

CHAPTER 328

**ENVIRONMENTAL PROTECTION (EFFLUENT
LIMITATIONS) REGULATIONS**

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CHAPTER 328

**ENVIRONMENTAL PROTECTION (EFFLUENT
LIMITATIONS) REGULATIONS**

94 of 1995.
Act 22 of 1992.
CAP.328.
R.E.2020.
102 of 2009.

(Section 45)

[26th August, 1995.]

PART I

Preliminary

1. These Regulations may be cited as the

Short title.

**ENVIRONMENTAL PROTECTION (EFFLUENT
LIMITATIONS) REGULATIONS.**

2. In these Regulations, unless the context otherwise requires—

Interpretation.

“Act” means the Environmental Protection Act;

CAP.328.

“Class I waters” means waters that, due to inherent or unique environmental characteristics or fragile biological or ecological characteristics or human use, are particularly sensitive to the impacts of domestic effluent. Class I waters include, but are not limited to—

102 of 2009.

- (a) waters containing coral reefs, seagrass beds, or mangroves;
- (b) critical breeding, nursery or forage areas for aquatic and terrestrial life;
- (c) areas that provide habitat for species protected under the Protocol Concerning Specially

Protected Areas and Wildlife to the Convention (the SPAW Protocol);

(d) protected areas listed in the SPAW Protocol; and

(e) water used for recreation.

102 of 2009.

“Class II waters” means waters other than Class I waters, that due to oceanographic, hydrologic, climatic or other factors are less sensitive to the impacts of domestic effluent and where humans or living resources that are likely to be adversely affected by the discharges are not exposed to such discharges;

“Department” means the Department of the Environment established under section 3 of the Act;

102 of 2009.

“Domestic effluent” means all discharges from households, commercial facilities, hotels, septage and any other entity whose discharge includes the following—

(a) toilet flushing (black water);

(b) discharges from showers, wash basins, kitchens and laundries (grey water); or

(c) discharges from small industries, provided their composition and quantity are compatible with treatment in a domestic wastewater system;

“effluent” means sewage or industrial effluent;

102 of 2009.

“Existing domestic wastewater systems” means a publicly or privately owned domestic wastewater collection systems, or collection and treatment systems, that were constructed prior to December 2000.

“Household systems” means on-site domestic wastewater disposal systems for homes and small commercial businesses in areas of low population density, or where centralized collection and treatment systems of domestic wastewater are not economically or technologically feasible. Household systems include, but are not limited to, septic tanks and drain fields or mounds, holding tanks, latrines and bio-digesting toilets; 102 of 2009.

“industrial effluent” means any liquid water or wastewater discharged from any industrial or commercial premises; 102 of 2009.

“inland waters” includes any reservoir, pond, lake, river, stream, canal, drain, spring or well, any part of the sea abutting on the foreshore, and any other body of natural or artificial surface or subsurface water;

“licence” means a licence granted to a person under these Regulations;

“licensed premises” means premises occupied by a person who is the holder of a licence issued in respect of the premises under these Regulations;

“New domestic wastewater systems” means publicly or privately owned domestic wastewater collection systems, or collection and treatment systems, that includes existing domestic wastewater systems which have been subject to substantial modifications after such entry into force; 102 of 2009.

“parameter” means any of the factors shown in the first column of the First Schedule or of the Second Schedule and any other factors which may be prescribed. First Schedule. Second Schedule.

“sewage” means any liquid waste or wastewater discharge containing human, animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution;

“sewer” means any line of pipes or channel with their appurtenances designed and used to convey effluent;

“sewerage system” means a system incorporating sewers and all other structures, devices, equipment, and appurtenances intended for the collection, transportation, and pumping of effluent including a treatment plant;

“treatment plant” means any facility for the conditioning of effluent to effect reduction or partial reduction of its potential to cause pollution;

102 of 2009.

“Wastewater collection systems” means any collection or conveyance system designed to collect or channel domestic wastewater from multiple sources.

