

Notice of Noncompliance with Water Quality Criteria—Drinking Water

Explanatory Notes and Instructions

May 2011

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Requirement to complete a form

Water Supply (Safety and Reliability) Act 2008, section 102

These explanatory notes will assist drinking water service providers to complete a paper-based or interactive PDF form for a Notice of Noncompliance with Water Quality Criteria—Drinking Water.

You are required to complete and submit this form under section 102 of the *Water Supply (Safety and Reliability) Act 2008* (the Act), in order to inform the regulator of a noncompliance with water quality criteria.

The terms used in these explanatory notes, and in the form, are defined in the Water Quality and Reporting Guideline and the Act, and are provided in the Appendix.

Before completing the form, you should be aware of your rights and obligations under the Act. The legislation can be viewed at the Office of the Queensland Parliamentary Counsel website at <www.legislation.qld.gov.au>.

To access an electronic copy of the Act:

1. Go to the website (this can be done by holding down the control key and clicking on the hyperlink above or manually typing in the address in the web browser)
2. Click on the Acts, SL as in force heading
3. Click on W and scroll down the list of Acts to *Water Supply (Safety and Reliability) Act 2008*
4. Click on *Water Supply (Safety and Reliability) Act 2008* to open the document. Note—as the document is in PDF format, you will need to have Acrobat Reader installed on your computer to view it
5. Follow steps (2) to (4) to access other legislation or regulations.

Purpose of the Notice of Noncompliance with Water Quality Criteria—Drinking Water

The Notice of Noncompliance with Water Quality Criteria—Drinking Water form is to be used by a drinking water service provider to inform the regulator of the noncompliance and the circumstances that gave rise to the noncompliance as required under section 102 of the Act.

Section 102 of the Act:

- (1) This section applies if the drinking water service provider becomes aware that the quality of water supplied from the provider's drinking water service does not comply with the water quality criteria relating to the service.
- (2) The drinking water service provider must, unless the provider has a reasonable excuse, immediately inform the regulator of the noncompliance and the circumstances that gave rise to the noncompliance.
- (3) The drinking water service provider must, unless the provider has a reasonable excuse, give the regulator notice of the following in the approved form as soon as practicable—
 - (a) the noncompliance and the circumstances that gave rise to the noncompliance;
 - (b) any action taken, or to be taken, by the provider to correct the noncompliance;
 - (c) the measures the provider will take to prevent the noncompliance in the future.

Refer to the Water Quality and Reporting Guideline for a Drinking Water Service for details on water quality criteria and reporting requirements.

Instructions for completing the form

Note—this form satisfies sections 102(3)(a), 102(3)(b) and 102(3)(c) of the Act. If you fail to comply with section 102 of the Act you may be subject to a penalty not exceeding 200 penalty units. Before submitting this form, please be fully aware of your rights and obligations under the Act. You are required to complete a separate form for each noncompliance.

Where a noncompliance may impact on one or more locations in a drinking water scheme, for example, *E. coli* detected at four locations in the reticulation system during the same sampling event, it would be considered one noncompliance with water quality criteria.

This form can be completed by hand or electronically.

If completing the form **by hand**, please:

- print neatly in BLOCK LETTERS
- use a **black** ballpoint pen only
- do not use correction fluid or tape
- initial any alterations
- complete all relevant sections of the form.

If completing the interactive PDF form, please:

- ensure the relevant boxes are ticked and leave all other boxes blank
- complete all relevant sections of the form.

Note—the form must be printed for signing prior to submission to the regulator.

If additional information is to be provided, please use separate sheets and attach them to the form.

Should you have any queries when completing this form, please contact the Queensland Water Supply Regulator on (07) 3247 4486 (business hours Monday to Friday).

Initial notification

Reporting the noncompliance and circumstances that gave rise to the noncompliance is required immediately by telephone, for example **within three hours**. This is followed by completing and submitting the initial notification section of the Notice of Noncompliance with a Water Quality Criteria—Drinking Water form as soon as practicable, for example **within 24 hours** of becoming aware of the noncompliance.

1. Drinking water service provider details

Drinking water service provider

Please enter your registered service provider name as per the regulator's Service Provider Register.



