

## Trade Effluent Control

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### General Introduction

Processes 22 to 25 set out the procedures for the application/modification of Trade Effluent Consents, Trade Effluent monitoring, pollution incidents, and the discontinuation of Trade Effluent Services/Consents.

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### Process 22 - Application for and modification to a Trade Effluent Consent

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#### Purpose and scope of Process 22: -

Trade Effluent Consents are issued by Scottish Water under statute – principally the Sewerage (Scotland) Act 1968. This Process sets out the operational arrangements for the Trade Effluent Consent application process where an application is made, or a modification is requested, by a Licensed Provider. Scottish Water may also enter into qualifying small or temporary agreements for the reception, treatment or disposal of Trade Effluent from Non-Household Customers' Premises.

#### Process:-

##### Consent Grant

#### Step 1

The Non-Household Customer appoints a Licensed Provider.

#### Step 2

If Scottish Water receives an application form (Form H) as set out in the Appendix to this Code for Trade Effluent Consent from the owner or occupier of Non-Household Customer's Premises, Scottish Water will copy the application to the Non-Household Customer's Licensed Provider. If the Non-Household Customer has failed to appoint a Licensed Provider, Scottish Water will inform the Non-Household Customer that Sewerage Services (including Trade Effluent) must be supplied via a Licensed Provider. Scottish Water will copy the application to any other statutory body (e.g. SEPA) which in the opinion of Scottish Water has an interest in the application.

#### Step 3

If Scottish Water requires further information in respect of the application, it will as necessary:

- request the information (including the Non-Household Customers Supply Point ID) via the Licensed Provider; and
- make a request for a site visit via the Licensed Provider.

The Licensed Provider will as soon as reasonably practicable provide the additional information requested, or facilitate the site visit.

#### Step 4

Scottish Water will provide a non-binding indicative decision on the application within 45 days from receipt of the application form. Following receipt of the indicative decision, the Licensed Provider may make representations to Scottish Water and/or provide further information to Scottish Water as it considers necessary.

#### Step 5

Having made its final decision on the application, Scottish Water may either:

- grant the Trade Effluent Consent by approving the application, either unconditionally or imposing whatever conditions it is competent to impose; or
- reject the application giving its reasons.

Scottish Water must make its final decision on the application within a maximum of 90 days from receipt of the application form. If Scottish Water fails to provide a final decision within 90 days from receipt of the application form it is deemed to have taken a decision to refuse its consent to the application on the last day of that period.

Scottish Water will send notice of such Trade Effluent Consent or rejection to the Licensed Provider, the owner and the occupier of the Non-Household Customer's Premises or any prospective occupier, and any statutory consultees previously notified.

#### Step 6

Any Trade Effluent Consent granted by Scottish Water is granted from a specified date for a minimum of two years and will continue notwithstanding any change of ownership or of occupancy of the Non-Household Customer's Premises or any change of Licensed Provider.

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## Modification

### **Step 1**

Scottish Water may choose to review the terms of a Trade Effluent Consent, or will review the terms of a Trade Effluent Consent when requested by a Licensed Provider. If either party wishes a review to take place within 2 years of the initial granting of a Trade Effluent Consent or a previous review, this will be agreed in writing by both parties.

### **Step 2**

Scottish Water will then inform the Licensed Provider, the owner and the occupier of the Non-Household Customer's Premises that it intends to direct a change to a Trade Effluent Consent, and its reasons therefor.

### **Step 3**

Following a 28 day consultation period in which the Licensed Provider, the owner or the occupier of the Non-Household Customer's Premises may make representations to Scottish Water, Scottish Water may make a direction to change the Trade Effluent Consent. Such direction will take effect not earlier than 90 days from the date of the direction.

## Qualifying small or temporary agreements

### **Step 1**

The Non-Household Customer appoints a Licensed Provider

### **Step 2**

The Licensed Provider submits an application for an agreement in respect of Trade Effluent to Scottish Water.

### **Step 3**

Where the application submitted by the Licensed Provider is on behalf of an occupier (rather than the owner of the Non-Household Customer's Premises), Scottish Water will copy the application to the owner and allow the owner 28 days to make representations.

### **Step 4**

If Scottish Water receives an application for an agreement from the owner or occupier of Non-Household Customer's Premises, Scottish Water will copy the application to the Non-Household Customer's Licensed Provider. If the Non-Household Customer has failed to appoint a Licensed Provider, Scottish Water will inform the Non-Household Customer that Sewerage Services (including Trade Effluent) must be supplied via a Licensed Provider.

