copies of or extracts from any such books, documents or records, including in the case of information in a non-legible form, copies of or extracts from such information in a permanent legible form;

- (e) to require a person mentioned in subparagraph (c) to give to the authorised officer any information he or she may require in regard to the persons carrying on the activity referred to in subparagraph (a) or employed in connection therewith;
- (f) to require a person mentioned in subparagraph (c) to give to the authorised officer any other information which the officer may reasonably require in regard to the activity referred to in subparagraph (a).

(3) In this Regulation—

“records” includes, in addition to records in writing—

- (a) discs, tapes, sound-tracks or other devices in which information, sounds or signals are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced in legible or audible form,
- (b) films, tapes or other devices in which visual images are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced in visual form, and
- (c) photographs,

and a reference to a copy of records includes, in the case of records falling within paragraph (a) only, a transcript of the sounds or signals embodied therein, in the case of records falling within paragraph (b), a still reproduction of the images embodied therein and, in the case of records falling within both of those paragraphs, such a transcript and such a still reproduction;

“tape” includes—

- (a) a disc, magnetic tape, soundtrack or other device in which sounds or signals may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in audible form, and
- (b) a film, disc, magnetic tape or other device in which visual images may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in visual form.

PART 7

PENALTIES AND PROSECUTIONS

Penalties and prosecutions

24. (1) A person that commits an offence under Regulation 4(7), 4(8), 5(4), 11(7), 13(19), 14(8), 15(6), 17(14), 22(6), 25(1), 25(2), 25(3) or 27(2) is liable—

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 6 months, or both, or
- (b) on indictment, to a fine not exceeding €500,000 or imprisonment for a term not exceeding 3 years, or both.

(2) A person that commits an offence under Regulation 8(4) is liable, on summary conviction, to a class A fine.

(3) Proceedings in relation to a summary offence under Regulation 4(7), 4(8), 5(4), 8(4), 11(7) or 13(19) may be brought and prosecuted by a supervisory authority.

(4) In proceedings for an offence, committed under a Regulation mentioned in paragraph (1) or (2), it shall be a defence against whom such proceedings are brought to prove that the person took all reasonable steps and exercised all due diligence to avoid the commission of the offence.

Offences in relation to water

25. (1) A person that causes—

- (a) the pollution, or
- (b) the contamination,

of a source of a water supply that is intended for human consumption causing the supply of water that is not wholesome or clean or causes a risk to human health, commits an offence.

(2) A person that fails to address a risk that has been identified, in relation to a water supply that is intended for human consumption, following notification in writing by the relevant supervisory authority to the person concerned, requiring removal or mitigation of the risk, commits an offence.

(3) A person that causes, or assists in causing, damage to—

- (a) a source of a water supply that is intended for human consumption, or
- (b) a public water supply,

commits an offence.

(4) Proceedings in relation to a summary offence under paragraph (1), (2) or (3) may be brought and prosecuted by the relevant supervisory authority or Uisce Éireann.

Offences by bodies corporate

26. (1) Where an offence under these Regulations has been committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of a person being a director, manager, secretary or other similar officer of the body corporate, or of a person who was purporting to act in any such capacity, that person as well as the body corporate is guilty of an offence and is liable to be proceeded

against and punished as if that person was guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) shall apply in relation to the acts and defaults of a member in connection with that member's functions of management as if that member was a director of the body corporate.

PART 8

SUPERVISORY AUTHORITIES

Directions of supervisory authorities

27. (1) A supervisory authority may give such directions as it considers appropriate for the purposes of its functions under these Regulations.

(2) A person that fails to comply with a direction given under paragraph (1) commits an offence.

Guidelines: practical guidance for water suppliers and supervisory authorities

28. (1) The EPA shall issue guidelines for the purposes of providing practical guidance—

- (a) to water suppliers in respect of exempted supplies under Regulation 4, and
- (b) to the supervisory authorities in respect of performance verification to be undertaken by the EPA under Regulation 30.

(2) The supervisory authorities and water suppliers, as the case may be, shall comply with guidelines issued under paragraph (1)(b).

(3) Guidelines issued under paragraph (1) shall be published by the EPA on a website maintained by it.

Charges by supervisory authorities

29. (1) A supervisory authority may charge for monitoring the quality of water supplies intended for human consumption.

(2) A charge made by a supervisory authority by virtue of paragraph (1) shall be of such amount as the authority considers appropriate, but shall not exceed the cost of such monitoring.

(3) A supervisory authority may recover the amount of any charge made by it under paragraph (1) as a simple contract debt in any court of competent jurisdiction.

Intervention, and performance verification, by supervisory authority

30. (1) Without prejudice to Regulation 15, having exercised such of its powers under these Regulations as it considers appropriate, and having considered any information furnished to it or otherwise coming into its possession in consequence of that exercise, each supervisory authority shall, with a view to achieving satisfactory compliance of water supplied for human consumption with relevant water quality standards or other parametric values specified in Schedule 1, do one, or both, of the following:

- (a) issue such direction to a water supplier, as it considers necessary;
- (b) provide, on such terms and conditions as may be agreed, such assistance, or support as the supervisory authority considers, in consultation with the water supplier, would be helpful.

(2) Where a water supplier fails to comply with a direction issued under paragraph (1) or Regulation 15, the supervisory authority may carry out, cause to be carried out, or arrange for, such action as it considers necessary to ensure compliance with that direction, and the costs of such action may be recovered by the authority from the water supplier concerned as a simple contract debt in any court of competent jurisdiction.

(3) Each supervisory authority shall undertake an audit of water supplies, for which it has supervisory responsibilities, to ensure that the provisions of these Regulations are being complied with by the relevant water supplier.

(4) The frequency and content of the audit provided for in paragraph (3) shall be in accordance with guidelines prepared by the EPA under Regulation 28.

Injunctive relief

31. (1) Where, on application by a supervisory authority to the High Court, the court is satisfied that a person has failed to comply with a direction or a requirement of, or under, these Regulations, the court may by order—

- (a) direct the person to comply with the direction or requirement, and
- (b) make such other provision, including provision in relation to the payment of costs, as the court considers appropriate.

