L.N. 297 of 2023

FOOD SAFETY ACT
(CAP. 449)

Water Intended for Human Consumption Regulations, 2023

IN EXERCISE of the powers conferred by article 10 of the Food Safety Act, the Minister responsible for public health, has made the following regulations:-

1. The title of these regulations is the Water Intended for Human Consumption Regulations, 2023. Citation.

2. (1) These regulations transpose the provisions of Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast). Scope.

(2) The purpose of these regulations is 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.

3. For the purposes of these regulations and unless the context otherwise requires: Interpretation.

"the Act" means the Food Safety Act; Cap. 449.

"competent authority" means the Superintendent of Public Health or a person authorized to act on his behalf, as established by the Public Health Act; Cap. 465.

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

"the Directive" means Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast), and any amendments thereto;

"distribution network" means any method by which water intended for human consumption is transported to a domestic distribution system;

"domestic distribution system" means the pipework, fittings and appliances which are installed between the taps that

are normally used for water intended 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, in its capacity as a water supplier;

"food business" means a food business as defined in article 2(1) of the Act and Article 3(2) of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;

"food business operator" means a food business operator as defined in Article 3(3) of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, who is the natural or legal persons responsible for ensuring that the requirements of laws relating to food are met within the food business under their control;

"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;

"other premises" means all non-domestic premises that are not listed as priority premises;

"premises" means all non-domestic premises used for or in connection with the carrying on of a trade or business (whether for profit or not);

"Minister" means the Minister responsible for public health;

"priority premises" means large non-domestic premises with many users who may potentially be exposed to water-related risks, in particular large premises for public use, including hospitals, health care centres, retirement homes, non-domestic accommodations, wellness centres and pools, and any other premises so defined by the competent authority;

"risk" means a combination of the likelihood of a hazardous event and the severity of the consequences if the hazard and hazardous event occur in the supply system of water intended for human consumption;

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

"supporting entities" means entities required to provide support, information, data and any other necessary aid to the competent authority in relation to the objectives and scope of these regulations;

"water intended for human consumption" means:

(a) all water, either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes in both public and private premises, regardless of its origin and whether it is supplied from a distribution network, supplied from a tanker or put into bottles or containers, including spring waters;

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

"water supplier" means the entity responsible for supplying water intended for human consumption.

4. (1) The provisions of these regulations shall not apply to: Exemptions.

(a) natural mineral waters recognised as such by the entity responsible for the recognition of natural mineral waters, in accordance with the Natural Mineral Waters Regulations and S.L. 449.44 Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (recast); or

(b) waters which are medicinal products within the meaning of Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use.

(2) Maritime vessels that desalinate water, carry passengers and act as water suppliers shall only be subject to regulations 3 to 7 and regulations 10, 11, 14 and 15 and the relevant Schedules:

Provided that priority shall be given to existing international regulations or internationally acknowledged standards for Union flag maritime vessels that comply with the international regulatory framework when sailing in international waters, such as the vessel sanitation programme developed by the United States Public Health Service, or the ship sanitation certificate issued in accordance with EU SHIPSAN ACT Joint Action (2012 2103) – European Manual for Hygiene Standards and Communicable Disease Surveillance on Passenger Ships.

(3) The following shall be exempt from these regulations:

(a) water intended exclusively for those purposes for which the competent authority is satisfied that the quality of the water has no influence, either directly or indirectly, on the health of the consumers concerned;

(b) water intended for human consumption from an individual supply providing less than ten cubic meters (10 m^3) a day as an average or serving fewer than fifty (50) persons, unless the water is supplied as part of a commercial or public activity.

(4) When the competent authority grants the exemption in accordance with sub-regulation (3), it shall ensure that the population concerned is informed thereof and of any action that may be taken to protect human health from the adverse effects resulting from any contamination of water intended for human consumption. In addition, when a potential danger to human health arising out of the quality of such water is apparent, the population concerned shall immediately be informed about this.

(5) Food business operators shall be exempt from these regulations with regards to the water used for the specific purposes of the food business, if the competent authority is satisfied that the quality of such water cannot affect the safety of the foodstuff in its finished form:

Provided that the water supply of the food business shall comply with relevant obligations, in particular under the procedures on hazard analysis and critical control point principles and remedial actions under the relevant legislation on food, be it on a national level or at Union level:

Provided further that it shall be ensured that producers of water intended for human consumption that is put into bottles or containers comply with regulations 2 to 6, and Parts A and B of the Second Schedule:

Provided further that the minimum requirements set out in Part A of the Second Schedule shall not apply to spring water as referred to in Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on exploitation and marketing of natural mineral waters (recast).

(6) Without prejudice to regulation 10, the water suppliers supplying less than ten cubic meters ($10m^3$) a day as an average or serving fewer than fifty (50) persons as part of a commercial or public activity, shall only be subject to regulations 2 to 7 and regulations 14, 15 and 16 and the relevant Schedules.

General obligations.

5. (1) Without prejudice to other obligations under the provisions of other laws, the competent authority shall take the measures necessary to ensure that water intended for human consumption is wholesome and clean. For the purposes of the minimum requirements of these regulations, water intended for human consumption shall be wholesome and clean if all the following requirements are met:

(a) that water is free from any micro-organisms, parasites and substances which, in numbers or concentrations, may constitute a potential danger to human health;

(b) that water meets the minimum requirements set out in Parts A, B and D of the Second Schedule; and

(c) that the competent authority and relevant supporting entity as established in the First Schedule have taken all other measures necessary in compliance with regulations 6 to 15.

(2) The competent authority shall ensure that the measures taken to implement the provisions of these regulations are based on the precautionary principle and in no circumstances allow, directly or indirectly, any deterioration of the present quality of water intended for human consumption or any increase in the pollution of waters used for the production of water intended for human consumption.

(3) In accordance with Directive 2000/60/EC of the European Parliament and of the Council of 23rd October 2000 on establishing a framework for Community action in the field of water policy and the Water Policy Framework Regulations, the entity responsible for the implementation and enforcement of the Directive 2000/60/EC of the European Parliament and of the Council of 23rd October 2000 on establishing a framework for community action in the field of water policy and the Water Policy Framework Regulations shall ensure that an assessment of water leakage levels and of the potential for improvements in water leakage reduction is performed using the

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infrastructural leakage index (ILI) rating method or another appropriate method. That assessment shall take into account relevant public health, environmental, technical and economic aspects and cover at least water suppliers supplying at least ten thousand cubic meters (10,000 m^3) per day or serving at least fifty thousand (50,000) persons.

Quality standards.

6. (1) The competent authority shall set values applicable to water intended for human consumption for the parameters set out in the Second Schedule.

(2) The parametric values set pursuant to sub-regulation (1) shall not be less stringent than those set out in Parts A, B, C and D of the Second Schedule. As regards the parameters set out in Part C of the Second Schedule, the values shall be set only for monitoring purposes and for the purpose of ensuring that the requirements set out in regulation 15 are met.

