

**"DISCHARGE CONSENT AND COMPLIANCE POLICY:
A BLUEPRINT FOR THE FUTURE"
THE NRA'S RESPONSE TO THE PUBLIC CONSULTATION**

The National Rivers Authority has received and considered many responses to its Report on "Discharge consent and compliance policy: a blueprint for the future" (NRA Water Quality Series No 1) which it published and made a subject for public consultation in July 1990. This note provides a brief summary of responses and an indication of how the NRA will be bringing most of the Recommendations into effect.

The NRA is grateful for the variety and detail of the responses sent in. They extend substantially the benefits of the consultation which the Compliance Group undertook in the course of its work. They also show the enhanced attention that dischargers and others are giving to the everyday routines upon which careful control and supervision of discharges at all times really depend.

Some 140 letters were sent to organisations and individuals with copies of the Report inviting comments. By the end of 1990, some 50 responses had been received, the majority covering many of the 33 Recommendations, others addressing only a few of them. About half of the responses were from trade associations and companies. Other replies came from a wide range of professional bodies, local authorities, and interest and voluntary groups. With the consent of respondents, copies of replies have been placed in the NRA library on open record.

Generally the report was well-received. Responses put forward queries, qualifications and, in respect of a few Recommendations, some expressed real misgiving or opposition. In important respects, the consenting process needs to be seen as an exercise in communication (in both directions between dischargers and the NRA) as well as a procedure specifying formal legal obligations. On one or two points, responses showed that lack of clarity was still giving rise to anxiety where probably any real difference of view may be minimal.

Two general points also deserve brief mention. The control of pollution from point source discharges continues to be subject to all sorts of changes, such as the intended setting of Water Quality Objectives by the Secretary of State, the new role which Her Majesty's Inspectorate of Pollution (HMIP) is taking up, and the recently-issued EC Directive on Urban Waste Water Treatment. Thus the report could not be expected to cover all aspects of controlling point source discharges: it focussed on consenting procedures and the format of consents and not, for example, on NRA prosecution policy or the setting of the water quality standards which most influence whether or not dischargers have to undertake substantially more investment. The report was concerned with bringing the way that consents are set and judged up-to-date and not with the values to be ascribed to the various parameters in the effluents. To translate existing consents, and any new ones issued, taking account of the Recommendations in the report, is thus considered to be by and large a "neutral" revision.

A neutral revision should involve no tightening (or slackening) of the required effluent performance; the NRA believes that for a large proportion of effluents such a revision will be appropriate. When statutory water quality objectives are adopted, however, it

may well be that, in some cases, current consent levels will have become less effective than is needed for control; current effluent performance may also present a clear risk of harm to the receiving water. In such cases an appropriate degree of tightening on a suitable timescale will be incorporated into the consent review exercise. Conversely, there are a few long-standing consents which have no environmental relevance now, and the opportunity should be taken to reconsider their appropriateness.

Secondly, the report included less discussion of costs than some respondents expected. There must be some cost associated with the proposals, but for the reasons just described, the report is generally expected to be cost-neutral. On some issues there may be environmental improvements which are required to meet water quality objectives, and which may generate additional costs - such costs will be argued on separate environmental grounds. Further, there are limits to generalisation about the costs to a discharger of, for example, self-monitoring or maintenance.

Thus on points about cost or other aspects of the changes that will be implemented as a result of this report over the next few years, the NRA will always be ready to have discussions about the circumstances and character of particular discharges. Key requirements for safe-guarding water quality by the NRA controls are that dischargers should always provide full, accurate and up-to-date information about their effluents, and be committed to careful supervision of discharges at all times. Clearly discussion and continuing liaison are central to achieving these requirements.

Comments on the responses to individual Recommendations are as follows.

Recommendation 1: The NRA should commit the necessary resources to analyzing and publishing annually data about the numbers of consents in operation, and the discharges they regulate, with estimates of the degree of compliance among those regularly sampled. Publication of data then available should in any event begin in 1991.

This Recommendation was generally welcomed, and will be addressed by the publication of annual reports in the NRA's Water Quality Series.

Recommendation 2: The NRA should review urgently the layout and guidance given for the completion of application forms for consents. While such a review must allow fully for the statutory status of consents and the application form sometimes having to be produced in Court, the review should also:

- i) ensure that the design and wording of the form helps applicants to understand what information is required and to give it fully, and leaves them in no doubt that withholding information about the effluents involved may put in question the full validity of the consent to be issued;
- ii) include a prominent reminder on the copy to be retained by the applicant that any alteration in the scale or character of the discharge or the site conditions giving rise to it should be notified to the NRA. In many consents this may be appropriately included as a condition of the consent which it would be an offence to neglect.

Recommendation 3: Numeric consents should be self-contained in their drafting, and should include a standard rubric to the effect that they are not to be taken as providing a statutory defence against a charge of pollution in respect of any constituent for which they do not specify limits. Existing consents should have this rubric added.

Whilst many respondents welcomed this Recommendation, some were concerned with the identification of non-specified substances. The format of consents and information required of dischargers is being addressed. The NRA would expect to continue its practice of pre-application discussions with potential dischargers.

Recommendation 4: Where not already available, NRA Regional Offices should prepare a leaflet on the areas where septic tanks etc do and do not require consents, and maintain regular liaison with District Council Planning Offices about these demarcations.

There was a general support for this Recommendation which is being addressed by the issue of standard guidance to all NRA Regions with regard to consenting septic tanks where appropriate.

Recommendation 5: Whereas numeric consents are mostly focused on limits to be met by the effluent discharged however it may arise, non-numeric consents must often be specific and unequivocal about the facilities and processes from which the discharge is to be made. This applies especially to marine outfalls, and will make the consent conditions for them notably different in some respects from those conventionally applying, for example, to sewage works discharges.