(2) An application for an order under this Regulation shall be by motion, and the High Court, when considering the matter, may make such interim or interlocutory order as it considers appropriate.

(3) An application for an order under this Regulation may be made whether or not there has been a prosecution for an offence under these Regulations in relation to the activity concerned, and shall not prejudice the initiation of a prosecution for an offence under these Regulations in relation to the activity concerned.

PART 9

FINAL PROVISIONS

Service of directions

32. (1) Where a direction is required to be issued to a person under these Regulations, it shall be in writing addressed to the party concerned and given to the party in one of the following ways:

- (a) by delivering it to the party concerned;
- (b) by leaving it at the address at which the party concerned ordinarily carries on business;
- (c) by sending it by pre-paid registered post addressed to the party concerned at the address at which that party ordinarily carries on business;
- (d) if an address for the service of directions has been furnished by the party concerned, by leaving it at, or sending it by pre-paid registered post addressed to that party at that address;
- (e) by sending it by means of electronic mail or a facsimile machine, to a device or facility for the reception of electronic mail or facsimiles located at the address at which the party concerned carries on business or, if an electronic address or facsimile number address for the service of a direction has been furnished by the party concerned, that electronic address or facsimile machine, but only if—
 - (i) the recipient's facility for the reception of electronic mail generates a message confirming a receipt of the electronic mail, or
 - (ii) the sender's facsimile machine generates a message confirming successful delivery of the total number of pages of the notice or direction;
 and it is also given in one of the other ways mentioned in subparagraphs (a) to (d).

(2) For the purpose of this Regulation, a company within the meaning of the Companies Acts, or the Companies Act 2014, is deemed to be ordinarily resident at its registered office, and every corporate body and every unincorporated body of persons is deemed to be ordinarily resident at its principal office or place of business.

Information Sharing

33. The supervisory authorities, the source protection authorities and the water suppliers shall share such information appropriate to their functions, as may be required and requested, in writing, under these Regulations.

Transitional provisions

34. (1) The parametric values set under Regulation 6 in respect of Bisphenol A, Chlorate, Chlorite, Haloacetic Acids, Microcystin-LR, PFAS Total, Sum of PFAS and Uranium shall not apply in respect of water intended for human consumption up to, and including, 11 January 2026.

(2) Water suppliers shall not be obliged to monitor water intended for human consumption in accordance with Regulation 13 for Bisphenol A, Chlorate, Chlorite, Haloacetic Acids, Microcystin-LR, PFAS Total, Sum of PFAS and Uranium until after the date specified in paragraph (1).

(3) Directions made, and performance verification measures being undertaken, under the European Union (Drinking Water) Regulations 2014 (S.I. No. 122 of 2014) shall, notwithstanding the revocation of those Regulations by Regulation 35, continue with full force and effect as if those Regulations had not been revoked.

(4) Notwithstanding the revocation of the European Union (Drinking Water) Regulations 2014 (S.I. No. 122 of 2014) by Regulation 35, a person appointed to be an authorised person appointed for the purpose of those Regulations shall continue such appointment as if those Regulations had not been revoked, subject to those Regulations.

Revocations

35. (1) Subject to paragraph (2), the following are revoked:

- (a) the European Union (Drinking Water) Regulations 2014 (S.I. No. 122 of 2014);
- (b) the European Union (Drinking Water)(Amendment) Regulations 2017 (S.I. No. 464 of 2017);
- (c) the European Union (Drinking Water) (Amendment) Regulations 2022 (S.I. No. 286 of 2022).

(2) Any proceedings initiated, or criminal prosecutions instituted, under the Regulations mentioned in paragraph (1) may be continued as if the revocations under paragraph (1) had not been made and any order made, or fine or penalty imposed, shall have effect accordingly.

(3) Any directions issued to any person, under the Regulations mentioned in paragraph (1) shall continue to apply and have full effect as if the revocations under paragraph (1) had not been made.

SCHEDULE 1

Regulations 4(2), 6(1) to (4), 7, 8(2), 10(4), 11(5), 12(1), (3) and (4), 13(2), (3) (5) and (11) to (13), 14(2), 15(3), 16(1), 17(1) to (5), (8), (10) and (13), 18(1) and 30(1)

MINIMUM REQUIREMENTS FOR PARAMETRIC VALUES USED TO ASSESS THE QUALITY OF WATER INTENDED FOR HUMAN CONSUMPTION

**TABLE A
MICROBIOLOGICAL PARAMETERS**

Parameter	Parametric value	Unit	Notes
Intestinal enterococci	0	number/100 ml	Note 1
<i>Escherichia coli</i> (E.coli)	0	number/100 ml	Note 1

Note to Table

Note 1: For water put into bottles or containers, the unit is number/250 ml.

**TABLE B
CHEMICAL PARAMETERS**

Parameter	Parametric value	Unit	Notes
Acrylamide	0.10	µg/l	Note 1
Antimony	10	µg/l	
Arsenic	10	µg/l	
Benzene	1.0	µg/l	
Benzo(a)pyrene	0.010	µg/l	
Bisphenol A	2.5	µg/l	
Boron	1.5	mg/l	Note 2
Bromate	10	µg/l	
Cadmium	5.0	µg/l	
Chlorate	0.25	mg/l	Note 3
Chlorite	0.25	mg/l	Note 4
Chromium	25	µg/l	Note 5
Copper	2.0	mg/l	
Cyanide	50	µg/l	
1,2-dichloroethane	3.0	µg/l	
Epichlorohydrin	0.10	µg/l	Note 6
Fluoride	1.5	mg/l	

