

THE WATER ACT.

Statutory Instrument 152—4.

The Water (Waste Discharge) Regulations.

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THE WATER ACT.

Statutory Instrument 152—4.

The Water (Waste Discharge) Regulations. *(Under section 107 of the Act.)*

1. Citation.

These Regulations may be cited as the Water (Waste Discharge) Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

- (a) “authority” means the National Environment Management Authority established under section 4 of the National Environment Act;
- (b) “director” means the director of water development;
- (c) “executive director” means the executive director appointed under section 11 of the National Environment Act;
- (d) “proprietary information” means any information relating to any manufacturing process, trade secret, trademark, copyright, patent or formula protected by the law or by international treaties to which Uganda is a party;
- (e) “waste” includes sewage and any other matter or thing, whether wholly or partly in solid, liquid or gaseous state, which if added to any water may cause pollution; and
- (f) “waste discharge permit” means a discharge permit issued under regulation 10(1).

3. Standards for effluent and waste.

The standards for treated effluent or waste before discharge into water or on land are as established by the authority in consultation with the lead agency under section 26 of the National Environment Act.

4. Prohibition on the discharge of effluent or waste.

(1) No person shall discharge effluent or waste on land or into the aquatic environment contrary to the standards established under regulation

3 of these Regulations, unless he or she has a permit in the format specified in the First Schedule issued by the director.

(2) A person granted a permit under subregulation (1) of this regulation shall—

- (a) ensure that the effluent or waste discharged conforms to the maximum permissible limits established under regulation 3 of these Regulations; and
- (b) be subject to such other conditions as the director may specify.

(3) The director or a person authorised by him or her may issue guidelines on the type of industry or establishment affected and the method of treatment of effluent or waste so as to ensure assimilation by the receiving water or land into which the effluent or waste is discharged.

5. Waste discharge permit.

(1) A person—

- (a) to whom a works approval has been issued; or
- (b) who is or proposes to be—

- (i) the owner or operator of any industry or trade which discharges or which will discharge effluent or waste into the aquatic environment or on land;
- (ii) responsible for producing, storing, discharging or disposing of any waste, or any waste containing a substance specified in the Second Schedule to these Regulations;
- (iii) engaged in any trade specified in the Third Schedule to these Regulations; or
- (iv) the owner or occupier of any premises specified in the Third Schedule to these Regulations from which waste may come into contact with water, directly or indirectly,

may apply to the director for a waste discharge permit.

(2) Any person who contravenes this regulation commits an offence and is liable on conviction to the penalty prescribed under section 40 of the Act.

6. Application for a waste discharge permit.

An application under regulation 5 of these Regulations shall—

- (a) be in Form A set out in the Fourth Schedule to these Regulations;

- (b) contain such information as the director may determine; and
- (c) be accompanied by the relevant application fee specified in Form B of the Fourth Schedule to these Regulations.

7. Advertisement of applications.

- (1) The director—
 - (a) shall at least on two separate occasions publish, in a newspaper of general circulation in the area to which the application relates, a notice summarising the nature of any application received under regulation 5 of these Regulations;
 - (b) may give such other public notice of the application as he or she considers appropriate in the circumstances;
 - (c) may give written notice of the application to any person whom he or she considers may be adversely affected by the discharge of the waste to which the application relates; and
 - (d) shall invite submissions on the application in any notice given under this regulation within thirty days of the date of the notice or such longer period as the director thinks appropriate in the circumstances.

(2) The applicant shall be responsible for the expenses incurred under subregulation (1) of these Regulations.

8. Additional information.

The director or a person authorised by the director may—

- (a) require an applicant to prepare and submit plans or further information to support any application made under regulation 5 of these Regulations; and
- (b) enter any land to which an application relates and undertake any investigations that are necessary for considering the application.

9. Consideration of application.

- (1) The director shall, in considering an application under regulation 5 of these Regulations, have regard to the following—
 - (a) the existing authorised and projected quality of water in, and downstream of the area;
 - (b) any adverse effect which the discharge of waste is likely to have on—

- (i) the existing authorised uses of water;
 - (ii) possible future beneficial uses of water;
 - (iii) any aquifer or waterway, including effects on land which forms the waterway or its surroundings;
 - (iv) the environment, including the riverine and riparian environment; and
 - (v) in-stream uses of water;
- (c) the minimum water quality standards and effluent discharge standards established under sections 25 and 26 of the National Environment Act;
 - (d) any guidelines or conditions relating to waste discharge permits prescribed by the Minister under section 29(6) of the Water Act;
 - (e) Government policy on environment management and conservation;
 - (f) any submissions made under regulation 7(1)(d) of these Regulations;
 - (g) the comments of any public authority to which an application is referred under section 30 of the Water Act and any special conditions that are proposed by that public authority; and
 - (h) any other matter which the director considers relevant to the application.