(3) The competent authority and the supporting entity as established in the First Schedule shall set values for additional parameters not included in the Second Schedule where the protection of human health within Malta or part thereof so requires. The values set shall, as a minimum, satisfy the requirements of regulation 5(1)(a).

Points of compliance.

7. (1) The parametric values set in accordance with regulation 6 for the parameters listed in Parts A and B of the Second Schedule shall be complied with:

(a) in the case of water intended for human consumption supplied from a distribution network, at the point, within premises or an establishment, at which the water emerges from the taps that are normally used for water intended for human consumption;

(b) in the case of water intended for human consumption supplied from a tanker, at the point at which the water emerges from the tanker;

(c) in the case of water intended for human consumption put into bottles or containers, at the point at which the water is put into the bottles or containers;

(d) in the case of water intended for human consumption used in a food business, at the point at which the water is used in that business.

(2) In the case of water intended for human consumption covered by sub-regulation (1)(a), the competent authority assisted by

the supporting entity as established in the First Schedule shall be deemed to have fulfilled their obligations under this regulation and under regulation 6 and regulation 15(2) where it may be established that non-compliance with the parametric values set in accordance with regulation 6 is due to the domestic distribution system or the maintenance thereof, without prejudice to regulation 11 as regards priority premises.

(3) Where sub-regulation (2) applies and there is a risk that the water intended for a human consumption covered by sub-regulation (1)(a) would not comply with the parametric values set in accordance with regulation 6, the competent authority assisted by the supporting entity as established in the First Schedule shall nevertheless ensure that:

(a) appropriate measures are taken to reduce or eliminate the risk of non-compliance with the parametric values, such as advising property owners of any possible remedial action they may take, and if necessary that other measures, such as appropriate treatment techniques, are taken 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 values after supply; and

(b) the consumers concerned are duly informed and advised of any possible additional remedial action they should take.

Risk-based approach to water safety.

8. (1) It shall be ensured that the supply, treatment and distribution of water intended for human consumption is subject to 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:

Provided that the risk-based approach 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 9, ensured by the competent authority assisted by the supporting entity as established in the First Schedule;

(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 10, ensured by the competent authority; and

(c) risk assessment of the domestic distribution systems in accordance with regulation 11.

(2) The competent authority may adapt the implementation of the risk-based approach, 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.

(3) The competent authority shall ensure that there is a clear and appropriate distribution of responsibilities between stakeholders, for the implementation of the risk-based approach. Such distribution of responsibilities shall be tailored to their institutional and legal framework.

(4) The risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption shall be carried out for the first time by 12th July 2027 and shall be reviewed at regular intervals of no longer than six (6) years by the entity responsible for the implementation of the Water Policy Framework Regulations, taking account of the requirements provided for in Article 7 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the relevant provisions of Water Policy Framework Regulations. This information resulting from the risk assessments and risk management shall be shared by entity responsible for the implementation of the Water Policy Framework Regulations with the competent authority.

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(5) The risk assessment and risk management of the supply system shall be carried out for the first time by 12th January 2029 by the water supplier. That risk assessment and risk management shall be reviewed at regular intervals of no longer than six (6) years, and updated as necessary. This information resulting from the risk assessments and risk management shall be shared by water supplier with the competent authority, in the form and at the time as may be established by the competent authority.

(6) The risk assessment of the domestic distribution systems shall be carried out for the first time by 12th January 2029. That risk assessment shall be reviewed every six (6) years, and updated as necessary:

Provided that the risk assessment of priority premises shall

be carried out by the responsible person of the priority premises.

(7) Owners of private premises shall be encouraged to carry out risk assessment of their domestic distribution system.

Risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption. S.L. 549.100.

9. (1) Without prejudice to Articles 4 to 8 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the Water Policy Framework Regulations, the entity responsible for the implementation of the Water Policy Framework Regulations shall ensure that risk assessment and risk management of the catchment areas for abstraction points of water intended for human consumption are carried out. This information resulting from the risk assessments and risk management shall be shared with the competent authority, in the form and at the time as may be established by the competent authority.

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(2) The entity responsible for the implementation of the Water Policy Framework Regulations duly assisted by the supporting entities as established by the First Schedule shall ensure that the risk assessment includes the following elements:

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

(i) the identification and mapping of the catchment areas for abstraction points;

(ii) the mapping of the safeguard zones where those zones have been established in accordance with Article 7(3) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the relevant provisions of the Water Policy Framework Regulations;

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(iii) the geo-references for all abstraction points in the catchment areas, given that that data may be potentially sensitive, in particular in the context of public health and public security, the competent authority shall ensure that such data is protected and communicated only to the relevant authorities and water suppliers; and

(iv) the description of land-use, runoff, and recharge processes in the catchment areas for abstraction points;

(b) an identification of hazards and hazardous events in the catchment areas for abstraction points and an assessment of

the risk they may 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 may constitute a risk to human health;

(c) an 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) the parameters in Parts A and B of the Second Schedule or set in accordance with regulation 6(3);

(ii) the groundwater pollutants in Annex I to Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration; and pollutants and indicators of pollution for which threshold values have been established in accordance with Annex II to that Directive, and the relative provisions of the Protection of Groundwater Against Pollution and Deterioration Regulations, by the entity responsible for their implementation;

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(iii) the priority substances and certain other pollutants in Annex I to Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council, and the relative provisions of the Water Policy Framework Regulations;

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(iv) the river basin specific pollutants established by the entity responsible for the implementation of the Water Policy Framework Regulations in accordance with Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the relevant provisions of Water the Policy Framework Regulations;

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(v) other pollutants relevant for water intended for human consumption established the competent authority on the basis of the information collected in accordance with paragraph (b);

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

(vii) substances and compounds included in the watch list as established in accordance with regulation 14(6):

Provided that for the purposes of sub-regulation (2)(a), the competent authority may use information collected in accordance with Articles 5 and 7 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the relevant provisions of Water Policy Framework Regulations: S. L. 549. 100.

Provided further that for the purposes of sub-regulation (2)(b), the competent authority may use the review of the impact of human activity undertaken in accordance with Article 5 of Directive 2000/60/EC and the information on significant pressures collected in accordance with points 1.4, 1.5 and 2.3 to 2.5 of Annex II to that Directive.

The competent authority and the entity responsible for the implementation of the Water Policy Framework Regulations shall choose from sub-regulation (2)(c)(i) to (c)(vii), the parameters, substances or pollutants that are considered relevant for monitoring in light of the hazards and hazardous events identified under sub-regulation (2)(b) or in light of the information provided by the water suppliers in accordance with sub-regulation (3). S.L. 549.100.

For the purpose of appropriate monitoring as referred to sub-regulation (2)(c), including to detect new substances that are harmful to human health through use of water intended for human consumption, the competent authority assisted by the supporting entity as established by the First Schedule may use the monitoring performed in accordance with Articles 7 and 8 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy or other Union legislation and relevant to the catchment areas for abstraction points.

