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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

The Environmental Permitting  
(England and Wales) Regulations 2010

PART 7

Miscellaneous provisions

Chapter 3

Transitional provisions - former enactments

**Exempt groundwater activities**

74.—(1) In this regulation, “small sewage effluent groundwater activity” means the discharge from a septic tank or sewage treatment plant of 2 cubic metres per day or less of sewage effluent that results in the input of pollutants to groundwater.

(2) On the coming into force of these Regulations, a small sewage effluent groundwater activity authorised by an existing permit is taken to be an exempt facility.

(3) From the coming into force of these Regulations until 1st January 2012, a person carrying on a groundwater activity taken to be an exempt facility under paragraph (2) does not require an environmental permit unless a notice is served on that person under paragraph 10 of Schedule 22 and has taken effect.

(4) From the coming into force of these Regulations until 1st January 2012, a small sewage effluent groundwater activity that, at the relevant time, was not authorised by an existing permit does not need to be authorised by an environmental permit or registered as an exempt facility unless—

- (a) a notice was served under the 2009 Regulations prohibiting the carrying on of the activity and that notice continues in effect under these Regulations; or
- (b) a notice under paragraph 10 of Schedule 22 is served on the person carrying on the activity and the notice has taken effect.

(5) A small sewage effluent groundwater activity that is begun after the coming into force of these Regulations does not need to be authorised by an environmental permit or registered as an exempt facility until 1st January 2012 unless a notice under paragraph 10 of Schedule 22 is served on the person carrying on the activity and the notice has taken effect.

(6) On and after 1st January 2012, a person must not carry on a small sewage effluent groundwater activity unless it is—

- (a) authorised by an environmental permit; or
- (b) registered as an exempt facility.