Application.
102 of 2009.

3. These Regulations shall apply to discharges of effluent into any inland waters or the marine environment.

Installation of
antipollution
equipment.

4.—(1) The Minister may by order require that every industry shall install antipollution equipment for the detoxification of effluent and chemical discharges emanating from the industry.

(2) An installation made pursuant to paragraph (1) of this Regulation shall be based on the Best Practical Technology.

Parameter.
First Schedule.
Second
Schedule.

5. No person shall cause or permit any effluent to be discharged from any industry specified in the First or the Second Schedule in respect of which he is the owner or operator in quantities or concentration higher than those specified in the said Schedules.

Discharges into
Class I or Class
II waters.
102 of 2009.

6. Every person who discharges domestic effluent that adversely affects Class I or Class II waters, shall ensure that such Class I or Class II waters are treated by an existing domestic wastewater system whose effluent achieves the effluent limitations set out in Schedule III.

Third Schedule.

7.–(1) Every industry which discharges effluent shall ensure that such effluent can be assimilated by the receiving water into which the effluent is discharged.

Treatment of effluent.

(2) The Department shall be furnished from time to time with the composition of any effluent treated as specified in paragraph (1) of this Regulation.

8.–(1) All sewers and sewerage systems shall be maintained in a good working order and sanitary manner to the satisfaction of the Department.

Operation and maintenance of sewerage systems.

(2) The owner of any sewerage system shall keep daily weekly, and additional records in such forms as may be specified by the Chief Environmental Officer, of the operation and maintenance of the sewage purification plant and all such records shall be open for inspection by the officers of the Department.

PART II

New Sources of Discharge

9. Notwithstanding any other provisions of these Regulations, no person shall without prior written permission of the Department carry out any work on any premises that may result in a new source of effluent discharge or cause a material change in the quantity or quality of the discharge from an existing source.

Prohibition against new and altered sources of effluent discharge.

10.–(1) An application to carry out any work, building, erection or alteration specified in regulation 9 shall be submitted to the Chief Environmental Officer in the prescribed form and shall be accompanied by the fee prescribed under regulation 26.

Requirement and approval of plans.

(2) The Chief Environmental Officer may grant such application either subject to conditions or unconditionally and may require the applicant–

- (a) to repair, alter, replace or install control equipment;
- (b) to conduct a monitoring programme at his own expense or bear the cost of such programme within such period or at such time and in such manner as the Chief Environmental Officer may specify;
- (c) to modify the operation or process at a facility to reduce the volume or quality of effluent generated.

102 of 2009.

PART III

Acceptable Conditions of Discharge

Prohibition of discharge of effluent containing certain substances.

11. No person shall discharge or cause or permit the discharge of any of the following substances into any inland waters or into the marine environment—

- (a) any inflammable liquid;
- (b) any tar or other related liquids.

Standard methods of analysis of effluents.

Fourth Schedule.

12. For the purposes of these Regulations, the effluent discharged into any inland waters shall be analysed in accordance with the latest edition of the methods specified in the Fourth Schedule, as amended from time to time, or in accordance with such other methods of analysis as may be prescribed.

PART IV

Discharge of Effluent and Sludge onto Land

13. No person shall discharge or cause or permit the discharge of any effluent in or on any soil or surface of any land without the prior written permission of the Department.

Restrictions on the discharge of effluent.

14. No person shall discharge or cause or permit the discharge of any solid waste or sludge that is generated from any production or manufacturing processes or from any effluent treatment plant in or on any soil or surface of any land without the prior written permission of the Department.

Restrictions on the disposal of sludge.

PART V

Licence to Discharge Effluents

15.–(1) Subject to regulation 5, no person shall–

Licence for the discharge of effluents, etc.

- (a) discharge or cause or permit the entry into waters, on the ground or into the ground, of any effluent or any poisonous, noxious or polluting matter; or
- (b) construct, reconstruct or alter any works for the discharge of any effluent or any poisonous, noxious or polluting matter, except under and in accordance with a licence for the purpose granted by the Department under these Regulations.