(2) Without prejudice to subregulation (1) of this regulation, the director shall not approve an application for a waste discharge permit in respect of any premises for which a works approval has been granted unless he or she is satisfied that the works have been completed in accordance with the works approval.

(3) The director may, where an application for a waste discharge permit is received in respect of any premises for which a works approval has not been granted—

- (a) by notice in writing specify any additions, alterations or modifications to the premises which shall be completed to the satisfaction of the director before the application is reconsidered; or
- (b) grant the waste discharge permit subject to the condition that any additions, alterations or modifications to the premises specified in the permit shall be made within the time specified in the permit.

(4) The director shall not when granting a waste discharge permit in

respect of any land attach conditions relating to the execution of additions, alterations or modifications to the premises which are any more onerous for the applicant than any condition previously attached to a works approval.

10. Approval of application.

(1) The director may, after the provisions of section 30(3)(b) of the Water Act and these Regulations are complied with, approve the application and issue the discharge permit.

(2) The permit issued under subregulation (1) of this regulation may provide for the requirement of an environmental impact assessment or provide restrictions on the use of wetlands.

(3) The director shall not when granting a waste discharge permit in respect of any land attach conditions relating to the execution of additions, alterations or modifications to the premises which are any more onerous for the applicant than any condition previously attached to a works approval.

(4) The holder of a permit under these Regulations shall apply to the director to cancel and reissue a permit so as to amend the terms of the original permit due to the subsequent changes or modifications in operation which lead to relevant or significant changes in discharges.

(5) The application under subregulation (4) of this regulation shall be in Form C of the Fourth Schedule to these Regulations.

(6) The director shall consider the applications under subregulations (4) and (5) of this regulation and such other relevant information and make a decision whether to amend the terms or not.

11. Applicant to be notified of the director's decision.

(1) The director shall, in writing, notify any applicant of any submission made by any person under regulation 7(1)(d) of these Regulations and that of any public authority to which an application has been referred under section 30 of the Water Act of his or her decision.

(2) If the director approves an application, he or she shall set out in the notice given under subregulation (1) of this regulation any condition to be attached to the discharge permit.

(3) If the director rejects an application, he or she shall set out in the notice referred to under subregulation (1) of this regulation the reasons for rejecting the application.

12. Appeal to the Minister.

(1) Any person aggrieved by the decision of the director may appeal to the Minister, in the format set out in Form D of the Fourth Schedule, setting out the grounds of objection.

(2) The Minister shall, within twenty-one days of the receipt of the appeal, consider and determine the appeal or refer the appeal to the Water Policy Committee for its recommendation.

(3) The Water Policy Committee shall, within one month of the date of receipt of the appeal, consider the appeal and make a recommendation to the Minister.

(4) The Minister shall, within seven days of the receipt of the Water Policy Committee recommendation, consider and determine the appeal having regard to the recommendation.

(5) The Minister or the Water Policy Committee, if the appeal is referred to it, shall—

- (a) have regard to the factors spelt out in regulation 9 of these Regulations when making a decision or recommendation under this regulation; and
- (b) not make a decision or recommendation without giving a hearing to the person who lodged the appeal,

except that it shall not be necessary for the person to be heard by both the Minister and the Water Policy Committee.

13. Transfer of waste discharge permit.

(1) A person who becomes the owner or occupier of any premises in respect of which a waste discharge permit exists shall continue to discharge waste from the premises in accordance with the conditions and terms spelt out in that waste discharge permit for a period of three months from the date on which that person becomes the owner or occupier of the premises.

(2) After the expiry of the period referred to in subregulation (1) of this regulation, the director shall, upon the notification in the format set out in Form E of the Fourth Schedule to these Regulations by the person referred to in subregulation (1) of this regulation, grant that person a waste discharge permit on conditions which are not more onerous to the applicant than the conditions attached to the previous waste discharge permit relating to those premises so long as the director is satisfied that the purposes for which the premises are to be used and the nature of any waste will not change in any material respect.

14. Breach of conditions.

(1) The director may, at any time if any condition attached to a waste discharge permit is not observed, give notice in writing to the holder of the permit requiring the holder to take such action in relation to the waste within such time as the director may specify in the notice.

(2) Where the holder of a waste discharge permit fails to comply with the notice referred to in subregulation (1) of this regulation within the time specified in that notice or such longer time as the director may allow, the director may cancel the waste discharge permit and enter the premises to which the waste discharge permit relates and take such action as may be necessary to prevent any further discharge of waste which may come into contact with water directly or indirectly.

15. General obligation to mitigate pollution.

(1) Every industry, establishment or holder of a waste discharge permit shall install antipollution equipment for the treatment of effluent and waste discharge emanating from the industry.

(2) An installation made under subregulation (1) of this regulation shall be based on the best practicable means, environmentally sound practice or any guidelines as the director may determine.

16. Accidental discharge.

(1) The owner or person responsible for the management of an industry or establishment referred to in regulation 15(1) of these Regulations shall, in the case of an accidental discharge, immediately, and in any case within twenty-four hours after the accidental discharge, report the matter to

the director using the fastest available means.

