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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 174

Adopted 22 March 2016

## **Regulations Regarding the Provision and Use of Public Water Management Services**

*Issued pursuant to  
Section 4, Clauses 1, 2, 3, and 4 of the Law on Water Management Services and Section 22,  
Paragraph five of the law On Regulators of Public Utilities*

### **1. General Provision**

1. The Regulation prescribes:

1.1. the procedures for providing, using and discontinuing the provision of public water management services;

1.2. the procedures for connecting an immovable property to a centralised water supply or centralised collecting system (including the requirements regarding the location of a junction point of a commercial meter and the cases when construction of a junction point of a commercial meter outside the proprietary border is permissible);

1.3. the procedures for accounting of public water management services provided by a service provider and the procedures for paying for the services received;

1.4. the procedures for calculating compensation for infringements of the provisions for the use of public water management services.

### **2. Procedures for the Provision and Use of Public Water Management Services**

2. Public water management services (hereinafter – the water management service) shall be provided and used according to a service agreement entered into by and between the water management service provider (hereinafter – the service provider) and the water management service user (hereinafter – the service user), as well as in conformity with the Law on Water Management Services, the law On Regulators of Public Services, this Regulation, and the binding regulations of the local government in the field of water management services.

3. A service agreement shall be entered into for the provision of a water management service of a specific type if:

3.1. the immovable property owned or possessed by the service provider has the following engineering network leads:

3.1.1. at least one pipe entry which has been connected to the central water supply system (hereinafter – the water supply entry);

- 3.1.2. at least one pipe exit via which collection and discharge of wastewater to the centralised collecting system is ensured (hereinafter – the collection exit);
- 3.2. a standpost is used for the use of the water management service.

4. If the service user has both water supply entry and collection exit in his or her ownership or possession, one service agreement shall be entered into.

5. Wastewater which conforms to the requirements laid down for the composition of wastewater in the binding regulations of the local government regarding the exploitation, use, and protection of the centralised collecting system may be discharged into the centralised collecting system. The local government shall determine the abovementioned requirements on the basis of the evaluation of the service provider as the maintainer of the centralised collecting system by taking into consideration the installed capacity of the centralised collecting system, as well as the fact that concentration of polluting substances in wastewater must not exceed the maximum permissible concentration for parameters characterising the typical domestic wastewater specified in the law or regulation regarding the discharge of polluting substances into water.

6. The service provider by taking into account the technical condition of the centralised collecting system and the technological process applied in the wastewater treatment installation may allow the user to discharge such industrial wastewater into the centralised collecting system in which the permissible concentration of individual polluting substances exceeds the concentration referred to in Paragraph 5 of this Regulation if the installed capacity of the centralised wastewater treatment installation is not exceeded and all costs related to the treatment of such wastewater is covered by the relevant service user. In such case the service provider shall determine the following in the service agreement:

6.1. the maximum permissible concentration of polluting substances in industrial wastewater. When determining the abovementioned concentrations of polluting substances, the service provider has the right to demand that the service user ensures an assessment of an independent expert regarding the potential impact of the industrial wastewater to be discharged on the technological operation of the centralised wastewater system and wastewater treatment installation, including assessment of the maximum permissible concentration in wastewater which is planned to be discharged by the service user into the centralised wastewater system, without causing disruptions therein;

6.2. an additional fee for the treatment of the polluting substances referred to in Sub-paragraph 6.1 of this Regulation by ensuring that the expenses arising from treatment of such wastewater are not included in the tariff determined by the Public Utilities Commission or in the fee determined by the local government for water management services in the particular administrative territory of the local government.

7. In order to prevent a potential environmental pollution due to disruptions in the operation of a wastewater treatment installation which may be caused by pollution introduced in the centralised collecting system by the wastewater discharged therein, the service provider is entitled to perform an inspection (control) of wastewater to be discharged in the centralised collecting system by the service user. The service user shall ensure a possibility to the service provider to perform such inspection at any time of the day. During inspection the service provider shall take wastewater samples at the inflow site thereof into the centralised collecting system and, by carrying out the analysis of samples at an accredited laboratory, shall determine the conformity of the composition of wastewater and of concentration of polluting substances with the conditions referred to in Paragraphs 5 and 6 of this Regulation. The periodicity of performance of the abovementioned inspections shall be determined by the service provider depending on the potential negative environmental impact of the polluting

substances existing in wastewater, on the wastewater treatment technology used in treatment installations, as well as on the volume of wastewater to be discharged into the centralised collecting system.