(2) Every application to discharge effluents shall be in the form set out in the Fifth Schedule and an applicant for a licence shall pay to the Department the fee prescribed by regulation 27. The licence shall be in the form specified in the Fifth Schedule and shall be valid for a period of twelve months from the date of issue or for such period as is specified in the licence.

102 of 2009.

Fifth Schedule.

(3) A licence shall not be required if the discharge results from domestic waste effected by means of absorption or soak-away pits or other prescribed waste disposal system and is in accordance with such provisions as may be prescribed by or under these Regulations or any other law in force pertaining to such disposal.

102 of 2009.

(4) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years.

102 of 2009.

(5) In imposing any fine, the magistrate may order that any such fine imposed be paid to an environmental fund established by the Department.

Notice to supply information.

16.—(1) The Department may by notice in writing require the owner or operator of any sewage treatment plant, industrial waste treatment facility or any facility for the disposal of solid waste or any other facility for controlling pollution, to submit to the Department at such intervals as the Chief Environmental Officer may specify in the notice, information relating to all or any of the following—

- (a) the performance of the facility;
- (b) the quality of the effluent discharged;
- (c) the area affected by the discharge of effluents;
- (d) the steps being taken to abate or control pollution,

and such owner or operator as aforesaid shall comply with the requirements of the notice.

102 of 2009.

(2) Any person who refuses or fails to comply with the requirements of a notice under subregulation (1) shall be guilty of an offence and shall be liable on summary conviction to a fine

not exceeding five thousand dollars or to imprisonment for a term not exceeding two years.

17. Where due to accident or any unforeseen event in any industry, any poisonous, noxious or polluting matter is discharged or likely to be discharged into any land or inland waters, or the marine environment, the owner or operator of any such industry shall promptly notify the Department of any such occurrence and provide the Department with—

Furnishing information in certain cases. 102 of 2009.

- (a) description of the discharge of poisonous, noxious or polluting matter;
- (b) an assessment of any damage or potential damage to the public health or the environment associated with the discharge of poisonous, noxious or polluting matter;
- (c) a description of the resources allocated or to be allocated to deal with the discharge; and
- (d) evidence that he has taken steps to mitigate damage or contamination resulting from the discharge of poisonous, noxious or polluting matter.

18. An applicant for a licence or for the renewal or transfer of a licence shall, within seven days of the occurrence of any material change in any information furnished in his application or furnished in writing pursuant to a request by the Chief Environmental Officer, give the Department a report in writing of the change.

Reporting changes in information furnished for purposes of application.

19.—(1) The holder of a licence shall not make, or cause or permit to be made, any material change to the premises or in the matter of running, using, maintaining or operating the premises or in any operation or process carried on at the premises, which change causes, or is intended or is likely to cause, a material increase in the quantity or quality of effluent or both discharged

Making changes that alter quality of effluent.

from the premises, unless prior written approval of the Department has been obtained for the change.

(2) For the purposes of paragraph (1), material changes to licensed premises include—

- (a) any change in the construction, structure, or arrangement of the premises or any building serving the premises;
- (b) any change in the construction, structure, arrangement, alignment, direction, or condition of any sewer or sewerage system;
- (c) any change of, to, or in any plant, machine, or equipment used or installed at the premises; and
- (d) any changes in the use of raw materials.

Display of licence.

20. The holder of a licence shall display his licence in a conspicuous position in the principal building of the premises.

Continuance of existing conditions and restrictions in case of change of occupancy.

21. Where a person becomes the occupier of licensed premises in succession to another person who holds an unexpired licence in respect of the premises, then the conditions and restrictions of the licence shall be binding on the new occupier and shall be observed by him, notwithstanding that he is not yet the holder of the licence.

PART VI

Miscellaneous

Point of discharge.

22.—(1) The point or points of discharge of effluent shall be approved by the Department.

