
STATUTORY INSTRUMENTS

1994 No. 2842

The Urban Waste Water Treatment (Scotland) Regulations 1994

Requirements as to provision of treatment

5.—(1) Subject to paragraph (5) below, treatment plants which provide secondary treatment or an equivalent treatment shall be provided—

- (a) by 31 December 2000 or, in an exceptional case, such later date (not being later than 31 December 2005) as the Commission may agree pursuant to a request under Article 8.1 of the Directive, in respect of all discharges from agglomerations with a population equivalent of more than 15,000;
- (b) by 31 December 2005 in respect of all discharges from agglomerations with a population equivalent of between 10,000 and 15,000;
- (c) by 31 December 2005 in respect of all discharges to freshwaters and estuaries from agglomerations with a population equivalent of between 2,000 and 10,000.

(2) Subject to paragraph (3) below, treatment plants which provide more stringent treatment than that described in paragraph (1) above shall be provided by 31 December 1998 in respect of all discharges from agglomerations with a population equivalent of more than 10,000 into sensitive areas, or into the relevant catchment areas of sensitive areas where the discharges contribute to the pollution of these areas.

(3) Paragraph (2) above shall not apply in relation to a sensitive area where the river purification authority within whose area the plants are situated has certified that it is satisfied, as a result of monitoring, that the minimum percentage of reduction of the overall load entering all urban waste water treatment plants in that sensitive area, and all urban waste water treatment plants in the catchment area of that area the discharges from which contribute to the pollution of that area, is at least 75% for total phosphorus and at least 75% for total nitrogen.

(4) Where, following a review of the identification of waters as sensitive areas or high natural dispersion areas under regulation 3, an area ceases to be identified as a high natural dispersion area or becomes identified as a sensitive area, then, as respects that area, paragraph (1) or, as the case may be, paragraph (2) above shall have effect as if the relevant date specified in that paragraph were the seventh anniversary of the change of identification or, if later, the date so specified.

(5) Discharges of urban waste water from agglomerations with a population equivalent of between 10,000 and 150,000 (or, in an exceptional case and with the agreement of the Commission pursuant to Article 8(5) of the Directive, of more than 150,000) to coastal waters which are in high natural dispersion areas, and such discharges from agglomerations with a population equivalent of between 2,000 and 10,000 into estuaries which are in high natural dispersion areas, may be subjected to less stringent treatment than that described in paragraph (1) above so long as—

- (a) the discharges receive at least primary treatment in conformity with the control procedures set out in Part II of Schedule 3; and
- (b) the river purification authority within whose area the discharges are made has certified that it is satisfied that comprehensive studies have indicated that such discharges will not adversely affect the environment.

(6) The river purification authority shall provide the Secretary of State with such information concerning the studies mentioned in paragraph (5)(b) above, as he may require for the purpose of enabling him to comply with Article 6.2 of the Directive.

(7) Appropriate treatment of urban waste water entering collecting systems shall be provided by 31 December 2005 in respect of—

- (a) discharges to freshwaters and estuaries from agglomerations with a population equivalent of less than 2000; and
- (b) discharges to coastal waters from agglomerations with a population equivalent of less than 10,000.

(8) In this regulation—

- (a) “appropriate treatment” means treatment of urban waste water by any process and/or disposal system which after discharge allows the receiving waters to meet the relevant quality objectives and the relevant provisions of the Directive and other Community Directives;
- (b) “primary treatment” means treatment of urban waste water by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD5 of the incoming waste water is reduced by at least 20% before discharge and the total suspended solids of the incoming waste water are reduced by at least 50%.