8. If the service user does not comply with the requirements specified in Paragraphs 5 and 6 of this Regulation regarding the composition of wastewater to be discharged into the centralised collecting system and due to this reason normal operation of treatment installations is obstructed, as well as harm to the environment has been caused, any additional costs which have arisen to the service provider in relation to the elimination of pollution in the centralised collecting system (in relation to prevention of environmental pollution and elimination of consequences, including payment of the natural resources tax for the pollution emitted into the environment above the volume specified in limits), shall be covered by the service user.

9. The service user shall be responsible for the exploitation of the water supply or collecting system in his or her ownership or possession until the proprietary border and:

9.1. from his or her own resources shall carry out the respective maintenance of the water supply or collecting system (except a commercial meter) and eliminate discharges into the system in order to preclude water inflow into the building;

9.2. shall, without delay, notify the service provider of accidents or damages in the centralised water supply or collecting system if such systems are located within the borders of the immovable property of the service user.

### **3. Procedures for the Discontinuation and Restoration of Water Management Services**

10. The service provider is entitled to discontinue the provision of water management services (warning the service user thereof in writing 30 days in advance) in the following cases:

10.1. the owner or possessor of the immovable property uses water management services without entering into a service agreement or continues to use them after the termination of the service agreement;

10.2. the service user does not make payments for the water management services provided in accordance with the procedures laid down in the service agreement or other payments related to water management services and calculated by the service provider, including does not pay the calculated compensation for violating the provisions for the use of water management services;

10.3. economic activity of the service user has been suspended, insolvency proceedings have been declared, bankruptcy or liquidation proceedings have been initiated.

11. The service user is warned repeatedly in writing about the discontinuation of the services referred to in Paragraph 10 of this Regulation within three working days prior to the discontinuation of the water management service. Prior to sending of the repeated warning in the case referred to in Sub-paragraph 10.2 of this Regulation the service provider shall perform an inspection of the payment calculated if the service provider has submitted a written objection against the calculations performed.

12. The service provider is entitled to discontinue the provision of water management services (warning the service user thereof in writing 10 days in advance) in the following cases:

12.1. the service user with his or her actions or failure to act obstructs or hinders access for an employee of the service provider to the junction point of a commercial meter, shut-off fittings of firefighting, manhole of the hydrant or collecting system, as well as does not comply with the rights specified for the service provider in the Law on Water

Management Services to access the centralised water supply or collecting system in order to prevent an accident or eliminate its consequences;

12.2. the service user does not provide the information necessary for accounting the amount of the water management service for a time period exceeding three months in accordance with the procedures laid down in the service agreement;

12.3. the service user has not ensured the arrangement of the junction point of a commercial meter or shut-off fittings of firefighting within the time period determined by the service provider so that the service provider could ensure installation, replacement of the commercial meter or sealing-off of the junction point of a commercial meter, shut-off fittings of firefighting, or the hydrant.

13. The service provider is entitled to discontinue the provision of water management services without a prior warning in the cases referred to in Section 9, Paragraph two, Clause 2 of the Law on Water Management Services, as well as in other cases if:

13.1. the service user has not ensured preservation of the commercial meter, has adjusted it arbitrarily, taken off the seal from the junction point of the commercial meter, shut-off fittings of firefighting, or the hydrant;

13.2. the service user does not comply with the procedures for the use of water and discharge of wastewater specified in the service agreement, including the requirements for the composition of wastewater and concentration of polluting substances which may cause or cause an accident in the centralised collecting system or obstructions in the operation of wastewater treatment installation;

13.3. the owner or possessor of the immovable property has arranged an arbitrary connection to the centralised water supply or centralised collecting system;

13.4. the service user has not eliminated damages in the water management system in his or her ownership or possession within the time period determined by the service provider and they affect the centralised water supply or collecting system or cause harm to other service users.

