

THE WATER ACT.

Statutory Instrument 152—3.

The Water (Sewerage) Regulations.

Arrangement of Regulations.

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THE WATER ACT.

Statutory Instrument 152—3.

The Water (Sewerage) Regulations. *(Under section 107 of the Act.)*

PART I—PRELIMINARY.

1. Citation.

These Regulations may be cited as the Water (Sewerage) Regulations.

2. Application.

These Regulations shall apply to a sewerage area.

3. Interpretation.

In these Regulations, unless the context otherwise requires—

- (a) “Act” means the Water Act;
- (b) “trade waste” includes—
 - (i) any liquid including any substance in it to be discharged from trade premises;
 - (ii) any waste matter constituted solely or partly of food which results from any process connected with the preparation, other than at private residential premises, of food for consumption;
 - (iii) any matter discharged from laundry used for—
 - (A) the purposes of a private or public hospital, school or any other institution;
 - (B) the purposes of a hotel, motel or similar establishment;
 - (C) commercial purposes in respect of which a user pays a fee;
 - (iv) any matter discharged—
 - (A) from any cooling, refrigeration or air conditioning system on trade premises;
 - (B) from any ship’s ballast;
 - (C) as polluted storm water runoff;
 - (D) as runoff from water used to extinguish a fire or to deal with any other hazard or emergency on trade premises;

- (E) as leachate from any private, commercial or municipal tip, and includes any waste matter from any trade premises but does not include waste water discharged from private residential premises.

PART II—CONNECTION OF LAND TO SEWERAGE WORKS.

4. Requirement to connect land to sewerage works.

(1) A sewerage authority shall, where under section 63(3)(a) of the Act or regulation 6 of these Regulations the sewerage authority requires an owner of land to connect land to the sewerage authority's works or to carry out repairs or such other work on any sewer connection, building sewer, or connected fittings that the authority considers necessary, give written notice to the owner and occupier of the land of the works required and either—

- (a) specify the period in which they must be completed; or
- (b) offer to carry out the works on behalf of the owner in which case an appropriate cost for doing the work shall be quoted.

(2) A person upon whom a notice is given under subregulation (1) of this regulation shall—

- (a) prepare and submit plans for the works as prescribed by regulation 10 of these Regulations;
- (b) request the sewerage authority to carry out the works and pay to the authority the amount referred to under subregulation (1) of this regulation; or
- (c) apply to the Minister giving reasons why he or she should be exempted from the sewerage authority's requirement.

(3) Where a person applies to the Minister for exemption under subregulation (2)(c) of this regulation, the authority shall not act on any matter until notified of the Minister's decision.

(4) The Minister shall, within fourteen days after receipt of an application under subregulation (2)(c) of this regulation, consider the matter and advise the applicant and the sewerage authority of his or her decision.

5. Sewerage authority may connect land to sewerage works.

(1) Where the sewerage authority wishes to execute any programme of works on any land within its area of jurisdiction for the purpose of connecting that land to the authority's sewerage works, the sewerage

authority shall, before carrying out the proposed works, give reasonable notice specifying the works the sewerage authority intends to carry out on the land to the owner and occupier of that land.

(2) The sewerage authority shall, after carrying out the works referred to in subregulation (1) of this regulation, recover from the owner of the land the relevant charges determined by the relevant sewerage authorities for the work done and services rendered.

(3) If a person upon whom notice is served under subregulation (1) of this regulation is unable to pay for the connection or sewerage services, that person may apply to the Minister for exemption.

(4) The Minister shall, within fourteen days after receipt of an application under subregulation (3) of this regulation, consider the matter and communicate his or her decision to the applicant and the sewerage authority, which decision shall be complied with.

(5) If the Minister exempts an owner from payment of fees under subregulation (4) of this regulation, the sewerage authority shall either—

- (a) cancel or postpone the proposed connection of the land; or
- (b) connect the land after making alternative arrangements with respect to charges as may be agreed upon by the authority and the owner of the land.

6. Group drainage.

(1) Where it appears to the sewerage authority that contiguous, adjacent buildings or land may be connected to a sewer more economically or advantageously in combination than separately, the authority may require the buildings or land to be connected by a combined operation.

(2) Where it is found that, as part of a combined operation, it is necessary for a sewer to be constructed across private land, then the respective land owners may agree on the construction and maintenance of that sewer upon such terms as may be approved by the sewerage authority.

(3) The sewerage authority may, where an agreement is not reached as required by subregulation (2) of this regulation—

- (a) make necessary arrangements;
- (b) construct and maintain the sewer; and

- (c) carry out any other work it considers necessary to provide and maintain a connection to the sewerage works.