Parameter	Parametric value	Unit	Notes
Haloacetic acids (HAAs)	60	µg/l	Note 7
Lead	5	µg/l	Notes 8 & 9
Mercury	1.0	µg/l	
Microcystin-LR	1.0	µg/l	Note 10
Nickel	20	µg/l	
Nitrate	50	mg/l	Note 11
Nitrite	0.50	mg/l	Note 11
Pesticides	0.10	µg/l	Notes 12, 13 & 14
Pesticides — Total	0.50	µg/l	Note 15
PFAS Total	0.50	µg/l	Note 16
Sum of PFAS	0.10	µg/l	Note 17
Polycyclic aromatic	0.10	µg/l	Note 18
Selenium	20	µg/l	Note 19
Tetrachloroethene and Trichloroethene	10	µg/l	Note 20
Trihalomethanes Total	100	µg/l	Note 21
Uranium	30	µg/l	
Vinyl chloride	0.50	µg/l	Note 22

Notes to Table

Note 1 The parametric value of 0.10 µg/l refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water;

Note 2 A parametric value of 2.4 mg/l shall be applied when desalinated water is the predominant water source of the supply system concerned or in regions where geological conditions could lead to high levels of boron in groundwater;

Note 3 A parametric value of 0.70 mg/l shall be applied where a disinfection method that generates chlorate, in particular chlorine dioxide, is used for disinfection of water intended for human consumption. Where possible, without compromising disinfection, the water supplier shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used;

Note 4 A parametric value of 0.70 mg/l shall be applied where a disinfection method that generates chlorite, in particular chlorine dioxide, is used for disinfection of water intended for human consumption. Where possible, without compromising disinfection, the water supplier shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used;

Note 5 A parametric value of 25 µg/l shall be met, at the latest, by 12 January 2036. The parametric value for chromium until that date shall be 50 µg/l;

Note 6 The parametric value of 0.10 µg/l refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water;

Note 7 This parameter shall be measured only when disinfection methods that can generate HAAs are used for the disinfection of water intended for human consumption. It is the sum of the following five representative substances: monochloro-, dichloro-, and trichloro-acetic acid, and mono- and dibromo-acetic acid;

Note 8 The parametric value of 5 µg/l shall be met, at the latest, by 12 January 2036. The parametric value for lead until that date shall be 10 µg/l;

Note 9 After that date, the parametric value of 5µg/l shall be met at least at the point of supply to the domestic distribution system. For the purposes of point (b) of the first subparagraph of Article 11(2) of the Directive, the parametric value of 5 µg/l at the tap shall apply;

Note 10 This parameter shall be measured only in the event of potential blooms in source water (increasing cyanobacterial cell density or bloom forming potential);

Note 11 A water supplier shall ensure that the condition $[\text{nitrate}]/50 + [\text{nitrite}]/3 < 1$, where the square brackets signify the concentrations in mg/l for nitrate (NO_3) and nitrite (NO_2), is complied with and that the parametric value of 0.10 mg/l for nitrates is complied with ex water treatment works;

Note 12 ‘Pesticides’ means the following:

- (a) organic insecticides;
- (b) organic herbicides;
- (c) organic fungicides;
- (d) organic nematocides;
- (e) organic acaricides;
- (f) organic algicides;
- (g) organic rodenticides;
- (h) organic slimicides;
- (i) related products (inter alia, growth regulators);

and their metabolites as defined in point (32) of Article 3 of Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009,⁸ that are considered relevant for water intended for human consumption. A pesticide metabolite shall be deemed relevant for water intended for human consumption if there is a reason to consider that it has intrinsic properties comparable to those of the parent substance in terms of its pesticide target activity or that either itself or its transformation products generate a health risk for consumers.

Note 13 The parametric value of 0.10 µg/l shall apply to each individual pesticide. In the case of aldrin, dieldrin, heptachlor and heptachlor epoxide, the parametric value shall be 0.030 µg/l;

Note 14 The Minister for Agriculture, Food and the Marine shall define a guidance value to manage the presence of non-relevant metabolites of pesticides in water intended for human consumption. Only pesticides which are likely to be present in a given supply need to be monitored. Based on the data reported by the EPA, the European Commission may establish a database of pesticides and their relevant metabolites taking into account their possible presence in water intended for human consumption;

Note 15 ‘Pesticides Total’ means the sum of all individual pesticides, as defined in the previous row, detected and quantified in the monitoring procedure;

Note 16 ‘PFAS Total’ means the totality of per- and polyfluoroalkyl substances. This parametric value shall only apply once technical guidelines for monitoring this parameter are developed by the European Commission in accordance with Article 13(7) of the Directive. The EPA may then decide to use either one or both of the parameters ‘PFAS Total’ or ‘Sum of PFAS’;

Note 17 ‘Sum of PFAS’ means the sum of per-and polyfluoroalkyl substances considered a concern as regards water intended for human consumption listed in point 3 of Part 2 of Schedule 3. This is a subset of ‘PFAS Total’ substances that contain a perfluoroalkyl moiety with three or more carbons (i.e. –C_nF_{2n}–, n > 3) or a perfluoroalkyl-lether moiety with two or more carbons (i.e. –C_nF_{2n}O C_mF_{2m}–, n and m > 1);

Note 18 Sum of concentrations of the following specified compounds: benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, and indeno(1,2,3-cd)pyr-ene;

Note 19 A parametric value of 30 µg/l shall be applied for regions where geological conditions could lead to high levels of selenium in groundwater;

Note 20 The sum of concentrations of these two parameters;

Note 21 Where possible, without compromising disinfection, water suppliers shall strive for a lower parametric value. It is the sum of concentrations of the following specified compounds: chloroform, bromoform, dibromochloromethane and bromodichloromethane;

⁸ OJ No L 309, 24.11.2009, p. 1.

Note 22 The parametric value of 0.50 µg/l refers to the residual monomer concentrations in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water;

TABLE C
INDICATOR PARAMETERS

Parameter	Parametric value	Unit	Notes
Aluminium	200	µg/l	
Ammonium	0.50	mg/l	
Chloride	250	mg/l	Note 1
<i>Clostridium perfringens</i> (including spores)	0	number/100 ml	Note 2
Colour	Acceptable to consumers and no abnormal change		
Conductivity	2,500	µS cm ⁻¹ at 20 °C	Note 3
Hydrogen ion concentration	≥ 6.5 and ≤ 9.5	pH units	Note 3 & 4
Iron	200	µg/l	
Manganese	50	µg/l	
Odour	Acceptable to consumers and no abnormal change		
Oxidisability	5.0	mg/l O ₂	Note 5
Sulphate	250	mg/l	Note 1
Sodium	200	mg/l	
Taste	Acceptable to consumers and no abnormal change		
Colony count 22 °C	No abnormal change		
Coliform bacteria	0	number/100 ml	Note 6
Total organic carbon (TOC)	No abnormal change		Note 7
Turbidity	Acceptable to consumers and no abnormal change		

Water should not be aggressive or corrosive. This applies particularly to water undergoing treatment (demineralization, softening, membrane treatment, reverse osmosis, etc.).

