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Dear Brian

**Safe Drinking Water Regulations – Submission
File 299/125/5070-02**

Thank you for the opportunity to make a submission in relation to the Exposure Draft for Safe Drinking Water Regulations. Melbourne Water is supportive of the Safe Drinking Water Act and proposed Regulations and their role in the provision of safe drinking water for Victorians.

Melbourne Water is a member of the VicWater Safe Drinking Task Group and strongly supports its submission. The VicWater submission contains the key points of note, particularly in relation to our support of the risk management approach and preference for the Regulations to not deviate from the Australian Drinking Water Guidelines. Some additional comments relating to the Exposure Draft for Safe Drinking Water Regulations are attached.

Should you have any queries please contact Ms Erin Davie on 9235 2207.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Scott", with a long horizontal flourish extending to the right.

PETER SCOTT
GENERAL MANAGER RESEARCH AND TECHNOLOGY

Safe Drinking Water Regulations 2004 - Submission

Clause	Regulation	Issue	Replace with
03. Definitions	“water sampling locality”	The term sampling locality is similar to and can be confused with the term water sampling point (tap). Note Clause 11. (1) uses <i>water supply locality</i> . Also ‘zone’ is commonly understood by the water industry.	<i>water supply locality</i> , zone or water supply area
04. Water Sampling Localities	(1) The Secretary ...may specify an area...to be a water sampling locality	Question: Is this step necessary for the standards to apply?	
05. Water Sampling Points	(2) (a)...must not be a number that is greater than a number.....	This is a long sentence that could be simplified without losing its meaning.	<i>‘must be representative of the drinking water supplied in that locality’.</i>
06. Risk Management Plan	(2) The risk management plan must address.... (a) the risk to human health that arises from the presence in water of.... (a) (v) algae toxins (b) the risks arising [and] (c) the risk of transfer.	There is some confusion about which parts of the Regulations would apply to regulated water. There are references to drinking water and water. It is assumed that references to water apply to regulated water as well as drinking water. Can this be clarified? Replace algae with algal (adjective) toxins The intent is to have catchment to tap risk management, which would involve assessing risks at each stage (process) of the water supply system. (b) and (c) imply this but these clauses are unclear.	<i>Algal toxins</i>
06. Risk Management Plan	6. (2) ...a risk management plan must address the	The risk management plan is required to address things including micro-organisms and disinfection by-	

Clause	Regulation	Issue	Replace with
and Schedule 2 Table	following risks...	products, but not 'disinfection effectiveness' explicitly. The Australian Drinking Water Guidelines note that the risk of waterborne disease outweighs the long term exposure risk of disinfection by-products, hence disinfection should never be compromised. Based on the number of by-product standards in Schedule 2 the Regulations appear to place emphasis on by-products over microbial indicators. It is therefore recommended that haloacetic acids (which are generally lower than trihalomethanes) be removed from Schedule 2.	
10. Drinking water quality standards	(a) if the drinking water contains a parameter...that is a microbiological organism (b) if the drinking water contains a parameter...that is not a microbiological organism	Points (a) and (b) are very similar and could be easily combined without losing meaning. It is recommended to delete (b). In (a) delete 'that is a microbiological organism' and add 'the parameter <i>must</i> meet' Also microbiological should read microbial, if retained.	If the drinking water contains a parameter specified in column 1 of the Table in Schedule 2, that the parameter <i>must</i> meet the standard set out in column 3 of that Table opposite that parameter.
10. Drinking water quality standards	(c) not...pose a risk...	Risk management requires that an acceptable level of risk be adopted, rather than no risk. The Regulatory Impact Statement refers to risk reduction, not elimination.	...that may pose an <i>unacceptable</i> risk....
11. Frequency of sampling for drinking water	A water supplier must collect a sample in respect of each parameter...	Water suppliers are required to sample for disinfection by-products whether or not that treatment method is used. This seems to be an additional cost (above that in the Regulatory Impact Statement) with no risk	

Clause	Regulation	Issue	Replace with
		reduction benefit to consumers.	
13. Accreditation of water analysts	<p>(4) (b) The Secretary must not accredit a person under this regulation unless ...the person is employed by a person or body that operates a laboratory that is accredited by NATA to conduct analyses of, and report on, samples of water.</p> <p>(7) ...list of accredited water analysts...</p> <p>(8) ...a person is not be...</p>	<p>There is concern that an analyst could seek accreditation and then move and ‘set up shop’ in a non-NATA accredited laboratory. The accreditation needs to be only valid whilst the analyst operates from the laboratory where he/she was accredited. Also accreditation must be relevant to the parameter being analysed, which appears to be the intent of (5) (a) but needs to be explicit also in (4) (b) to ensure that the laboratory is also NATA accredited for that parameter.</p> <p>Consider maintaining such a list for localities also.</p>	<p>(4) (b) ‘.... and report on, samples of water, <i>for the relevant regulated parameters</i>’.</p> <p>Add (5) (c) <i>is only valid whilst the analyst is working at the laboratory where he or she was accredited</i></p> <p>a person is not <i>to</i> be</p>
15. Additional details to be included in...annual reports...	<p>(1) (k) ...a summary of steps taken...to manage the...taste, odor, clarity and pH of the drinking water supplied</p>	<p>It is assumed that water suppliers (and storage managers) are expected to consider taste, odor, clarity and pH as aesthetic issues in their risk management plans, since those parameters are specified here. In that case that requirement could be defined in 6. Risk Management Plan.</p> <p>‘Clarity’ is a term that may require definition. Turbidity and colour are more commonly used measures of the appearance of water.</p> <p>It is recommended that odor be replaced with the</p>	

Clause	Regulation	Issue	Replace with
		Australian spelling <i>odour</i> .	
Schedule 2 Table	Column 2 Relevant sampling frequency at water sampling points for each water sampling locality	It is unclear whether this means the sampling frequency is for sampling points (taps) or sampling localities ('zones'). Please simplify the heading to avoid misinterpretation.	<i>Relevant sampling frequency for each water sampling locality</i> <i>Or</i> <i>Relevant sampling frequency for each water sampling point</i>
Schedule 2 Table	Aluminium based chemicals [and] Other parameters	Move "acid-soluble" to column 1. These parameters should be specified as 'aesthetic standards' as per S19 of the Act.	Add sub heading ' <i>aesthetic standards</i> ' above Aluminium and Turbidity.