(4) The sewerage authority may apportion between the owners of land connected to a sewer by a combined operation the costs and expenses of the construction and maintenance of the connection in such manner as is just and reasonable.

PART III—PRIVATE SEWERAGE WORKS.

Division 1—Building sewers and connected works or fittings.

7. Construction of buildings in sewerage area.

No person shall erect or re-erect any building in a sewerage area unless a building sewer and other connected fittings are installed in accordance with these Regulations and with the prior consent of the sewerage authority.

8. Consent of the authority.

(1) No person shall, without the prior consent of the sewerage authority—

- (a) construct a building sewer or connected fittings;
- (b) connect a building sewer to any works of the authority; or
- (c) make any opening in or connection with a sewer.

(2) Any work in respect of which the authority's consent is required shall be carried out in accordance with the code of workmanship made by the Minister under section 70 of the Act.

9. Application for building sewers, etc.

(1) A person who wishes to construct or remove a building sewer or connected fittings, or to make any opening in or connection with a sewer may apply in writing to the authority.

(2) An application referred to in subregulation (1) of this regulation shall be—

- (a) in the form specified in the First Schedule to these Regulations;
and
- (b) accompanied by the relevant application fee determined by the

relevant sewerage authority.

10. Plans to be lodged with authority.

(1) A person who makes an application to the sewerage authority under regulation 9 of these Regulations or who is directed under regulation 4 of these Regulations to connect any land to the works of the authority shall lodge with the authority two copies of plans of the proposed work within one month or such longer period as the authority may allow.

(2) A copy of the plan referred to under this regulation shall be signed by the applicant and be certified by the person who prepared the plan.

(3) Any plan lodged with the authority under this regulation shall conform to the following—

- (a) it shall contain a site plan of existing or proposed buildings on the land;
- (b) it shall contain a description of the boundaries of the applicant's land;
- (c) it shall indicate the location of any adjoining roads;
- (d) it shall show the position, level and dimensions as appropriate, of—
 - (i) any building sewer or connected fitting;
 - (ii) any kitchen, bathroom, rainwater channel, water supply pipe or drainage pipe;
 - (iii) any sink, gully, inspection chamber, manhole and appurtenant work on the land;
 - (iv) the proposed location of any connection to the authority's sewer;
- (e) it shall show the nature and location of any pavement or exposed surfaces;
- (f) it shall show the diameter and the gradient of any proposed pipes and junctions and the levels of any points which may be necessary to determine the gradient;
- (g) it shall show the proposed method by which any connection to the authority's sewer is to be made;
- (h) each plan shall be drawn or printed at a scale, and on a paper or cloth, of suitable dimensions, to the satisfaction of the authority; and
- (i) it shall comply with such other requirements as the authority may prescribe.

11. Examination of plans.

A plan referred to under regulation 10 of these Regulations shall be examined and verified by an authorised officer who may make such alterations or corrections to the plan as are necessary.

12. Approval of plans and giving consent.

- (1) A sewerage authority may—
 - (a) approve any plan verified under regulation 11 of these Regulations; and
 - (b) consent to an application made under these Regulations, upon such conditions as are necessary.

(2) Where the sewerage authority approves any plan under subregulation (1) of this regulation, it shall return a copy to the applicant and retain a copy for its use.

(3) Except as provided in subregulation (4) of this regulation, work described in any plan approved by the authority shall be executed in accordance with the plan.

(4) An authorised officer may, in writing, consent to any proposed deviation from a plan approved by the sewerage authority.

(5) Where an authorised officer consents to a proposed deviation, he or she shall clearly mark the proposed deviation and his or her initials on the copy of the plan kept by the applicant and one kept by the sewerage authority.

(6) Where the sewerage authority refuses to approve any plan or to consent to any application under subregulation (1) of this regulation, it shall return all copies of the plan or application to the applicant and shall inform the applicant in writing of the reasons for its decision.

13. Costs of work undertaken by authority.

(1) A sewerage authority shall not commence any work unless the applicant pays it the minimum connection fee determined by the sewerage authority in respect to that work or the authorised officer's estimated cost of

executing the work.

(2) In case the actual cost of doing the work exceeds the estimated cost paid to the sewerage authority under subregulation (1) of this regulation, the applicant shall, after the work is completed, pay to the sewerage authority the balance of the actual cost of the work.

(3) In case the actual cost of doing the work is less than the estimated cost paid to the sewerage authority under subregulation (1) of this regulation, the authority shall credit the difference to the applicant's account with the sewerage authority.

