



guardians of drinking water quality

DRINKING WATER INSPECTORATE

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DWI Information Letter 08/08

To: Board Level and Day to Day contacts of Water and Sewerage Companies and Water Companies in England and Wales

Dear Sir/Madam

CHANGES TO THE APPROVAL OF DISINFECTANTS FOR EMERGENCY USE

Purpose

The purpose of this letter is to advise water companies¹ of changes in the way disinfectants for emergency use are approved. It does not affect the approval of disinfectants for other uses.

Background

Products are used in the continuous disinfection of public water supplies on the basis that they meet the requirements of Regulation 31(3) or Regulation 31(4)(a) of the Water Supply (Water Quality) Regulations 2000² (usually through conformity with appropriate EN standards). In some emergency situations, however, it may be appropriate to consider the use of other disinfectant products as part of the emergency response to an incident in a public water supply. The "List of Approved Products for use in public water supply" (the List) contains details of disinfectants considered suitable for consideration for such emergency use (section A.6 – Disinfectants for Emergency Use).

A new risk-based approach to the use of disinfectants in an emergency is now being introduced, and section A.6 of the List will be deleted and the appropriate approvals revoked, with effect from 16 March 2009. These products will in future be used under the provisions of Regulation 31(4)(b)

¹ This term refers to water undertakers, water supply licensees and inset appointees.

² The Water supply (Water Quality) Regulations 2001 in Wales

using the procedure described below. The detailed procedure and further background to this change can be found on the Inspectorate's website – <http://www.dwi.gov.uk/31/pdf/Advicesheet9.pdf>

Use of emergency disinfectants

Water undertakers are reminded that if a disinfectant, not permitted under Regulation 31 is introduced into water, or if a product that is permitted is used in a manner outside its authorised conditions of use, an offence may have been committed. In the situation where it is appropriate to use an unapproved product (disinfectant) or to use an approved product in an unapproved way, Regulation 31(4)(b) requires that the Secretary of State is satisfied that the introduction of the product is unlikely to adversely affect the quality of the water.

The new procedure is designed to ensure that the Secretary of State (in practice the Inspectorate acting on his behalf) is able to make an informed decision. Key points are:

- The initial decision to use an emergency disinfectant, and the choice of disinfectant is made by the undertaker following a full risk assessment
- Use of the disinfectant must be in accordance with a specific method statement
- The Inspectorate must be provided with specified information two weeks in advance of each use
- The Inspectorate will inform the undertaker if it is of the opinion that the proposed use does not comply with the requirements of Regulation 31(4)(b)
- Accelerated procedure for use in case of urgent need for application of the emergency disinfectant

Action by water companies

Until the approvals are revoked on 16 March 2009, companies may continue to use products listed in section A6 of the List in accordance with their conditions of approval. Alternatively they may use an emergency disinfectant, whether or not it is listed, in accordance with the requirements of Regulation 31(4)(b), provided they follow the new risk-based procedure.

After 1 March 2009, all use of emergency disinfectants must be in accordance with the new procedure.

Enquiries

Any enquiries regarding this letter should be made to Joanna Hunt (telephone 020 7270 3382 or by email to joanna.hunt@defra.gsi.gov.uk).

Copies of this letter are being sent to Pamela Taylor, Chief Executive, Water UK; Richard Wood, Water Supply and Regulation Division, Department for Environment, Food and Rural Affairs; Natalie Howes, Climate Change and Water Division, Welsh Assembly Government; Colin McLaren, Drinking Water Quality Regulator for Scotland; Randal Scott, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Ambrat Virwani for Office of Water Services; Tony Warn, Environment Agency; Nigel Harrison, Food Standards Agency; and Gary Coleman at the Health Protection Agency.

This letter is being sent electronically to Board Level and day to day contacts. Please acknowledge receipt by email to dwi.enquiries@defra.gsi.gov.uk. Hard copies are not being sent but the letter may be freely copied.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Malcolm Morgan', with a long, sweeping underline.

Malcolm Morgan
Principal Inspector