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Statutory guidance

General binding rules for small sewage discharges (SSDs) with effect from 2 October 2023

Updated 2 October 2023

Applies to England

[Publication for Northern Ireland \(https://www.daera-ni.gov.uk/articles/regulating-water-discharges\)](https://www.daera-ni.gov.uk/articles/regulating-water-discharges)

[Publication for Scotland \(https://www.sepa.org.uk/regulations/authorisations-and-permits/application-forms/small-sewage-discharges/\)](https://www.sepa.org.uk/regulations/authorisations-and-permits/application-forms/small-sewage-discharges/)

[Publication for Wales \(https://naturalresources.wales/permits-and-permissions/water-discharges-and-septic-tanks/running-and-maintaining-a-septic-tank-or-small-sewage-plant/\)](https://naturalresources.wales/permits-and-permissions/water-discharges-and-septic-tanks/running-and-maintaining-a-septic-tank-or-small-sewage-plant/)

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The following general binding rules apply to all small sewage discharges

| Rule number | Discharges to surface water | Discharges to ground | General binding rule |
|--------------------|------------------------------------|-----------------------------|--|
| 1 | No | Yes | The discharge must be 2 cubic metres or less per day in volume. |
| 2 | Yes | No | The discharge must be 5 cubic metres or less per day in volume. |
| 3 | Yes | Yes | The sewage must only be domestic. |
| 4 | Yes | Yes | The discharge must not cause pollution of surface water or groundwater. |
| 5 | No | Yes | The sewage must receive treatment from a septic tank and infiltration system (drainage field) or sewage treatment plant and infiltration system. |
| 6 | Yes | No | The sewage must receive treatment from a sewage treatment plant. |
| 7 | No | Yes | The discharge must not be within a groundwater source protection zone 1 or within 50 metres from any well, spring or borehole that is used to supply water for domestic or food production purposes. |
| 8 | Yes | No | For discharges in tidal waters, the discharge outlet must be below the mean spring low water mark. |

| | | | |
|----|-----|-----|---|
| 9 | Yes | Yes | All works and equipment used for the treatment of sewage effluent and its discharge must comply with the relevant design and manufacturing standards, meaning the British Standard that was in force at the time of the installation, and guidance issued by the appropriate authority on the capacity and installation of the equipment. |
| 10 | Yes | Yes | The system must be installed and operated in accordance with the manufacturer's specification. |
| 11 | Yes | Yes | Maintenance must be undertaken by someone who is competent. |
| 12 | Yes | Yes | Waste sludge from the system must be safely disposed of by an authorised person. |
| 13 | Yes | Yes | If a property is sold, the operator must give the new operator a written notice stating that a small sewage discharge is being carried out, and giving a description of the waste water system and its maintenance requirements. |
| 14 | Yes | Yes | The operator must ensure the system is appropriately decommissioned where it ceases to be in operation so that there is no risk of pollutants or polluting matter entering groundwater, inland fresh waters or coastal waters. |

For a discharge that was started on or after 1 January 2015, the following general

| Rule number | Discharges to surface water | Discharges to ground | General binding rule |
|--------------------|------------------------------------|-----------------------------|---|
| 15 | Yes | Yes | Discharges must not be within 30 metres of a public foul sewer. |
| 16 | Yes | Yes | For discharges, the operator must ensure that the necessary planning and building control approvals for the treatment system are in place. |
| 17 | Yes | No | Discharges must not be in or within: 500 metres of a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, biological Site of Special Scientific Interest (SSSI), freshwater pearl mussel population, designated bathing water, or protected shellfish water; 200 metres of an aquatic local nature reserve; 50 metres of a chalk river or aquatic local wildlife site. |
| 18 | No | Yes | Discharges must not be in, or within 50 metres of, a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, or biological Site of Special Scientific Interest (SSSI), and must not be in an Ancient Woodland. |
| 19 | Yes | No | Discharges must be made to a watercourse that normally has flow throughout the year. |
| 20 | Yes | No | For discharges, any partial drainage field must be installed within 10 metres of the bank side of the watercourse. |
| 21 | Yes | No | Discharges must not be made to an enclosed lake or pond. |

general binding rules also apply

| Rule number | Discharges to surface water | Discharges to ground | General binding rule |
|-------------|-----------------------------|----------------------|--|
| 22 | Yes | Yes | A new discharge shall not use the same outlet as any other discharge if the combined volume of those discharges would exceed the volumetric general binding rules thresholds for groundwater or surface water. |
| 23 | Yes | Yes | A new discharge shall not be made to a discharge point within 50 metres of any other exempt groundwater activity or water discharge activity. |

Explanatory note

General binding rules is a term given to legally binding requirements in regulations that set the minimum standards or conditions which apply. In this case the conditions are set in the [Environmental Permitting \(England and Wales\) \(Amendment\) \(England\) Regulations 2014](http://www.legislation.gov.uk/uksi/2014/2852/contents/made) (<http://www.legislation.gov.uk/uksi/2014/2852/contents/made>), now consolidated in the [Environmental Permitting \(England and Wales\) Regulations 2016](https://www.legislation.gov.uk/uksi/2016/1154/schedule/3/part/2/made) (<https://www.legislation.gov.uk/uksi/2016/1154/schedule/3/part/2/made>), and the [Environmental Permitting \(England and Wales\) \(Amendment\) \(England\) Regulations 2023](https://www.legislation.gov.uk/uksi/2023/651/contents/made) (<https://www.legislation.gov.uk/uksi/2023/651/contents/made>).

The general binding rules consist of the conditions together with technical requirements specified by the Environment Agency in guidance to operators, compliance with which is part of the conditions. These apply to anyone who has a septic tank or sewage treatment plant that makes a small sewage discharge.

The general binding rules set out the conditions that septic tanks and sewage treatment plants need to meet in order to be used without an environmental permit.

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