(2) The provisions of subregulation (1) of this regulation shall not release the owner or person under regulation 5(1) of these Regulations from taking immediate action to mitigate the damage resulting from the accidental discharge.

(3) Without prejudice to section 66 of the National Environment Act, the authority or a person authorised by the authority shall establish disaster preparedness measures for accidental discharges.

17. Sampling of effluent and waste water analysis.

(1) An environment inspector designated under section 79 or an analyst designated under section 83(1) of the National Environment Act may at any reasonable time enter any premises and take samples, analyse and examine materials used in the activity for which a discharge permit was applied.

(2) An analyst designated under subregulation (1) of this regulation shall comply with the guidelines issued under these Regulations.

18. Waste discharge fees.

(1) The holder of a waste discharge permit shall pay an annual waste discharge fee.

(2) The fee referred to in subregulation (1) of this regulation shall be fixed having regard to—

- (a) the volume, characteristics and components of waste to be discharged; and
- (b) the principle that the true and total costs of environmental pollution should be borne by the polluter.

19. Register.

(1) The director shall keep a register of—

- (a) all applications made under regulation 5 of these Regulations;
- (b) every works approval or waste discharge permit granted.

(2) The register shall contain the information specified in the Fifth

Schedule to these Regulations and such other information as the director may consider appropriate.

(3) The director may, subject to subregulation (2) of this regulation, keep the register in any form the director considers appropriate.

(4) The director shall, under section 78(1) of the National Environment Act, transmit the record kept under this regulation to the authority.

20. Access to register.

(1) Subject to subregulation (2) of this regulation, the director shall make available to any person a copy of any entry in the register upon the request of that person and upon payment of the fee specified in Form B of the Fourth Schedule to these Regulations.

(2) In making an application for a works approval or a waste discharge permit, the applicant may apply in the format set out in Form F of the Fourth Schedule to these Regulations to the director not to make any portion of a relevant entry in the register public.

(3) The director may only agree not to make any portion of an entry in the register public if the applicant satisfies the director that—

- (a) the relevant portion of the entry would potentially reveal information to a competitor about the applicant's production process which would—
 - (i) not otherwise be available generally or to that competitor; and
 - (ii) substantially interfere with the applicant's competitive position in the market; and
- (b) the potential disadvantage to the applicant clearly outweighs the public's interest in having access to that relevant portion of the entry.

21. Penalty.

A person who contravenes any provision of these Regulations commits an offence and is liable on conviction to the penalty specified in section 40 or 104 of the Act.

22. Validation and saving.

(1) Anything done or made before the coming into force of these Regulations in relation to waste or a waste discharge permit, which acts would have been done or made under these Regulations, shall be deemed to have been done or made under these Regulations.

(2) Notwithstanding subregulation (1) of this regulation, anything done or made under that subregulation shall continue in force until terminated by the director in order to bring it in conformity with the terms and conditions under these Regulations.

(3) For the avoidance of any doubt, the termination under subregulation (2) of this regulation shall not release the holder of a permit from any liability incurred and done under the permit.

SCHEDULES

First Schedule.

reg. 4(1).

Permit to Discharge Waste.

Republic of Uganda

The Water Act.

The Water (Waste Discharge) Regulations.

To be completed in triplicate.

Reference number _____
Date of application _____
Date of consent _____
Name and address _____

You are permitted to discharge wastes described and at the place identified below subject to the Water Act and the regulations made under the Act and the conditions set below—
Description of discharge _____
Type _____
From _____
To _____
National grid reference of—
Discharge point: Latitude _____ Longitude _____
District _____ County _____ Subcounty _____ Parish/Village _____

This permit shall not be taken as providing a statutory defence against a charge of pollution in respect of any poisonous, noxious or polluting constituents not specified in the permit.

In addition to the conditions specified in the Act and any other law for the time being in force, this permit is subject to the following conditions:

1. General.

(1) This permit shall be valid from _____ (date) to _____ (date).

- (2) For the purpose of applying the conditions identified in condition 3 below, the discharger shall provide and maintain facilities which enable the director's representatives to take flow measurements of the final waste effluent which is discharged to the outlet. The discharger shall identify the facility with a clearly visible sign, distinguishing it from any other and provide a visible notch, mark or device indicating the level equivalent to the maximum instantaneous permitted flow.
- (3) For the purpose of applying condition 4, the discharger shall provide and maintain facilities which shall enable the director's representatives to take discrete or composite samples of final waste effluent which is discharged at the outlet. The discharger shall identify the facility with a clearly visible sign distinguishing it from any other.
- (4) The discharger shall provide to the director's satisfaction a drawing showing the precise location of the facilities provided in accordance with subconditions (2) and (3) of the conditions above, not later than one month prior to the date of enforcement of this permit.
- (5) Facilities shall be provided for the safe and convenient access to enable the director's representatives at any time to take samples, carry out flow measurements and inspection to ensure that the conditions of this permit are complied with.

