

Standard rules

Chapter 4, The Environmental Permitting
(England and Wales) Regulations 2010



Standard rules SR2010No3 - discharge to surface water: secondary treated domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day

Introductory note

This introductory note does not form part of these standard rules

When referred to in an environmental permit, these rules will allow the operator to discharge domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day to inland freshwaters, coastal waters or relevant territorial waters (as defined in Section 104 of the Water Resources Act 1991).

The sewage must be domestic sewage containing no trade effluent (as defined in Section 221 of the Water Resources Act 1991) and it must be treated by a secondary treatment plant. The plant must be designed and constructed according to BS 12566; sized in accordance with “Flows and Loads 3” and managed, operated and maintained in accordance with the manufacturer’s recommendations. The discharge must only be made to a watercourse that normally contains water throughout the year.

The discharge must not be made into freshwater within 1 kilometre upstream from an identified bathing water, a designated shellfish water, European Site¹, Ramsar site, Site of Special Scientific Interest (SSSI), National Nature Reserve, Local Nature Reserve or any body of water identified as containing a Protected Species or within 100m from a Local Wildlife site. For a site in tidal water ‘1 kilometre upstream’ means within 1 kilometre by the shortest distance over water in any direction from the nearest boundary of any of these sites. This restriction only applies to conservation sites that are water-based and linked to the receiving water downstream of the discharge point.

¹ A candidate or Special Area of Conservation (cSAC or SAC) and proposed or Special Protection Area (pSPA or SPA) in England and Wales.

End of introductory note

Rules

1 – Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with rule 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of them kept at or near the place where those duties are carried out.

2 – Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities").

Table 2.1 activities	
Description of activities	Limits of activities
The discharge of secondary treated domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day to inland freshwaters, coastal waters or relevant territorial waters as defined in Section 104 of the Water Resources Act 1991.	<ul style="list-style-type: none">• The maximum daily volume shall be greater than 5 but not greater than 20 cubic metres per day as calculated by the method specified in "Flows and Loads 3"• The discharge shall only be made to a watercourse that normally contains water throughout the year• The sewage shall be solely domestic sewage and contain no trade effluent (as defined in Section 221 of the Water Resources Act 1991)• The sewage shall not contain a significant proportion of rainwater or groundwater• Prior to the discharge, the sewage must have received secondary treatment at a treatment plant designed and constructed to meet the requirements of BS 12566 and sized in accordance with "Flows and Loads 3"• The discharge cannot reasonably, at the time it is first made, be made to an existing foul sewer

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green and the discharge shall be made at the point marked on the site plan attached to the permit.

2.2.2 The discharge shall not be made in freshwater within 1 kilometre upstream from the nearest boundary of an identified bathing water, a designated shellfish water, European Site, Site of Special Scientific Interest (SSSI), National Nature Reserve, Local Nature Reserve or any body of water identified as containing a Protected Species or within 100m from a Local Wildlife site. For a site in tidal water, '1 kilometre upstream' shall mean within 1 kilometre by the shortest distance over water in any direction from the nearest boundary of any of these sites. Only European Sites, Sites of Special Scientific Interest (SSSI), National Nature Reserves, Local Nature Reserves and Local Wildlife sites that are water-based and linked to the receiving water downstream of the discharge point are included in this rule.

3. Emissions and monitoring

3.1 Emissions to water

3.1.1 There shall be no point source emissions to water, except from the sources and emission points listed in table 3.1

3.1.2 The limits given in table 3.1 shall not be exceeded.

Table 3.1 Point source emissions to water - emission limits and monitoring requirements			
Emission Point and Source	Parameter	Limit (including units)	Monitoring Frequency and Standard or Method
Discharge point for secondary treated sewage	Visual appearance and other environmental effects	Discharge must be clear, with no adverse visible effect on the receiving water, the bed of the watercourse, or any plants or animals within the watercourse	See table 3.3
	ATU-BOD	40 milligrams per litre maximum concentration	Monitoring only by Natural Resources Wales, as it considers necessary.