(3) Water suppliers that perform monitoring in the catchment areas for abstraction points or in raw water shall be required to inform the competent authority of trends in, and of unusual numbers or concentrations of, monitored parameters, substances or pollutants.

(4) On the basis of the outcome of the risk assessment carried out in accordance with sub-regulation (2), the competent authority and the entity responsible for the implementation of the Water Policy Framework Regulations, duly assisted by the other supporting entities as established by the First Schedule shall ensure that the following risk management measures to prevent or control the risks identified are taken as relevant, starting with the preventive measures:

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(a) the definition and implementation of preventive measures in the catchment areas for abstraction points in addition to the measures foreseen or taken in accordance of Article 11(3)(d) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and the relevant provisions of the Water Policy Framework Regulations, where required to safeguard the quality of the water intended for human consumption:

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Provided that, where appropriate, those preventive measures shall be included in the programmes of measures referred to in Article 11 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of Water Policy Framework Regulations:

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Provided further that, where appropriate, the entity responsible for the Water Policy Framework Regulations shall ensure that polluters, in cooperation with water suppliers and other relevant stakeholders, take such preventive measures in accordance with Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy;

(b) the definition and implementation of mitigation measures in the catchment areas for abstraction points in addition to the measures foreseen or taken in accordance with Article 11(3)(d) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of the Water Policy Framework Regulations, 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 11 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of the Water Policy Framework Regulations. Where appropriate, the competent authority shall ensure that polluters, in cooperation with water suppliers and other relevant stakeholders, take such mitigation measures in accordance with Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of Water Policy Framework Regulations;

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(c) ensuring appropriate monitoring of parameters, substances or pollutants in surface water or groundwater, or both, in the catchment areas for abstraction points, or in raw water, that may 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 Articles 7 and 8 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of Water Policy Framework Regulations. Where appropriate, this monitoring shall be included in the monitoring programs referred to in Article 8 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of Water Policy Framework Regulations;

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(d) the evaluation of the need to establish or adapt safeguard zones for groundwater and surface water, as referred to in Article 7(3) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and the relevant provisions of Water Policy Framework Regulations,

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and any other relevant zones:

Provided that the competent authority shall ensure that the effectiveness of any measures referred to in this sub-regulation is reviewed at appropriate intervals.

(5) The competent authority shall ensure that water suppliers and relative competent entities have access to the information referred to in sub-regulations (2) and (3). In particular, relevant water suppliers shall have access to the monitoring results obtained under sub-regulation (2)(c). On the basis of the information referred to in sub-regulations (2) and (3), the competent authority assisted by the supporting entity as provided for in the First Schedule may:

(a) require water suppliers to perform additional monitoring or treatment of certain parameters;

(b) allow water suppliers to decrease the monitoring frequency of a parameter, or to remove a parameter from the list of parameters which shall be monitored by the water supplier in accordance with regulation 14(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 item 1 of Part B of the Third Schedule; and

(ii) no factor that may be reasonably anticipated is likely to cause deterioration of the quality of water intended for human consumption.

(6) When a water supplier is allowed to decrease the monitoring frequency of a parameter or remove a parameter from the list of parameters which shall be monitored, as referred to in sub-regulation (5)(b), the entity responsible for the Water Policy Framework Regulations 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 8(4).

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(7) All information resulting from assessments carried out by the entities indicated under this regulation, shall be shared with the competent authority.

Risk assessment and risk management of the supply system.

10. (1) The water supplier shall carry out a risk assessment and risk management of the supply system. The competent authority assisted by the supporting entities as provided for in the First Schedule

shall ensure that this obligation is carried out.

(2) The competent authority assisted by the supporting entities as provided for in the First Schedule shall ensure that the risk assessment of the supply system:

(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 9;

(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 may pose to human health through use of water intended for human consumption, taking into consideration risks stemming from climate change, leakages and leaking pipes.

(3) On the basis of the outcome of the risk assessment carried out in accordance with sub-regulation (2), it shall be ensured 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 may compromise the quality of water intended for human consumption, by the competent authority;

(b) defining and implementing control measures in the supply system by the competent authority in addition to the measures foreseen or taken in accordance with regulation 9(4) or Article 11(3) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy for the mitigation of risks coming from the catchment areas for abstraction points that may compromise the quality of water intended for human consumption, by the entity responsible for the Water Policy Frame Work Regulations; S.L. 549.100.

(c) implementing a supply-specific operational monitoring programme in accordance with regulation 14, by the competent authority;

(d) ensuring that, where disinfection forms part of the preparation or distribution of water intended for human consumption, the efficiency of the disinfection treatment applied is validated, that any contamination from disinfection by-

products is kept as low as possible without compromising the disinfection, that any contamination from treatment chemicals is kept as low as possible and that any substances remaining in the water do not compromise the fulfilment of the general obligations set out in regulation 5, by the competent authority;

(e) verifying that the materials, treatment chemicals and filter media that come into contact with water intended for human consumption used in the supply system comply with regulations 12 and 13.

(4) On the basis of the outcome of the risk assessment of the supply system carried out in accordance with sub-regulation (2), the competent authority shall:

(a) allow the possibility of decreasing the monitoring frequency of a parameter or of removing a parameter from the list of parameters which shall be monitored, except for the core parameters referred to in item 1 of Part B of the Third Schedule, if the competent 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 regulations 9(1) and (2);

(ii) when a parameter may 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 C of the Third Schedule;

(b) ensure that the list of parameters which shall be monitored in water intended for human consumption in accordance with regulation 14 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 regulations 9(1) and (2); or

(ii) on the basis of the specifications set out in Part

C of the Third Schedule.

(5) The risk assessment of the supply system shall concern the parameters listed in Parts A, B and C of the Second Schedule, the parameters set in accordance with regulation 6(3) and the substances or compounds included in the watch list established in accordance with regulation 14(6).

(6) The competent authority may exempt water suppliers supplying between ten cubic meters ($10m^3$) and one hundred cubic meters ($100m^3$) per day as an average or serving between fifty (50) and five hundred (500) persons from the requirement to carry out risk assessment and risk management of the supply system:

Provided that the competent authority shall be satisfied that such an exemption would not compromise the quality of water intended for human consumption. In the event of such an exemption, the exempted water suppliers shall carry out regular monitoring in accordance with regulation 14.

Risk assessment of domestic distribution systems.

11. (1) Risk assessment of domestic distribution systems shall comprise of 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; and

(b) monitoring of the parameters listed in Part D of the Second Schedule in premises where specific risks to water quality and human health have been identified during the general analysis performed under paragraph (a):

Provided that in relation to Legionella or lead, the competent authority may decide to focus the monitoring referred to in paragraph (b) on priority premises.