2. As to outlet (*see attached separate sheet*).
3. As to the volume and rate of discharge (*see attached separate sheet*).
4. As to the discharge composition (*see attached separate sheet*).
5. As to the pretreatment before discharge (*see attached separate sheet*).
6. As to other conditions (*see attached separate sheet*).

Date

Signature

Office reception seal/stamp

Full names

Director of Water Development

Second Schedule.

reg. 5(1)(b)(ii).

Prescribed substances.

Aldrin	Isodrin
Arsenic	Lead
Atrazine	Malathion
Azinphos-ethyl	Mercury and its compounds
Azinphos-methyl	Nickel
Boron	Parathion
Cadmium and its compounds	Parathion methyl
Carbon tetrachloride	PCD's
Chloroform	Pentachlorophenol (PCP) and its compounds
Chromium	Perchloroethylene
Copper	Permethrin
Cyanide	Polychlorinated biphenyls
Cyfluthrin	Simazine
DDT	Substances prescribed by other law in force
1,2-Dichloroethane	Sulcofuron
Dichlorvos	Tetracloroethylene
Dioxins	Tributyltin compounds
Endosulfan	Trichlorobenzene
Endrin	Trichloroethane
Fenitrothion	Trichloroethylene
Fethion	Trifluralin
Flucofuran	Triphenyltin compounds
Hexachlorobenzene (HCB)	Vanadium
Hexachlorobutadiene (HCBD)	Zinc
Hexachlorocyclohexane (Lindane and related compounds)	
Iron	

Third Schedule.

reg. 5(1)(b)(iii), (iv).

Prescribed trades and premises.

Airports	Mines and processors
Breweries	Oil factories
Coffee factories	Plastic manufacturers
Commercial fish farms	Sewerage treatment plants
Fish processing factories	Slaughtering works (as may be identified by the director)
Fruit and vegetable processing factories	Soap factories
Hospitals	Soft drink manufacturers
Leather tanning factories	Steel rolling mills
Meat processing factories	Sugar factories
Mineral extraction and processing	Textile factories

Fourth Schedule.

regs. 6(a), (c), 10(5), 12(1),
13(2), 20(1), (2).

Forms and fees.

reg. 6(a).

Republic of Uganda

Form A.

Application for a Waste Discharge Permit.

The Water Act.

The Water (Waste Discharge) Regulations.

To be completed in triplicate.

Complete this form if you want to apply for a permit to discharge, for a new discharge or for a variation to an existing permit to discharge under the Water (Waste Discharge) Regulations. You will also have to complete Part A, B, C or D. A different form is required for trade effluents discharged to sewer for treatment at a municipal wastewater treatment plant.

A permit is required for each separate discharge. If you currently discharge or propose to discharge from more than one point, then a separate application form must be completed for each discharge.

Is this an application for a new discharge or a variation to an existing discharge?

New Variation

Have you made or do you intend to make, an application to the Minister for exemption from publicity? Yes No

1. Names and addresses

Name _____
Address _____
Telephone _____
District _____
Designation _____
Acting for company/individual/NGO/partnership/participation/cooperative society _____
Address _____
Telephone _____
Postal address (if different from above) _____
Town _____

2. Land related to this application

Name of landowner where the works and use of water occurs or will occur _____

Address of landowner _____
Property regime of land: _____
 Bona fide occupant Mailo Freehold
 Customary tenure Lease Official mailo
 Uganda Land Commission District land board
If leasehold, indicate: Volume _____ Folio No. _____
If mailo or freehold, indicate: Block _____ Plot No. _____
Location of land where works and use of water occurs or will occur _____

District _____ Area of that land _____ (in hectares)

3. Source of water and purpose of water use

3.1 Select the source of water from or to which you wish to take water:

- River Lake Channel Dam
 Stream Lagoon Ditch Dry riverbed
 Swamp Wetland Borehole Dug well
 Spring Other (*specify*) _____

Common name of the source of water _____

Specific point where the water is or will be taken _____

Side of the water uptake (when applicable) Right Left

District where the water uptake is located (when applicable) _____

Give details of any water permit you hold to discharge water into this source _____

(*Attach a topographic map 1:50,000, indicating location of the intake works.*)

3.2 Use or proposed use of water: (*tick one or more boxes as appropriate*)

- Irrigation Livestock Urban domestic
 Rural Domestic Industrial Fisheries
 Services Power generation Recreational
 Other (*specify*) _____

Official Use Only

Basin _____ Catchment _____

National grid reference of point of water uptake: Long. _____ Lat. _____

4. Nature of the discharge

State the nature of the discharge: (*tick one or more boxes as appropriate*)

- Sewage effluent Emergency discharge of sewage effluent
 Trade waste Any other matter (inc. contaminated surface water)
(*Specify*) _____

For sewage and trade wastes and emergency discharges—

(a) maximum quantity it is proposed to discharge in one day _____ cubic metres per day

(b) highest rate at which it is proposed to operate the discharges _____ l./sec.

