

## **The Ministry of the Environment**

### **Procedures for Issuing Water Permits**

Proceeding from the Act on Pollution Charges (RTI 1994,1,2) §3 and from the Regulation no.13 of the Republic of Estonia On the Provisional Order of Permitting the Use of Environment and Nature Resources (RTI 1994,4,71) article 1 subarticle 6, I decree:

1. To establish from March 1,1994 Procedures for Issuing Water Permits on giving permits for the use of ground-water, surface water and sea water (Appendix 1).
2. There is a special form for working out and issuing water permits (Appendix 2).
3. Proceeding from the decree no.10 (Jan.29,1992) of the Ministry of the Environment water permits which are worked out and delivered in accordance with the approved forms and regulations are valid until the term ends if they establish provisions and data for water extraction and discharge of pollutants as required by Procedures for Issuing Water Permits.

Anders Tarand  
Minister

Appendix 1  
Enacted by Regulation  
no.2 (February 28, 1994)  
of the Ministry of  
the Environment

**Procedures for Issuing Water Permits**

1. Water permits determine the conditions for extracting ground-water, surface water and sea water and for discharging pollutants into the ground or water bodies.
2. The environmental authorities of the county where the recipient or intake structures are located give a water permit to a water consumer on the basis of a written application.
3. Regardless of an owner of a water body a water permit must be applied for:
  - 1) if the amount of extracted surface water and sea water exceeds 3 m<sup>3</sup>/24 hours;
  - 2) if the amount of ground-water exceeds 5 m<sup>3</sup>/24 hours;
  - 3) if waste water or polluting substances are discharged into water bodies and/or into the ground (except the discharge of domestic pollutants to the dwelling site).

The necessity for issuing a permit is decided by environmental authorities.

4. An applicant must hand in the following information to the environmental authorities of the county where he wants to start his activities:
  - 1) full name, address and registration no. of the enterprise of the applicant;
  - 2) full name and telephone number of the official responsible for the use and protection of water;
  - 3) description of activities and purpose of the water extraction;
  - 4) information about toxic and hazardous substances used in production;
  - 5) water extraction:
    - water demand by water sources;

- name of the water source, exact location of the measuring profile;
  - description of intake structures and water extraction devices (depth of drill well, type of pump, capacity);
  - method for determining the amount of water, measuring instruments;
- 6) water discharge:
- description and the amount of waste water; identification and the amount of polluting substances it contains;
  - information about waste water purification processes (type of purification, type of equipment, capacity, final purification);
  - description of cesspools and collecting basins;
  - description of the receiving body, exact location of the outlet;
  - quality of waste water and the amount of pollutants disposed to the receiving body;
  - methods for determining the pollution load, measuring instruments, pollutants to be identified in waste water, sampling point, analysis point;
- 7) handling wastes formed in the process of water purification;
- 8) maps and diagrams:
- map of the location;
  - maps of the territory showing the locations of existing intake structures, outlets and extraction points of water bodies;
  - flow chart of the formation and drainage of waste water and technological water distribution;
5. If the applicant is not the owner of the water body nor the land where the waste water recipient or the intake structures are located, the applicant must submit a copy of the contract concluded with the landowner.
6. The applicant must submit two copies of the application. The environmental authorities will then check if the application meets all the requirements and register it. The rejected application is sent back to the applicant within two weeks of receipt, indicating also the reasons for rejection. The environmental authorities will not return the application to the applicant if the activity may proceed or start its operation.

7. The environmental authorities will give the information (within two weeks of receiving the application) to:
  - 1) the county or city administration of the applicant's residence;
  - 2) the Ministry of the Environment in case the amount of extracted water and disposed waste water is more than 5000 m<sup>3</sup>/ 24 hours and in the case of mineral water extraction;
  - 3) the Geological Centre in case of building new intake structures into Cambrian-Ordovician and Cambrian-Vendian water layers (aquifer).
8. The water permit is granted or refused in accordance with the decision of the environmental authorities. The written decision must be submitted to the applicant within two months of receiving the application. If more time is needed for making a decision, the environmental authorities have to inform the applicant about it and set a new term. They may also want to have some additional information to specify the facts.
9. The environmental authorities will make their decision proceeding from legislation, national environmental information, comments on the application and environmental expertise.
10. Water permits must be refused if the activities will:
  - 1) affect public health;
  - 2) pollute ground-water;
  - 3) cause damaging changes in water life and affect natural processes of water environment;
  - 4) cause overmoisture or shortage of water;
  - 5) make drinking water and domestic water supplies worse;
  - 6) cause damage to other water users or landowners that can be avoided at reasonable cost;
11. Water permits should contain the following information:
  - 1) information about the institution and the official who has issued the water permit;
  - 2) data on the issuing and the term of the permit;
  - 3) information about the recipient of the permit;

- 4) information about the application materials;
  - 5) information about the water extraction;
  - 6) information about the waste water disposal;
  - 7) information about the waste water purification.
12. Water permits must determine:
- 1) the allowed amount of water extraction by water sources (m/year, m/ quarter, m/24 hours, if necessary also the biggest allowed water flow m/ second);
  - 2) conditions and regulations for determining the amount of water extracted from the water body, for keeping water records, for delivering information to the environmental authorities and information about the monitoring point and monitoring possibilities;
  - 3) allowed quantities of discharged pollutants by outlets and identified polluting substances (tonnes/year, tonnes/quarter and if necessary kg/24 hours);
  - 4) concrete manner of determining the amounts of waste water and pollutants (the pollution load) disposed to the natural environment, conditions and procedures for monitoring, the order of pollutants registration and the ways for giving the information to the environmental authorities;
  - 5) obligations of the permit owner in case of discharging oil products, toxic substances or bigger quantities of pollutants into the natural environment than average or where there may be such danger;
  - 6) measures for following the requirements of water protection, exact time limits and long-term requirements;
  - 7) the set term for submitting the application for checking and updating the application provisions.
13. In setting provisions for the application environmental standards have to be taken into account and the principle that damage caused by the activities must be relatively small compared to the benefits, has to be followed.
14. Two copies of the water permit must be drafted, one of which is given to the applicant and the other one will be kept by the environmental authorities. The information about water permits is given to the National Environmental Data Base.

15. In case of disputable matters and unsolved issues (not prescribed by Procedures for Issuing water Permits) the applicant and the environmental authorities have the right to apply to the Ministry of the Environment with a report or an application.
16. The Ministry of the Environment must look through the application or the report of the applicant, make a motivated decision and give the answer within 30 days of receiving the report or the application.