Where water intended for human consumption is derived from treatment that significantly demineralizes or softens water, calcium and magnesium salts could be added to condition the water in order to reduce any possible negative health impact, as well as to reduce the corrosiveness or aggressivity of water and to improve taste. Minimum concentrations of calcium and magnesium or total dissolved solids in softened or demineralized water could be established taking into account the characteristics of water that enters those processes.

Notes to Table

Note 1: The water should not be corrosive;

Note 2: The parameter shall be measured if the risk assessment indicates that it is appropriate to do so;

Note 3: The water should not be aggressive;

Note 4: For still water put into bottles or containers, the minimum value may be reduced to 4,5 pH units. For water put into bottles or containers which is naturally rich in or artificially enriched with carbon dioxide, the minimum value may be lower.

Note 5: This parameter need not be measured if the parameter TOC is analysed;

Note 6: For water put into bottles or containers, the unit is number / 250 ml;

Note 7: This parameter need not be measured for supplies of less than 10,000 cubic metres a day.

TABLE D
PARAMETERS RELEVANT FOR THE RISK ASSESSMENT OF
DOMESTIC DISTRIBUTION SYSTEMS

Parameter	Parametric value	Unit	Notes
<i>Legionella</i>	< 1000	CFU/l	This parametric value is set for the purposes of Regulations 12 and 17. Actions provided for in those Regulations could be considered even when the value is below the parametric value, e.g. in cases of infections and outbreaks. In such cases, the source of infection should be confirmed and the species of <i>Legionella</i> should be identified.
Lead	10	µg/l	This parametric value is set for the purposes of Regulations 12 and 17. Water suppliers should use their best endeavours to achieve the lower value of 5 µg/l by 12 January 2036.

SCHEDULE 2

Regulations 10(10) and (13), 11(4) and 13(5), (6), (13) and (17)

MONITORING

PART 1

General objectives and monitoring programmes for water intended for human consumption

1. Monitoring programmes established pursuant to Regulation 13(13) for water intended for human consumption shall—

- (a) verify that the measures in place to control risks to human health throughout the water supply chain from the abstraction area through treatment and storage to distribution are working effectively and that water intended for human consumption at the point of compliance is wholesome and clean,
- (b) provide information on the quality of water supplied for human consumption to demonstrate that the obligations set out in Article 4 of the Directive and the parametric values set in accordance with Regulation 6 are being met, and
- (c) identify the most appropriate means of mitigating the risk to human health.

2. Monitoring programmes established pursuant to Regulation 13(13) shall include one or a combination of the following:

- (a) collection and analysis of discrete water samples;
- (b) measurements recorded by a continuous monitoring process.

In addition, monitoring programmes may consist of the following

- (a) inspections of records of the functionality and maintenance status of equipment;

- (b) inspections of the abstraction area, and of the treatment, storage and distribution infrastructure, without prejudice to monitoring requirements provided for in Regulation 10(4)(c) and Regulation 12(1).

3. Monitoring programmes shall also include an operational monitoring programme that provides rapid insight into operational performance and water quality problems and that allows rapid pre-planned remedial action. Such operational monitoring programmes shall be supply-specific, taking into account the outcomes of the identification of hazards and hazardous events and risk assessment of the supply system, and shall be intended to confirm the effectiveness of all control measures in abstraction, treatment, distribution and storage.

The operational monitoring programme shall include the monitoring of the parameter ‘turbidity’ at the water supply plant’ in order to regularly control the efficacy of physical removal by filtration processes, in accordance with the reference values and frequencies indicated in the following table (not applicable for groundwater sources where turbidity is caused by iron and manganese):

TABLE

Operational parameter	Reference value
turbidity at the water supply plant	0.3 NTU in 95 % of samples and none to exceed 1 NTU
Volume (m^3) of water distributed or produced each day within a supply zone	Minimum frequency of sampling and analysis
$\leq 1,000$	Weekly
$> 1,000$ to $\leq 10,000$	Daily
$> 10,000$	Continuous

The operational monitoring programme shall also include the monitoring of the following parameters in raw water to control the efficacy of the treatment processes against microbiological risks:

Operational parameter	Reference value	Unit	Notes
Somatic coliphages	50 (for raw water)	Plaque Forming Units (PFU)/100ml	This parameter shall be measured if the risk assessment indicates that it is appropriate to do so. If it is found in raw water at concentrations > 50 PFU/100 ml, it should be analysed after steps of the treatment train in order to determine log removal by the barriers in the place and to assess whether the risk of a breakthrough of pathogenic viruses is sufficiently under control.

4. The EPA shall ensure that monitoring programmes are reviewed on a continuous basis and updated or confirmed not less than once every 6 years.

PART 2

Parameters and sampling frequencies

Point 1 - List of parameters

Group A:

The following parameters (Group A) shall be monitored in accordance with the monitoring frequencies set out in Table of point 2:

- (a) *Escherichia coli* (*E. coli*), intestinal enterococci, coliform bacteria, colony count 22°C, colour, turbidity, taste, odour, pH and conductivity;
- (b) other parameters identified as relevant in the monitoring programme, in accordance with Regulation 6 and, where relevant, through a risk assessment of the supply system as set out in Regulation 11 and Part 3 of this Schedule.

Under specific circumstances, the following parameters shall be added to the Group A parameters:

- (a) ammonium and nitrite, if chloramination is used;
- (b) aluminium and iron, if used as water treatment chemicals.