### **Step 5**

Scottish Water will consider the application and respond without delay to the Licensed Provider.

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### Process 23 - Trade Effluent monitoring

#### **Purpose and scope of Process 23: -**

Scottish Water has an obligation under the Sewerage (Scotland) Act 1968 to enforce Trade Effluent compliance. Scottish Water discharges their obligation through monitoring (in particular, regular and spot sampling of Trade Effluent). [Scottish Water may enter into an agreement with Licensed Providers for the provision of Trade Effluent Sampling and/or Analytical Services in respect of regular sampling.](#) This Process sets out the operational arrangements for this monitoring process [where Scottish Water carries out both regular and spot sampling.](#) Scottish Water will provide the Licensed Provider with reports on any samples obtained.

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#### **Process:-**

#### *Regular sampling visits*

### **Step 1**

Scottish Water will (following receipt of relevant Licensed Provider information from the Central Market Agency) give the Licensed Provider a list of premises (by post code) intended to be visited in any week 5 Business Days in advance of the commencement of that week. Scottish Water will provide reasons for such a visit, and if asked the Licensed Provider will keep the visit confidential from the Non-Household Customer. Advance notice will not be required where the Licensed Provider is self-supplying or has installed or is operating the relevant treatment works themselves at the Non-Household Customer's Premises in which latter case Scottish Water will inform the Licensed Provider within 24 hours after the visit has taken place.

### **Step 2**

Visits will normally be arranged for a Business Day, and will be arranged at various times to provide representative Trade Effluent samples and to allow discussions with the relevant Non-Household Customer. The frequency of visits will be dependent upon various factors including the nature and volume of the Trade Effluent, and the Non-Household Customer's compliance record with the Trade Effluent Consent. The Licensed Provider may attend at any visit to the Non-Household Customer's Premises.

**Step 3**

Scottish Water may make arrangements for automated sampling and monitoring, and for recording such data remotely.

*Spot sampling visits*

**Step 1**

If Scottish Water has reasonable grounds to suspect non-compliance with the Trade Effluent Consent, it may make an unannounced visit to the Non-Household Customer's Premises to collect samples and monitor discharges.

**Step 2**

Scottish Water will in advance notify the Licensed Provider (or the Commission – if Scottish Water deems this more appropriate) that a visit will be necessary. Scottish Water will provide reasons for such a visit. The Licensed Provider will, at all times, keep the visit confidential from the Non-Household Customer. Advance notice will not be required where the Licensed Provider is self-supplying or has installed or is operating the relevant treatment works themselves at the Non-Household Customer's Premises in which latter case Scottish Water will inform the Licensed Provider within 24 hours after the visit has taken place.

*Non-compliance*

**Step 1**

If Scottish Water's monitoring detects non-compliance with the Trade Effluent Consent, Scottish Water will determine the scale of the non-compliance with the Trade Effluent Consent. Scottish Water will inform the Licensed Provider promptly of any significant non-compliance.

**Step 2**

Depending on the scale and nature of the non-compliance with the Consent, Scottish Water may take competent action. Scottish Water will notify the Licensed Provider at the same time as any action that Scottish Water takes, and provide copies of correspondence with the Non-Household Customer to the Licensed Provider.

**Trade Effluent Control**

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**Process 24 - Pollution incidents**

**Purpose and Scope of Process 24: -**

This Process sets out the operational requirements for the tackling of pollution incidents and the means by which they are to be rectified.

**Process:-**

**Step 1**

Scottish Water may receive initial information relating to a Trade Effluent incident or potential incident from one or more sources including the Licensed Provider, a Non-Household Customer, the general public, SEPA and Local Authority Environmental Health Departments or from its own monitoring of the quality of water and/or waste water arriving at treatment works.

**Step 2**

Scottish Water will review the information received and investigate the incident as necessary to determine the source of pollution and notify all Licensed Providers.

**Step 3**

Scottish Water will co-operate with other statutory bodies such as SEPA. In carrying out its investigation Scottish Water may need to make one or more site visits to Non-Household Customer's Premises as a matter of urgency.

**Step 4**

Scottish Water will inform the Licensed Provider within 24 hours after any site visit to a Non-Household Customer's Premises has taken place.

**Step 5**