14. Security deposit.

(1) A sewerage authority may require a landowner whose land is, at the coming into force of these Regulations, connected to a sewer to deposit with the sewerage authority the security determined by the sewerage authority.

(2) Where there is any doubt to the deposit relating to any land specified in the Third Schedule to these Regulations in respect of which the security deposit is to be made, an authorised officer shall determine the matter.

15. Provision of technical information.

(1) A sewerage authority shall keep at its office plans showing the location and details of any sewer in the area of the sewerage authority, which plans shall be made available for inspection by the public free of charge.

(2) An authorised officer shall, upon receipt of a written application, provide the applicant with all the information that the applicant wishes to know.

(3) The authority shall not be liable for the accuracy of any information provided under this regulation.

16. Duty to provide sewer connection.

The sewerage authority shall, where it requires a person to connect land to a sewer under regulation 4 of these Regulations or where it consents to an

application made under regulation 9 of these Regulations provide a sewer connection to the relevant land.

17. Inspection of works.

(1) Before any building sewer or connected fittings installed as part of any work are concealed or any trenches filled, the applicant or his or her agent shall notify the sewerage authority that the work is completed and ready for inspection.

(2) An authorised officer shall, within two days from the date of receipt of notice by the authority, inspect and test the work.

(3) Where the authorised officer finds that there has been—

- (a) any unauthorised deviation from the approved plans;
- (b) any failure to observe a condition attached to any approval or consent; or
- (c) any departure from technical specifications prescribed by the authority or code of workmanship made by the Minister,

the applicant shall execute such alterations to the work as the authorised officer may direct before any building sewer or connected fittings are connected or any trenches are filled.

(4) Where the applicant—

- (a) fails to notify the authority as required by subregulation (1) of this regulation; or
- (b) conceals any work or fills any trench after giving notice to the authority but before inspection and testing is carried out,

that applicant shall, at the request of the authorised officer and at his or her own expense, immediately uncover the work and excavate the trenches.

(5) When an authorised officer approves the work under this regulation, that authorised officer shall issue to the applicant a certificate of completion, and the applicant shall immediately thereafter cover the work.

(6) Where in accordance with these Regulations an authorised officer refuses to approve the work, he or she shall inform the authority in writing, and the authority shall direct, by notice in writing, the owner of the land to execute such works as the authority may determine within such period as may be specified in the notice.

(7) If the owner of land fails to execute the work within the time specified in the notice, the authority may undertake the work and recover the costs from the owner.

18. Extension of authority's sewer.

(1) The owner of the land within a sewerage area which is more than one hundred metres from the works of the sewerage authority capable of receiving sewerage from that land may apply to the authority to extend its works in order to receive sewerage from that land.

(2) An application under subregulation (1) of this regulation shall be in the form set out in the First Schedule to these Regulations.

(3) The sewerage authority may extend its works on such terms and conditions as are necessary.

Division 2—Private sewerage schemes and private sewerage installations.

19. Construction of private sewer.

(1) A person who wishes to construct a private sewer or connect a private sewer to a sewer of the authority shall apply in writing to the sewerage authority for permission to do so.

(2) The application referred to under subregulation (1) of this regulation shall be—

- (a) in the form set out in the First Schedule to these Regulations;
- (b) accompanied by plans as required by regulation 10 of these Regulations; and
- (c) accompanied by the relevant application fee determined by the sewerage authority.

(3) The authority may reject the application or approve it on such conditions as are necessary.

20. Construction of private sewerage installations.

(1) A person who wishes to construct a private sewerage installation on any land within a sewerage area shall apply in writing to the sewerage authority for permission to do so.

(2) The application referred to under subregulation (1) of this regulation shall be accompanied by a plan as required by regulation 10 of these Regulations and the relevant application fee determined by the relevant sewerage authority.

(3) The authority may reject the application or approve it on such conditions as are necessary.

21. Integration of private sewers in authority's works.

(1) A sewerage authority may, by giving adequate notice in writing to the owner of a private sewer or private sewerage installation within the authority's sewerage area, integrate the private sewerage installation into the authority's sewerage works as provided under section 66 of the Act.

(2) The authority may, before integrating a private sewer or private sewerage installation into its sewerage works, require the owner of the private sewer or private sewerage installation, within such period as the authority may specify, to carry out such repairs or other works which repairs or works shall be carried out at the cost of the authority.

PART IV—TRADE WASTE CONSENTS AND AGREEMENTS.

22. Discharge of trade waste.

(1) A person who wishes to discharge trade waste from any land to any sewer of a sewerage authority shall apply to the authority in the form specified in the First Schedule to these Regulations, and the application shall be accompanied by the relevant fee determined by the authority.

