



**Drinking Water Quality
Regulator for Scotland**
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Our Ref: B403679
Your Ref:
Date: 10 March 2006

Dear Geoff

**Enforcement Notice Served Under Section 10 Water Industry (Scotland) Act 2002 -
Balmacara Water Supply Zone**

I refer to my letter of 14 February 2006, which indicated that the commitment given to me in your letter of 8 February was acceptable for the purpose of ensuring that the chlorine dose at Balmacara was optimised. This is necessary to minimise the probability of THM concentrations exceeding the Authorised Departure standard until a permanent solution can be put in place. As a result of your commitment, I advised you that I had decided not to issue an enforcement notice, subject to all the actions identified in your letter being completed to my satisfaction by 10 March 2006.

My letter of 14 February also indicated that I, or a nominated representative, would visit the site on 10 March in order to confirm that the work had been completed on time and that if the work had not progressed satisfactorily, I would issue the enforcement notice without delay.

Regrettably, when my representative visited Balmacara water treatment works today, the installation of the automated chlorine dosing control, residual based chlorine dose controller and connection to Scottish Water's telemetry system was not complete. I therefore have no option but to serve the attached enforcement notice on Scottish Water under section 10(1) of the Water Industry (Scotland) Act 2002 ("the 2002 Act") in respect of the contravention by Scottish Water of paragraph third of the Authorised Departure granted in connection with the water supply at Balmacara. I hereby serve the attached enforcement notice, having adjusted the notice to take account of Scottish Water's representations in accordance with section 10(7) of the 2002 Act.

A copy of the enforcement notice will be sent to the Water Industry Commission, The Highland Council, Highland NHS Board and Lochalsh and Loch Long Community Council.

Yours sincerely,

COLIN MCLAREN



Enforcement Notice Under Section 10 of the Water Industry Act 2002

In terms of regulation 20 of the Water Supply (Water Quality) (Scotland) Regulations 2001, the Scottish Ministers granted Scottish Water an Authorised Departure in respect of the maximum permissible concentrations of the THM, iron and colour parameters for the Balmacara water supply zone (Ref No 2026) on 25 July 2005.

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 he believes Scottish Water has, in the period 5 October 2005 to 19 October 2005, contravened and is likely to continue to contravene the terms of the said Authorised Departure in relation to the provision of drinking water to the Balmacara water supply zone by failing to ensure that the levels of THMs are below the maximum permissible concentration specified in paragraph third of the Authorised Departure (200µg/l). The Regulator also believes that Scottish Water is not taking appropriate steps to prevent the recurrence of this contravention.

Contraventions of the maximum permissible concentration for the THM parameter have occurred during the period of the Authorised Departure and the Regulator believes that these contraventions are likely to continue to recur until such time as the remedial works referred to in the Authorised Departure are undertaken and complete.

Therefore, Scottish Water is hereby required; within 7 days from the date on which this notice takes effect, to have automatic chlorine residual monitoring and dosing control, connected to Scottish Water’s telemetry system, installed and operational at Balmacara water treatment works, until such time as the remedial works referred to in the Authorised Departure are undertaken and complete.

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

Signed

THE DRINKING WATER QUALITY REGULATOR FOR SCOTLAND

Date.....10 March 2006.....