

SCHEDULE 3

Exempt facilities: descriptions and conditions

PART 2

Exempt water discharge activities: descriptions and conditions

Vegetation management activities

1.—(1) For the purpose of paragraph 4(a)(i) of Schedule 2, the description is cutting or uprooting a substantial amount of vegetation in any inland freshwaters or so near to any such waters that it falls into them and failure to take reasonable steps to remove the vegetation from these waters.

(2) For the purpose of paragraph 4(a)(ii) of that Schedule, the conditions in relation to a water discharge activity described in sub-paragraph (1) are—

- (a) that vegetation removed from the waters must be deposited in accordance with guidance issued by the appropriate authority; and
- (b) that where it is necessary to allow vegetation to pass downstream—
 - (i) prior notice of the dates of the water discharge activity is given, in accordance with guidance issued by the appropriate authority, to persons likely to be affected by such an activity, and
 - (ii) the activity is not carried on if there is insufficient flow to convey the vegetation.

Small discharges of sewage effluent

2.—(1) For the purpose of paragraph 4(a)(i) of Schedule 2, the description is the discharge from a sewage treatment plant of 5 cubic metres per day or less of sewage effluent into inland freshwaters, coastal waters or relevant territorial waters.

(2) For the purpose of paragraph 4(a)(ii) of that Schedule, the conditions in relation to a water discharge activity described in sub-paragraph (1) are—

- (a) that all works and equipment used for the treatment of sewage effluent and its discharge comply with the requirements specified in guidance issued by the appropriate authority in relation to—
 - (i) design and manufacturing standards,
 - (ii) construction, installation and operation specifications, and
 - (iii) siting and installation;
- (b) that the discharge cannot reasonably, at the time it is first made, be made to the foul sewer;
- (c) that the discharge does not contain trade effluent;
- (d) that all works and equipment used for the treatment of sewage effluent and its discharge are maintained in accordance with the manufacturer's specification;
- (e) that records of maintenance work are kept by the person who is the occupier of the land on which the discharge is made ("the occupier") for at least 5 years after the work is carried out;
- (f) that the occupier must notify the exemption registration authority if an exempt water discharge activity ceases to be in operation;
- (g) that the occupier must ensure that all works and equipment used for the treatment of sewage effluent and its discharge are appropriately decommissioned when the exempt

facility ceases to be in operation so that there is no risk of pollutants entering inland freshwaters or coastal waters;

- (h) that, before an occupier ceases to be in occupation of land on which an exempt water discharge activity is carried on, the occupier must give to the person who will next be in occupation of the land a written notice—
 - (i) stating that an exempt water discharge activity is being carried on on the land;
 - (ii) containing a description of the exempt facility;
 - (iii) stating the conditions that must be satisfied in relation to the exempt facility; and
 - (iv) accompanied by any records of maintenance mentioned in paragraph (e).