(2) The authority shall, within one month from the date of receipt of the application, consider the application and may—

- (a) exempt the occupier from obtaining a trade waste consent or trade waste agreement if, in the opinion of the authority, the characteristics, volume and rate of the proposed discharge are insignificant;
- (b) reject the application, in which case it shall inform the applicant in writing of its reasons for the refusal;
- (c) grant a trade waste consent to the applicant upon such conditions as the authority may grant; or

(d) enter into a trade waste agreement with the applicant.

(3) The authority shall not give any exemption or trade waste consent or enter into a trade waste agreement which would allow any substance prohibited by paragraph 2.7 of the Second Schedule to these Regulations to be discharged into a sewer.

(4) The authority may, before granting an exemption or trade waste consent, or before entering into any trade waste agreement require the applicant, at the applicant's cost, to install, maintain, operate and repair any equipment or process—

(a) which is necessary in order to comply with the Second Schedule to these Regulations; or

(b) which is necessary to prevent any substance which may have an adverse effect—

(i) on any works of or treatment process used by the authority;

(ii) on the environment;

(iii) on the health or safety of any person,

from being discharged into a sewer.

(5) The authority shall, in deciding whether, and upon what conditions, to grant any exemption or trade waste consent, or to enter into any trade waste agreement, have regard to any guidelines, model waste consents or trade waste agreements published by the Minister.

23. Failure to observe conditions.

(1) A sewerage authority may, if any occupier of land fails to observe any condition attached to a waste trade consent or trade waste agreement, serve a notice to the occupier of land setting out—

(a) the condition that has not been observed;

(b) the reason why it has not been observed; and

(c) a date by which the occupier shall have rectified his or her failure to observe the condition.

(2) Any occupier of land shall rectify the condition he or she is in breach of within the period specified in the notice referred to in subregulation (1) of this regulation.

(3) If any occupier of land fails to comply with subregulation (2) of this regulation, the trade consent or trade waste agreement to which the

notice referred to under subregulation (1) of this regulation relates shall automatically terminate at midnight on that date.

(4) Where a trade waste consent or trade waste agreement terminates under subregulation (3) of this regulation—

- (a) the occupier of land is not discharged from any condition that has to be performed by him or her; and
- (b) any authorised person may continue to exercise any power relating to entry onto land of the occupier conferred by the Act, the trade waste consent or trade waste agreement.

24. Termination of trade waste arrangements.

(1) Any exemption granted under regulation 22 of these Regulations shall terminate on the expiration of at least ninety days' written notice given to the occupier by the sewerage authority.

(2) Any trade waste consent or trade waste agreement may terminate—

- (a) automatically as provided under regulation 23 of these Regulations;
- (b) on the expiration of at least 90 days' written notice given by the authority; or
- (c) on the expiration of at least 30 days' written notice given by the occupier.

PART V—PROHIBITED WASTE.

25. Acceptance of trade waste.

(1) No sewerage authority shall accept any trade waste into its sewers in quantities or of a quality which is likely to—

- (a) endanger the human life, health and safety of any person;
- (b) damage any works or sewerage treatment process used by the authority; or
- (c) result in any damage to or the breach of any law relating to the environment.

(2) No authority shall accept into its sewers any trade waste—

- (a) which contains any substance set out in paragraph 2.7 of the Second Schedule to these Regulations; or

- (b) which does not conform to the requirements of the Second Schedule to these Regulations, except in accordance with a trade waste consent or trade waste agreement which expressly alters the requirements referred to in this paragraph.

(3) Nothing in these Regulations, an exemption, a trade waste consent granted, or a trade waste agreement made under these Regulations shall place any obligation on any authority—

- (a) to receive into any sewer; or
- (b) to provide facilities to receive or dispose of, any storm water drainage or other surface water.

26. Duty to maintain private works.

A person who owns or occupies any land on which is constructed any building sewer, private sewer, private sewerage installation or connected fittings shall—

- (a) maintain those works in proper working order; and
- (b) ensure that no liquid or other material, other than—
 - (i) domestic sewage; or
 - (ii) trade waste authorised to be discharged under Part IV of these Regulations,

enters any of the sewerage authority's works from that land.

PART VI—CHARGES.

27. Charges for sewerage services.

(1) Subject to regulation 28 of these Regulations, a person who owns or occupies land within a sewerage area—

- (a) which is connected to a sewer of any sewerage authority; or
- (b) which is connected to a sewer of any authority but which the authority reasonably determines to be within one hundred metres of the authority capable of receiving sewerage from the land,

shall pay to the authority, on a monthly basis, the charge determined by the authority.

