

Detailed guide: Discharges to surface water and groundwater: environmental permits

Updated: The 'Decisions about your permit' section has been updated to: 'You will normally get a decision on your application within 4 months.' This is because 4 months is the statutory determination period in the Environmental Permitting Regulations 2016.

You may need an environmental permit if you discharge liquid effluent or waste water (poisonous, noxious or polluting matter, waste matter, or trade or sewage effluent):

- into surface waters, for example, rivers, streams, estuaries, lakes, canals or coastal waters (known as water discharge activities)
- onto or into the ground, for example, land spreading waste sheep dip, or discharging treated sewage effluent to ground via an infiltration system (known as groundwater activities)

You need to apply to the Environment Agency for a permit for any standalone water discharge or groundwater activity – standalone means the activity is not part of a waste operation, installation or mining waste operation.

If your water discharge is part of one of these operations, you can make the discharge part of your [installation permit](#) or [waste or mining waste permit](#).

You're breaking the law if you operate without a permit if you should have one.

When you do not need a permit

You do not need a permit:

- to discharge uncontaminated water, for example, clean rainwater from roofs or small areas of hardstanding to surface water
- to discharge uncontaminated water collected from public roads and small parking areas (that's been through a maintained oil separator or sustainable urban drainage system) to surface water
- for certain low-risk groundwater activities, known as [groundwater activity exclusions](#)

For more information about the Environment Agency's position on protecting groundwater, see [Groundwater protection position statements](#). Position statement G12 on page 29 explains when you do not need a permit for discharge of clean roof water to ground.

Discharges in sewered areas

You should discharge your waste water to the public foul sewer whenever it's reasonable to do so. You do not need an environmental permit to do this.

You must consult your sewerage undertaker before you:

- make a new connection to the public sewer
- discharge anything other than [domestic sewage](#)

Permits in sewered areas

The Environment Agency will not give you a permit for a private sewage treatment system if it's reasonable for you to connect to the public sewer.

If the distance from the boundary of your site to the nearest public sewer is less than the number of houses multiplied by 30 metres, you must show the Environment Agency why it's not reasonable to connect to the public sewer. In some cases, we may ask you to consider connecting to the public sewer if it's more than the number of houses multiplied by 30 metres away. [Contact the Environment Agency](#) to discuss your proposal before you apply for a permit.

You will need to:

- tell us how much it will cost to connect to the nearest public sewer
- give us a formal response from your sewerage undertaker
- tell us the cost of the private sewage treatment system you want to use

When we assess whether it's reasonable for you to connect to the public sewer we take into account:

- the comparative costs of connecting to public sewer and installing a private sewage treatment system
- any physical barriers that would prevent you connecting to the public sewer
- any environmental benefits that would arise from installing a private sewage treatment system such as the reuse of treated effluent

If you're planning a new development, plan your foul sewerage at an early stage and consult with the local authority and sewerage undertaker.

We will not normally give you a permit if you want to use a private sewage treatment system because there's not enough capacity in the nearest public sewer. If necessary, you must agree improvements to the existing sewerage network, in order to allow connection, with the sewerage undertaker. These improvements must be put in place before the development is occupied. This aligns with [planning practice guidance](#) and the [building regulations](#).

Disputes over connection to the public sewer

Your sewerage undertaker may have a [duty to provide a first time sewerage scheme](#) if:

- your existing sewerage system is causing or is likely to cause an adverse effect on the environment or amenity which cannot be solved by repair or maintenance
- the new system will serve more than one property
- providing a public sewer is the most appropriate solution

Check the guidance for your activity

Your water discharge or groundwater activity may meet the conditions for an exemption from environmental permitting or a standard rules permit. For more information read the relevant guidance for:

- [septic tanks, cesspools or small sewage treatment plants](#) unless you have a package treatment plant and [meet the requirements of the standard rules permit](#)
- [open-loop heat pump systems](#)
- [dewatering building sites and other excavations](#)
- [discharging substances as part of a groundwater tracer test or remediation scheme](#)
- [cutting vegetation in or near inland freshwaters](#)

You'll need to apply for a [bespoke permit](#) if none of the above apply to you.

[Contact the Environment Agency](#) if you're not sure if you need a permit.

Type of waste water: domestic sewage or trade effluent

As part of your permit application, or to know whether your activity qualifies for an exemption, you will need to classify your waste water. Read more about [when your waste water is classed as domestic sewage](#).

Standard rules permits for package treatment plants

You may be able to apply for a [standard rules permit](#) if you operate a package treatment plant for secondary treatment of domestic sewage.

Your package treatment plant must discharge between 5 and 20 cubic metres of domestic treated sewage to surface water daily (for example, your plant treats sewage from a small hotel or bed and breakfast, not a single household). If your sewage discharge to surface water is less than 5 cubic metres per day and you meet [the general binding rules](#), you do not need a permit.