Escherichia coli (E.coli) and intestinal enterococci are considered ‘core parameters’ and their monitoring frequencies shall not be the subject of a reduction due to a risk assessment of the supply system in accordance with Regulation 11 and Part 3 of this schedule. They shall always be monitored not less than at the frequencies set out in the Table in point 2.

Group B:

In order to determine compliance with all parametric values set out in these Regulations, all other parameters not analysed under Group A and set in accordance with Regulation 6, except for parameters set out in Table D in Schedule 1, shall be monitored not less than at the frequencies set out in Note 2 to the Table, unless a different sampling frequency is determined on the basis of a risk assessment of the supply system carried out in accordance with Regulation 11 and Part 3 of this schedule.

Point 2 - Sampling frequencies

TABLE

Minimum frequency of sampling and analysis for compliance monitoring

Volume of water distributed or produced each day within a supply zone (Notes 1 and 2) m ³		Group A parameter number of samples per year	Group B parameter number of samples per year
	< 10	> 0 (Note 4)	> 0 (Note 4)
≥ 10	≤ 100	2	1 (Note 5)
> 100	≤ 1,000	4	1
> 1,000	≤ 10,000	4 for the first 1,000 m ³ /d + 3 for each additional 1,000 m ³ /d and part thereof of the total volume (Note 3)	1 for the first 1,000 m ³ /d + 1 for each additional 4,500 m ³ /d and part thereof of the total volume (Note 3)

> 10,000	\leq 100,000		3 for first 10,000 m ³ /d + 1 for each additional 10,000 m ³ /d and part thereof of the total volume (Note 3)
> 100,000			12 for first 100,000 m ³ /d + 1 for each additional 25,000 m ³ /d and part thereof of the total volume (Note 3)

Notes to Table

- Note 1: A supply zone is geographically defined area within which water intended for human consumption comes from one or more sources and within which the water quality can be considered as being approximately uniform;
- Note 2: The volumes are calculated as averages taken over a calendar year. The number of inhabitants in a supply zone may be used instead of the volume of water to determine the minimum frequency, assuming water consumption of 200 l/ (day*capita);
- Note 3: The frequency indicated is calculated as follows: e.g. 4,300 m³/d = 16 samples for Group A parameters (four of the first 1,000 m³/d + 12 for additional 3,300 m³/d);
- Note 4: For water suppliers, where an exemption has not been granted under Regulation 3(2), the EPA shall lay down the minimum sampling frequency for parameters of Group A and B, provided that core parameters are monitored not less than once per year;
- Note 5: The EPA may reduce the sampling frequency, provided that all parameters set in accordance with Regulation 6 are monitored not less than once every six years and are monitored in cases where a new water source is integrated into the water supply system or changes to that system, as a result of which a potentially adverse effect on the quality of water is to be expected, are made;

PART 3**Risk assessment and risk management of the supply system**

- Based on the outcome of risk assessment of the supply system as referred to in Regulation 11, the list of parameters considered in the monitoring shall be extended and the sampling frequencies set out in Part 2 increased where any of the following conditions is fulfilled:

- (a) the list of parameters or frequencies set out in this Schedule is not sufficient to fulfil the obligations imposed under Regulation 13(2);
- (b) additional monitoring is required for the purposes of Regulation 13(11);
- (c) it is necessary to provide the assurances set out in paragraph 1(a) of Part 1;
- (d) increasing the sampling frequencies is necessary pursuant to Regulation 10(10)(a).

2. As a result of a risk assessment of the supply system, the list of parameters considered in the monitoring and the sampling frequencies set out in Part 2 may be reduced provided that the following conditions are met:

- (a) the location and frequency of sampling is determined in relation to the parameter's origin, as well as the variability of, and long-term trend regarding, its concentration, taking into account Regulation 7;
- (b) as regards reducing the minimum sampling of a parameter, the results obtained from samples collected at regular intervals over a period of not less than three years, from sampling points representative of the whole supply zone, are all less than 60 % of the parametric value;
- (c) as regards removing a parameter from the list of parameters to be monitored, the results obtained from samples collected at regular intervals over a period of not less than three years, from sampling points representative of the whole supply zone, are all less than 30 % of the parametric value;
- (d) as regards removing a parameter from the list of parameters to be monitored, the decision is based on the outcome of the risk assessment that takes into account the results of monitoring of sources of water intended from human consumption and confirms that human health is protected from the adverse effects of any contamination of water intended for human consumption, as laid down in Article 1 of the Directive;

- (e) as regards reducing the sampling frequency of a parameter or removing a parameter from the list of parameters to be monitored, the risk assessment confirms that no factor that can be reasonably anticipated is likely to cause deterioration of the quality of the water intended for human consumption.

Where monitoring results, demonstrating that the conditions set out in points (2)(b) to (2)(e) are met, are already available by 12 January 2021, those monitoring results may, from that date, be used to adapt the monitoring following the risk assessment of the supply system.

Where adjustments of monitoring have already been implemented following risk assessment of the supply system in accordance, inter alia, with Part C of Annex II of Council Directive 98/83/EC of 3 November 1998⁹, the EPA may provide for the possibility to confirm their validity without requiring monitoring in accordance with point 2(b) and 2(c) over a further period of not less than three years from points representative of the whole supply zone.

PART 4

Sampling methods and sampling points

1. Sampling points shall be determined so as to ensure compliance with Regulation 7(1). In the case of a distribution network, the water supplier may take samples within the supply zone or at the treatment works for particular parameters if it can be demonstrated that there would be no adverse change to the measured value of the parameters concerned. As far as possible, the number of samples shall be distributed equally in time and location.

2. Sampling at the point of compliance shall meet the following requirements:

- (a) compliance samples for certain chemical parameters, in particular copper, lead, and nickel, shall be taken at the consumers' tap without prior flushing. A random daytime sample of one litre volume is to be taken. As an alternative, the water supplier may use fixed stagnation time methods that better reflect their national situation, such as the average weekly intake by consumers, provided that, at the supply zone level, this does not result in fewer cases of non-compliance than using the random daytime method;

⁹ OJ No. L 330, 05.12.1998, p. 32

- (b) compliance samples for microbiological parameters at the point of compliance shall be taken and handled in accordance with I.S. EN ISO 19458, sampling purpose B.