14. Complete discontinuation of the provision of water management services shall be permissible only in cases when the provision of such services to service users who use water management services on the basis of another service agreement and fulfil the provisions for this service agreement is not hindered.

15. Provision of water management services shall be restored within three working days after the elimination of violations, settlement of liabilities, as well as if an agreement has been reached with the service provider regarding the procedures by which the liabilities will be completely settled by taking into account that the service user shall cover all expenses which are related to the discontinuation and restoration of provision of the water management services referred to in Paragraphs 10, 12, and 13 of this Regulation.

16. If official information on the suspension of economic activity of the service user, initiation of insolvency, bankruptcy or liquidation proceedings has been published, the service provider is entitled to request that the service user pays an advance payment in the amount of the average payment of three months as a security for fulfilment of his or her liabilities.

17. If the provision of water management services to individual service users is discontinued in the cases referred to in Section 9, Paragraph two, Clause 2 of the Law on Water Management Services, the service provider shall ensure a possibility for the service user to receive at least 25 litres of water per resident a day.

#### **4. Procedures for Connecting an Immovable Property to the Centralised Water Supply and Collecting System**

18. In order to connect a new or existing immovable property to the centralised water supply system or centralised collecting system, the owner or possessor of the immovable property shall request the service provider and receive therefrom the technical provisions for connection (hereinafter – the technical provisions).

19. The technical provisions shall be requested in the following cases:

19.1. for arranging a new connection in order to ensure water supply from the centralised water supply system or discharge of wastewater into the centralised collecting system;

19.2. if the composition of wastewater changes or the quantity of water consumed or wastewater to be discharged has increased to such extent that it cannot be ensured by the existing connection;

19.3. if reconstruction of the junction point of the commercial meter is performed or the location of the junction of the meter for commercial accounting is changed.

20. In the cases referred to in Paragraph 19 of this Regulation the owner or possessor of the immovable property shall submit a request for the technical provisions to the service provider in which information on the location, address and cadastral designation of the immovable property, data on the planned water consumption and quantity of wastewater to be discharged, or information on the number of persons who plan to use the waste management service, as well as information on the parameters characterising industrial wastewater is indicated. A document certifying the ownership rights to the immovable property, the rights of using it, or the lease rights with the rights to build, a land boundary plan, as well as other documents if such are necessary for the preparation of the technical provisions, shall be appended to the request.

21. If the information indicated in the request is incomplete or all the necessary documents have not been received, the service provider shall, within seven working days after the receipt of the request, inform the submitter of the request thereof in writing and indicate what information or documents should be additionally submitted. The day when the service provider has received all the necessary information shall be deemed the day of receiving the request.

22. The service provider, in conformity with the requirements and time periods specified in the laws and regulations in the field of construction and environmental protection, shall prepare and issue clear and technically justified technical provisions to the submitter of the request. If a longer period of time is necessary for the preparation of the technical provisions, the service provider shall inform the submitter of the request regarding the time period for issuing the technical provisions in writing.

23. If it is not possible to connect to the centralised water management system due to the layout, technical condition, or insufficient capacity of the system, the service provider shall provide information regarding other possibilities and time periods for arranging the connection to the owner or possessor of the immovable property in writing.

24. The service provider according to the request shall indicate at least the following in the technical provisions:

24.1. the connection site to the centralised water supply system or centralised collecting system;

24.2. the type of use of the immovable property indicated in the request for the technical provisions, water consumption, and quantity of water to be discharged;

24.3. the requirements for the composition and characterising parameters of wastewater prior to their discharge into the centralised collecting system;

24.4. the proprietary border, the requirements for the junction point of the commercial meter and for its location;

24.5. technical requirements for designing, constructing or reconstructing the water supply entries or collection exits necessary for the connection, including for discharge of rainwater;

24.6. if it is necessary to construct or reconstruct the centralised water supply system or centralised collecting system for arrangement of a connection – technical requirements for designing, constructing or reconstructing the centralised water supply or centralised collecting systems necessary for the connection.