Your operation must meet the description and rules, but:

- you cannot change (vary) the rules and you have no right of appeal against them
- if you want to change your operations and so will not meet the criteria of the standard permit anymore, you'll have to apply to make it a bespoke permit instead

- if there's a change in your local environment after your permit has been issued (for example, a change in the definition of a [groundwater source protection zone](#)), you may need to apply to change your permit

Applying for a standard rules permit is usually quicker than a bespoke permit. If you do not meet the conditions for the standard rules permits you must [apply for a bespoke permit](#).

Apply for a standard rules permit

Before you apply for a standard rules permit you need to:

- read the [permit conditions](#) to make sure you can comply with them
- read the instructions in the application form and form guidance
- complete and submit the [nature and heritage conservation screening form](#) before you submit your application – so the Environment Agency can check if any conservation sites, protected species or habitats could be affected by your activity
- read the [generic risk assessment](#) so you can understand the potential risks and make sure you manage them effectively
- check you meet the [legal operator requirements](#)
- develop a [management system](#) – a written set of procedures that identifies and minimises the risks of pollution

Standard rules permits: application forms

Download and fill in these forms:

- [part A: about you](#)
- [part B1: standard facilities permit](#)
- [part F1: charges and declarations](#)

Send your completed forms and [application fee](#) to PSC-WaterQuality@environment-agency.gov.uk or post them to:

Environment Agency Permitting and Support Centre

Environmental Permitting Team

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Find out about:

- [getting help with your application](#)
- [keeping sensitive information in your application confidential](#)
- [what happens after you apply](#)

Before you apply for a bespoke permit

You need to:

- develop a [management system](#) (a written set of procedures that identify and minimise the risks of pollution)
- check whether you need to complete a [risk assessment](#)
- plan how you'll [control and monitor emissions](#)

If you're a water company or NAV (new appointments and variations) you must follow the guidance relevant to your activity:

- [waste water treatment works: treatment, monitoring and compliance limits](#)
- [water companies: water treatment works discharge limits for environmental permits](#)
- [water companies: chemical dosing at waste water treatment works](#)
- [water companies: operator self monitoring \(OSM\) environmental permits](#)
- [water companies: environmental permits for storm overflows and emergency overflows](#)

Specific substances assessment

When you apply for a permit you'll need to tell the Environment Agency if your discharge will contain specific substances.

If your discharge contains specific substances your risk assessment will need to include a specific substances assessment.

Find the [list of surface water specific substances in the surface water pollution risk assessment guide](#).

For discharges to groundwater, a specific substances assessment is needed for hazardous substances and non-hazardous pollutants. This does not include discharges that only contain or are only likely to contain ammoniacal nitrogen, ammonium and suspended solids. Find the [list of hazardous substances and non-hazardous pollutants for groundwater](#) on the Water Framework Directive UK TAG website.

Apply for a bespoke permit

Standalone water discharge and groundwater activity permit (not open-loop heat pump systems)

Download and fill in forms:

- [part A: about you](#)
- [part B2: general new bespoke permit](#)
- [part B6: new bespoke water discharge and groundwater activity](#)

- [part F1: charges and declarations](#)

Open-loop heat pump systems

Download and fill in forms:

- [part A: about you](#)
- [part B8: apply for an environmental permit and full abstraction licence](#)
- [part F1: charges and declarations](#)

Standalone groundwater discharges with spreading activities permit

Download and fill in forms:

- [part A: about you](#)
- [part B2: general new bespoke permit](#)
- [part B7: waste sheep dip, waste pesticide washings or other waste](#)
- [part F1: charges and declarations](#)

Send your application

When you send your application you'll need to include:

- the relevant forms
- the summary of your management system
- your risk assessment if you've been required to do one
- any other supporting documents mentioned in the form guidance, for example, site maps and plans
- your [fee](#)

Email your completed forms to PSC-WaterQuality@environment-agency.gov.uk or you can post them to:

Environment Agency Permitting and Support Centre

Environmental Permitting Team

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Get help with your application

The Environment Agency offers basic pre-application advice to help you complete your application. This basic advice is free as the cost of providing it is included in the application charge.

For standard rules and bespoke permits the basic service covers the following advice (where applicable):

- which standard rules set is relevant for your activities
- helping you check that your activity meets the criteria for a standard rules permit
- carrying out nature and heritage conservation screening
- which applications forms and guidance to use
- information about any administrative tasks the Environment Agency will need to do

For bespoke permits, the basic service also includes advice about risk assessments you may need to do to accompany your application.