3.2 Emissions of substances not controlled by emission limits

3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.2.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales for approval within the period specified, an emissions management plan;
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

3.3 Monitoring

- 3.3.1 The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake monitoring for the parameters, at the locations and at not less than the frequencies specified in table 3.3.
- 3.3.2 The operator shall maintain records of all monitoring required by these standard rules including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

Table 3.3 Activities - Monitoring requirements				
Monitoring point	Parameter	Monitoring frequency	Monitoring method	Other specifications
Discharge point for secondary treated sewage	Visual appearance and other environmental effects	Weekly	Visual examination	Discharge must be clear, with no adverse visible effect (see "Interpretation" below) on the receiving water, the bed of the watercourse, or any plants or animals within the watercourse

4 – Information

4.1 Records

- 4.1.1 All records required to be made by these standard rules shall:
- be legible;
 - be made as soon as reasonably practicable;
 - if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval; and
 - be retained, unless otherwise agreed by Natural Resources Wales, for at least 6 years from the date when the records were made.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by Natural Resources Wales.

4.3 Notifications

- 4.3.1 Natural Resources Wales shall be notified without delay following the detection of:
- any malfunction, breakdown or failure of equipment or techniques, accident or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
 - the breach of a limit specified in these standard rules; or
 - any significant adverse environmental effects.
- 4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.

4.3.3 Natural Resources Wales shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

- (a) Where the operator is a registered company:
 - (i) any change in the operator's trading name, registered name or registered office address; and
 - (ii) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- (b) Where the operator is a corporate body other than a registered company:
 - (i) any change in the operator's name or address; and
 - (ii) any steps taken with a view to the dissolution of the operator.

4.4 Interpretation

4.4.1 In these standard rules, the expressions listed below shall have the meaning given.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification being made "without delay", in which case it may be provided by telephone.

"accident" means an accident that may result in pollution.

"adverse visible effect" means dead or distressed fish, other animals or plants in the vicinity of the discharge, appreciable deposit of solid material; growth of sewage fungus; or appreciable discoloration.

"ATU-BOD" means Biochemical Oxygen Demand with nitrification suppressed by the addition of allyl thio-urea.

"BS 12566" means BS EN 12566-3:2005 "Small wastewater treatment systems for up to 50 PT. Packaged and/or site assembled domestic wastewater treatment plants" (ISBN: 0 580 47444 5 Publication Date: 15th Feb 2006).

"Domestic sewage" means waste water from residential settlements and services which originates predominantly from the human metabolism and from household activities. See our website for further details.

"emissions of substances not controlled by emission limits" means emissions of substances to air, water or land from the activities, either from emission points specified in these standard rules or from other localised or diffuse sources, which are not controlled by an emission limit.

"European Site" means Special Area of Conservation or candidate Special Area of Conservation or Special Protection Area or proposed Special Protection Area in England and Wales, within the meaning of Council Directives 79/409/EEC on the conservation of wild birds and 92/43/EEC on the conservation of natural habitats and of wild flora and fauna and the Conservation of Habitats and Species Regulations 2010. Internationally designated Ramsar sites are dealt with in the same way as European sites as a matter of government policy and for the purpose of these rules will be considered as a European Site.

"Flows and Loads 3" means "Flows and Loads 3 - Sizing Criteria, Treatment Capacity for Small Wastewater Treatment Systems (Package Plants)" published by British Water (ISBN: 978-1-903481-10-3 Revised 2009).

"Local Nature Reserve" means an area designated by a local authority under the National Parks and Access to the Countryside Act 1949.

"Local Wildlife site" is a non-statutory designation by a local authority of sites with a high value for wildlife. They are designated according to selection criteria that follow Natural England or the Countryside Council for Wales guidelines.

“National Nature Reserve” means an area that has been designated by Natural England or the Countryside Council for Wales under the Wildlife and Countryside Act 1981 as among the best examples of a particular habitat. National Nature Reserves are of national importance.

“Natural Resources Wales” means the Natural Resources Body for Wales established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. The Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

“pollution” means the direct or indirect introduction, as a result of human activity, of substances or heat into the air, water or land which may—

- be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems;
- result in damage to material property; or
- impair or interfere with amenities and other legitimate uses of the environment.

“Protected Species” means species of plants or animals that are protected under European legislation (the Habitats Directive) or by domestic legislation (Wildlife and Countryside Act, as amended by Countryside and Rights of Way Act) and that could be affected by the activities.

“Secondary treatment” means treatment of the domestic sewage by a process generally involving biological treatment with a secondary settlement or other process to achieve the discharge quality requirements set out in Schedule 3, Table 1 of the Urban Waste Water Treatment (England and Wales) Regulations 1994. Note that “secondary treatment” under these rules is “Appropriate Treatment” for the purposes of the Regulations.

“SSSI” means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

“year” means calendar year commencing on 1st January.

End of standard rules