(2) When the competent authority identifies, on the basis of the general analysis carried out under sub-regulation (1)(a), that there is a risk to human health stemming from domestic distribution systems or from the related products and materials, or when the monitoring performed in accordance with sub-regulation (1)(b) demonstrates that the parametric values set out in Part D of the Second Schedule are not met, the competent authority shall ensure that appropriate measures are taken to eliminate or reduce the risk of non-compliance with the

parametric values set out in Part D of the Second Schedule:

Provided that in relation to Legionella, those measures shall target at least priority premises.

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(3) Sub-regulation (2) shall be without prejudice to the provisions of the Control of Legionella Regulations and the Registration of Cooling Towers and Evaporative Condensers Regulations.

(4) In order to reduce the risks connected with domestic distribution across all domestic distribution systems, the competent authority assisted by supporting entities shall ensure that all of the following measures are considered and that those measures considered relevant are taken to:

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

(b) inform the consumers and owners of public and private premises about the measures which aim 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 the 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; and

(f) in relation to lead, if economically and technically feasible, implement measures for substitution of components made of lead in existing domestic distribution systems.

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

12. (1) For the purposes of regulation 5, the competent authority assisted by the supporting entity as established by the First Schedule shall ensure that materials that are intended to be used in 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:

(a) do not directly or indirectly compromise the protection of human health as provided for by these regulations;

(b) do not adversely affect the colour, odour or taste of the water;

(c) do not enhance microbial growth; and

(d) do not leach contaminants into the water at levels that are higher than necessary in view of the intended purpose of the material.

(2) The products approved in accordance with specific minimum hygiene requirements provided for in the Fourth Schedule shall satisfy the requirements provided for in regulation 12(1).

(3) The competent authority assisted by the supporting entity as established in the First Schedule pursuant to the Coordination of Government Inspections Act shall ensure that only such products in contact with water intended for human consumption that use final materials approved in accordance with the Directive and these regulations may be placed on the market for the purposes of the Directive and these regulations:

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Provided that Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 shall apply to products covered by these regulations.

Minimum requirements for treatment chemical substances and filter media that come into contact with water intended for human consumption.

13. (1) For the purposes of regulation 5, the competent authority assisted by the supporting entity as established by the First Schedule shall ensure that treatment chemicals and filter media that come into contact with water intended for human consumption:

(a) do not directly or indirectly compromise the protection of human health as provided for by these regulations;

(b) do not adversely affect the colour, odour or taste of the water;

(c) do not unintentionally enhance microbial growth; and

(d) do not contaminate the water at levels that are higher than necessary in view of the intended purpose.

(2) For the national implementation of the requirements of this regulation, regulation 5(2) shall apply accordingly.

(3) Pursuant to regulation 13(1), and without prejudice to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products and the provisions of Biocidal Products (Implementation of Regulation (EU) No 528/2012) Regulations, and by using relevant national and European standards for specific treatment chemicals or filter media, the competent authority assisted by the supporting entity as established in the First Schedule shall ensure that the purity of treatment chemicals and filter media is assessed and the quality of such chemicals and filter media is guaranteed.

S.L. 430.09.

Monitoring.

14. (1) The competent authority shall take all measures necessary to ensure that regular monitoring of the quality of water intended for human consumption is carried out in accordance with this regulation and Parts A and B of the Third Schedule, in order to check that the water available to consumers meets the requirements of these regulations and in particular the parametric values set in accordance with regulation 6. Samples of water intended for human consumption shall be taken so that they are representative of its quality throughout the year.

(2) To meet the obligations imposed in sub-regulation (1), appropriate monitoring programmes shall be established in accordance with Part A of the Third Schedule for all water intended for human consumption. 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) the monitoring of the parameters listed in Parts A, B and C of the Second Schedule, and of the parameters set in accordance with regulation 6(3), in accordance with the Third Schedule, and, when a risk assessment of the supply system is carried out in accordance with regulation 10 and Part C of the Third Schedule, unless the competent authority decides that one (1) of those parameters may be removed, in accordance with regulation 9(5)(b) or regulation 10(4)(a), from the list of parameters to be monitored;

(b) the monitoring of the parameters listed in Part D of the Second Schedule, for the purposes of the risk assessment of domestic distribution systems, as provided for in regulation 11(1)(b);

(c) the monitoring of the substances and compounds included in the watch list;

(d) the monitoring, for the purposes of the identification of hazards and hazardous events, as provided for in regulation 9(2)(c);

(e) the operational monitoring conducted in accordance with item 3 of Part A of the Third Schedule.

(3) The sampling points shall be determined by the competent authority assisted by the supporting entity as established in the First Schedule and shall meet the relevant requirements set out in Part D of the Third Schedule.

(4) The competent authority shall comply with the specifications for the analysis of parameters set out in the Fifth Schedule, in accordance with the following principles:

(a) methods of analysis other than those specified in Part A of the Fifth Schedule may be used:

Provided that it may be demonstrated that the results obtained are at least as reliable as those produced by the methods specified in Part A of the Fifth Schedule, by providing the Commission with all relevant information concerning such methods and their equivalence;

(b) for the parameters listed in Part B of the Fifth Schedule, any method of analysis may be used provided that it meets the requirements set out therein.

(5) The competent authority shall ensure that additional monitoring is carried out on a case-by-case basis of substances and microorganisms for which no parametric value has been set in accordance with regulation 6, if there is reason to suspect that they may be present in numbers or concentrations which constitute a potential danger to human health.

(6) The competent authority 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 for human consumption:

Provided that the monitoring results shall be included in the data sets, set up in accordance regulation 19(1)(b), together with the results of the monitoring performed under regulation 9(2)(c):

Provided further that where a substance or compound included in the watch list in accordance with regulation 9(2) or sub-regulation (5) is detected, in concentrations exceeding the guidance values set out in the watch list, the entity responsible for the Water Policy Framework Regulations supported by the competent authority shall ensure that the following measures are considered and that those measures considered relevant are taken:

S.L. 549.100.

(a) preventive measures, mitigation measures or appropriate monitoring in the catchment areas for abstraction points or in raw water as set out in regulations 9(4)(a), (b) and (c);

(b) obligation on the water suppliers to carry out monitoring of those substances or compounds, in accordance with regulation 9(5)(a);

(c) obligation on the water suppliers to check whether treatment is adequate to reach the guidance value and, where necessary, to optimise the treatment; and

(d) remedial actions in accordance with regulation 15(6) where the competent authority consider it necessary to protect human health.

Remedial action and restrictions of use.

15. (1) The competent authority shall ensure that any failure to meet the parametric values set in accordance with regulation 6 is immediately investigated in order to identify the cause.

(2) If, despite the measures taken to meet the obligations imposed in regulation 5(1), water intended for human consumption does not meet the parametric values set in accordance with regulation 6, and without prejudice to regulation 7(2), the competent authority 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 enforcement, having regard to, inter alia, the extent to which the relevant parametric value has been exceeded and the associated potential danger to human health:

Provided that in the event of non-compliance with the parametric values set out in Part D of the Second Schedule, remedial action shall include the measures set out in regulation 11(4).

