



**Scottish  
Water**  
Trusted to serve Scotland



## **Trade Effluent**

**Guide to Services**



## Section 1 – Background

Trade effluent is defined as any wastewater discharged during the operation of a business or industrial process. It covers discharges from both large factories, and small industrial units and includes process waters, cooling waters, contaminated surface water runoff, and wash water from vehicles, machinery and floors.

It is the legal responsibility of any company that discharges trade effluent to the public sewer in Scotland to obtain Consent from Scottish Water. Failure to apply for Consent may result in a fine which is currently set at a maximum of £40,000.

Scottish Water is both obliged and empowered to control trade effluent which discharges to the public sewer under the Sewerage (Scotland) Act 1968.

Scottish Water controls discharges of trade effluent through a system of permits known as Consents and Letters of Authorisation.

Discharge Consent limits are set to ensure that there is:

- No hazard to the staff engaged in the maintenance of the sewerage system
- No corrosion to the fabric of the sewers
- No overloading or blockages of the sewers
- No explosive, inflammable or poisonous gases formed in the sewer
- No difficulties with sewage sludge being applied to agricultural land or incinerated
- No interference with the effective and economic treatment of wastewater
- No unacceptable effects on water resources or the environment
- No unacceptable storm sewage discharges to watercourses
- No breach of Scottish Water's legal obligations

### Determination of Consent Limits

Scottish Water will determine and impose limits where any of the following criteria is met:

- The discharge is considered to contain components which may be toxic or harmful to either Scottish Water personnel, infrastructure or treatment plants if not controlled
- The discharge is likely to cause hydraulic problems in the sewers due to its volume or rate of discharge if not controlled
- The discharge would represent a significant proportion of the flow or load placed on a treatment plant if not controlled
- The discharge is likely to interfere with the free flow of the sewers or their contents if not controlled
- The discharge contains components which Scottish Water is required to control or remove by other governing legislation, e.g. Dangerous Substances.

Should any of these criteria be met a Consent for those specific premises only, will be issued to protect Scottish Water's sewers and treatment plants. Scottish Water reserves the right to review the above criteria at any time.

The parameter limits for an individual Consent depend on local conditions such as the size of the receiving sewers and treatment works, the minimum dilution available at the point of entry to the public sewer and other discharges likely to be present. Typically the following chemicals are limited:

- pH and solids
- Organic load such as milk, brewers waste, processed food wastes
- Edible oils or solids
- Heavy metals and other toxic chemicals such as biocides.
- Sulphate and corrosives
- Organic solvents, petroleum products, ammonia and cyanide



Scottish Water will accept the discharge of Trade Effluent into its sewers provided that the effluent;

- can be accommodated at a reasonable cost
- does not prevent Scottish Water from meeting its own environmental obligations or standards
- complies with conditions laid down by Scottish Water

## What does the Consent specify?

Depending on what is appropriate, the consent could include any of the following:

- Limits on maximum daily volume and rate of discharge
- Limits on the concentration of solids and organic matter, and on dangerous or harmful constituents
- Requirements of access for sampling
- Requirements for measuring and monitoring equipment
- Various requirements to ensure that environmental risk factors are properly managed. (This could include, for example, evidence of a regular maintenance programme for chemical storage facilities or records of self-monitoring carried out.)
- Any other conditions that may be appropriate, for example the requirement to cease a discharge if instructed by Scottish Water.

## Temporary Consent

Temporary Trade Effluent consents will be issued for nonrecurring short term discharges of effluent, typically from site remediation or construction activities, of no longer than six months. A consent will be issued for such discharges which will be valid for six months. After six months the consent will automatically terminate. Where the proposed consented discharge volume and/or loads comprise a substantial proportion of the flow to a sewerage treatment works Scottish Water may issue a full consent. Scottish Water reserves the right to authorise short term discharges other than those from site remediation or construction activities, dependant on the proposed volume or nature of the discharge.

## Letters of Authorisation

Small dischargers and those having a minimal risk may be controlled using a Letter of Authorisation.