(2) The authority may determine how any land may be classified for the purposes of determining the charges payable under subregulation (1) of this regulation.

28. Person liable to pay for sewerage charges.

(1) Where land referred to in regulation 27 of these Regulations is not occupied by the landlord, the occupier shall be responsible for paying the sewerage charges in respect of that land.

(2) Where the occupier fails to pay the sewerage charges as required by subregulation (1) of this regulation, the landlord may pay the sewerage charges to the authority and—

- (a) recover that amount of money, with an interest of 10 percent per year, from any rent or other payment that is due from the occupier to the landlord; or
- (b) recover the amount of money paid directly from the occupier.

29. Penalty on overdue accounts.

Where a person liable to pay any sewerage charge to the sewerage authority fails to pay the sewerage charge on the due date and the charge remains outstanding for more than thirty days, that person shall pay to the authority, besides the outstanding amount, a penalty of 10 percent of the outstanding amount.

PART VIII—MISCELLANEOUS.

30. Offences and penalties.

- (1) A person who—
 - (a) except in accordance with these Regulations, connects any building sewer, private sewer, private sewerage installation or connected fittings to any works of a sewerage authority;
 - (b) in any sewerage area, except in accordance with these Regulations—
 - (i) directly or indirectly discharges any domestic sewerage or trade waste into a sewer other than that of any authority;
 - (ii) constructs any private sewerage installation to receive, store or dispose of any domestic sewerage or trade waste;
 - (c) discharges any matter specified in paragraph 2.7 of the Second Schedule to these Regulations into any authority's sewerage system;
 - (d) discharges any other matter specified in the Second Schedule to these Regulations, except under a trade waste agreement, into any

- of the authority's sewerage systems;
 - (e) discharges any trade waste form specified in the Second Schedule to these Regulations, unless the discharge is a requirement under any trade waste consent or trade waste agreement, except through a grease trap of a design approved by an authorised officer;
 - (f) occupies any land upon which a grease trap is installed and—
 - (i) fails to keep the grease trap in clean and good sanitary condition;
 - (ii) allows any matter collected in the grease trap to enter into any works of any authority;
 - (g) except with the consent of any authority, discharges any waste from food grinders on commercial or domestic premises into any sewerage system of the authority; or
 - (h) provides any information which is false or misleading in any material particular in respect of any application made to any authority under these Regulations,
- commits an offence.

(2) A person who is convicted of an offence under subregulation (1) of this regulation is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a period of not less than one year.

SCHEDULES

First Schedule.

regs. 9(2)(a), 18(2),
19(2)(a), 22(1).

Forms.

reg. 9(2).

Form A.

Application to Connect Land to a Sewer.

<i>Official Use Only</i>	
Application No.	
Date received	

Complete this form if you want to connect land to a sewerage authority's sewerage works.

1. Land to be connected—

Type of land or premises	
Address	

2. Name and address of owner of land—

First name	
Last name	
Address	

3. Details of land—

(a) If there is a tenant on the land, please give the tenant's—

First name	
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Last name	
Nature of tenancy (<i>weekly/monthly/ annual, etc.</i>)	

(b) Type and description of the land—

- (i) Is there an open yard next to the road? Yes / No
- (ii) How many people will live on the land? _____
- (iii) How many people will work on the land? _____

	Item description	Number
Please describe and list all sinks basins, baths, showers, toilets, urinals, bidets or other sanitary fittings that exist or will be installed on the land		

(c) Is the land connected to a water supply? Yes / No

4. Details of proposed contractor—

Name	
Address	

5. Other relevant information—

6. Name and address of applicant—

First name	
Last name	

Address	
---------	--

I certify that the information provided on this form is complete and correct to the best of my knowledge.

Date

Signed

When you have completed this form, you must attach—

- (a) two copies of plans, clearly showing the location, gradients and depth of all pipes and connected fittings and other important details; and*
- (b) cash or a cheque for _____ shillings to process the application and send them all to:*

(Authority's name)

(Authority's address)

Important: You must not start work until your application and plans are approved. You may also have to pay further charges before you can start work.

regs. 18(2), 19(2).

Form B.
Application to Construct or Extend a Sewer.

<i>Official Use Only</i>	
Application No.	
Date received	

Complete this form if you want either—

- (a) to construct a private sewer within a sewerage area;
- (b) to connect a private sewer to the sewerage works of a sewerage authority; or
- (c) a sewerage authority to extend its sewer and connect land to it.

