
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement, as respects England and Wales, Council Directive [91/271/EEC](#) concerning urban waste water treatment.

Regulation 4 supplements the general duty imposed on sewerage undertakers by section 94 of the Water Industry Act 1991, by requiring them to secure that “collecting systems” (this and other expressions are defined in regulation 2(1)) are provided by specified dates, and to secure that urban waste water entering collecting systems is subject to treatment provided in accordance with regulation 5. Regulation 5 requires such treatment to be provided by specified dates and, with regulation 6(1) and Part I of Schedule 3, prescribes the standard of treatment required. The specified date and the standard of treatment are determined according to the size of the “agglomeration” from which the waste water emanates and the nature of the waters into which the treated waste water is discharged. Generally, “secondary treatment” is required, but more stringent treatment is required for waters identified as “sensitive areas” and less stringent treatment is permissible for waters identified as “high natural dispersion areas”. The areas identified as sensitive areas and high natural dispersion areas are shown on maps deposited with the National Rivers Authority (“NRA”); the Secretary of State is under a duty to review the identification of these areas at least every four years (regulation 3). Discharges from smaller agglomerations need be subjected only to “appropriate treatment”.

Regulation 6 also requires the NRA to secure, by means of its powers to grant and modify discharge consents under Chapter II of Part III of the Water Resources Act 1991, that the relevant requirements of the Regulations in relation to discharges are satisfied.

Regulation 7 imposes requirements in respect of discharges of industrial waste water to collecting systems or treatment plants. Sewerage undertakers are empowered to modify trade effluent consents and agreements for this purpose.

Regulation 8 imposes a duty on the NRA to secure that direct discharges on and after 31st December 2000 of biodegradable industrial waste water from the industrial sectors listed in Schedule 5 are subject to conditions appropriate to the nature of the industry concerned.

Regulation 9 requires the phasing out of the dumping of sludge from ships by 31st December 1998, and the progressive reduction before that date of the total amount of toxic, persistent and bioaccumulable materials in sludge so dumped.

Regulation 11 imposes a duty on the NRA to ensure that monitoring of discharges and waters to which the Regulations apply, and such other studies as are required by the Regulations, are carried out. The requirements as to monitoring of discharges are set out in Part II of Schedule 3, and regulation 10 makes provision in connection with samples and records obtained in accordance with those requirements.

Regulation 12 requires the NRA to keep certain documents available for inspection by the public, and regulation 13 enables the Secretary of State to require information to be furnished to him for the purpose of enabling him to comply with certain requirements of the Directive.

A compliance cost assessment in respect of these Regulations may be obtained from Water Directorate, Department of the Environment, Romney House, 43 Marsham Street, London SW1P 3PY, or Environment Division, Welsh Office, Cathays Park, Cardiff CF1 3NQ.