(c) periods during which discharge will take place _____

For rainfall dependent discharges, state the area to be drained _____ m.²

Identify roof areas and other impervious areas _____

5. Means of discharge

Indicate proposed means of discharge:

- Pipe Channel Borehole Soakaway
 Well Culvert Subirrigation system
 Soakaway and subirrigation system Other (*specify*) _____

6. Technical details of the discharge

Give details as appropriate—

(a) For pipes, channels, wells and boreholes—

Diameter _____ millimetres Dimension(s) _____ metres

(b) For subirrigation systems, soakaway pits, wells and boreholes—

Depth _____ metres Geological stratum (if known) _____

(c) For boreholes—

Type of lining _____ Depth of lining
_____ metres

Depth of perforated lining _____ metres

Depth of unperforated lining _____ metres

7. Recipient

Water to which waste will be discharged directly. (*Tick the category to which the proposed discharge(s) are to be made.*)

- River or stream Onto land
 Canal Directly into groundwater
 Lake or pond Into land and watercourse
 Into land (not discharging to a river or stream)

State name of watercourse (if known) _____

Is there a foul sewer available to which the discharge could be made?

- Yes No

If yes, give reason for not connecting _____

Distance from nearest foul sewer _____ metres

8. Sampling of the discharge

Authority will normally be required for the taking of samples of the discharge.

(Please indicate the means proposed.)

- At the outlet At the manhole or sampling chamber
 See plan Other (give further details)

9. Other information

Is permit required for limited period? Yes No

If yes, give relevant dates _____

On what date do you anticipate the discharge will begin to be made _____

Does this proposal replace an existing discharge? Yes No

If yes, give details _____

Are there any existing consents for discharge from the premises? Yes No

If yes, give details, numbers if known _____

Please give the details of the premises. (tick as appropriate)

- Vehicle parking area Industrial premises
 Fish farm Mineral workings
 Sewage treatment works Water supply
 Other (specify) _____

Declaration of the Applicant

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made pursuant to this application until I receive a notification from the directorate of water development that I have provided all the necessary information.

Signature of Applicant

Official seal/stamp

Full names _____ Date _____

Note—

- (1) You must ensure to provide the information on Part A, B, C or D.
- (2) A permit is required for each separate discharge. If you currently discharge or purpose to discharge from more than one point, separate application forms must be filled for each discharge.
- (3) The director will return one form to the applicant authenticated with the official seal.
- (4) You must attach cash or cheque for _____ shillings for processing your application and send them to:

The Director
Directorate of Water Development
P.O. Box 20026
Kampala

The director may require you to advertise this application at your cost in a way specified by the director.

Official Use Only

Reception date (D) _____ (M) _____ (Y) _____

Application number _____

Official stamp and signature

Part A.
Application for a Waste Discharge Permit.

To be completed in triplicate.

In the case of subirrigation systems and soakaways—

(a) Is any part of the system within ten metres of the site boundary? <input type="checkbox"/> Yes <input type="checkbox"/> No
(b) Is any part of the system within ten metres of a watercourse? <input type="checkbox"/> Yes <input type="checkbox"/> No
(c) Is the land in which the disposal system is to be constructed underdrained with land drains discharging to a watercourse or to be so drained? <input type="checkbox"/> Yes <input type="checkbox"/> No
(d) If the answer to either (b) or (c) is yes, please state the name of the watercourse or sufficient information to identify it _____
(e) Attach details of the percolation test carried out.

Declaration of the Applicant	
I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made pursuant to this application until I receive a notification from the directorate of water development that I have provided all the necessary information.	
Signature of Applicant	Seal/stamp
Full names _____	Date _____

<i>Official Use Only</i>		
Reception date: (D) _____	(M) _____	(Y) _____
Application number _____		
Official stamp and signature		

Part B.
Application for a Waste Discharge Permit.

To be completed in triplicate.

For sewage treatment plants—

(a) State the population served/population equivalent/estimated population—

All year _____
Wet season _____
Dry season _____

(b) Give details of the treatment plant to be used. Attach extra sheets if necessary.

Declaration of the Applicant

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made pursuant to this application until I receive a notification from the directorate of water resources that I have provided all the necessary information.

Signature of Applicant _____ Seal/stamp

Full names _____ Date _____

Official Use Only

Reception date: (D) _____ (M) _____ (Y) _____

Application number _____

Official stamp and signature _____

Part C.
Application for a Waste Discharge Permit.

To be completed in triplicate.