(3) Regardless of whether any failure to comply with the

parametric values has occurred, the competent authority shall ensure that any supply of water intended for human consumption which may constitute 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:

Provided that the competent authority shall consider a failure to meet the minimum requirements for parametric values set out in Parts A and B of the Second Schedule as a potential danger to human health, except when the competent authority considers the non-compliance with the parametric value to be trivial.

(4) In the cases described in sub-regulations (2) and (3), when the non-compliance with the parametric values is considered to be a potential danger to human health, the competent authority assisted, where applicable, by the supporting entity as established in the First Schedule shall, as soon as possible, take all of 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, while taking particular account of population groups with increased water-related health risks; and

(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.

(5) The competent authority and where applicable with the assistance of supporting entities shall decide what action under sub-regulation (3) 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.

(6) In the event of non-compliance with the parametric values or with the specifications set out in Part C of the Second Schedule, the competent authority shall consider whether that non-compliance poses any risk to human health. It shall take remedial actions to restore the quality of water intended for human consumption when that is necessary to protect human health.

16. (1) In duly justified circumstances, the competent authority may provide for derogations from the parametric values set out in Part B of the Second Schedule, or in accordance with regulation

Derogations.

6(3), up to a maximum value to be determined by it:

Provided that such derogations shall not constitute a potential danger to human health:

Provided further that the supply of water intended for human consumption in the area concerned may not 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; or

(c) an unforeseen and exceptional situation in an existing catchment area for the abstraction of water intended for human consumption that may lead to temporary limited exceedances of the parametric values:

Provided that the derogations referred to in this sub-regulation shall be limited to as short a period as possible and shall not exceed three (3) years in duration. Towards the end of the period of the derogation, the competent authority shall conduct a review to determine whether sufficient progress has been made.

(2) Any derogation granted in accordance with sub-regulation (1) 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 and whether any relevant food business operator would be affected;

(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; and

(f) the duration of the derogation.

(3) If the competent authority considers the non-compliance with the parametric value to be trivial, and if action taken in accordance with regulation 15(2) is sufficient to remedy the problem within thirty (30) days, it shall not be required to specify the information provided for in this sub-regulation in the derogation:

Provided that, in that event, only the maximum permissible value for the parameter concerned and the time allowed to remedy the problem shall be set by the competent authorities or other relevant bodies in the derogation.

(4) If there is a failure to comply with any parametric value for a given water supply on more than thirty (30) days on aggregate during the previous twelve (12) months, recourse may no longer be had to sub-regulation (3).

(5) The competent authority which has granted a derogation as provided for in this regulation shall ensure that the population affected by any such derogation is promptly informed in an appropriate manner of that derogation and of the conditions governing it. Moreover, the competent authority assisted by the supporting entity as established in the First Schedule shall, where necessary, ensure that advice is given to particular population groups for which the derogation may present a special risk:

Provided that the obligations referred to in sub-regulation (1) shall not apply in the circumstances described in sub-regulation (3), unless the competent authorities decide otherwise.

(6) This regulation shall not apply to water intended for human consumption put into bottles or containers.

Access to water intended for human consumption. S.L. 549.100.

17. (1) Without prejudice to the relevant provisions of the Water Policy Framework Regulations and Article 9 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy and to the principles of subsidiarity and proportionality, whilst taking into account the local, regional and cultural perspectives and circumstances for water distribution, the corporation established by the Water Services Corporation Act shall take the necessary measures to improve or maintain access to water intended for human consumption for all, in particular for vulnerable and marginalised groups. For that purpose, the entity responsible for social policy shall:

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(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 it considers necessary and appropriate to ensure that there is access to water intended for human consumption for vulnerable and marginalised groups.

(2) In order to promote the use of tap water intended for human consumption, the entity responsible 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. The competent authority 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;

(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.

(3) It shall be ensured that the necessary assistance is facilitated in order to implement the measures referred to in this regulation.

Information to the public.

18. (1) The competent authority assisted by the supporting entity as established in the First Schedule shall ensure that adequate and up-to-date information on water intended for human consumption is available in accordance with the Sixth Schedule, while complying with applicable data protection rules.

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(2) All water suppliers and the corporation established by the Water Services Corporation Act shall ensure that all persons supplied with water intended for human consumption receive the following information regularly and at least once a year, without having to request it, and in the most appropriate and easily accessible form, such as on invoices or by digital means such as smart applications:

(a) information on the quality of water intended for human consumption, including the indicator parameters;

(b) the price of water intended for human consumption supplied, per litre and cubic metre;

(c) the volume consumed by the household, at least per year or per billing 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 paragraph (c); and

(e) a link to the website containing the information set out in the Sixth Schedule.

(3) This regulation is without prejudice to Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC and Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE).

Information on monitoring of implementation.

19. (1) Without prejudice to Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC and Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE), the competent authority:

(a) assisted by the supporting entity as established in the First Schedule, shall set up, by 12th January 2029, and update every six (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 17, and on the share of their population that has access to water intended for human consumption. This shall not include water put into bottles or containers;

(b) assisted by the supporting entity as established in the First Schedule, shall set up, by 12th July 2027, and update every six (6) 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 9, including the following elements:

(i) the information on catchment areas for abstraction points under regulation 9(2)(a);

(ii) the results of the monitoring performed under regulation 9(2)(c); and

(iii) the concise information on the measures taken pursuant to regulation 9(4), including information on the type of measures taken;

(c) shall set up, by 12th January 2029, and update every six (6) years thereafter, a data set containing information related to the risk assessment of domestic distribution systems carried out in accordance with regulation 11, including the following elements:

(i) the results of the monitoring performed under regulation 11(1)(b); and

(ii) the concise information on the measures taken pursuant to regulation 11(2) and (3), including information on the type of measures taken, and the progress made, in accordance with regulation 11(3)(f);

(d) shall set up and update annually thereafter, a data set containing the monitoring results, in cases of exceedances of the parametric values set out in Parts A and B of the Second Schedule, collected in accordance with regulations 10 and 14 and information about the remedial actions taken in accordance with regulation 15;

(e) assisted by the supporting entity as established by the First Schedule, shall 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 ten (10) consecutive days and that affected at least one thousand (1000) persons, including the causes of those incidents and remedial actions taken in accordance with regulation 15; and

(f) shall set up, and update annually thereafter, a data set containing information on all derogations granted in accordance with regulation 16(1), including the information provided for in regulation 16(2). Where possible, spatial data services as defined

in Article 3(4) of Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) shall be used to present the data sets referred to in sub-regulation (1).

(2) The competent authority shall ensure that the Commission, the EEA and the European Centre for Disease Prevention and Control have access to the data sets referred to in sub-regulation (1).(2) The competent authority shall ensure that the Commission, the EEA and the European Centre for Disease Prevention and Control have access to the data sets referred to in sub-regulation (1).

Committee Procedure.

20. (1) The Superintendent shall appoint a Committee, which shall be made up of all the entities mentioned in these regulations and any other relevant stakeholders so identified by the Superintendent.

