

PH4A: Identify and investigate drinking water safety regulatory compliance failures and provide instructions for remediation measures

REGULATORY FUNCTION: PUBLIC HEALTH		PH4A
OBJECTIVE PH4 Penalty systems are adopted and enforced to penalize service operators for actions that infringe legal provisions on drinking water quality	ACTION CARD PH4A IDENTIFY AND INVESTIGATE DRINKING WATER SAFETY REGULATORY COMPLIANCE FAILURES AND PROVIDE INSTRUCTIONS FOR REMEDIATION MEASURES	
COST: Low FREQUENCY: Regular TARGET GROUPS: Regulators, service operators, ministries of health		
DESCRIPTION Regulators audit service operators' compliance throughout the drinking water supply chain, and issue reports with instructions on remediation measures to be taken for non-compliance or non-statutory recommendations. After drinking water safety failure is identified through its monitoring procedures, regulators proceed with further investigation of such misconduct, to assess consequent risk and damage to public health. Prior to sanctions being applied, regulators have available a range of possible statutory recommendations and clean-up remedies to neutralize the risk or prevent further damage. They must, however, perform this action based on investigation protocols that specify clear steps and procedural roles.		
EXPECTED OUTCOMES <ul style="list-style-type: none"> • Service operators are prevented from supplying drinking water that is not of adequate quality. • Consumer health is protected. • 		
EXAMPLE 1: IRELAND In Ireland , the Environmental Protection Agency carries out audits of public water suppliers that are an important way of checking how they are performing, and ensuring that drinking water regulations are being complied with. The EPA audits examines a number of areas including water sources, water treatment works, management of distribution systems, sampling and analytical methods used, and consumer contacts about water quality. When selecting suppliers to audit, the EPA adopts a risk-based approach to ensure that those in most need of attention have a greater degree of inspection and enforcement. Where the EPA finds any deficiencies, recommendations are made in the audit report as to the corrective actions water suppliers need to take. Most recommendations are technical and do not necessarily mean there is any immediate threat to drinking water quality. Water suppliers are required to reply within the timeframe specified in the audit report, setting out what they have done or propose to do in order to satisfy the recommended actions. The EPA then tracks progress in carrying out these actions. All audits and its corrective instructions, remedies and directions are available on the EPA website.		
EXAMPLE 2: GUATEMALA In Guatemala, Government Agreement No. 113-2009 stipulates that the Ministry of Public Health and Social Assistance may request that Service Providers submit detailed reports on sanitary monitoring actions taken and/or their results when deemed necessary, especially if there may be a risk to human health. The results of the sanitary supervision of the distribution of water for human consumption must be reported to the Department of Health and Environmental Program Regulation, which must include them in a specific database. According to the results of the sanitary supervision, the Ministry of Public Health and Social Assistance may order that certain Service Providers implement the corrective measures that are indispensable for the improvement of water quality and/or the service, especially if there may be a risk to human health.		

EXAMPLE 3: HONDURAS

In Honduras, Agreement No. 084 of July 31, 1995, stipulates Water Quality Monitoring in four stages (basic, normal, advanced and special situations), establishing a minimum testing frequency for each case. When one or several parameters exceed maximum permissible limits established by the regulation, the pertinent authorities must be informed so that a case study can be carried out and corrective measures can be implemented; in the event that a maximum permissible limit is exceeded, sanitary supervision must also be increased, and national authorities must be consulted on the risk level and corrective actions to be adopted.

LINKS

Ireland: EPA web page:

<http://www.epa.ie/water/dw/dwaudits/>

https://www.water.ie/docs/2017-DW-Report_web_Final.pdf

Guatemala: Government Agreement No. 113-2009

<http://faolex.fao.org/docs/pdf/gua196717.pdf>

Honduras: National Technical Standard for Drinking Water Quality

<https://faolex.fao.org/docs/pdf/hon175672.pdf>

INTERNAL CAPACITIES NEEDED AND THE ROLE OF PARTNERS

Identifying and investigating drinking water safety regulatory compliance failures and providing instructions for associated remediation measures requires technical capacity in risk based assessment, quality assurance and auditing skills, in order to establish protocols and conduct inspections. Development partners can support regulators in providing targeted technical assistance and inspection capacity building workshops.