For trade wastes and sewage discharges containing trade wastes—

- (a) Describe the process(es) from which the waste arises and the characteristics of the trade waste including the maximum, minimum and mean values of COD, BOD and SS of the waste.
- (b) Maximum temperature of the waste discharged _____ EC
- (c) Does the waste contain any of the following? () Yes () No
If yes, underline those present and give full details separately (including maximum, minimum and mean values)
- | | |
|---------------------------------|--|
| 1. Aldrin | 25. Iron |
| 2. Arsenic | 26. Isodrin |
| 3. Atrazine | 27. Lead |
| 4. Azinphos-ethyl | 28. Malathion |
| 5. Azinphos-methyl | 29. Mercury and its compounds |
| 6. Boron | 30. Nickel |
| 7. Cadmium and its compounds | 31. Parthon |
| 8. Carbon tetrachloride | 32. Parathion methyl |
| 9. Chloroform | 33. PCSD's |
| 10. Chromium | 34. Pentachlorophenol (PCP) and its compounds |
| 11. Copper | 35. Perchloroethylene |
| 12. Cyanide | 36. Permethrin (PH if outside of range 5.5 to 9.0) |
| 13. Cyfluthrin | 37. Polychlorinated biphenyls |
| 14. DDT | 38. Simazine |
| 15. 1,2-Dichloroethane | 39. Sulcofuron |
| 16. Dichlorvos | 40. Tetrachloroethylene |
| 17. Dioxins | 41. Tributyltin compounds |
| 18. Endosulfan | 42. Trichlorobenzene |
| 19. Fenitrothion | 43. Trichloroethane |
| 20. Fenthion | 44. Trichloroethylene |
| 21. Flucofuran | 45. Trifluralin |
| 22. Hexachlorobenzene (HCB) | 46. Triphenyltin compounds |
| 23. Hexachlorobutadiene (HCBBD) | 47. Vanadium |
| 24. Hexachlorocyclohexane | 48. Zinc |
- (d) Give details of any other significant chemical components contained in the waste, especially of any wastes containing chemical components controlled under the National Environment Act or any other law in force (attach separate sheet).

Declaration of the Applicant

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made pursuant to this application until I receive a notification from the directorate of water development that I have provided all the necessary information.

Signature of Applicant _____ Seal/stamp

Full names _____ Date _____

Official Use Only

Reception date: (D) _____ (M) _____ (Y) _____

Application number _____

Official stamp and signature _____

Part D.
Application for a Waste Discharge Permit.

To be completed in triplicate.

For emergency discharges and contaminated surface waters—

State the type of discharge. <i>Tick one or more boxes as appropriate:</i> Emergency overflow from sewer <input type="checkbox"/> Answer all except 3 Emergency overflow from pumping station <input type="checkbox"/> Answer all except 2 Contaminated surface water <input type="checkbox"/> Answer 4, 7 Other <input type="checkbox"/> Answer as appropriate If other, please give further details:		
1.	(a) State average flow to pumping station/in sewer (b) State maximum flow to pumping station/in sewer	m. ³ / day l./sec.
2.	Expected frequency of operation	per year
3.	State volume of wet well	m. ³
4.	What provisions have been made to raise alarms? (e.g., telemetry)	
5.	What facilities have been provided to prevent the discharge of gross solids? (For screens give bar spacings or aperture)	
6.	What provisions have been included to deal with— (a) power failure? (b) mechanical breakdown? (c) rising main failure?	
7.	What facilities have been provided for flow measurements?	
8.	Are there any other factors to be taken into account?	

Declaration of the Applicant

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made pursuant to this application until I receive a notification from the directorate of water development that I have provided all the necessary information.

Signature of Applicant _____ Seal/stamp

Full names _____ Date _____

Official Use Only

Reception date: (D) _____ (M) _____ (Y) _____

Application number _____

Official stamp and signature _____

Republic of Uganda

reg. 6(c), 20(1).

Form B.

Fees.

The Water Act.

The Water (Waste Discharge) Regulations.

Fees	Amount
1. For processing application for—	
(a) registration of existing works	100,000
(b) discharge permit	650,000
(c) renewal of permit	650,000
(d) a copy of entry from register	5,000
(e) works approval	650,000
2. Annual monitoring	650,000

Waste discharge fees.

BOD load 10 kg. oxygen/year	Unit charge (Shs. per kg. oxygen demand)	Annual charge (Shs.)
100 and less	not charged	not charged
100-400	2.0	500,000
400-600	2.0	1,000,000
600-1,800	2.1	2,500,000
1,800-3,000	2.1	5,000,000
3,000-3,800	2.2	7,500,000
3,800-5,200	2.2	10,000,000
5,200 and over	2.5	13,000,000

Notes—

1. Threshold load
50 m.³/ day; BOD₅ 50 mg./L.
2. Values in table are 1.3 percent of the operation costs of treating wastes (based on 1994 operational costs of NWSC treatment work at Bugolobi).
3. Examples—
 - (a) Mbale NWSC sewerage effluent
7,300 m.³/day; BOD₅89 mg./L.; load 2,632x10³kg./year; amount 500,000
 - (b) Kampala NWSC sewerage effluent
80,800 m.³/day; BOD₅ 89 mg./L.; load 2,632 and 10³kg./year; amount 5,000,000

reg. 10(5).