25. The term of validity of the technical provisions which may not be less than a year from the day of issuing thereof shall be determined by the service provider. If the conditions and requirements of the technical provisions are not fulfilled within the term of validity of the technical provisions, the service provider shall re-issue the technical provisions upon a request of the owner or possessor of the immovable property by making the necessary changes therein or extend the term of validity of the technical provisions if other changes are not intended.

26. Drawing up of the documents of the building intent necessary for arranging a connection, construction or reconstruction of a water supply entry and collection exit, as well as of a junction point of a commercial meter shall be performed from the resources of the owner or possessor of the immovable property in accordance with the procedures laid down in the laws and regulations in the field of construction.

27. If due to the reason referred to in Paragraph 23 of this Regulation it is necessary to construct or reconstruct the centralised water supply system or centralised collecting system for arranging a connection, the service provider and the owner or possessor of the immovable property shall agree on the procedures for designing, constructing, or reconstructing the centralised water supply or centralised collecting system. At least the following provisions shall be included in the agreement on the procedures for designing, constructing, or reconstructing the centralised water supply or centralised collecting system:

27.1. the construction or reconstruction of the centralised water supply or centralised collecting system shall be performed from the resources of the owner or possessor of the immovable property;

27.2. the designing works shall be organised by the owner or possessor of the immovable property;

27.3. the construction works shall be organised by the service provider;

27.4. the centralised water supply or collecting system constructed shall be the property of the service provider.

28. If the service provider, by evaluating requests for the technical provisions of several owners or possessors of the immovable properties and the technical provisions issued to them, establishes that it is economically feasible to construct or reconstruct the joint part of the centralised water supply or collecting system for arrangement of all connections, the requirements referred to in Sub-paragraph 24.6 of this Regulation shall be substituted with a one-time infrastructure development payment determined by the service provider to the service provider.

29. After completing the construction works related to arranging of a connection, the service provider shall issue a statement regarding readiness of the engineering structure for operation to the owner or possessor of immovable property in accordance with the laws and regulations governing construction.

30. After issuance of the statement referred to in Paragraph 29 of this Regulation, the service provider together with the owner or possessor of immovable property shall enter into a service agreement, in conformity with the requirements laid down in the Law on Water Management Services, this Regulation, and the binding regulations of the local government regarding provisions to be included in the water management service agreement.

31. If the service provider which uses water management services provides services to another by-user with the intermediation of a water supply and collecting system in its ownership or possession, supplying water to or discharging wastewater from its immovable property, such services provided shall not be deemed public water management services.

### **5. Requirements for a Junction Point of a Commercial Meter**

32. The owner or possessor of immovable property shall ensure the construction of a junction point of a commercial meter according to the technical provisions issued by the service provider in a manhole (junction of a water meter) specifically arranged on the proprietary border or outside the proprietary border at a location specified by the service provider.

33. Construction of a junction point of a commercial meter outside the proprietary border shall be permitted if:

33.1. it is not possible to ensure the conformity with the requirements of the laws and regulations regarding construction, including, if in accordance with a law or regulation regarding layout of external engineering networks, the construction of the junction point of a commercial meter is related to limited circumstances for laying out the engineering networks or the distance from the proprietary border to the foundation of the structure is less than the minimum horizontal distance specified;

33.2. construction of a junction point of a commercial meter is intended in the centralised water supply system before the entry of the water main;

33.3. it is provided for by the binding regulations of the local government regarding the procedures for connecting water supply networks or collection networks and structures to a centralised water supply system or centralised collecting system.

34. After constructing a junction point of a commercial meter and assembling a commercial meter, the service provider shall seal off the junction point of the commercial meter. The service user shall ensure the preservation of the seals installed by precluding the removal, damaging, or substitution of the seals with other seals which have not been installed by the service provider.

35. The service user may, from his or her own resources after coordination with the service provider, equip the commercial meter with a telemetry or telecontrol system for automated distance reading of data and use such data in accounting of the services received if such system is installed in the territory where water management services of the service provider are provided.

36. The service user shall protect the junction point of the commercial meter from technical damages, flooding, or freezing and shall be responsible for the preservation of the commercial

meter. If the commercial meter is stolen or damaged, the service user shall immediately notify the service provider thereof.

