

Your Reference: PEO/16/01
Our reference: DWI 116/16

Tel: 028 905 69282

Mr M McIlwaine
Interim Director of Asset Management
Northern Ireland Water Ltd
Westland House
Old Westland Road
BELFAST
BT14 6TE

Date: 30 June 2016

Dear Martin

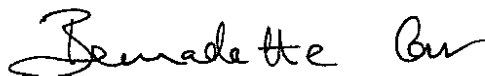
**NOTICE UNDER SECTION 31 (3)(A) OF THE WATER AND
SEWERAGE SERVICES (NORTHERN IRELAND) ORDER 2006 –
DERG WATER TREATMENT WORKS AND ASSOCIATED WATER
SUPPLY AREA**

1. I enclose a self-explanatory notice of acceptance of an undertaking of the steps that Northern Ireland Water Ltd has taken, or is intending to take, to secure compliance in its duty to supply wholesome water under Section 107(3)(c) of The Water and Sewerage Services (Northern Ireland) Order 2006.
2. I acknowledge receipt of NI Water's response of 16 June 2016 to our Provisional Enforcement Order (PEO/16/01) which was issued on 24 March 2016.
3. The following undertakings are taken from the steps outlined in 'JN509 Derg WTW MCPA – Assessment Report' prepared for NI Water by RPS Group Limited.
4. This notice of acceptance of an undertaking will be published on our website.



5. The Inspectorate will monitor ongoing progress through the specific mechanisms as detailed in the undertaking, and may take further enforcement action as appropriate.
6. I also acknowledge the inclusion of a completed '*Annex A – Proposals to carry out improvements for drinking water quality reasons – submission of information*' for the identified remedial measures and note the likely requirement for NI Water to seek funding for these proposals through the PC15 Change Control Protocols.
7. Any enquiries about this letter or the attached undertaking should be addressed to David O'Neill (028 9056 9243).
8. Copies of this letter are being sent to: the Director of Resource Efficiency Division (Northern Ireland Environment Agency); Director of Water and Drainage Policy Division, DfI; the Director of Public Health; the Chief Environmental Health Officer (DHSSPS); Chief Environmental Health Officer for, Derry City and Strabane District Council, and Fermanagh and Omagh District Council; Utility Regulator; and Head of Water, CCNI.
9. Please acknowledge receipt of this letter by email to dwi@daera-ni.gov.uk

Yours Sincerely,



Acting Chief Inspector of Drinking Water
Drinking Water Inspectorate

Enc. Notice of Acceptance of Undertakings for PEO/16/01

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 of Agriculture, Environment and Rural Affairs

1. is satisfied that Northern Ireland Water Ltd (NI Water), in supplying water from Derg Water Treatment Works to the following water supply zone:

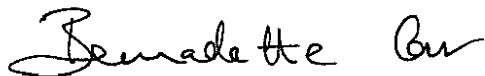
Water Treatment Works (WTWs)	Water Supply Zones
Derg Water Treatment Works	ZN0701 Derg Strabane

has contravened, and is likely to do so again, in its duty to supply wholesome water with respect to the individual pesticide (4-Chloro-2-methylphenoxy) acetic acid (MCPA), under Section 107 (3)(c) of The Water and Sewerage Services (Northern Ireland) Order 2006.

2. notes the provisional enforcement order issued by the Department for Regional Development under Section 30 of The Water and Sewerage Services (Northern Ireland) Order 2006 NI Water on 24 March 2016.
3. notes that NI Water has given **an undertaking** to take the following steps by the dates shown to complete the following **short term measures**:
- 3.1 to replace the current C40 filter media in the five Granular Activated Carbon (GAC) filters at Derg WTWs with Filtrasorb 400 (F400) **on or before the 31 March 2017**; and
- 3.2 to undertake a pilot study into the effectiveness of Powdered Activated Carbon (PAC) as an additional short term measure **on or before the 31 March 2017**.
4. notes that NI Water has given **an undertaking** to take the following steps by the dates shown to complete the following **long term measures**:
- 4.1 to conduct a pilot plant test on site to confirm the GAC capacity for MCPA adsorption and the Empty Bed Contact Time (EBCT) required to reduce the concentration of MCPA below 0.1 µg/l for inclusion within NI Water's Business Case for the measures detailed in 4.2 **on or before the 31 December 2016**;
- 4.2 to prepare and submit the necessary planning application and Environmental Impact Assessments (EIA) for the construction of a new GAC building at Derg WTWs to house seven GAC filters **on or before the 31 December 2017**;

- 4.3 to issue a tender and appoint a contractor for the construction of a new GAC building at Derg WTWs to house seven GAC filters **on or before the 31 March 2018**;
 - 4.4 to have a beneficial use date for the new GAC building and seven GAC filters **on or before the 31 March 2019**;
 - 4.5 to have in place enhanced monitoring for MCPA within the raw and final water at Derg WTWs in line with the level of risk. The monitoring results from the previous quarter are to be provided to the Drinking Water Inspectorate prior to the DWI/NIW Compliance Programmes Quarterly Review meetings; and
 - 4.6 to provide updates to the Inspectorate on progress with the above undertakings at the DWI/NIW Compliance Programmes Quarterly Review meetings.
5. 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 4 (Wholesomeness) of The Water Supply (Water Quality) Regulations (Northern Ireland) 2007 (as amended in 2009, 2010 and 2015).

Authorised by the Department of Agriculture, Environment and Rural Affairs to sign on its behalf:



Acting Chief Inspector of Drinking Water
Drinking Water Inspectorate
30 June 2016