

Our Ref: DWI 136/10 (CPEO/11/01)

Date: 04 April 2011

Mr G Butler
Asset Management Director
Northern Ireland Water Ltd
Westland House
Old Westland Road
BELFAST
BT14 6TE

Dear George

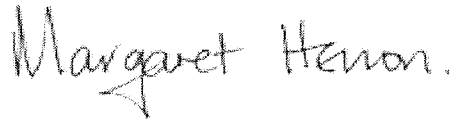
**NOTIFICATION OF CONSIDERATION BEING GIVEN TO THE MAKING OF
A PROVISIONAL ENFORCEMENT ORDER UNDER SECTION 30 OF THE
WATER AND SEWERAGE SERVICES (NORTHERN IRELAND) ORDER
2006**

**Contravention of Regulation 9(3) – samples are required to be taken at
regular intervals throughout the year.**

1. I enclose a self-explanatory notice of acceptance of an undertaking of the steps that Northern Ireland Water Ltd has taken, or is taking, to secure compliance in its duty to undertake a sampling programme in compliance with regulation 9(3) of The Water Supply (Water Quality) Regulations (Northern Ireland) 2007.
2. I note the assurances and undertakings provided to the Inspectorate in your letter of the 21 March 2011.
3. The notice of acceptance of an undertaking will be published on our website.
4. Any enquiries about this letter or the attached undertaking should be addressed to David O'Neill (Tel: 028 9056 9243).
5. Copies of this letter and attached undertaking are being sent to the Director of Water Policy Division, DRD; Director of Environmental Protection (Northern Ireland Environment Agency); the Director of Public Health; Consultants in Health Protection; the Chief Environmental Health Officer (DHSSPS); Chief Environmental Health Officers, district councils; Director of Water Regulation, NIAUR; and Head of Water, CCNI.

9. Please acknowledge receipt of this letter, by e-mail to:
DWI@doeni.gov.uk

Yours sincerely

A handwritten signature in black ink that reads "Margaret Herron." The signature is written in a cursive style with a clear, legible font.

Margaret Herron
Chief Inspector of Drinking Water
Drinking Water Inspectorate

Enc: Notice of Acceptance of an Undertaking for CPEO/11/01

NOTICE OF ACCEPTANCE OF AN UNDERTAKING FROM
NORTHERN IRELAND WATER LTD

**THE WATER AND SEWERAGE SERVICES (NORTHERN IRELAND)
ORDER 2006: SECTION 31(3)(A)**

The Department for Regional Development

1. is satisfied that Northern Ireland Water Ltd (NI Water), in undertaking its sampling programme, has contravened regulation 9(3) of the Water Supply (Water Quality) Regulations (Northern Ireland) 2007 in respect of samples being taken at regular intervals throughout the year for the following parameters:

Parameter	Period	Comment
Volatile Organic Carbons (VOC)	1 January 2009 to 22 April 2009.	There were no samples, for this parameter, for the period specified.
Total Organic Carbon (TOC)	25 June 2010 to 6 September 2010.	There were no samples, for this parameter, for the period specified.

2. has notified NI Water on 24 February 2011 that it is considering making, in relation to NI Water, a provisional enforcement order under Section 30 of The Water and Sewerage Services (Northern Ireland) Order 2006.
3. notes that NI Water has given **an undertaking** to take the following steps by the dates shown:
- 3.1 **Sample Management and Reporting:** NI Water is to generate and action the following reports on its Laboratory Information Management System (LIMS) **with immediate effect**.
- 3.1.1 **Regulation 9(3) Sample Reception Backlog Report:** this report is to be run at least twice weekly to identify samples which have not been collected by the required date. Where these reports indicate that remedial measures are required to ensure compliance with regulation 9(3) corrective action should be taken immediately by NI Water.
- 3.1.2 **Regulation 9(3) Parameter Shortfall Report:** this report is to be run at least monthly by the LIMS Compliance Reporting Section to list at parameter level for Water Treatment Works, Water Supply Points, Service Reservoirs, and Water Supply Zones all parameters and samples not yet fully authorised with LIMS against set criteria. Where these reports indicate that remedial measures are required to ensure

compliance with regulation 9(3) corrective action should be taken immediately by NI Water.

- 3.2 **Contingency Measures:** NI Water is to have in place the following contingency arrangement.
 - 3.2.1 Where samples are unable to be analysed through its normal operating procedures, NI Water is to have contingency arrangements in place to enable ongoing compliance with regulation 9(3). The details of this arrangement are to be provided to the Inspectorate **by the 30 May 2011**.
- 3.3 **Other Arrangements:** NI Water is to have in place the following arrangements.
 - 3.3.1 NI Water is to provide a copy of the final version of the NI Water procedure 'Compliance with Regulation 9(3); Escalation of Information' to the Inspectorate **by the 30 April 2011**. This procedure should include the protocols for escalation of shortfalls identified through the reports detailed in section 3.1, along with clear lines of internal and external communication.
 - 3.3.2 Updates on the progress with this undertaking are to be provided through the NIW/DWI Compliance Programmes Quarterly Review Meetings.
4. is satisfied that NI Water has given, and is complying with, an undertaking to take all steps as appears, for the time being, to be appropriate to secure or facilitate compliance with the relevant requirements of regulation 9(3) (Number of samples) of The Water Supply (Water Quality) Regulations (Northern Ireland) 2007.

Authorised by the Department for Regional Development to sign on that behalf:



Margaret Herron
Chief Inspector of Drinking Water
Drinking Water Inspectorate

04 April 2011