37. If the service user is having doubts about the accuracy of the commercial meter, he or she has the right to request in writing that the service provider ensures early verification of the commercial meter in any of the inspection authorities indicated in the website of the Latvian National Accreditation Bureau [www.latak.lv](http://www.latak.lv). The expenses related to early verification of the commercial meter shall be covered:

37.1. by the service provider if the commercial meter is recognised as invalid for use;

37.2. by the service user if the commercial meter is recognised as valid for use.

## **6. Procedures for the Accounting of and Settling the Accounts for Water Management Services**

### **6.1. Accounting of the Water Supplied**

38. The quantity of the water supplied which is consumed by the service user in the immovable property shall be determined according to the readings of such commercial meter which has been sealed off by the service provider.

39. If a commercial meter has not been installed, as well as in cases which are not referred to in Paragraph 42 of this Regulation:

39.1. the quantity of the water supplied which is consumed in the immovable property – a residential house – by the service user shall be determined by taking into account the water consumption norms specified in the binding regulations of the local government regarding the provisions to be included in the public water management service agreement for one inhabitant per day, as well as the information regarding the number of persons who use the service in the particular immovable property. The number of persons who use the water management service shall be determined by taking into account the number of persons declared at the immovable property or the information provided by the service user if the number of actual users exceeds the number of persons declared;

39.2. the quantity of the water supplied which is consumed by the service user in the immovable property – a non-residential structure (premises) – shall be determined by taking into account the nominal water flow through the water supply input in 24-hour regime which has been adjusted by the water flow rate coefficient specified in the service agreement and the number of days in the period for settlement of accounts.

40. The service user shall record the readings of the commercial meter within the time period specified in the service agreement and notify the readings, according to the procedures laid down in the service agreement, to the service provider if other procedures have not been laid down in the service agreement.

41. If the service user does not provide information to the service provider on the readings of the commercial meter for the relevant period of the settlement of accounts within the time period specified in the service agreement, the service provider shall determine the quantity of the water consumed in the relevant period according to the average water consumption in the immovable property in the previous 12 months.

42. The procedures for accounting the quantity of water referred to in Paragraph 41 of this Regulation shall be applied:

42.1. until the moment (but not longer than three months) when the service user notifies the current readings of the commercial water meter or the service provider has



recorded the readings of the commercial water meter. The service provider shall re-calculate the water consumed in the immovable property and the quantity of wastewater discharged, and include the results of the re-calculations in the calculation of the subsequent period for the settlement of accounts;

42.2. if the commercial water meter has been stolen, does not work or has been removed in order to verify, change, or fix it, but not longer than for one month from the day of establishing the abovementioned case, except when the commercial water meter is not installed within this time period due to the fault of the service provider;

42.3. if due to the bad technical condition of the water supply system of the service user it is not possible to change the commercial meter, but not longer than three months from the time period specified by the service provider.

43. If after the verification of the commercial water meter:

43.1. it is recognised as invalid, the service provider shall re-calculate the quantity of water consumed by the service user in accordance with the procedures referred to in Paragraph 41 of this Regulation for the month in which the verification of the commercial water meter was performed;

43.2. it is recognised as valid, the service provider shall apply the readings of the abovementioned commercial meter for accounting the quantity of the water consumed by the service user.

## **6.2. Accounting of the Discharged Quantity of Wastewater**

44. If according to the service agreement installing of a commercial wastewater meter (hereinafter – the wastewater flow meter) is not necessary, the service provider shall determine the quantity of wastewater discharged by the service user in accordance with the procedures laid down in Paragraph 38, 39, or 41 of this Regulation by taking into account that the quantity of wastewater discharged by the service user is equivalent to the quantity of water supplied.