3. Samples for *Legionella* in domestic distribution systems shall be taken at risk points for proliferation of *Legionella*, points representative for systemic exposure to *Legionella*, or both. The supervisory authority shall establish guidelines for sampling methods for *Legionella*.

4. Sampling in the distribution network, with the exception of sampling at the consumers' tap shall be in accordance with ISO 5667-5. For microbiological parameters, samples in the distribution network shall be taken and handled in accordance with I.S. EN ISO 19458, sampling purpose A.

SCHEDULE 3

Regulation 13(9)

SPECIFICATIONS FOR THE ANALYSIS OF PARAMETERS

Water suppliers shall ensure that the methods of analysis used for the purposes of monitoring and demonstrating compliance with these Regulations, with the exception of turbidity, are validated and documented in accordance with I.S. EN ISO/IEC 17025 or other equivalent standards accepted at international level. Water suppliers shall ensure that laboratories or parties contracted by laboratories apply quality management system practices in accordance with I.S. EN ISO/IEC 17025 or other equivalent standards accepted at international level.

For the purposes of assessing the equivalence of alternative methods with the methods laid down in this Schedule, the laboratories, or parties contracted by laboratories, may use standard I.S. EN ISO 17994, established as the standard on the equivalence of microbiological methods, or standard I.S. EN ISO 16140 or any other similar internationally accepted protocols, to establish the equivalence of methods based on principles other than culturing, which are beyond the scope of I.S. EN ISO 17994.

In the absence of an analytical method meeting the minimum performance criteria set out in Part 2, the water supplier concerned shall ensure that monitoring is carried out using the best available techniques not entailing excessive costs.

PART 1

Microbiological parameters for which methods of analysis are specified

The methods of analysis for microbiological parameters are:

- (a) *Escherichia coli* (*E. coli*) and coliform bacteria (I.S. EN ISO 9308-1 or I.S. EN ISO 9308-2);
- (b) intestinal enterococci (I.S. EN ISO 7899-2);
- (c) colony count or heterotrophic plate counts at 22°C (I.S. EN ISO 6222);

- (d) *Clostridium perfringens* including spores (I.S. EN ISO 14189);
- (e) *Legionella* (I.S. EN ISO 11731 for compliance with the value set out in Table D in Schedule 1);
for risk-based verification monitoring and to complement culture methods, in addition methods, such as ISO/TS 12869, rapid culture methods, non – culture-based methods, and molecular-based methods, in particular qPCR, can be used;
- (f) Somatic coliphages;
for operational monitoring, Part 1 of Schedule 2, I.S. EN ISO 10705-2, and EN ISO 10705-3 can be used.

PART 2

Chemical and indicator parameters for which performance characteristics are specified

1. Chemical and indicator parameters

For the parameters set out in the Table, the method of analysis used shall, as a minimum, be capable of measuring concentrations equal to the parametric value with a limit of quantification, as defined in point (2) of Article 2 of Commission Directive 2009/90/EC of 31 July 2009¹⁰ of 30% or less of the relevant parametric value and an uncertainty of measurement as specified in the Table. The result shall be expressed using not less than the same number of significant figures as for the parametric value set out in Tables B and C in Schedule 1.

The uncertainty of measurement laid down in the Table shall not be used as an additional tolerance to the parametric values set out in Schedule 1.

¹⁰ OJ No. L 201, 01.08.2009, p. 36.

TABLE**Minimum performance characteristic ‘Uncertainty of measurement’**

Parameters	Uncertainty of measurement (Note 1) % of the parametric value (except for pH)	Notes
Aluminium	25	
Ammonium	40	
Acrylamide	30	
Antimony	40	
Arsenic	30	
Benzo(a)pyrene	50	Note 2
Benzene	40	
Bisphenol A	50	
Boron	25	
Bromate	40	
Cadmium	25	
Chloride	15	
Chlorate	40	
Chorite	40	
Chromium	30	
Copper	25	
Cyanide	30	Note 3
1,2-dichloroethane	40	
Epichlorohydrin	30	
Fluoride	20	
HAAs	50	
Hydrogen ion concentration pH	0.2	Note 4
Iron	30	
Lead	30	
Manganese	30	
Mercury	30	
Microcystin-LR	30	
Nickel	25	
Nitrate	15	
Nitrite	20	
Oxidasability	50	Note 5
Pesticides	30	Note 6
PFAS	50	
Polycyclic aromatic hydrocarbons	40	Note 7
Selenium	40	
Sodium	15	
Sulphate	15	
Tetrachloroethene	40	Note 8

Parameters	Uncertainty of measurement (Note 1) % of the parametric value (except for pH)	Notes
Trichloroethene	40	Note 8
Trihalomethanes-total	40	Note 7
Total organic carbon (TOC)	30	Note 9
Turbidity	30	Note 10
Uranium	30	
Vinyl Chloride	50	

2. Notes to Table

Note 1: Uncertainty of measurement is a non-negative parameter characterising the dispersion of the quantity values being attributed to a measure and, based on the information used. The performance criterion for measurement uncertainty ($k = 2$) is the percentage of the parametric value stated in the table or any stricter value. The uncertainty of measurement shall be estimated at the level of the parametric value, unless otherwise specified;

Note 2: If the value of uncertainty of measurement cannot be met, the best available technique should be selected (up to 60 %);

Note 3: The method determines total cyanide in all forms;

Note 4: The value of the uncertainty of measurement is expressed in pH units;

Note 5: Reference method: I.S. EN ISO 8467;

Note 6: The performance characteristics for individual pesticides are given as an indication. Values for the uncertainty of measurement as low as 30 % can be achieved for several pesticides, while higher values up to 80 % may be allowed for a number of pesticides;

Note 7: The performance characteristics apply to individual substances, specified at 25 % of the parametric value set out in Table B in Schedule 1;

Note 8: The performance characteristics apply to individual substances, specified at 50 % of the parametric value set out in Table B in Schedule 1;