(2) This Committee shall be chaired by the Superintendent or his appointed representative.

(3) The main functions of this Committee shall be to foresee the requirements and implementation of the Directive and these regulations.

Transitional period.

21. (1) By 12th January 2026, the competent authority shall take the measures necessary to ensure that water intended for human consumption complies with the parametric values set out in Part B of the Second Schedule for Bisphenol A, Chlorate, Chlorite, Haloacetic Acids, Microcystin-LR, PFAS Total, Sum of PFAS and Uranium.

(2) Until 12 January 2026, water suppliers shall not be obliged to monitor water intended for human consumption in accordance with regulation 14 for the parameters listed in sub-regulation (1).

Repeal. S. L. 449. 57

22. The Water Intended for Human Consumption Regulations are hereby repealed.

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FIRST SCHEDULE
(Regulations 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 18, 19)

LIST OF SUPPORTING ENTITIES

Regulation Number	Supporting Entity
5(1)(c)	All entities mentioned in regulations 6 to 15
6 (3)	The corporation established by the Water Services Corporation Act (Cap. 355)
7 (2)	The corporation established by the Water Services Corporation Act (Cap. 355)
7 (3)	The corporation established by the Water Services Corporation Act (Cap. 355)
8 (1) (a)	The entity responsible for the implementation of the Water Policy Framework Regulations (S.L. 549. 100)
9 (2)	The corporation established by the Water Services Corporation Act (Cap. 355), the entity responsible for issuing of permits of water extraction points, the entity responsible for land use, the entity responsible for agriculture, the entity responsible for storm water management, and the entity responsible for the location of registered industries, as well as other entities that the competent authority may indicate from time to time

9 (4)	The corporation established by the Water Services Corporation Act (Cap. 355), the entity responsible for issuing of permits of water extraction points, the entity responsible for land use, the entity responsible for agriculture, the entity responsible for storm water management, and the entity responsible for the location of registered industries, as well as other entities that the competent authority may indicate from time to time
9 (5)	The entity responsible for the implementation of the Water Policy Framework Regulations (S.L. 549. 100)
9 (7)	The entity responsible for the implementation of the Water Policy Framework Regulations (S.L. 549. 100)
10 (1)	The Regulator for Energy and Water Services
10 (2)	The Regulator for Energy and Water Services
12 (1)	The entity responsible for building and construction
12 (3)	The entity responsible for responsible for building and construction and the entity responsible for the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/ 106/EEC

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13	The entity responsible for the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC
14 (3)	The corporation established by the Water Service Corporation Act (Cap. 355)
15 (4)	The corporation established by the Water Service Corporation Act (Cap. 355)
18 (1)	The Regulator for Energy and Water Services
19 (1) (a)	The Ministry responsible for social policy
19 (1) (b)	The entity responsible for the implementation of the Water Policy Framework Regulations (S.L. 549. 100)
19 (1) (e)	The corporation established by the Water Service Corporation Act (Cap. 355) and the Regulator for Energy and Water Services

SECOND SCHEDULE
(Regulations 4, 5, 6, 7, 9, 10, 11, 14, 15, 16, 19, 21)

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

Part A
Microbiological parameters

Parameter	Parametric value	Unit	Notes
Intestinal enterococci	0	number/100 ml	For water put into bottles or containers, the unit is number/250 ml.
Escherichia coli (E. coli)	0	number/100 ml	For water put into bottles or containers, the unit is number/250 ml.

Part B
Chemical parameters

Parameter	Parametric value	Unit	Notes
Acrylamide	0,10	µg/l	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.
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	

B 2580

Boron	1,5	mg/l	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 may lead to high levels of boron in groundwater.
Bromate	10	µg/l	
Cadmium	5,0	µg/l	
Chlorate	0,25	mg/l	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, Member States shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used.
Chlorite	0,25	mg/l	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, Member States shall strive for a lower value. This parameter shall be measured only if such disinfection methods are used.

Chromium	25	µg/l	The parametric value of 25 µg/l shall be met, at the latest, by 12th January 2036. The parametric value for chromium until that date shall be 50 µg/l.
Copper	2,0	mg/l	
Cyanide	50	µg/l	
1,2-dichloroethane	3,0	µg/l	
Epichlorohydrin	0,10	µg/l	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.
Fluoride	1,5	mg/l	
Haloacetic acids (HAAs)	60	µg/l	This parameter shall be measured only when disinfection methods that may 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.

B 2582

Lead	5	µg/l	The parametric value of 5 µg/l shall be met, at the latest, by 12th January 2036. The parametric value for lead until that date shall be 10 µg/l. After that date, the parametric value of 5 µg/l shall be met at least at the point of supply to the domestic distribution system. For the purposes of regulation 12(2)(b), the parametric value of 5 µg/l at the tap shall apply.
Mercury	1,0	µg/	
Microcystin-LR	1,0	µg/l	This parameter shall be measured only in the event of potential blooms in source water (increasing cyanobacterial cell density or bloom forming potential).
Nickel	20	µg/l	
Nitrate	50	mg/l	Member States shall ensure that the condition [nitrate]/50 + [nitrite]/3 ≤ 1, where the square brackets signify the concentrations in mg/l for nitrate (NO3) and nitrite (NO2), is complied with and that the parametric value of 0,10 mg/l for nitrites is complied with ex water treatment works.

Nitrite	0,50	mg/l	Member States shall ensure that the condition [nitrate]/50 + [nitrite]/3 ≤ 1, where the square brackets signify the concentrations in mg/l for nitrate (NO3) and nitrite (NO2), is complied with and that the parametric value of 0,10 mg/l for nitrites is complied with ex water treatment works.

B 2584

Pesticides	0,10	µg/l	"Pesticides" means: (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 Article 3(32) of Regulation (EC) No 1107/ 2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC, 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 reason to consider that it has intrinsic properties that may be 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.

			The parametric value of 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. Member States 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 shall be monitored. Based on the data reported by Member States, the Commission may establish a database of pesticides and their relevant metabolites, taking into account their possible presence in water intended for human consumption.
Pesticides Total	0,50	µg/l	"Pesticides Total" means the sum of all individual pesticides, as defined in the previous row, detected and quantified in the monitoring procedure.

B 2586

PFAS	0,50	µg/l	"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 in accordance with Article 13(7) of the Directive. Member States may then decide to use either one or both of the parameters "PFAS Total" or "Sum of PFAS".
Sum of PFAS	0,10	µg/l	"Sum of PFAS" means the sum of per- and polyfluoroalkyl substances considered a concern as regards water intended for human consumption listed in item 3 of Part B of the Fifth Schedule. This is a subset of "PFAS Total" substances that contain a perfluoroalkyl moiety with three or more carbons (meaning –CnF2n–, n ≥ 3) or a perfluoroalkylether moiety with two or more carbons (meaning –CnF2nOCmF2m–, n and m ≥ 1).
Polycyclic aromatic hydrocarbons	0,10	µg/l	Sum of concentrations of the following specified compounds: benzo(b)fluoranthene, benzo(k)fluoranthene, benzo (ghi)perylene, and indeno(1,2,3-cd)pyrene.
Selenium	20	µg/l	A parametric value of 30 µg/l shall be applied for regions where geological conditions may lead to high levels of selenium in groundwater.