Service provider identification (SPID) number

Please enter your registered SPID number on the form in the box provided. Your SPID number can be obtained from previous correspondence.

2. Contact details for this noncompliance

This is the first person who will be contacted by the regulator as an initial point of contact in relation to the noncompliance. Details to be provided include:

- the name of the contact person
- the title of the position occupied by the contact person within your organisation
- phone, fax and mobile numbers and postal and email address details of the contact person.

3. Details of telephone report to the regulator

Please submit the following details:

- name of the person who reported the noncompliance
- name of the person within the Office of the Water Supply Regulator to whom the noncompliance was reported
- date and time the noncompliance was reported.

4. Other communication

Have you informed any others about this noncompliance?

If you have notified any other person or organisation/agency, please provide their organisation/agency name, contact name, phone number and email address to enable the regulator to contact them if necessary.

5. Sample information

Initial sample

This section requires the initial sample details to be provided to the regulator.

The information required includes:

- system location—i.e. raw or source water, treated water from water treatment plant, transmission, or reticulation
- date sample taken
- time sample taken
- parameter—water quality parameter(s) to which the noncompliance relates, e.g. *E. coli* and/or fluoride
- sample location/s—specific location where sample was collected, e.g. High Street Reservoir, 56 Gray Street Highsville or Queen Street Water Treatment Plant
- results of analysis—record the test result value, e.g. 1.7mg/L. For parameters that are reported as presence or absence, report the actual result. Note: *E. coli* may be reported as positive; however if available include the count, e.g. 2 cfu/100mL
- date results were received for *E. coli*—the most recent rolling percentage annual value and the last month included in the calculation
- laboratory name where analysis was undertaken or process if own laboratory used.



6. Follow-up sample/s

This section requires the follow-up sample details to be provided to the regulator.

Provide details where follow-up sample/s have been taken, including a sample from the initial location. Details should include the date and time expected for receipt of the results.

Where no follow-up sample/s have been taken, include details when these are expected to be taken, including date and time.

7. Noncompliance information

This section requires the noncompliance details to be provided to the regulator. A full description of the noncompliance, including the circumstances that led to the noncompliance and the immediate impact of the noncompliance should be provided. Provide the results of any related nearby samples including disinfection residuals if relevant.

If completing this form by hand and additional information is being provided, please use separate sheets and attach them to the form.

8. Immediate corrective action

This section requires the details of immediate corrective action undertaken by the drinking water service provider to be provided to the regulator. If immediate corrective actions have taken place, include what and when corrective action took place. Also include if any public health notification has already taken place or will be required. If immediate corrective actions have **not** been taken, explain reasons why.

If completing this form by hand and additional information is being provided, please use separate sheets and attach them to the form.

9. Further action

This section requires details of further action being taken by the drinking water service provider to be provided to the regulator.

10. Declaration

This form is to be signed and dated on the day of completion by an officer prior to submitting it to the regulator. The officer must have appropriate authority to sign on behalf of the drinking water service provider. In signing this form the officer is declaring that the information is true and accurate.

11. Submission

Provide a copy of the form including all additional information by fax or email to the regulator. The regulator's fax and email details are located on the form.

Investigation report

Note—this section is to be completed and submitted when the provider has identified the measures the provider will take to prevent the noncompliance in the future.



12. Drinking water service provider details

Drinking water service provider

Please enter your registered service provider name as per the regulator's Service Provider Register.

Service provider identification (SPID) number

Please enter your registered SPID number on the form in the box provided. Your SPID number can be obtained from previous correspondence.

13. Contact details for this noncompliance

This is the first person who will be contacted by the regulator as an initial point of contact in relation to the noncompliance. Details to be provided include:

- the name of the contact person
- the title of the position occupied by the contact person within your organisation
- phone, fax and mobile numbers and postal and email address details of the contact person.

14. Details of initial notification information

Please enter the date the initial notification (pages 1–4) of the Notice of Noncompliance with a Water Quality Criteria—Drinking Water form was submitted to the regulator.