45. For the service user who has a local source of water abstraction (a water supply bore or well) and who discharges wastewater into the centralised collecting system, the accounting of wastewater is performed according to the readings of the commercial water meter installed at the local source of water extraction or – upon a request of the service provider – of the wastewater flow meter installed at the collection exit. If accounting of wastewater is performed according to the readings of the commercial water meter installed:

45.1. the service user or service provider shall be responsible for the installation, operation, and verification of a commercial water meter if the commercial meter has been installed by the service provider;

45.2. the service provider shall seal the commercial meter off after installation thereof;

45.3. in addition to the conditions referred to in Paragraph 36 of this Regulation the service user shall ensure preservation of the seals installed, precluding removal, damaging, or substitution of the seals with other seals which have not been installed by the service provider;

45.4. if the commercial meter has been damaged or its term of verification has expired, the quantity of water consumed shall be determined in accordance with Paragraph 39 of this Regulation.

46. The service user shall record the readings of the commercial meter of the local source of water extraction and notify them to the service provider in accordance with the procedures laid down in Paragraph 40 of this Regulation.

47. If the water supplied by the service provider or extracted from the local source of water extraction is included in the composition of products manufactured or used for ensuring the manufacturing process and is not completely discharged into the centralised collecting system, the accounting of the quantity of wastewater of the service user shall be performed according to the readings of the wastewater flow meter if it has not been specified otherwise in the service agreement. The service user shall be responsible for the installation and operation of the abovementioned wastewater flow meter.

48. If a water discharge has occurred in the water supply system owned or possessed by the service user due to an accident, the quantity of wastewater discharged into the centralised collecting system shall be determined according to the average monthly quantity of wastewater which was discharged from the immovable property in the preceding 12 months.

49. If the service user discharges rain wastewater from the territory of his or her immovable property into the centralised collecting system, its quantity is included in the total quantity of wastewater discharged and the quantity of wastewater (cubic metres per year) shall be determined according to the construction standard regarding collection structures.

### **6.3. Procedures for the Settlement of Accounts**

50. The service user shall perform the settlement of accounts for water management services according to the procedures and in the amount specified by the service provider.

51. The service provider shall calculate the payment for the water management services provided:

51.1. on the basis of the data of the accounting performed in accordance with the procedures specified in Sub-chapters 6.1 and 6.2 of this Regulation;

51.2. according to the tariff specified by the Public Utilities Commission or the fee determined by the local government in the particular administrative territory of the local government.

52. The service provider shall calculate additional payment for the treatment of the industrial wastewater referred to in Paragraph 6 of this Regulation in which the permissible concentration of individual polluting substances is higher by taking into account the costs related to the treatment of the abovementioned industrial wastewater, and shall ensure that the procedures for the calculation of additional payment are available to the service user and local government upon their request.

### **7. Procedures for Calculating Compensation for the Infringements of the Regulations for the Use of Public Water Management Services**

53. The service provider shall calculate a compensation for the infringement of the regulations for the use of water management services if the service provider has ensured water supply to the proprietary border or discharging of wastewater from the proprietary border, however, in performing the inspection of the centralised water supply system and centralised collecting system, it is established that:

53.1. a connection is used for the service which has been installed not conforming to the requirements laid down in the laws and regulations in the field of construction (arbitrary connection);

53.2. the commercial meter junction point has been rebuilt without construction documentation drawn up in accordance with the procedures laid down in laws and regulations;

53.3. the commercial meter installed has a damaged seal or the seal has been removed, or prohibited influence on the commercial meter has been carried out;

53.4. the by-pass lines, firefighting shutters and other elements of the water management system are in open state and due to this reason the commercial water meter does not record all water consumed by the service user;

53.5. the firefighting shutters are in closed stated, but they do not have a seal or it has been damaged, except in cases when the seal has been removed when the State Fire and Rescue Service extinguished fire or performed an inspection of the firefighting system;

53.6. the service agreement does not include discharging of surface water or groundwater into the centralised collecting system or a discharge system has been connected to the collecting exit of the service user without construction documentation drawn up in accordance with the procedures laid down in laws and regulations;

53.7. water from the firefighting hydrant is used without the permission of the service provider.

54. If the infringements referred to in Paragraph 53 of this Regulation are established, the quantity of water consumed or wastewater discharged shall be calculated by taking into account the nominal water flow through the water supply input or collecting exit accordingly 24 hours per day, counting from the day of committing the infringement. If it is not possible to determine the time of committing the infringement precisely, it shall be assumed that the infringement has been committed one month before, counting from the day when the service provider established the infringement.