Tetrachloroethene and Trichloroethene	10	µg/l	The sum of concentrations of these two parameters.
Trihalomethanes Total	100	µg/l	Where possible, without compromising disinfection, Member States shall strive for a lower parametric value. It is the sum of concentrations of the following specified compounds: chloroform, bromoform, dibromochloromethane and bromodichloromethane.
Uranium	30	µg/l	
Vinyl chloride	0,50	µg/l	The parametric value of 0,50 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.

Part C
Indicator parameters

Parameter	Parametric value	Unit	Notes
Aluminium	200	µg/l	
Ammonium	0,50	mg/l	
Chloride	250	mg/l	The water should not be corrosive.
Clostridium perfringens including spores	0	number /100 ml	This parameter shall be measured if the risk assessment indicates that this is appropriate to do so.
Colour	Acceptable to consumers and no abnormal change		

B 2588

Conductivity	2 500	µS cm-1 at 20 °C	The water shall not be aggressive.
Hydrogen ion concentration	≥ 6,5 and ≤ 9,5	pH units	The water should not be aggressive. 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.
Iron	200	µg/l	
Manganese	50	µg/l	
Odour	Acceptable to consumers and no abnormal change		
Oxidisability	5,0	mg/l O_2	This parameter shall not be measured if the parameter TOC is analysed.
Sulphate	250	mg/l	The water shall not be corrosive.
Sodium	200	mg/l	
Taste	Acceptable to consumers and no abnormal change		
Colony count at a temperature of 22°C	No abnormal change		
Coliform bacteria	0	number /100 ml	For water put into bottles or containers, the unit is number/250 ml.
Total organic carbon (TOC)	No abnormal change		This parameter shall not be measured for supplies of less than 10 000 m^3 a day.

Turbidity	Acceptable to consumers and no abnormal change		
Water shall 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 may 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 may be established taking into account the characteristics of water that enters those processes.			

Part D
Parameters relevant for the risk assessment of domestic distribution systems

Parameter	Parametric value	Unit	Notes
Legionella	< 1 000	CFU/l	This parametric value is set for the purposes of regulations 11 and 15. Actions provided for in those regulations may be considered even when the value is below the parametric value, example in cases of infections and outbreaks. In such cases, the source of infection should be confirmed and the species of Legionella should be identified. The provisions of the Control of Legionella Regulations (S.L. 465. 03.) and the Registration of Cooling Towers and Evaporative Condensers Regulations (S.L. 465. 04.) shall remain applicable.
Lead	10	µg/l	This parametric value is set for the purposes of regulations 11 and 15. The competent authority should use its best endeavours to achieve the lower value of 5 µg/l by 12th January 2036.

THIRD SCHEDULE
(Regulations 9, 10, 14)

MONITORING

Part A
General objectives and monitoring programmes for water intended for human consumption

(1) The monitoring programmes established pursuant to regulation 14(2) 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 regulation 5 and the parametric values set in accordance with regulation 6 are being met;

(c) identify the most appropriate means of mitigating the risk to human health.

(2) (a) The monitoring programmes established pursuant to regulation 14(2) shall include one or a combination of the following:

(i) collection and analysis of discrete water samples;

(ii) measurements recorded by a continuous monitoring process.

(b) In addition, monitoring programmes may consist of:

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

(ii) inspections of the abstraction area, and of the treatment, storage and distribution infrastructure, without prejudice to monitoring requirements provided for under regulation 9(2)(c) and regulation 11(1)(b).

(3) The 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

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programmes shall be supply-specific, taking into account the outcomes of the identification of hazards and hazardous events and the 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):

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
≤ 1 000	Weekly
> 1 000 to ≤ 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)/100 ml	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 place and to assess whether the risk of a breakthrough of pathogenic viruses is sufficiently under control.

(4) The competent authority shall ensure that the monitoring programmes are reviewed on a continuous basis and updated or confirmed at least every six years.

Part B
Parameters and sampling frequencies

(1) List of parameters

Group A

The following parameters shall be monitored in accordance with the monitoring frequencies set out in Table 1 of item 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(3) and, where relevant, through a risk assessment of the supply system as set out in regulation 10 and Part C.

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 10 and Part C. They shall always be monitored at least at the frequencies set out in Table 1 of item 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 in Part D of the Second Schedule, shall be monitored at least at the frequencies set out in Table 1 of item 2, unless a different sampling frequency is determined on the basis of a risk assessment of the supply system carried out in accordance with regulation 10 and Part C.

(2) Sampling frequencies

Table 1. Minimum frequency of sampling and analysis for compliance monitoring

Volume of water distributed or produced each day within a supply zone (See Notes 1 and 2) m^3		Group A parameter number of samples per year	Group B parameter number of samples per year
	< 10	> 0 (See Note 4)	> 0 (See Note 4)
≥ 10	≤ 100	2	1 (See 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 (See 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 (See Note 3)
> 10 000	≤ 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 (See 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 (See Note 3)

Note 1: A supply zone is a geographically defined area within which water intended for human consumption comes from one or more sources and within which the water quality may 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 m^3/d = 16 samples for Group A parameters (4 for the first 1 000 m^3/d + 12 for additional 3 300 m^3/d).

Note 4: For water suppliers, when an exemption has not been granted under regulation 4(3)(b), the competent authority shall lay down the minimum sampling frequency for parameters of Groups A and B, provided that core parameters are monitored at least once per year.

Note 5: The competent authority may reduce the sampling frequency provided that all parameters set in accordance with regulation 6 are monitored at least 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 C
Risk assessment and risk management of the supply system

(1) Based on the outcome of the risk assessment of the supply system as referred to in regulation 10, the list of parameters considered in the monitoring shall be extended and the sampling frequencies set out in Part B shall be 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 14(1);

(b) additional monitoring is required for the purposes of regulation 14(5);

(c) it is necessary to provide the assurances set out in item 1(a) of Part A;

(d) increasing the sampling frequencies is necessary pursuant to regulation 9(4)(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 B may be reduced provided that all of 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 frequency of a parameter, the results obtained from samples collected at regular intervals over a period of at least 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 at least 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 which shall 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 for 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 regulation 2(2);

(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 may be reasonably anticipated is likely to cause deterioration of the quality of the water intended for human consumption.

When monitoring results, demonstrating that the conditions set out in items (2)(b) to (2)(e) are met, are already available by 12th 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 Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption, the competent authority may provide for the possibility to confirm their validity without requiring monitoring in accordance with items 2(b) and 2(c) over a further period of at least three years from points representative of the whole supply zone.