Note 9: The uncertainty of measurement should be estimated at the level of 3 mg/l of the total organic carbon (TOC). EN 1484 Guidelines for the determination of TOC and dissolved organic carbon (DOC) shall be used for the specification of the uncertainty of the test method;

Note 10: The uncertainty of measurement should be estimated at the level of 1.0 NTU (nephelometric turbidity units), in accordance with I.S. EN ISO 7027 or another equivalent standard method;

3. Sum of PFAS

The following substances shall be analysed based on the technical guidelines developed by the European Commission in accordance with Article 13(7) of the Directive:

- (a) Perfluorobutanoic acid (PFBA);
- (b) Perfluoropentanoic acid (PFPA);
- (c) Perfluorohexanoic acid (PFHxA);
- (d) Perfluoroheptanoic acid (PFHpA);
- (e) Perfluorooctanoic acid (PFOA);
- (f) Perfluorononanoic acid (PFNA);
- (g) Perfluorodecanoic acid (PFDA);
- (h) Perfluoroundecanoic acid (PFUnDA);
- (i) Perfluorododecanoic acid (PFDoDA);
- (j) Perfluorotridecanoic acid (PFTrDA);
- (k) Perfluorobutane sulfonic acid (PFBS);
- (l) Perfluoropentane sulfonic acid (PFPS);
- (m) Perfluorohexane sulfonic acid (PFHxS);
- (n) Perfluoroheptane sulfonic acid (PFHpS);
- (o) Perfluorooctane sulfonic acid (PFOS);
- (p) Perfluoronoane sulfonic acid (PFNS);
- (q) Perfluorodecane sulfonic acid (PFDS);
- (r) Perfluoroundecane sulfonic acid;
- (s) Perfluorododecane sulfonic acid;
- (t) Perfluorotridecane sulfonic acid.

Those substances shall be monitored when the risk assessment and risk management of the catchment areas for abstraction points carried out in accordance with Regulation 10 conclude that those substances are likely to be present in a given water supply.

SCHEDULE 4

Regulation 14(1) and (3), and 10(4)

INFORMATION TO THE PUBLIC

The information in the following points shall be accessible to consumers online, in a user-friendly and customised way, and consumers may obtain access to that information by other means upon justified request:

- (1) identification of the relevant water supplier, general information on the area and number of people supplied, and the method of water production, including on the types of water treatment and disinfection applied;
- (2) the most recent monitoring results for parameters set out in Tables A, B and C in Schedule 1, including monitoring frequency together with any parametric value set in accordance with Regulation 6; the monitoring results shall not be more than one year old, except where the monitoring frequency set by these Regulations allows otherwise;
- (3) information on the following parameters not set out in Table C in Schedule 1 and associated values;
 - (a) hardness;
 - (b) minerals, anions/cations dissolved in water;
 - calcium Ca,
 - magnesium Mg,
 - potassium K;
- (4) in the event of a potential danger to human health as determined by supervisory authorities or other relevant bodies following an exceedance of the parametric values set in accordance with Regulation 6, information on the potential danger to human health and the associated health and consumption-related advice or a hyperlink providing access to such information;

(5) relevant information on risk assessment on risk assessment of the supply system;

(6) advice to consumers, including on how to reduce water consumption, where appropriate, how to use water responsibly according to local conditions and how to avoid health risks due to stagnant water;

(7) for water suppliers supplying not less than 10,000 cubic metres of water per day or serving not less than 50,000 people, annual information on the following:

(a) the overall performance of the water system in terms of efficiency and leakage rates, once that information is available and at the latest on 12 January 2026;

(b) the ownership structure of the water supply by the water supplier;

(c) where costs are recovered through a tariff system, information on the structure of the tariff per cubic metre of water, including fixed and variable costs and costs related to measures for the purposes of Regulation 21, where such measures have been taken by water suppliers;

(d) where available, a summary and statistics regarding consumer complaints received by the water suppliers on matters within the scope of these Regulations;

(8) Upon justified request, consumers shall be given access to historical data for information under paragraphs (2) and (3), dating back up to 10 years, if available, and not earlier than 13 January 2023.

SCHEDULE 5*Regulation 10(4)*

**PRINCIPLES FOR SETTING METHODOLOGY
REFERRED TO IN REGULATION 19**

Groups of materials

1. Organic materials

Organic material shall only be made of the following:

- (a) the starting substances listed in the European positive list of starting substances to be established by the European Commission in accordance with point (b) of the first subparagraph of Article 11(2) of the Directive.
- (b) substances in relation to which there is no possibility that the substance and its reaction products are present at levels exceeding 0.1 µg/l in water intended for human consumption, unless for specific substances a more stringent value is needed taking into account their toxicity.

Organic materials shall be tested in accordance with Table 1 in line with methods for testing specified in relevant European standards or, in the absence thereof, an internationally or nationally recognised method and shall satisfy the requirements stipulated therein. For this purpose, the test results in terms of substance migration shall be converted into estimated levels at the tap.

2. Metallic materials

Only metallic materials included in the European positive list of compositions to be established by the European Commission in accordance with point (b) of the first subparagraph of Article 11(2) of the Directive shall be used. The limitations stipulated in the European positive list in respect of the composition of these materials, their use for certain products and the use of these products shall be compiled with.

Metallic materials shall be tested in accordance with the Table in line with methods for testing specified in relevant European standards or, in the absence thereof, an internationally or nationally recognised method and shall satisfy the requirements stipulated therein.

3. Cementitious materials

Cementitious materials shall only be made of one or more of the following:

- (a) organic constituents listed in the European positive list of constituents to be established by the European Commission in accordance with point (b) of the first subparagraph of Article 11(2);
- (b) organic constituents in relation to which there is no possibility that the constituents and their reaction products are present at levels exceeding 0.1 µg/l in water intended for human consumption;
- (c) inorganic constituents.

Cement-bound materials shall be tested in accordance with the Table in line with methods for testing specified in relevant European standards or, in the absence thereof, an internationally or nationally recognised method and shall satisfy the requirements stipulated therein. For this purpose, the test results in terms of substance migration shall be converted into estimated levels at the tap.