Republic of Uganda
Form C.
Application for Change in Operation or Discharge.
The Water Act.
The Water (Waste Discharge) Regulations.

<i>Official Use Only</i>	
Charge No.	
Date received	

Note—

This form should be used to notify the director of any proposed changes in operation or discharge which may be relevant or significant as defined in the regulations. The director will then determine whether the proposed changes are relevant or significant.

You must have received an amended or new permit to discharge before implementing the proposed changes.

If you know the changes are significant, then you must apply for and be in receipt of a variation to your existing permit to discharge before implementing the proposed changes.

If you fail to notify the director of significant or relevant changes, you will be committing an offence under the Water (Waste Discharge) Regulations and may be liable to a fine or a custodial sentence.

Please complete the relevant sections of this form in triplicate IN BLOCK LETTERS and return it to the director.

I/We notify the director of a proposal to modify the operation or discharge currently subject to the existing permit to discharge, Reference No. _____ and request the director to determine whether the proposed changes described amount to a significant or relevant change.

Signature of holder _____ Date _____

Signed on behalf of _____

1. Name and address of holder (or agent for company)—	
(a) First name Last name Address	
(b) Acting for (company/ public corporation/partnership/ cooperative society) ¹ Address Address for correspondence if different from above	
2. Proposed changes in operation or discharge—	
Describe the proposed changes in operation (<i>If necessary attach plans and other information to this notice.</i>)	
3. Proposed pretreatment—	
Give details of any proposed pretreatment or any modifications to the existing system of pretreatment. (If necessary, attach plans and other information to this notice.)	
4. Effect of proposed changes in volume and composition of effluent—	Existing Proposed

¹Delete what is not applicable.

<p>(a) Discharge rate Maximum daily (m.³/day) Maximum hourly (litre/sec.)</p> <p>(b) Composition <i>(Provide details of new raw materials, pollutants, changes in concentration of existing pollutants; attach additional information to this form if necessary)</i></p>	
<p>5. Attachments <i>(List any attachments to this form in the space below.)</i></p>	

I/We² certify that the information provided in this form is complete and correct to the best of my/our² knowledge.

Signed _____ Date _____

Seal/Stamp

When you have completed this form, you should return it to Directorate of Water Development, P.O. Box 20026, Kampala, together with any attachments indicated above.

The director may require—

- further information
- to inspect your premises
- to discuss the proposed changes with you,

before making a determination as to whether the proposed changes are significant, relevant or not.

²Delete whatever is not applicable.

Republic of Uganda

Form D.

Appeal Against a Decision Made by the Director or Other Authorised
Persons Made Under the Waste Disposal Regulations.

The Water Act.

The Water (Waste Discharge) Regulations Act.

<i>Official Use Only</i>	
Appeal No.	
Date received	

Note—

No person may appeal to the Minister against a decision of the director to grant a waste discharge permit who did not object to the granting of that permit in the prescribed manner and within the time prescribed.

Please complete in triplicate the relevant sections of this form IN BLOCK LETTERS and return it to the director within 30 days of notification of the director's decision.

I/We¹ lodge my/our appeal¹ to the Minister against a decision made by the director or other authorised person as detailed below.

Signature of Appellant _____ Date _____

Signed on behalf of _____

¹Delete whichever is inapplicable.

1. Name and address of appellant (<i>or agent for company</i>)—	
(a) First name Last name Address	
(b) Acting for (<i>company/public corporation/partnership/cooperative society</i>) ² Address Address for correspondence if different from above	
2. Type of decision—	
Indicate the type of decision against which you are appealing— (<i>delete (a), (b) or (c) whichever are not applicable</i>)	
(a) Granting of a permit or conditions attached to a permit (b) Granting of a variation to a permit (c) The decision to include/exclude commercially confidential information	
3. Details of decision—	
Please give the following details of the decision against which you are appealing: (<i>This information is contained in the letter of notification of the decision sent to you by the director.</i>)	
(a) Date of decision (b) Reference	
4. Reasons for appeal—	
Please give your reasons for appealing against the decision of the director or other authorised person.	
5. Other relevant information—	
Please give details of all information relevant to this appeal. (<i>If there is insufficient room on this form to provide the information, please attach the information to this form and list the attachments in the space provided.</i>)	

²Delete what is not applicable.

I/We³ certify that the information provided in this form is complete and correct to the best of my/our³ knowledge.

Signed _____ Date _____

Seal/Stamp

When you have completed this form, you should return it to the Directorate of Water Development, P.O. Box 20026, Kampala, together with any attachments indicated above.

The Minister will notify you of the outcome of your appeal within a three-month period from receipt of the appeal, unless you are notified to the contrary.

³Delete what is not applicable.