(2) The position and design of the outlet at the point or points of discharge of effluent into any inland waters or onto any land as determined in subregulation (1) shall not be altered or changed without the prior written approval of the Department.

(3) Wherever the concentration of any parameter of effluent discharged or to be discharged is mentioned in these Regulations, the reference, unless the context otherwise requires, is to the concentration as at the point of discharge approved in paragraph (1).

23. A person who discharges effluent into any inland waters, the marine environment or onto any land shall, in connection with such discharge, install such sampling test point or points inspection chambers, flowmeters, and recording and other apparatus as may, from time to time, be prescribed.

Provisions for inspection.

24. The Department may collect samples from any industry or areas adjoining the premises of the industry and carry out independent tests and analysis on such samples and the owner and operator of any such industry shall be liable to reimburse the Department for the full cost of the testing and analysis of such samples.

Collection etc. of samples.
102 of 2009.

25. An occupier of any premises shall provide the Chief Environmental Officer or any other officer duly authorized in writing by him every reasonable assistance or facility available at the premises that he may require for the purpose of taking action that he is empowered by the Act or these Regulations to take in respect of the premises.

Occupier to render assistance during inspections.

PART VII

Fees

26. The fee for a written permission under regulation 9 is one hundred dollars.

Fee for written permission.
102 of 2009.

Fee for licence including renewal of licence.
102 of 2009.

27.—(1) The annual fee for a licence issued under regulation 15 is five hundred dollars.

(2) The fee of three hundred dollars shall accompany the application under regulation 15(2) and shall not be refundable.

Fee for transfer of licence.
102 of 2009.

28. The fee for a transfer of licence is five hundred dollars.

PART VIII

Penalties

Offences and penalties.
102 of 2009.

29.—(1) Any person who contravenes the provisions of these Regulations for which no specific penalty is prescribed, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(2) No prosecution for an offence under these Regulations shall be instituted except with the leave of the Department or of the Director of Public Prosecutions, as provided in section 41 of the Act.

MADE by the Minister responsible for the Environment this 11th day of August, 1995.

(HENRY YOUNG)

Minister of Tourism and the Environment

FIRST SCHEDULE¹
[Regulations 2 and 5]

EFFLUENT

EFFLUENT STANDARDS

Plastic and Synthetics:

BOD ₅	10mg/L
Total Suspended Solids (TSS)	30mg/L
COD	40mg/L
Phenolics Less Than	0.50mg/L
Zinc Less Than	1.0mg/L
Chromium Less Than	0.10mg/L
Oil and Grease	10.0mg/L
Fluoride (F-) Less Than	1.0mg/L
Copper (CU ²⁺) Less Than	0.05mg/L

Food Processing:

BOD ₅	15mg/L
Oil and Grease	15mg/L
Suspended Solids	15mg/L
PH	6–9 units
NO ₃	10mg/L
PO ₄	5mg/L
SO ₄	200mg/L

¹ This Schedule was inserted by S.I. 102 of 2009.

Service Industry:

BOD ₅	15mg/L
Oil and Grease	10mg/L
COD	40mg/L
PH	6–9 units
NO ₃	10mg/L
PO ₄	5mg/L

Garment Industry:

BOD ₅	50mg/L
BOD Reduction	303:1
TSS	50mg/L
Temp	35°C
PH	6–9 units
NO ₃	10mg/L
PO ₄	5mg/L
SO ₄	200mg/L
COD	100mg/L

Citrus Industry:

BOD ₅	50mg/L
BOD Reduction	2500:1
TSS	50mg/L
TSS Reduction	1176:1
Temp	35°C
PH	6–9 unit
NO ₃	10mg/L
PO ₄	5mg/L
SO ₄	200mg/L
COD	100mg/L

Battery Manufacturing:

BOD ₅	30mg/L
TSS	30mg/L
Temp	35°C
PH	6–9 units
NO ₃	10mg/L
PO ₄	5mg/L
SO ₄	200mg/L
Pb	0.1mg/L
Fe	20mg/L
Cu	0.1mg/L