1. Land where work will occur—

Type of land or premises	
Address	

2. Name and address of owner of land—

First name	
Last name	
Address	

3. Details of land—

- (a) If there is a tenant on the land, please give the tenant's—

First name	
Last name	

Nature of tenancy (<i>weekly/monthly/ annual, etc.</i>)	
--	--

(b) Type and description of the land—

(i) Is there an open yard next to the road? Yes / No

(ii) How many people will live on the land? _____

(iii) How many people work on the land? _____

	Item description	Number
Please describe and list all sinks basins, baths, showers, toilets, urinals, bidets or other sanitary fittings that exist or will be installed on the land		

4. Details of proposed contractor—

Name	
Address	

5. Other relevant information—

6. Name and address of applicant—

First name	
Last name	
Address	

I certify that the information provided on this form is complete and correct to the best of my knowledge.

Date

Signed

reg. 22(1).

Form C.

Application for a Trade Waste Exemption, Consent or Agreement.

<i>Official Use Only</i>	
Application No.	
Date received	

Complete this form if you want to—

- (a) apply for an exemption from the need for a trade waste consent or agreement; or*
- (b) apply for, or alter an existing, trade waste consent or agreement.*

1. Names and addresses—

Name of applicant	
Address of applicant	
Name of occupier of land	
Address of occupier	

2. Name and address for correspondence—

Name	
Address	

3. Land from which trade waste will be discharged—

Address of land	
-----------------	--

Type of trade conducted on the land	
-------------------------------------	--

4. Details of use—

How many people will work on the land?	
What are the normal days and hours of work?	
How many visitors are usually on the land?	
What is the maximum number of visitors on the land?	

What sort of water supply exists?

_____ Mains _____ Borehole _____ Other (*please describe*)

What is the usual rate of water consumption?

_____ Maximum: litres/second _____ Daily average/cubic metres/day

If there is a canteen on the land, how many cooked meals are prepared each day? _____

5. Details of trade waste.

Describe the processes producing trade waste.

Please set out the—

- (a) average flow rate of trade waste litres/second _____
- (b) maximum flow rate litres/day _____

- (c) maximum daily flow rate metres/day _____
- (d) maximum pH _____
- (e) minimum pH _____
- (f) maximum discharge temperature °C _____

Tick any of the following processes conducted on the land—

- _____ production of chlorinated organic chemicals
- _____ manufacture of paper pulp
- _____ manufacture of asbestos cement
- _____ manufacture of asbestos paper or board
- _____ use in any period of twelve months of more than 1000 kg. of any product resulting from crushing asbestos ore

On what date will the discharge of trade waste begin?

Date

Signed by Applicant

When you have completed this form, you must attach—

- (a) *a plan of the land, showing the source of the trade waste, all drains and sewers on the land and the existing or proposed connection to the authority's sewer; and*
- (b) *cash or a cheque for _____ shillings to process the application and send them both to:*

(Authority's name)

(Authority's address)

When you have completed this form, you must attach—

- (a) *two copies of plans, clearly showing the location, gradients and depth of all pipes and connected fittings and other important details; and*
- (b) *cash or a cheque for _____ shillings to process the application and send them all to:*

(Authority's name)

(Authority's address)

Important: You must not start work until your application and plans are approved. You may also have to pay further charges before you can start work.

Second Schedule.

regs. 22(3), (4),
25(2), 30(1).

Standards and requirements for trade waste discharged from land.

Trade waste discharged from land, at the point where it is sampled, must comply with the standards set out in this Schedule.

1. Physical characteristics.

1.1 Temperature.

An occupier must not discharge trade waste with a temperature greater than 30°C.

1.2 Solids.

(1) An occupier must not discharge trade waste containing gross solids, suspended solids or total dissolved solids except in accordance with this paragraph.

(2) Gross solids contained in trade waste must—

- (a) be able to pass through a bar screen with 13 mm. spaces between bars; and
- (b) have a quiescent settling velocity of not more than 3 m./hour.

(3) Where the total mass load of suspended solids exceeds 1,000 kg./day, the concentration of suspended solids must not exceed 10,000 mg./litre.

(4) The total mass load of total dissolved solids must not exceed 200 kg./day.

(5) An occupier must not discharge waste containing fibrous material which, in the opinion of the authorised officer, is likely to cause obstructions in a drain or sewer.

1.3 Oils, fats and grease.

(1) An occupier must not discharge trade waste containing any free or floating layer of oil, fat or grease.