If you need more in depth advice about your application the Environment Agency offers an enhanced pre-application advice service. The enhanced service costs £100 an hour plus VAT. It can include face to face meetings and advice on:

- complex modelling
- preparing risk assessments
- parallel tracking complex permits with planning applications
- specific substances assessments
- monitoring requirements (including baseline)

The Environment Agency will give you a written estimate before it starts work. This will include:

- a breakdown of the work it will carry out with costs
- when these costs will be charged

Getting pre-application advice will help you submit a good quality application that can be processed (determined) smoothly and quickly. Complete the [pre-application advice form](#) if you want to request either basic (free), or enhanced (chargeable), pre-application advice.

If you cannot access the form please [contact the Environment Agency](#). It will send you a paper copy to complete and return.

Check that you meet the 'legal operator' requirements

You must be the 'legal operator' of the water discharge or groundwater activity that you want a permit for.

This means you must have sufficient control of the activity, for example you:

- have day to day control of the activity, including the manner and rate of operation
- make sure that permit conditions are complied with
- decide who holds important staff positions and have incompetent staff removed if required
- make investment and financial decisions that affect the performance or how the activity is carried out
- make sure that regulated activities are controlled in an emergency

You can have contractors carry out activities at your site and remain the operator if you continue to have sufficient control of the activity. But sometimes a contractor may be the legal operator or become the legal operator, based on the tests set out above. A remote holding company is unlikely to have sufficient control.

If you're no longer the operator you must formally transfer the permit to the person who is the operator. If you continue to operate an activity when you're no longer the legal operator the Environment Agency may take enforcement action against you or revoke the permit.

You must apply as a 'legal entity' that can be legally responsible for the permit and can accept liability, for example:

- an individual
- public limited company
- private limited company
- government body (for example, local authorities, NHS Trusts, Food Standards Agency)
- limited liability partnership

As the operator you're legally responsible for the activity whether or not it's in operation.

Your application can be refused if the Environment Agency does not consider you to be the operator or a legal entity.

Joint operators of one activity

If your activity has more than one operator acting together, you need to make one joint application for all the operators. For example if several people jointly operate a treatment plant then they would all be named on the permit.

Keep sensitive information confidential

When the Environment Agency [consults on your permit application](#) it will let people see the information in your application.

You can ask the Environment Agency not to make public any information that is commercially sensitive for your business (for example, financial information). You can do this by including a letter with your application

that gives your reasons why you do not want this information made public.

The Environment Agency will email or write to you within 20 days if it agrees to your request. It will let you know if it needs more time to decide.

If it does not agree to your request it will tell you how to:

- appeal against its decision
- withdraw your application

Fees and charges

You must pay a fee to apply for a permit.

You must send your fee with your application. If your application's successful, the Environment Agency normally charge you an annual 'subsistence' fee while you have a permit. This fee depends on your activity and the type of permit you have.

Find out more about [fees and charges](#). You can [contact the Environment Agency](#) for help to work out your fee.

After you apply

The Environment Agency may reject your application if, for example:

- you have not used the right forms
- you've forgotten to include the fee or sent the wrong fee
- you have not provided important information

Once the Environment Agency has the information it needs to start assessing your application, it will contact you and tell you that your application is 'duly made'. This means it's starting the assessment process. It may still request more information if it needs it to complete its assessment.

Consultations on your permit application

The Environment Agency will [publish online](#) a notice of your application and instructions for how other people can see and comment on it.

Members of the public and anyone interested in the application have 20 working days to comment.

The Environment Agency may also consult other public bodies, for example, local authorities, Public Health England, water companies and Natural England.

If the Environment Agency considers your application to be of high public interest, it may:

- take longer to give you a decision
- carry out an extra consultation on the draft decision

- advertise the application more widely

The Environment Agency's [public participation statement](#) explains how and why it will consult on permit applications.

Decisions about your permit

The Environment Agency will write to you to tell you its decision about whether or not it can allow what you've asked for.

You will normally get a decision on your application within 4 months. The Environment Agency will tell you if your application will take longer.

You can appeal if it refuses your application or if you're not happy with the conditions it has put into your permit. Its decision letter will explain how you can appeal.

The Environment Agency will publish the decision on its [public register](#).

The Environment Agency will not normally change your permit within 4 years of it being issued. However, it may change your permit if:

- you do not meet your permit conditions or environmental standards
- there are changes to legislation

Comply with your permit

After you've been granted your permit you'll need to comply with its conditions.

Find out [how the Environment Agency will regulate you](#) when you start operating.

Change, transfer or cancel your permit

After you have your permit, you can:

- change (vary) the details on it
- transfer it to someone else
- cancel (surrender) it

Find out how to [change, transfer or cancel your permit](#).

Contact the Environment Agency

Contact the Environment Agency if:

- you need help with your application
- you're not sure if you need a permit

General enquiries

National Customer Contact Centre
PO Box 544
Rotherham
S60 1BY

Email
enquiries@environment-agency.gov.uk

Telephone
03708 506 506

Telephone from outside the UK (Monday to Friday, 8am to 6pm GMT)
+44 (0) 114 282 5312

Monday to Friday, 8am to 6pm