- Small dischargers: the effluent has a total daily volume of less than 2m<sup>3</sup> per day, and is non hazardous
- Minimal risk: the discharge is above 2m<sup>3</sup> in volume but is sufficiently good quality to have no significant effect at the receiving waste water treatment

Letters of Authorisation will be considered on an individual basis. Typically these effluents will fall in to one or several of the following categories:

## Commercial Laundries and Launderettes

Typically, small scale domestic laundrettes and hotel laundries are issued with a Letter of Authorisation. Industrial laundries are controlled by a full Consent.

## Car Wash Operations

Small car wash operations will be issued with a Letter of Authorisation. Larger vehicle washes and discharges which could cause a localised problem are controlled by a full Consent.



All wastewater generated as a result of mobile car cleaning and valeting must be contained for disposal at a suitable point approved by Scottish Water.

## Laboratory Effluent

Laboratories are issued with a Letter of Authorisation unless the discharge is causing a localised problem in which case the discharge is controlled by a full Consent. Scottish Water requires that the discharge to the foul sewer follows Good Laboratory Practice (GLP).

## Swimming Pools

Swimming pool backwashes are issued with a Letter of Authorisation unless the discharge is causing a localised problem in which case the discharge is controlled by a full Consent. Emptying of swimming pools may be controlled by a temporary authorisation.

## Dentists

Dentists should follow the system of best practice including use of dental amalgam separators. Currently they do not require Consent or LOA.

## Wheelie Bin Washings

Bin washing operations may be issued with a Letter of Authorisation with the exception of discharges which could cause a localised problem. Such discharges are controlled by a full Consent. All wastewater generated as a result of bin washing must be contained for disposal at a suitable point approved by Scottish Water.

## Surface Water

Clean and uncontaminated surface water (rainwater) can be drained into the nearest stream with no treatment and is not typically accepted into the combined sewer system. Such discharges may require to be consented by SEPA (Scottish Environment Protection Agency).

Under General Binding Rules made under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), it is an offence to discharge trade effluent, sewage or other pollutants into a surface water drainage system or onto any surface which drains into it.

Under Section 46 of the Sewerage (Scotland) Act 1968 it is an offence to discharge certain matter or substance into drains.

At areas where there is a higher risk of spillages occurring, for example fuelling areas and chemical or waste storage areas, suitable controls and mitigation must be provided which prevent spillages contaminating surface areas or entering drainage systems.

## Section 2 - Application Guidelines



### When to use the Trade Effluent Notice (TEN)

A TEN should be completed for the following types of applications:

- a) Proposed discharge for which no Consent exists.
- b) Modification to existing Consent (i.e. Consent review).
- c) Renewal of existing Consent.
- d) Change of Occupier
- e) Discontinuation of Trade Effluent Services
- f) Termination of Consent

For application types **a**, **b** and **c**: ALL sections of the form must be completed.

For application type **d**: complete sections 1 and 2.

For application types **e** and **f**: complete sections 1 and 2 stating the proposed date for the discontinuation of trade effluent services or termination of Consent.

In all cases the appropriate box in section 3 should be ticked.

### Filling in the Form

Applicants are required to complete the Trade Effluent Notice as accurately as possible. When describing the processes from which trade effluents arise, a flow diagram including all water inputs and outputs would help ensure that no wastewater source is overlooked.

Scottish Water must receive a signed hard copy of the Trade Effluent Notice in order to issue Consent to Discharge. We will return incomplete forms to the originator.

Completed Trade Effluent Notices must be submitted to Scottish Water via a Licensed Provider. Where the applicant is not the owner of the premises, they should also send a copy of the application should also be passed to the owner of the site.

**Please note that the Trade Effluent Notice is a legal document required under Section 27 of the Sewerage (Scotland) Act 1968 therefore Scottish Water must receive the original completed Trade Effluent Notice signed in pen in order to issue Consent to Discharge.**

For assistance in completing the TEN, please refer to the Trade Effluent Notice Explanatory Notes

### Appointment of a Licensed Provider (LP)

Scottish Water will not issue a Consent until the occupier/prospective occupier has appointed an LP. We will begin initial processing while an LP is in the process of being appointed. If an LP is not appointed within 10 business days we will reject the application.

