
WELSH STATUTORY INSTRUMENTS

2001 No. 3911

The Water Supply (Water Quality) Regulations 2001

PART VII

WATER TREATMENT

Procedure following risk assessment, and prohibition of supply

28.—(1) Where a water undertaker carries out a risk assessment under any provision of regulation 27, it shall submit to the National Assembly for Wales a report of the assessment.

(2) A report of a risk assessment shall set out the results of the assessment, including—

- (a) a statement that the assessment has established—
 - (i) that there is a significant risk from cryptosporidium; or
 - (ii) that there is no such risk; and
- (b) a description of the methods used to carry out the assessment.

(3) Where the National Assembly for Wales considers that the assessment that is the subject of a report submitted to it in accordance with paragraph (1) has not been carried out satisfactorily, the National Assembly for Wales shall serve a notice on the water undertaker which—

- (a) sets out the National Assembly for Wales' reasons for considering that the assessment has not been carried out satisfactorily; and
- (b) requires the water undertaker, by a date specified in the notice, to carry out a further risk assessment and submit to the National Assembly for Wales a report of that assessment,

and the water undertaker shall comply with the requirement by the date specified.

(4) Where—

- (a) a report submitted to the National Assembly for Wales in accordance with paragraph (1) includes a statement that the assessment has established that there is no significant risk from cryptosporidium; and
- (b) the National Assembly for Wales is satisfied, on the basis of the report, that the risk assessment has been carried out satisfactorily,

the National Assembly for Wales shall notify the water undertaker that it is so satisfied; and if at the time of the submission of the report the water undertaker was, or was treated as, required to comply with regulation 29 requirements, the water undertaker shall cease to be required to comply with them from the date on which it receives the notification.

(5) Where—

- (a) a report is submitted to the National Assembly for Wales in accordance with paragraph (1);
- (b) the report includes a statement that the assessment has established that there is a significant risk from cryptosporidium; and
- (c) the National Assembly for Wales is satisfied, on the basis of the report, that the risk assessment has been carried out satisfactorily,

the National Assembly for Wales shall notify the water undertaker that it is so satisfied and shall require the water undertaker to provide it with an estimate of the earliest practicable date by which it can comply with regulation 29 requirements.

(6) A water undertaker which has received a notice under paragraph (5) shall provide the estimate required by the notice within three months of the receipt of the notice.

(7) Where the National Assembly for Wales receives an estimate pursuant to a notice under paragraph (6) it shall give the water undertaker notice of the date which it considers to be the earliest practicable date by which the water undertaker can comply with regulation 29 requirements; and the water undertaker shall comply with those requirements from that date.

(8) Where a water undertaker is required to comply with regulation 29 requirements at a treatment works, it may at any time carry out a further risk assessment for that treatment works to establish whether there continues to be a significant risk from cryptosporidium.

(9) A water undertaker shall not supply water for regulation 4(1) purposes from any treatment works on or after 1st January 2002 unless—

- (a) it has received a notice under regulation 23A(9) of the 1989 Regulations or paragraph (4) above in respect of that works; or
- (b) where, pursuant to a notice given under paragraph (7) above, or regulation 23A(7) of the 1989 Regulations, it is required to comply with regulation 29 requirements or, in accordance with regulation 29(1), is treated as subject to those requirements, it is taking steps to comply with those requirements.