
Amendments to the Private Water Supplies Regulations 2009

Department for Environment, Food and Rural Affairs

RPC rating: **validated**

Description of proposal

The Department proposes to amend the Private Water Supplies Regulations 2009 (the regulations) to:

- a) Transpose the requirements of the Euratom Directive into domestic law. This will require local authorities to monitor for radon in accordance with the monitoring frequencies specified in the Directive.
- b) Improve the wording in three places in relation to the transposition of the DWD.
- c) Reduce the amount of time a local authority has to conduct their initial risk assessment of a private water supply from 5 years to 6 months.

Parts a) and b) of the proposal are of EU origin, and part c) of the proposal is of domestic origin.

All parts of the proposal are 'regulatory provisions' as they concern the regulation of business. Parts a) and c) of the proposal meet this definition as they relate to how local authorities regulate business.

Impacts of proposal

Part a) of the proposal will require local authorities to monitor water sources for radon. The Department explains that local authorities will take a risk-based approach by only monitoring businesses in moderate to high risk radon areas and focusing on businesses that do not already treat for radon in their water supply. The Department explains that the existing regulations require local authorities to monitor water sources for a variety of substances and expects local authorities to incorporate the monitoring for radon in their existing sampling processes. The Department explains that local authorities may pass these sampling costs onto private water suppliers. However, it is unclear whether they will do so. Based on conservative estimates from the Drinking Water Inspectorate (DWI), the Department expects this will impose a maximum annual cost of £40,500 on the affected businesses. It is unlikely that any specific treatment will be needed to remove radon in private water supplies as the

presence of radon is not considered to be a significant issue in England. The Department therefore estimates this will not have a significant impact on business.

Part b) of the proposal will improve the wording in the transposition of the Drinking Water Directive (DWD) in three places: clarifying the quality of water that can be used in food production, removing uncertainty about risk assessments and clarifying the procedure to be followed where the concern is the domestic distribution system of premises where water is made available to the public. The Department expects that clarifying the wording in the existing regulations in relation to three of the DWD provisions will have a negligible impact.

Part c) of the proposal will reduce the amount of time local authorities have to conduct their initial risk assessment of a new private water supply from 5 years to 6 months. The Department explains that this may affect when businesses need to be ready for inspection. However, the time between notification and inspection is not expected to change. Therefore, this change is not expected to impose a significant additional cost on business. The Department notes that this change may generate public health benefits as it may result in assessments being undertaken more quickly, and any issues being rectified more quickly.

The RPC verifies the estimated equivalent annual net cost to business (EANDCB) of £0 million. Parts a) and b) will be non-qualifying regulatory provisions that will not score under the business impact target. Part c) will be a qualifying regulatory provision that will score under the business impact target.

Quality of submission

The Department has provided sufficient information to support the assessment of parts a) and b) of the proposal as not going beyond the minimum EU requirements.

The Department has provided sufficient justification to support the assessment of all elements of the proposal as low cost. The assessment would, however, benefit from providing a more extensive discussion of the extent to which it expects local authorities to pass on costs, and the expected incidence of finding radon in any given year.

Departmental assessment

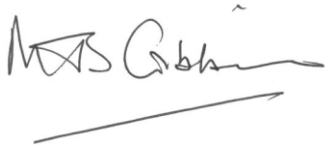
Classification	Parts a) and b): Non-qualifying regulatory provision (EU) Part c): Qualifying regulatory provision
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Opinion: validation IA
Origin: Domestic and European
RPC reference number: RPC-DEFRA-3401(1)
Date of implementation: not provided

Equivalent annual net cost to business (EANCB)	£0
Business net present value	£0

RPC assessment

Classification	Parts a) and b): Non-qualifying regulatory provision (EU) Part c): Qualifying regulatory provision
EANCB – RPC validated ¹	£0
Business Impact Target (BIT) Score ¹	£0



Michael Gibbons CBE, Chairman

¹ For reporting purposes, the RPC validates EANCB and BIT score figures to the nearest £100,000.