

## **PE1646/C**

Scottish Environment Protection Agency submission of 30 June 2017

### **Introduction**

The Committee has asked SEPA to provide its views on the action called for in the petition and has specifically asked five questions:

1. Who tests the water?
2. What are the test protocols?
3. Who analyses the results and makes recommendations based on those results?
4. Who has the power to enforce the recommendations?
5. Is there any conflict of interest within the process?

### **Background on SEPA's statutory role**

The Scottish Environment Protection Agency (SEPA) is Scotland's principal environmental regulator. Our statutory role is to protect and improve Scotland's environment in ways that, as far as possible, also create health and well-being benefits and sustainable economic growth.

#### **Question 1 – Who tests the water?**

Legislation regarding the monitoring of public water supplies is set out in the Public Water Supplies (Scotland) Regulations 2014 (the "Regulations").

Scottish Water (SW) is responsible for monitoring public water supplies in accordance with these Regulations.

The Drinking Water Quality Regulator for Scotland (DWQR) ensures that the drinking water quality duties imposed on a public supplier are complied with.

SEPA monitors environmental water quality in some Drinking Water Protected Areas and works with SW in order to protect sources of public drinking water from pollution. SEPA does not sample, test or monitor water from consumers' taps.

#### **Question 2 - What are the test protocols?**

The Regulations define parameters, sampling frequencies and analytical methods. Any further details on test protocols should be requested from Scottish Water or DWQR.

#### **Question 3 - Who analyses the results and makes recommendations based on those results?**

The Regulations require Scottish Water to investigate any failure of water quality standards and to take remedial action.

**Question 4 - Who has the power to enforce the recommendations?**

The DWQR has powers to enforce the Regulations.

SEPA maintains a register of protected areas which include Drinking Water Protected Areas which are bodies of water used for the abstraction of water intended for human consumption. If environmental pollution is identified as causing a risk to drinking water quality, then SEPA has the powers to enforce controls over activities impacting on the water environment.

**Question 5 - Is there any conflict of interest within the process?**

The DWQR and SEPA are independent regulators of Scottish Water. SEPA does not believe that the responsibilities and processes identified above give rise to any conflict of interest.