(2) An occupier may discharge trade waste containing emulsified oil,

fat or grease which, in the opinion of the authorised officer, is biodegradable, and the emulsion is stable—

- (a) at a temperature of 15°C;
- (b) when it is in contact with raw sewerage; and
- (c) the resulting mixture has a pH not less than 5.5 and not greater than 10.0.

(3) An occupier must not discharge trade waste containing emulsified oil, fat or grease if it contains more than 1,000 mg./litre of material recovered by a solvent prescribed by the authorised officer as extractable matter when—

- (a) the emulsion is at a temperature of 15°C;
- (b) the emulsion is in contact with raw sewerage; and
- (c) the resulting mixture has a pH not less than 5.5 and not greater than 10.0.

(4) An occupier must not discharge trade waste containing emulsified oil, fat or grease if it contains more than 2,000mg./litre of material recovered by a solvent prescribed by the authorised officer as extractable matter when—

- (a) the emulsion is at a temperature of 15°C;
- (b) the emulsion is in contact with raw sewerage; and
- (c) the resulting mixture has a pH not less than 5.5 and not greater than 10.0.

1.4 Organic liquids.

An occupier must not discharge trade waste containing any free or floating layer of organic liquid which is—

- (a) flammable; or
- (b) toxic or otherwise harmful or damaging to any person, drain, the sewerage system, any sewerage treatment process or any element of the environment which receives effluent after it has been treated.

1.5 Latex emulsions.

- (1) In this case—
 - (a) “biodegradable” in relation to trade waste means that, in the opinion of the authorised officer, the total organic carbon content of the trade waste would decrease by at least 90 percent when submitted to the sewage treatment process employed by the

- authority for that waste;
- (b) “latex emulsion” includes an emulsion containing paint, adhesive rubber, plastic or similar materials;
- (c) “stable latex emulsion” means a latex emulsion in which the solids deposited in a filter do not increase by more than 200 mg./litre when—
 - (i) the emulsion is at 15°C; and
 - (ii) the emulsion is in contact with raw sewage; and
 - (iii) the resulting mixture has a pH not less than 5.5 and not greater than 10.0.

(2) An occupier may discharge trade waste containing a stable latex emulsion.

(3) An occupier must not discharge trade waste containing a stable latex emulsion which is not biodegradable at a concentration greater than 1,000 mg./litre to total solids.

(4) An occupier must not discharge trade waste containing an unstable latex emulsion.

1.6 Radioactive waste.

An occupier must only discharge trade waste which complies in all respects with all legislation regulating or controlling radioactive materials.

1.7 Colour.

An occupier must not discharge trade waste containing colour greater than AdamsNickerson (42) units, determined from the most pronounced colour obtained from a sample adjusted to a pH of not less than 7.0 and not greater than 8.0.

2. Chemical characteristics.

2.1 pH value.

An occupier must not discharge trade waste with a pH value less than 6.0 or greater than 10.0.

2.2 Organic concentration.

An occupier must not discharge trade waste with a total mass load of five-day biochemical oxygen demand in excess of 1,000 kg./day, unless its concentration is greater than 4,000 mg./litre.

2.3 Nitrogen.

An occupier must not discharge trade waste with a concentration of—

- (a) total Kjeldahl nitrogen greater than 500 mg./litre; or
- (b) ammonia, plus ammoniacal ion (expressed as N) greater than 50 mg./litre.

2.4 Sulphur substances.

(1) Oxidised sulphur—

- (a) For the purpose of this paragraph, “oxidised sulphur” means the chemical substances expressed as S and known as sulphates, sulphites and thiosulphates;
- (b) An occupier must not discharge trade waste containing oxidised sulphur with a concentration of 500 mg./litre or more;
- (c) Where trade waste prior to discharge would have a total concentration of oxidised sulphur of not less than 100 mg./litre and not more than 500 mg./litre, any stream of waste contributing to the discharge must not have a concentration of oxidised sulphur greater than 500 mg./litre;
- (d) An occupier must use the best available technology, as determined by the authorised officer, to treat any trade waste stream with a concentration of oxidised sulphur greater than 500 mg./litre, in order to comply with this paragraph.

(2) An occupier must not discharge trade waste containing sulphide in concentration greater than 1 mg./litre.

(3) An occupier must not discharge trade waste containing sulphite in concentration greater than 30 mg./litre.

2.5 Metals.

(1) An occupier must not discharge any element listed in column 1 of Table A, except in accordance with this paragraph.

(2) When the daily mass load of any element discharged is between the lower limit specified in column 2 of Table A and the upper limit specified

in column 3 of that Table for that element, trade waste must not exceed the concentration specified in column 4 of that Table.