Traders undertaking mobile activities such as wheelie bin cleaning or mobile valeting, where there is no applicable SPID, will not be required to appoint a Licensed Provider.

### Information about the Effluent

The volume of the trade effluent discharge can be assessed in a variety of ways such as examining mains water input, comparing the process with other similar processes, installing a process water



meter or asking the plant manufacturer for data on water use. The applicant is required to list the constituents present in the trade effluent discharge, including List I or II substances as defined under EC Directive 76/464/EEC or Annex X Priority and Priority Hazardous substances as defined under EC Directive 2000/60/EC. They must also supply a list of chemicals stored on site. Even though these are not discharged to sewer during normal operations, they could pose a threat to the sewerage system if they were to spill or leak.

## Drainage Plans

It is a requirement, under Section 45 of the Sewerage (Scotland) Act 1968, to enclose a detailed plan of the internal drainage layout showing clearly the location of surface water, foul drains and combined sewers. Plans may be sketched however when requested by Scottish Water a more detailed plan must be provided. The applicant is responsible for the accuracy of all information provided.

If there is an existing connection to sewer the point where the private drains connect to the sewer should be marked on this plan. If it is intended to make new connection to sewer a connection permit must be obtained using the appropriate form via the Wholesale Service Desk.

It may be possible to send a copy of the original development drainage plans, updated with subsequent alterations. However, if the existing plans are incomplete or inaccurate the layout must be ascertained by dye-testing. This should be carried out by the applicant or his agent.

## Environmental Information Regulations

The Environmental Information Regulations 1992 provides a framework for the freedom of access to information on the environment. Scottish Water will implement these regulations by allowing public access to the trade effluent register which holds information relating to Consents and compliance and any action taken, or required, by us in relation to enforcement.

No information that appears to be of a commercially confidential nature will be disclosed by Scottish Water. Licensed Providers / dischargers should notify Scottish Water of any material which they wish treated confidentially.



## Section 3 - Application Process

It is the responsibility of the owner or occupier of the trade premises to ensure they have the proper permit to discharge effluent in to the sewer.

Changes in site occupier, modifications to existing consents, renewal, discontinuation or termination of consents must be notified to Scottish Water using Trade Effluent Notice. Please refer to the application guidelines above for assistance.

The site occupier must apply for Consent through their Licensed Provider: Licensed Providers apply to Scottish Water by submitting TEN to the Wholesale Service Desk. Scottish Water will not issue a Trade Effluent Consent until the site occupier has appointed a Licensed Provider.

On receipt of an electronic copy of the Trade Effluent Notice, Scottish Water will start to process the application and will request a signed hard copy. Scottish Water cannot issue Consent without receiving the original Trade Effluent Notice signed in pen.

Scottish Water will grant or refuse the Trade Effluent Consent within 90 days of the date of application. Where a decision has not been issued within 90 days the application will be deemed to have been refused.

The Consent is issued to the site occupier. Scottish Water will send a copy of this document to the Licensed Provider. A copy will also be sent to the site owner and statutory body where appropriate.

### Consenting Customers Prior to Connection

In some circumstances, customers may apply for Trade Effluent Consent before a connection has been made for the relevant discharge point and therefore no SPID will exist. In this instance SW will issue the consent with the effective date aligned as closely to the connection date as possible.

### Customer / Licensed Provider Correspondence

Site visits or requests for further information in respect of Trade Effluent Consent applications will be arranged with the appropriate Licensed Provider.

Where Scottish Water is required under the Operational Code to send correspondence to the Licensed Provider it will send copies of this correspondence to the site occupier.

If details are supplied of a site owner that is different from the occupier, Scottish Water will copy all correspondence to the site owner.

### Other Statutory Bodies

Scottish Water will copy, if appropriate, the application to any other body with acting statutory power that may have an interest.

SEPA will be notified in writing if a material change is proposed that may increase or introduce any List I or II substances as defined under EC Directive 76/464/EEC or Annex X Priority and Priority Hazardous substances as defined under EC Directive 2000/60/EC.

### Refusal of Consent



In some circumstances Scottish Water may not be able to grant a Consent. We will always attempt to resolve this by working with Licensed Providers, non-household customers and regulatory bodies.