4. Enamels and ceramic materials

Enamels and ceramic materials shall only be made of starting substances from the European positive list of compositions to be established by the European Commission in accordance with point (b) of the first subparagraph of Article 11(2) of the Directive, after carrying out an assessment of the elements used in the composition of these materials.

Enamels and ceramic materials shall be tested in accordance with the Table in line with methods for testing specified in relevant European standards or, in the absence thereof, an internationally or nationally recognised method and shall satisfy the requirements stipulated therein. For this purpose, the test results in terms of substance migration shall be converted into estimated levels at the tap.

5. Exceptions for assessment of materials used in minor and assembled components

For assembled products: minor components, parts and materials shall be described in detail and testing shall be reduced accordingly. For this purpose, ‘minor’ refers to a level of influence on the quality of water intended for human consumption that does not require full testing.

TABLE**Testing related to material type**

Criteria	Organic (Note 1)	Metallic (Note 2)	Cementitious	Enamels and ceramic materials
European positive lists				
European positive list of starting substances for organic materials	X	N.N.	X	N.N.
European positive list of accepted metallic compositions	N.N.	X	N.N.	N.N.
European positive list of constituents for cementitious materials	N.N.	N.N.	X	N.N.
European positive list of compositions for enamels and ceramic materials	N.N.	N.N.	N.N.	X
Organoleptic tests				
Odour and flavour	X	N.N.	X	N.N.
Colour and Turbidity	X	N.N.	X	N.N.
General hygiene assessments				
Leaching of total organic carbon	X	N.N.	X	N.N.
Surface residues (metals)	N.N.	X	N.N.	N.N.
Migration testing				
Relevant parameters of these Regulations	X	X	X	X
MTC _{tap} of PL substances	X	N.N.	X (Note 3)	N.N.
Unexpected substances (GCMS)	X	N.N.	X (Note 3)	N.N.
Compliance with compositions lists	N.N.	X	N.N.	X
Enhancement of microbial growth	X	N.N.	X (Note 3)	N.N.

N.N.: Not necessary

MTC_{tap}: Maximum tolerable concentration at the tap (either derived from the opinion of ECHA for the purposes of inclusion of the substance in the European positive list, or based on a specific migration limit set in Commission Regulation (EU) No 10/2011 of 14 January 2011¹¹ and considering a 10 % allocation factor and water consumption of 2 litres per day)

¹¹ OJ No L 12, 15.01.2011, p.1.

GCMS: Gas Chromatography - Mass Spectrometry (screening method)

Notes to Table

Note 1: Specific exceptions to be determined in line with paragraph 5;

Note 2: Metals shall not be subject to organoleptic testing because it is generally accepted that if the parametric values set out in Schedule 1 are met, organoleptic problems are unlikely to arise;

Note 3: Depending on the existence of organic substances in the composition;

SCHEDULE 6

Regulation 10(3), (4) and (11)

SOURCE PROTECTION

Roles and responsibilities for drinking water source protection in the catchment areas to the abstractions points for water intended for human consumption

The detailed description of these roles and responsibilities shall be further outlined in guidelines in relation to drinking water source protection made by the Minister in accordance with Regulation 10(11).

The risk-based approach to source protection for the catchment areas of abstraction points producing water intended for human consumption, is divided into activities across the source protection agencies, these activities include:

- Risk assessment of the catchment areas
- Risk management of the catchment areas
- Monitoring
- Data Sharing
- Reporting

The roles and responsibilities for source protection agencies shall be as follows:

Uisce Éireann:

- shall prepare and update risk assessments for their individual water supplies and abstractions,
- shall initiate and coordinate collaborative risk management of catchment areas, with support from other public bodies, including the preparation and updating of risk management plans which will document the source risk management approach and selection of preventive and/or mitigation measures,
- shall coordinate technical assessments and track implementation, and
- shall share data from source monitoring, source risk assessment and source risk management with other relevant public bodies; and will provide this information to the EPA.

EPA:

- shall support risk assessment and risk management through sharing relevant data, expertise and information from Water Framework Directive monitoring,
- may review and assess source risk assessment and source risk management plans,
- may issue guidelines in relation to the risk assessment and risk management,
- shall fulfil requirements for reporting to European Commission,
- may optimise national Water Framework Directive monitoring to align with the objectives of drinking water source protection, and
- shall collate and make available relevant data from the Water Framework Directive and Drinking Water Directive monitoring programmes and assessments with the Water Suppliers and other relevant public bodies.

Local Authorities:

- shall support risk assessment and risk management of catchments for abstractions, through the sharing of relevant data, expertise and information, consistent with their roles and responsibilities under Water Framework Directive,
- may carry out further characterisation in the catchment areas of sources and shall share findings with Water Suppliers and the EPA,
- may review and assess source risk assessments and source risk management plans,
- shall collect, and make available to the EPA, relevant information on the nature of the supplies, and their risk and risk management assessments,
- may support the planning and implementation of measures in catchments of abstractions, and may refer actions to the relevant implementing bodies where appropriate, and
- shall prioritise, where appropriate, the enforcement of measures established for contaminant-specific safeguard zones, where these are established.

GSI:

- shall delineate zones of contribution for groundwater-sourced abstractions,
- may technically review all delineated abstraction catchments (both surface water and groundwater),

- shall support risk assessment and risk management of catchment areas through the sharing of relevant data, expertise and information, including:
 - o Supporting catchment characterisation and further characterisation activity,
 - o Supporting the delineation of critical source areas within catchments of abstractions in karst settings,
 - o Developing an online tool for use by private supply owners or their agents to delineate groundwater source catchments, and
- shall host and maintain all delineated abstraction catchments (both surface water and groundwater).



L.S.

GIVEN under my Official Seal,
7 March, 2023.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation.)

The purpose for which these Regulations are made is to transpose the State's obligations under the Recast Drinking Water Directive 2020 (Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020). These Regulations concern the quality of water intended for human consumption. The objectives of these Regulations are to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean, and to improve access to water intended for human consumption.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEARCHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

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