(3) Where the daily mass load of any element discharged is either lower than the limit specified in column 2 of Table A or greater than the limit specified in column 3 of that Table, the authorised officer must determine the maximum concentration of that element which an occupier may discharge.

(4) Where no entry is made in columns 2 and 3 of Table A for any element, trade waste must not exceed the concentration for that element specified in column 4 of that Table.

Table A.

1	2	3	4
Element	Lower daily mass load (grams/day)	Upper daily mass load (grams/day)	Concentration (milligrams per litre)
Arsenic			1
Barium			150
Beryllium			30
Boron as B			25
Cadmium	0.4	20	2
Chromium	100	5,000	10
Cobalt			10
Copper	100	5,000	10
Iron	2,000	100,000	30
Lead	100	5,000	10
Manganese			10
Mercury	0.2	10	1
Molybdenum			10
Nickel	10	500	10
Selenium			10
Silver	0.2	10	1
Thallium			20
Tin			10
Uranium (238)			30
Zinc	200	15,000	10

2.6 Other controlled substances.

An occupier must not discharge trade waste containing a substance listed in Table B with a concentration greater than is listed for that substance.

Table B.

Substance	Maximum allowance concentration milligrams per litre
<i>Halogens and halides</i>	
Bromine (expressed as Br ₂)	5
Chlorine (expressed as Cl ₂)	5
Cyanide	10
Fluoride	30
Iodine (expressed as I ₂)	5
<i>Organic acids</i>	
Phenoxyacetic acid	1000
<i>Phenolic substances</i>	
Pentachlorophenol	5
Sum of phenol, monochlorophenol, dichlorophenol and their isomers	300
Tetrachlorophenol	5
Trichlorophenol	50
<i>Aldehydes and ketones</i>	
Acetone	50
Acrolein	0.5
Formaldehyde (expressed as HCHO)	200
<i>Nitrile</i>	
Acrylonitrile	1
<i>Mononuclear aromatic hydrocarbons</i>	
Benzene	1
Cumene	3

Substance	Maximum allowance concentration milligrams per litre
2,4 Dinitrotoluene	10
2,6 Dinitrotoluene	10
Ethylbenzene	2
Nitrotoluene	5
Styrene	2
Toluene	2
Total Xylenes	2
<i>Halogenated aliphatic hydrocarbons</i>	
1,1 Dichloroethene	5
1,2 Dichloroethane	5
1,2 Dichloroethylene	5
1,1 Dichloropropane	5
1,2 Dichloropropane	5
1,1,2,2 Tetrachloroethane	2
1,1,1 Trichloroethane	3
1,1,2 Trichloroethane	3
Bromodichloromethane	1
Carbon tetrachloride	1
Chloroethan (vinyl chloride monomer)	0.5
Chlorodibromomethane	5
Dichlorodifluoromethane	5
Hexachloroethane	1
Methylene chloride	5
Tetrachloroethylene	1
Trichloroethyle	1
Trichlorofluoromethane	1
Trichloromethane (chloroform)	1
<i>Aliphatic hydrocarbons</i>	
Aliphatic hydrocarbons C5 to C9	1
<i>Esters</i>	
Ethyl acrylate	1.5
Methyl methacrylate	30
<i>Ethers</i>	

Substance	Maximum allowance concentration milligrams per litre
Diethylene glycol monobutyl	2,000
<i>Other organics</i>	
Epichlorohydrin	0.3
Glyphosate	10
Trifluralin	10

2.7 Prohibited substances.

An occupier must not discharge trade waste containing—

- (a) any of the substances set out in table C; or
- (b) any substance the discharge or release of which to any element of the environment is restricted or prohibited by any legislation applying in Uganda.

Table C.

Aldrin	Methyl chloride
Chlordane	Polybrominated biphenyls
DDT	Polychlorinated biphenyls
Endrin	Polycyclic aromatic
Heptachlor	hydrocarbons
Hexachlorobenzene	1,3 Dichloropropane
Hexachlorobutadine	2,3,7, or 8 Tetrachlorodibenzo
Lindane	p-dioxin congeners
Methyl bromide	

2.8 Other substances.

An occupier must not discharge trade waste containing any substance not mentioned in this Schedule in a concentration greater than 0.001 mg./litre.

Third Schedule.

regs. 22(4)(a),
30(1)(e).

Land requiring approved grease traps.

Any land producing trade waste which contains grease including—

- (a) hospitals, hotels, restaurants, boarding houses and laundries;
- (b) land used to construct, repair, maintain or clean motor vehicles, motor bicycles, boats, engines, mechanical equipment or machines.

History: S.I. 6/1999.