Part D
Sampling methods and points

(1) Sampling points shall be determined so as to ensure compliance with regulation 7(1). In the case of a distribution network, the competent authority assisted by the corporation established by the Water Services Corporation Act (Cap. 355) 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) the 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 shall be taken. As an alternative, the competent authority may use fixed stagnation time methods that better reflect the 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;

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

(3) The 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 competent 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 EN ISO 19458, sampling purpose A.

FOURTH SCHEDULE
(Regulation 12)

PRINCIPLES FOR SETTING METHODOLOGIES

Groups of materials

1. Organic materials

The organic materials shall only be made of:

(a) the starting substances listed in the European positive list of starting substances to be established by the Commission in accordance with Article 11(2)(b) of the Directive; and

(b) substances in relation to which there may be 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 conformity 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 results of the tests in terms of substance migration shall be converted into estimated levels at the tap.

2. Metallic materials

Only the metallic materials included in the European positive list of compositions to be established by the Commission in accordance with Article 11(2)(b) 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 complied with.

The metallic materials shall be tested in accordance with Table 1 in conformity 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

The 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 Commission in accordance with Article 11(2)(b) of the Directive;

(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; or

(c) inorganic constituents.

Cement-bound materials shall be tested in accordance with Table 1 in conformity 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 results of the tests 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 Commission in accordance with Article 11(2)(b) 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 Table 1 in conformity 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 results of the tests 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 1. Testing related to material types

Criteria	**Organic (See Note 1)**	**Metallic (See 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 this Directive	X	X	X	X
MTC_{tap} of PL substances	X	N.N.	X (See Note 3)	N.N.
Unexpected substances (GCMS)	X	N.N.	X (See Note 3)	N.N.

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Compliance with compositions lists	N.N.	X	N.N.	X
Enhancement of microbial growth	X	N.N.	X (See Note 3)	N.N

N.N.: Not necessary;

MTCtap: 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 2011 on plastic materials and articles intended to come into contact with food and considering a 10 % allocation factor and water consumption of 2 litres per day);

GCMS: Gas Chromatography – Mass Spectrometry (screening method).

Note 1: Specific exceptions shall be determined in line with item 5.

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

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

FIFTH SCHEDULE
(Regulation 14)

SPECIFICATIONS FOR THE ANALYSIS OF PARAMETERS

The competent authority 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 EN ISO/IEC 17025 or other equivalent standards accepted at international level. The competent authority shall ensure that laboratories or parties contracted by laboratories apply quality management system practices in accordance with 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 competent authority may use standard EN ISO 17994, established as the standard on the equivalence of microbiological methods, or standard 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 EN ISO 17994.

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

Part A
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 (EN ISO 9308-1 or EN ISO 9308-2);

(b) intestinal enterococci (EN ISO 7899-2);

(c) colony count or heterotrophic plate counts at 22°C (EN ISO 6222);

(d) Clostridium perfringens including spores (EN ISO 14189);

(e) Legionella (EN ISO 11731 for compliance with the value in Part D of the Second Schedule); 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, may be used;

(f) somatic coliphages; for operational monitoring, Part A of the Third Schedule, EN ISO 10705-2, and EN ISO 10705-3 can be used.

Part B
Chemical and indicator parameters for which performance characteristics are specified

(1) Chemical and indicator parameters

For the parameters set out in Table 1, 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 Article 2(2) of Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status, of 30% or less of the relevant parametric value and an uncertainty of measurement as specified in Table 1. The result shall be expressed using at least the same number of significant figures as for the parametric value referred to in Parts B and C of the Second Schedule.

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

Table 1. Minimum performance characteristic ‘Uncertainty of measurement’

Parameters	Uncertainty of measurement (See Note 1) % of the parametric value (except for pH)	Notes
Aluminium	25	
Ammonium	40	
Acrylamide	30	
Antimony	40	
Arsenic	30	

Benzo(a)pyrene	50	See Note 2
Benzene	40	
Bisphenol A	50	
Boron	25	
Bromate	40	
Cadmium	25	
Chloride	15	
Chlorate	40	
Chlorite	40	
Chromium	30	
Copper	25	
Cyanide	30	See Note 3
1,2-dichloroethane	40	
Epichlorohydrin	30	
Fluoride	20	
HAAs	50	
Hydrogen ion concentration pH	0,2	See Note 4
Iron	30	
Lead	30	
Manganese	30	
Mercury	30	
Microcystin-LR	30	
Nickel	25	
Nitrate	15	
Nitrite	20	
Oxidisability	50	See Note 5
Pesticides	30	See Note 6
PFAS	50	
Polycyclic aromatic hydrocarbons	40	See Note 7
Selenium	40	
Sodium	15	
Sulphate	15	
Tetrachloroethene	40	See Note 8

Trichloroethene	40	See Note 8
Trihalomethanes – total	40	See Note 7
Total organic carbon (TOC)	30	See Note 9
Turbidity	30	See Note 10
Uranium	30	
Vinyl chloride	50	

(2) Notes to Table 1

Note 1: Uncertainty of measurement is a non-negative parameter characterising the dispersion of the quantity values being attributed to a measurand, 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 shall be selected (up to 60%).

Note 3: The method shall determine total cyanide in all forms.

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

Note 5: Reference method: 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% may 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 in Part B of the Second Schedule.

Note 8: The performance characteristics apply to individual substances, specified at 50% of the parametric value in Part B of the Second Schedule.

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 EN ISO 7027 or another equivalent standard method.

(3) Sum of PFAS

The following substances shall be analysed based on the technical guidelines developed 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) Perfluorononane sulfonic acid (PFNS);

(q) Perfluorodecane sulfonic acid (PFDS);

(r) Perfluoroundecane sulfonic acid;

(s) Perfluorododecane sulfonic acid;

(t) Perfluorotridecane sulfonic acid.

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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 9 conclude that those substances are likely to be present in a given water supply.

SIXTH SCHEDULE
(Regulation 18)

INFORMATION TO THE PUBLIC

The information in the following points shall be accessible to consumers on-line, 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, the area and number of people supplied, and the method of water production, including general information on types of water treatment and disinfection applied; the competent authority may derogate from this requirement in accordance with Article 13(1) of Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE);

(2) the most recent monitoring results for parameters listed in Parts A, B and C of the Second Schedule, including monitoring frequency together with the 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 allow otherwise;

(3) information on the following parameters not listed in Part C of the Second Schedule and the associated values:

(a) hardness;

(b) minerals, anions or cations dissolved in water:

(i) calcium Ca;

(ii) magnesium Mg;

(iii) potassium K;

(4) in the event of a potential danger to human health as determined by competent 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 the risk assessment of the

supply system;

(6) advice to consumers, including on how water consumption may be reduced when 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 at least 10 000 m^3 per day or serving at least 50 000 people, annual information on:

(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 the date set out in regulation 5(3);

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

(c) when 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 17, 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 sub-items (2) and (3), dating back up to 10 years, if available, and not earlier than 13th January 2023.

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