Pb Reduction	10:1
COD	100mg/L

Fish Processing:

BOD ₅	100mg/L
TSS	100mg/L
Temp	35°
PH	6–9 units
NO ₃	10mg/L
PO ₄	30mg/L
SO ₄	200mg/L
COD	100mg/L

Poultry Industry:

BOD ₅	50mg/L
BOD Reduction	2000:1
TSS	50mg/L
TSS Reduction	1500:1
Temp	35°C
PH	6–9 units
NO ₃	10.0mg/L
PO ₄	5.0mg/L
SO ₄	200mg/L

COD 100mg/L

Dairy Industry:

W.W. Concn. 50mg/L

BOD Reduction 500:1

TSS Concn. 50mg/L

Temp 35°C

PH 6–9 units

NO₃ 30mg/L

PO₄ 5mg/L

SO₄ 200mg/L

COD 100mg/L

Rum Refinery Industry:

BOD₅ 50mg/L

TSS 60mg/L

Temp 35°C

PH 6-9 units

NO₃ 10mg/L

PO₄ 1mg/L

SO₄ 500mg/l

COD 200mg/L

Brewery Industry:

BOD ₅	35mg/L
BOD Reduction	175:1
TSS Conc.	50mg/L
Temp	35°C
PH	6–9 units
NO ₃	10.0mg/L
PO ₄	5.0mg/L
SO ₄	200mg/L
COD	200mg/L

Sugar Processing:

BOD ₅	50mg/L
BOD Reduction	1000:1
TSS	50mg/L
TSS Reduction	1500:1
Temp	35°C
PH	6–9 units
NO ₃	10mg/L
PO ₄	5mg/L
SO ₄	200mg/L
COD	200mg/L

Shrimp Processing:

BOD ₅	30mg/L
TSS	30mg/L
Temp	35°C
PH	6–9 units
NO ₃	10.0mg/L
PO ₄	1.0mg/L
SO ₄	200mg/L
COD	200mg/L

Soft Drinks Bottling Standards:

BOD ₅	35mg/L
TSS	35mg/L
Temp	35°C
PH	6-9 units
Oil and Grease	10mg/L
NO ₃	10mg/L
PO ₄	1mg/L
SO ₄	200mg/L

SECOND SCHEDULE¹*[Regulations 2 and 5]***EFFLUENT LIMITATIONS FOR OTHER
INDUSTRIES OR COMMERCIAL ACTIVITIES**

<u>Parameter</u>	<u>Limitation / Standard</u>
Temperature	33°C
Colour (LU)	7
pH	6–9 units
DO	5 mg/L
BOD at 20 °C	50 mg/L
COD	100 mg/L
TSS	50 mg/L
TDS	2000 mg/L
Chloride (as Cl)	600 mg/L
Sulphate (as SO ⁴)	500 mg/L
Sulphide (as S)	0.2 mg/L
Cyanide (as CN)	0.1 mg/L
Detergent (LAS as Methyl Blue active subs.)	15 mg/L
Oil and Grease	10 mg/L
Arsenic	1 mg/L
Barium	5 mg/L

¹ This Schedule was inserted by S.I. 102 of 2009.

Tin	10 mg/L
Iron	20 mg/L
Beryllium	0.5 mg/L
Boron	5 mg/L
Manganese	5 mg/L
Phenolic Compounds (as Phenol)	0.2 mg/L
Cadmium**	0.1 mg/L
Chromium**(Trivalent & Hexavalent)	1 mg/L
Copper**	1 mg/L
Lead**	0.1 mg/L
Mercury**	0.05 mg/L
Nickel**	1 mg/L
Selenium**	0.5 mg/L
Silver**	0.1 mg/L
Zinc**	1 mg/L
Total Metals**	2.0 mg/L
Chlorine	1 mg/L
Phosphate as (PO)	5 mg/L
Calcium	200 mg/L
Magnesium	200 mg/L
Nitrate as (NO)	3 mg/L
Total Coliform	0 – 10 MPN/100 ml
Faecal Coliform	0 MPN/100 ml