If an application is refused, Scottish Water will notify the Licensed Provider, site occupier, site owner and statutory bodies as appropriate. Scottish Water will also inform the occupier of their right of appeal under Section 51 of The Sewerage (Scotland) Act 1968.

## **Change of occupier, ownership or name of company**

A Consent is issued according to the premises. If a company moves the Consent holder must apply for a new Consent to cover the new premises. The existing Consent may be cancelled or retained with the existing premises.

If a company moves to premises which have an existing consent, the consent may still be valid if the process is similar to that of the last occupier. If the process differs to that of the existing Consent then a new application must be submitted.

## **Consent Review**

A review of Consent conditions can be initiated by Scottish Water or the Licensed Provider. Scottish Water will not review within 2 years of the initial Consent or previous review, without written agreement from the site occupier.

Scottish Water will deal only with consent modification requests received from Licensed Providers on behalf of the site occupier. When Scottish Water receives a request to modify Consent we may inform other interested parties as appropriate, for example SEPA.

Scottish Water will issue an Intimation of their intention to review Consent and all parties have a 28 day consultation period to make representations, thereafter a Direction will be issued.

If Scottish Water issues a Direction, this will take effect no earlier than 90 days from end of the consultation period. Scottish Water will also inform the occupier of their right of appeal.



## Section 4 – Sampling

An inspection chamber or manhole point is needed so that samples of trade effluent discharge can be obtained for control and charging purposes.

### Positioning of and access to sampling points

- Drainage from toilets, sinks, hand-wash basins or showers must not discharge through the point.
- The point must be easily accessed. Thus it should not normally be sited in an area with limited access.
- The inspection point must allow samples to be taken without personnel entering a manhole chamber, and without exposing them to any other hazard.
- There should be no obstructions to the inspection point, temporary or permanent. This includes obstruction caused by equipment, materials, deliveries or vehicles. The point should not be locked, and vehicles must not park over it. Any of these would contravene the requirements of the legislation.
- Our personnel should have access at all reasonable times. This is usually within working hours, but in certain circumstances it may be necessary to sample at other times.
- You will be advised by us if space for an automatic sampling device is needed in the manhole. Some companies may wish to make this provision for their own sampling purposes

### Manhole covers for sampling points

To comply with legislation, the cover at a sampling point must be easy to remove. Note that:

- A lightweight cover may be required. (Light covers suitable for heavy traffic are available).
- If the manhole cover is large, it should be split. Square manhole covers split into two triangles bolted together, should be separated by unbolting.
- The keyholes for lifting irons should be positioned to balance the centre of gravity of the manhole. If they are not, the manhole cover can jam on lifting.

### Examples of sampling points

#### 1. Designated Manhole

The sewer should have an opening directly below the access point (usually a manhole). Diagonal arrangements are not acceptable. Most openings are oval. The minimum dimensions are 102 mm width, by 350 mm along the length of the pipe, unless otherwise agreed by SW. The sewer should have sufficient gradient to prevent build-up of solids, as this may result in unrepresentative samples.

#### 2. T-piece on dipped exit pipe from Separator

A dipped exit pipe ensures that oils are retained in a tank. Samples taken from the tank surface will not be representative, so a T-piece or drop pipe must be installed for sampling. The minimum internal circumference acceptable is 102 mm.

### Frequency of samples

Scottish Water will sample and analyses the trade effluent discharged to monitor compliance with Consent limits and determine effluent strength. Sampling frequencies are variable, largely depending on the risk that a discharge poses to staff and facilities. Dischargers can request a copy of Trade Effluent Risk Assessment (TERA) for their discharge by contacting [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) . Sampling frequency may be increased if compliance with Consent limits is poor.

The analytical methods and procedures used will be up to date and established as standard, such as the Standing Committee of Analysts' 'Blue Book method'.



## Health & Safety

Trade effluent discharges will be monitored by people working for Scottish Water. Under the terms of the Health and Safety at Work, etc. Act 1974, dischargers of trade effluent must provide Scottish Water with a copy of their safety guidelines.

These must include all procedures which would be relevant to regulatory staff. Dischargers must also confirm that they have carried out the risk assessments required under Regulation 6 of the Control of Substances Hazardous to Health Regulations, 1988 and have also paid due regard to Regulations 2(1)(b), 3(1) and 7(1 5).