15. Investigation actions

Describe all actions that were undertaken to investigate the cause of the noncompliance, including the outcome of your investigation; for example, physical inspections of infrastructure, collection and analysis of additional water samples, gathering information from stakeholders, physical inspection of treated water storage reservoirs, analysis of disinfection residual, and inspection of chlorinator.

16. Investigation outcomes

Describe the outcome of your investigation. Specifically focus on the parts of the investigation that led to an understanding of the cause of the noncompliance and describe parts that did not provide answers to the cause of the noncompliance; for example, disinfection residual was below limit and inspection of chlorinator revealed that chlorine had run out; treated storage reservoirs were intact with no evidence of contamination.

17. Corrective actions

Describe what actions were taken to protect public health. Specifically focus on parts of the investigation that led to an understanding of the cause of the noncompliance. Also describe parts that did not provide answers to the cause of the noncompliance; for example, disinfection residual was below limit and inspection of chlorinator revealed that chlorine had run out; treated water storage reservoirs were intact with no evidence of contamination.

Describe what actions were taken to correct the cause of the noncompliance; for example, additional chlorination of the affected reservoir was undertaken and chlorination was restored.



18. Preventative actions

Describe what you have done to prevent the noncompliance occurring again. This could include both short-term actions and longer term improvement planning; for example, inspection of chlorinator/restocking schedule for chlorine has been amended to ensure chlorine will not run out; or the need for automatic alarms on chlorinators has been considered and included in an improvement strategy. Also provide an explanation as to how these measures are, or will be, reflected in the approved drinking water quality management plan.

19. Declaration

This form is to be signed and dated on the day of completion by an officer prior to submitting it to the regulator. The officer must have appropriate authority to sign on behalf of the drinking water service provider. In signing this form the officer is declaring that the information is true and accurate.

20. Submission

Provide a copy of the form including all additional information by mail, fax or email to the regulator. The regulator's mail, fax and email details are located on the form.

Appendix

Definitions of the *Water Supply (Safety and Reliability) Act 2008* and terms used in the *Water Quality and Reporting Guideline for a Drinking Water Service*

approved form means a form approved under section 585.

Australian Drinking Water Guidelines (ADWG) incorporates the framework for the management of the drinking water quality based on the 12 elements and provides guidance on what constitutes good quality drinking water.

drinking water—

1. Drinking water means water, for human consumption, intended primarily as water for drinking, whether or not the water is used for other purposes.
2. Drinking water does not include—
 - (a) water that is food as defined under the *Food Act 2006*; or
 - (b) water taken or supplied for domestic purposes under the *Water Act*.

drinking water scheme means infrastructure owned by a drinking water service provider for single or multiple combinations of the individual components of treatment, transmission and reticulation or the storage of recycled water to augment a drinking water supply. Refer to the *Water Quality and Reporting Guideline for a Drinking Water Service* for further information.

drinking water service means a water service that is—

- (a) the treatment, transmission or reticulation of water for supply as drinking water; or
- (b) water collection in a water storage, if the water in the storage—
 - (i) includes recycled water other than coal seam gas water; and
 - (ii) is used to augment a drinking water supply.

drinking water service provider means a water service provider for a drinking water service.

notice means a written notice.

operational monitoring means the act of conducting a planned sequence of observations of measurements of control parameters to assess whether a critical control point (CCP) is performing within its operational range.

raw water means untreated source water.

regulator is the chief executive of the Department of Energy and Water Supply (the department).

Service provider identification (SPID) number is a number generated through the department's Water Industry Compliance Database (WICD) to identify the service provider.

source water means the source of water for a drinking water scheme and may include raw water abstracted directly by the service provider from various sources (e.g. dams, weirs, rivers, creeks, underground, the ocean) or water obtained from another service provider or other entity such as bulk raw water or bulk treated water.

water quality criteria—

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- (a) for drinking water, means all of the following—
- (i) the standards for the quality of drinking water prescribed in a regulation under the Public Health Act;
 - (ii) the criteria stated in a guideline, if any, made by the regulator about the quality of drinking water; and
 - (iii) the criteria for the quality of drinking water stated in a condition applying to a drinking water quality management plan.



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