Fluoride	5 mg/L
Ammonia (NH ₄)	1 mg/L
Total Organic Carbon	200 mg/L

**The concentration of toxic metal should not exceed these limits, individually or in total.

THIRD SCHEDULE ¹*[Regulation 5]*DISCHARGES FROM DOMESTIC WASTEWATER
TREATMENT SYSTEMS (SEWAGE WATER AND
GREY WATER) INTO CLASS I WATERS

<u>Parameter</u>	<u>Effluent Limit</u>
Total Suspended Solids	30 mg/L*
Biochemical Oxygen Demand (BOD ₅)	30 mg/L
PH	5-10 pH units
Fats, Oil and Grease	15 mg/L
Faecal Coliform (E.coli (freshwater) and Enterococci (saline water))	Faecal Coliform: 200 mpn/100 ml; or (a) E. coli: 126 organisms/100ml; (b) enterococci: 35 organisms/100ml
Floatables	Not visible

*Does not include algae from treatment ponds

¹ This Schedule was inserted by S.I. 102 of 2009.

DISCHARGES FROM DOMESTIC WASTEWATER
TREATMENT SYSTEMS (SEWAGE WATER AND
GREY WATER) INTO CLASS II WATERS

<u>Parameter</u>	<u>Effluent Limit</u>
Total Suspended Solids	150 mg/L*
Biochemical Oxygen Demand (BOD ₅)	150 mg/L
PH	5-10 pH units
Fats, Oil and Grease	50 mg/L
Floatables	Not visible
Faecal Coliform	Not Applicable

*Does not include algae from treatment ponds

FOURTH SCHEDULE

[Regulation 12]

STANDARDS METHODS OF ANALYSIS OF
EFFLUENT

1. “Standard Methods of the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation of the United States.

FIFTH SCHEDULE ¹

[Regulation 15 (2)]

FORM A

ENVIRONMENTAL PROTECTION ACT

Application to Discharge Effluents

1. Name of Applicant
2. Year of Incorporation and Registration Number of Business Name.....
3. Location of Business Premises

¹ This Schedule was amended by S.I. 102 of 2009.

- 4. Description of plant facilities, out-fall location(s), Effluent Characteristic(s).....
.....
.....
.....
.....
.....

- 5. A listing of all toxic substances used or manufactured on the site.....
.....
.....

- 6. Does the establishment have any other permit issued to the facility? (State type).....
.....
.....

7. Description of pollution abatement/monitoring facilities on site (including details of year of installation, capacity, etc., and also copies of design plans and sewerage and/or drainage plans

.....
.....
.....

8. A listing of all chemicals in use at the facility (trade names not acceptable):.....

.....
.....
.....

9. Present discharge (outfall) locations (illustrate) and position of inspection tap for compliance monitoring

.....
.....
.....
.....

.....

10. Volume of raw water consumption

11. Source of energy at facility and quantitative estimate of consumption on a monthly basis

.....

.....

.....

12. Production capacity:

(a) current production capacity

(b) estimated production capacity as a result of any proposed expansion.....

.....

(c) estimated waste load (lbs., BOB, metals, etc., per year)

.....

_____ Date

_____ Applicant

FORM B

ENVIRONMENTAL PROTECTION ACT

LICENCE TO DISCHARGE EFFLUENT

The Department of the Environment hereby grants a licence to discharge effluents pursuant to an application for registration dated ____ day of _____ 20_____ in respect of the following—

Full Name and Address of Licence Holder.....

.....

.....

Location of site to which licence relates.....

.....

.....

Mode of Discharge of Disposal to which this Permit relates.....

.....

Type/Volume/Quality of Waste/Wastes/Waste stream of which discharge or disposal is authorised.....

.....

This Permit is granted subject to the following conditions—.....

.....
.....
.....
.....
.....

Date

Chief Environmental Officer