## Section 5 – Discharge Volume

### Determination of Trade Effluent Discharge Volume

Trade effluent discharge volume is typically measured using incoming water meter readings, private water supply meters, private effluent meters or a combination of these.

Water which is supplied to the premises but is not discharged in the trade effluent, for example 'non domestic wastewater' (NDWW) or water used in production e.g. water in product, steam lost to atmosphere etc. may be claimed as a deductible allowance for the purposes of determining the trade effluent discharge volume. Note the NDWW volume is also considered to represent all or part of the foul sewerage service to that premises.

### Allowances

Non Domestic Wastewater Allowance (NDWW):

The annual volume of NDWW is determined by the number of staff onsite, the number of days the site is operational and whether facilities such as a canteen are provided. The figures follow nationally agreed guidelines and may be subject to review:

- The NDWW allowance for one member of staff is 25 litres/day.
- The additional NDWW allowance for each member of staff with canteen facilities or each meal served is 25 litres/day.
- The NDWW allowance for one residential member of staff is 150 litres/head/day.
- The NDWW allowance for one driver using the premises as a depot is 12.5 litres/day.

### Production Allowances:

Allowances may be claimed for water that is lost, for example through evaporation, and is therefore not returned to the drain. Evidence must be produced to support any claim. In exceptional circumstances a one off adjustment can be requested, and these will be assessed on an individual basis.

It is the responsibility of the discharger to notify Scottish Water of any change which may affect the volume of effluent discharged to sewer.

### Private Meters

Scottish Water will require that dischargers provide an effluent flow meter where the maximum consented daily discharge volumes exceeds 150m<sup>3</sup>, or where the volume or nature of discharge is considered to be significant in respect to the receiving sewerage infrastructure, or where it is difficult to determine trade effluent discharge volume using the water supply meter minus allowances.

Trade effluent which contains water derived from a source other than the public supply, e.g. a borehole, are required to adequately meter the consumption from this source or measure effluent volume using an effluent flow meter.

Trade effluent which includes imported volumes, such as waste management, will be required to measure effluent volume using an effluent flow meter.

Where Scottish Water has required the provision of an effluent meter, the customer is required to record daily meter readings and to comply with the relevant conditions set out in the Consent.

Where Scottish Water has not required a private meter to be provided, customers can choose to fit their own private meter.



## Section 6 – Enforcement

SW is legally obliged to limit, monitor and control trade effluents disposed of to the sewer. This is necessary to safeguard the health and safety of our employees and the general public and to protect the sewerage infrastructure, treatment processes and the environment.

SW authorises trade effluent discharges by issuing discharge specific Consents and authorisations. Dischargers are responsible for complying with the conditions stipulated in Consent at all times.

SW seeks to engage dischargers by offering advice and encouraging businesses to adopt best practice into normal working methods. However it is important to note that it is a criminal offence to breach the limits stipulated in the Consent.

When Consent limits are exceeded, SW recognises it is more beneficial to seek to resolve the non-compliance than to proceed straight to prosecution.

SW will endeavour to consistently undertake enforcement action using a phased approach with warning letters, discussion and meetings to agree corrective action and timescales. However in cases of extremely serious non-compliance or pollution, SW may decide to proceed directly to prosecution. Please refer to the documents below for a summary of SW's enforcement procedure.

### Trader Action Plan (TAP)

When a discharge has been assessed as Non-Compliant, Seriously Non-Compliant or when routine analysis shows a serious parameter failure, a trader is required to complete a Trader Action Plan (TAP).

TAPs give dischargers the opportunity to take responsibility for investigating and resolving noncompliance within a defined period of time. In addition, a TAP offers reassurance of a trader's commitment and ability to manage effluent discharge and thus comply with the limits specified in Consent.

Where possible, SW will take no further action following failures occurring whilst an approved TAP is underway. However, in the event of serious fails which impact the waste water treatment works, further action such as cost recovery or the submission of a report to the Procurator Fiscal may be instigated.

Please refer to the documents below for TAP guidance notes and an example of a TAP.