



## **Water Industry (Scotland) Act 2002 Enforcement Notice Under Section 10 (1)**

### **Drinking Water Distribution Network Management Improvements**

The Drinking Water Quality Regulator for Scotland (“the Regulator”), in exercise of the powers conferred by section 10(1) of the Water Industry (Scotland ) Act 2002, hereby gives notice that she believes that Scottish Water has, in the period 8<sup>th</sup> August to 1<sup>st</sup> September 2021 in Innellan District Meter Area (DMA), contravened the following regulations of The Public Water Supplies (Scotland) Regulations 2014, as amended, (“the Regulations”):

- Regulation 4(1) – sample results showed the presence of *E. coli* and Enterococci.
- Regulation 10 – Scottish Water did not sample the supply as soon as it had reasonable grounds for believing that it was not wholesome.
- Regulation 17(1)(b) – Scottish Water did not comply with the requirements of Table C for the Colour parameter, in that it was not acceptable to two consumers reporting an abnormal change, yet Scottish Water did not investigate immediately.
- Regulation 20 - there was clear evidence of faecal contamination of the supply and an unusually high chlorine demand on the system, as evidenced by very low chlorine levels in the network, but the quality of the supply was not restored as soon as possible, as the distribution system was simply flushed, and not disinfected.
- Regulation 21 - as above.

The Regulator has significant concerns with Scottish Water’s management of its drinking water distribution networks during this period. Additionally, examination of recommendations following audits of Scottish Water’s assets or activities or incident investigations show that since 2011, there have been 83 recommendations relating to Scottish Water’s Distribution Maintenance and Operations System (DOMS). This includes thirteen relating to the risk assessment process for distribution activities (the Impact Assessment Form (IAF)), including three separate recommendations in 2020 to review the effectiveness of the IAF.

Therefore, Scottish Water is hereby required **by 31<sup>st</sup> January 2023** to:

#### **1. Management of Risk**

1.1 Review and modify the Impact Assessment Form (IAF) risk assessment process to ensure that:

- a meaningful assessment of job-specific risks is completed;
- risks are recorded;
- internal audits by Scottish Water can be promptly carried out on the quality and completeness of the IAF process.

1.2 Commence a regular programme of internal audits on sampling compliance following depressurisation of water networks.

1.3 Update DOMS procedures and carry out appropriate training to ensure that where there is known or suspected ingress into a pipe in the network, a risk assessment is carried out to determine whether disinfection and swabbing of the network is necessary; this risk assessment should be recorded on the IAF.

## **2. Response to Events and Incidents**

2.1 Review and update procedures and carry out staff training for the investigation and response to significant sample failures in its networks.

2.2 Review and update procedures and carry out staff training to reinforce the necessity of sampling following network depressurisation events.

2.3 Review and update procedures and carry out staff training for sampling requirements during incidents, to ensure that sampling is carried out for an adequate length of time to allow health based decisions to be made by health professionals.

2.4 Assess the capacity across Scottish Water to inject disinfectant into water mains in a controlled manner under emergency situations.

2.5 Prepare guidance on the cleaning and disinfection of internal storage tanks for consumers when there has been significant contamination of Scottish Water's networks and carry out appropriate training of staff providing this guidance.

## **3. Consumer Response**

3.1 Carry out an internal audit of all calls to Scottish Water's call centre during the water quality incident in Innellan, Dunoon, in August and September 2021, and where possible by the due date, act upon findings and lessons learned and where not possible agree a timescale for delivery with the Regulator.

3.2 Improve the consumer contact reporting system to ensure that an accurate record of consumer contacts is provided to the Regulator in a timely manner on request.

This notice takes effect 15 days after the date shown below.



Sue Petch

DRINKING WATER QUALITY REGULATOR FOR SCOTLAND

Date: 17 June 2022