55. The nominal water flow shall be calculated, by using the following formula:

$$Q = \pi \times d^2/4 \times v, \text{ where}$$

Q – water flow (m<sup>3</sup>/s);;

π – mathematical constant (3.14);

d – internal diameter of the pipe (m);

v – water flowing rate (0.8 m/s).

56. The service provider shall calculate the amount of compensation by taking into account the tariff specified in Sub-paragraph 51.2 of this Regulation or the payment for the water management service provided and the quantity of water consumed or wastewater discharged which has been calculated in accordance with the procedures laid down in Paragraph 54 of this Regulation during the period of infringement. The service provider is entitled to enter into an agreement with the service user for the amount of compensation and the procedures for paying it.

57. In addition to the provisions referred to in Paragraph 53 of this Regulation the service provider shall calculate the compensation for the infringement of the provisions of the service agreement if during the inspection of industrial wastewater discharged by the service user referred to in Paragraph 7 of this Regulation the service provider has established a higher concentration of polluting substances in wastewater than laid down in Paragraph 5 of this Regulation or in the service agreement by performing an analysis at an accredited laboratory. If the specified maximum permissible concentration has been exceeded for the indicators – biochemical oxygen demand (BOD<sub>5</sub>) and chemical oxygen demand (COD) – the compensation shall be calculated only for the excess of the maximum permissible concentration determined for the chemical oxygen demand (COD). The compensation shall be calculated by using the following formula:

$$V = T \times K \times (R - 1), \text{ where}$$

V – the amount of compensation;

T – the tariff of collection services or the payment determined by the local government;

K – the quantity of wastewater discharged in cubic metres (m<sup>3</sup>);

R – the occasion when the maximum permissible concentration of polluting substance was exceeded to the highest extent, which is calculated by using the following formula:

$$R = E/M, \text{ where}$$

E – the concentration of polluting substance established in wastewater during inspection (mg/l);

M – the maximum permissible concentration of polluting substances determined by the local government in accordance with Paragraph 5 of this Regulation or specified in the service agreement in accordance with Paragraph 6 of this Regulation in wastewater (mg/l).

*[11 April 2017]*

58. The service provider shall commence calculation of the compensation referred to in Paragraph 57 of this Regulation for the period for settlement of accounts in which excess of the maximum permissible concentration of polluting substances was established, and it is applied until the next inspection of wastewater. The service provider may enter into an agreement with the service user for the amount of compensation and the procedures for paying it if the service user implements a project for the installation or reconstruction of wastewater pre-treatment installations. The intended amount of compensation may not be less than the actual costs incurred for the collection and treatment of additional pollution. Project implementation schedule which shall not exceed two years from the day of entering into an agreement shall be appended to the agreement. The service user shall submit the annex with the time schedule also to the State Environmental Service. After the expiry of the time period laid down in the project implementation schedule, the service provider shall apply the compensation in conformity with the provisions referred to in Paragraph 57 of this Regulation.

*[11 April 2017]*

59. If the service user has eliminated the excesses above the norm of concentration of polluting substances in the wastewater to be discharged into the centralised collecting system, the service provider shall upon a request of the service user, perform sample-taking and analysis of the wastewater at an accredited laboratory. Payment for the abovementioned activities shall be performed by the service user. If the results of analyses do not present excesses of the concentration of polluting substances, the compensation specified in Paragraph 57 of this Regulation shall not be applied from the subsequent period for the settlement of accounts. The service provider shall examine a request of the service user not earlier than after three months from the day when an excess of the maximum permissible concentration of polluting substances specified in the agreement has been established. If the service user ensures measures for preventing an excess of concentration of polluting substances and has implemented them in a shorter period of time, the request referred to in this Paragraph may be examined sooner.

## **8. Closing Provision**

60. The location of such commercial meter junction points does not need to be changed which were built until the day of coming into force of this Regulation, even if the service user has changed or the service agreement has been discontinued or terminated.

Prime Minister

Māris Kučinskis

Minister for Environmental Protection  
and Regional Development

Kaspars Gerhards