Republic of Uganda

Form E.
Notification of Transfer of Permit to Discharge Waste.
The Water Act.
The Water (Waste Discharge) Regulations.

<i>Official Use Only</i>	
Appeal No.	
Date received	

Note—

This form should be used to register the transfer of a permit to discharge for an existing discharge to the new owner of the operation to which it applies. If the operation is to change in any way a new permit to discharge must be obtained before the changes can be implemented.

Please complete the relevant sections of this form in triplicate IN BLOCK LETTERS and return it to the director within twenty-one days of the transfer.

I/We¹ notify the authority that the permit to discharge, Reference No. _____
was transferred to new holder on _____

Signature of new holder _____ Date _____

Signed on behalf of _____

¹Delete whichever is inapplicable.

1. Name and address of new holder (or agent for company)—	
(a) First name Last name Address	
(b) Company name Address Address for correspondence <i>if different from above</i>	
2. Reasons for transfer—	
Please give your reasons for transferring this permit to other persons or company.	

Note—

It is an offence under the Water (Waste) Discharge Regulations to fail to register the transfer of this permit within twenty-one days of the transfer taking place. If you fail to do so you may be subject to a fine or a custodial sentence.

I/We² certify that the information provided in this form is complete and correct to the best of my/our² knowledge.

Signed _____ Date _____

Seal/Stamp

When you have completed this form, you should return it to the Directorate of Water Development, P.O. Box 20026, Kampala, together with any attachments indicated above.

The director may require—

- further information
- to discuss the transfer with you,

before making a determination as to whether the proposed transfer is acceptable.

²Delete whichever is inapplicable.

Republic of Uganda

Form F.
Application for Exemption of Information From the Public Register.
The Water Act.
The Water (Waste Discharge) Regulations.

<i>Official Use Only</i>	
Exemption No.	
Date received	

Note—

This form should be used to apply to the director for the exclusion of commercially sensitive information from the public registers on waste discharges.

The completed application form should be submitted to the director with the application form for a permit to discharge.

Please complete the relevant sections of this form IN BLOCK LETTERS, attach it to your application for a permit to discharge and return both forms to the director.

I/We¹ request the director, under the provisions of the Water (Waste Discharge) Regulations, to exclude commercially sensitive information from the public register on waste discharges. The information for exclusion and the reasons for exclusion are described below or on the listed attachments.

Signature of Applicant _____ Date _____

Signed on behalf of _____

¹Delete whichever is inapplicable.

1. Name and address of applicant (or agent for company)—	
(a) First name Last name Address	
(b) Acting for (company /partnership/ public corporation/cooperative society) ¹ Address Address for correspondence if different from above	
2. Commercially sensitive information for exclusion from the register—	
Please identify specifically the information, included in the application form for a permit to discharge, which you wish to be excluded from the public register. <i>(Note—This information must be kept to an absolute minimum.)</i>	
3. Reasons for exclusion of information from the register—	
Please provide clear justification for each item of information you wish to be excluded from the public register. <i>(Note—The onus is on the applicant to justify the exclusion of information. If the director is not satisfied that your application is justified he or she will reject your application.)</i>	
4. Attachments— <i>(List any attachments to this form in the space below.)</i>	
Please attach all information, relevant to this application, to this form and list the attachments in the space provided.	

I/We¹ certify that the information provided in this form is complete and correct to the best of my/our¹ knowledge.

Signed _____ Date _____

Seal/Stamp

¹Delete whichever is inapplicable.

When you have completed this form, you should return it to the Directorate of Water Development, P.O. Box 20026, Kampala, together with any attachments as indicated above.

The director may require—

- further information,
- to discuss the exemptions with you,

before making a determination as to whether the proposed exemptions are justified.

Fifth Schedule.

reg. 19(2).

Registration.

Water (Waste Discharge) Regulations.

An entry into the register concerning any discharges under regulation 13 of the Water (Waste Discharge) Regulations for which a permit is granted under regulation 4 of those Regulations relating to water (waste water) discharge, must include—

- (a) the name of the person or company who has registered or to whom the permit has been granted;
- (b) the address of the person or company who has registered or to whom the permit has been granted;
- (c) the location of the discharge point;
- (d) the name of the district where the discharge occurs;
- (e) the name of the waterway in which the discharge is made;
- (f) the number of the relevant description of discharge chemical content of water (waste water) discharge;
- (g) land related to the discharge;
- (h) the nature of discharge;
- (i) the means of discharge;
- (j) the frequency and capacity of discharge;
- (k) the permit number;
- (l) the duration of the permit;
- (m) the expiry date of the permit;
- (n) the authority that granted the permit;
- (o) the registration folio of the permit;
- (p) the date of registration;
- (q) the authority that registers the permit;
- (r) any significant changes to the status of the permit;
- (s) any relevant conditions attached to the permit.

History: S.I. 32/1998.

Cross Reference

National Environmental Act, Cap. 153.