Nineteen responses were received upon this Recommendation, generally endorsing the need for such consents but with some concern over the involvement of the NRA in specifying the type of design and performance of works. It is for the discharger to determine, generally, plant and process requirements but, for non-numeric consents, the NRA considers it to be important for both discharger and regulator to have confidence that such conditions will be achieved. There is a need to agree and specify suitable processes in such cases. The NRA will continue to use non-numeric consent conditions where necessary. The situation with regard to marine outfalls has now been substantially altered by the adoption of the EC Urban Waste Water Directive.

Recommendation 6: For all types of consents including simple descriptive ones, maintenance obligations and the keeping of maintenance records should widely be standard conditions. Where necessary these obligations should cover all the facilities associated with the discharge, and there should be occasional inspections of the facilities and (where relevant) maintenance records to ensure compliance.

The twenty three responses to this Recommendation varied widely from "strong disagreement" to "high priority". The Recommendation essentially addresses the need for the discharger to sustain an active interest in his discharge, through routine maintenance and management, by a means which can be audited. It should be recognised, however, that NRA staff are not, nor intend to be, experts on process engineering. At the consent application or review stage, therefore, it would be appropriate for the discharger to discuss with the NRA the maintenance regime

considered reasonable and applicable; this requirement could then be written into the consent, together with a requirement for regular maintenance to be carried out and recorded in such a manner that the records could be examined - a practice as much in the discharger's interest as the NRA's.

Recommendation 7: For simple descriptive consents, it may often be appropriate to include a standard wording excluding any trade or farm waste or any increase in the number of dwellings connected to the discharge, so that the discharger recognises that any development likely to change or influence the scale or character of the discharge must be notified to the NRA.

This Recommendation will be implemented as necessary in the formulation of descriptive consents.

Recommendation 8: All numeric consents should include absolute limits for all relevant determinands.

This particular Recommendation caused considerable concern in some quarters; it therefore requires further explanation. The Report made clear that all numeric consents should contain limits such that, when a single effluent sample was taken and analyzed it would be possible to determine if it 'passed' or 'failed' and, therefore, whether or not the conditions of the consent had been breached. All industrial numeric consents are formulated in this manner. Immediately prior to the NRA's formation, some STW consents had also contained similar requirements in the form of 'upper tiers'. The NRA greatly favoured such an approach for STWs, because it closed the 5% 'gap' in 'look-up' tables by which a STW could discharge a highly polluting load but be exempt from prosecution if, within the required 12 month rolling period, it otherwise complied with its consent. There have been several such incidents since the NRA was set up, and action is clearly required to redress the situation.

Since the consultation paper was issued, the general position has been changed by the adoption of a new EC Directive on urban waste water treatment. That Directive requires that all effluent from sewage treatment works providing secondary treatment shall meet specified standards when the plant is operating under normal conditions. The Directive specifies a 95th percentile value, and an absolute limit calculated as a multiple of this value for BOD, COD and suspended solids. This concept is broadly in line with the NRA proposals for absolute limits.

The implementation of the Directive will have to be secured by the domestic legislative process and, for England and Wales, this will be through the consenting procedures of the NRA. In order to bring these into line, a number of circumstances have been identified where strict adherence to absolute limits would not be appropriate as they are clearly the result of conditions outside of the control of sewerage undertakers. Most of these are already statutory defences to a breach of a consent within Section 108 of the Water Act 1989, and therefore have no implications for NRA consenting policy. The remaining problem area is the breach of an absolute limit as a result of exceptional weather conditions such as prolonged periods of sub-zero temperatures, or submersion by flood waters. For sewage treatment works

generally, the NRA would make provisions for such clearly defined exceptional weather conditions within its consent. Where this provision was not appropriate, its omission would be justified on specific environmental grounds.

The NRA would expect to apply the conditions set out in the Directive as a minimum standard. Where tighter standards are required, these would be based solely upon the water quality objectives of the receiving water, and would not be based upon a standard multiple of the 95th percentile value within the constraints of the UWWT Directive upper tier.

Recommendation 9: For environmentally significant discharges, whether from sewage works, industrial sites or other sources, the NRA should promote the application of 80 percentile limits in addition to the absolute limits which all numeric consents should have. These should be related to a clearly stated rolling time period. Where appropriate 50 percentile limits should additionally or alternatively be applied.

This Recommendation, perhaps unexpectedly, raised the question of what is an environmentally significant discharge. As the publication of the EC Urban Waste Water Directive has reinforced the use of the 95th percentile concept, this Recommendation will not be actively implemented for sewage treatment works, although the NRA does intend to explore further the utility of using 50 and 80 percentile values in numeric consents for other types of discharge, and will consult further with dischargers on this matter.

Recommendation 10: For discharges where the effluent or their constituents may build up in the receiving waters, consents should include limits on loads. Conditions requiring dischargers to maintain records of the mass of a substance discharged over a given period and, in appropriate cases, to notify the NRA when a stated proportion of the total mass authorised for the relevant period has been discharged, may also be desirable.

There has been a general assumption that, in most cases, provided consent limits are set at an appropriate level, the receiving water is able to withstand the discharge for an indefinite period. There are instances, however, where an effluent contains a substance which is liable to accumulate, or when the natural dispersion is at a slower rate than the input of a substance to the watercourse. In such circumstances, a measure of, and control on, the load discharged within a given time is the only effective means of preventing such a build-up. The limits will normally apply to substances such as heavy metals. This approach appears to have been welcomed, and there was little disagreement with this Recommendation.

Recommendation 11: All numeric consents should include absolute limits for instantaneous effluent flow. Where flows are particularly variable, it may be necessary to include additional limits related to total volumes discharged over specified longer periods.

Further work is required by the NRA to identify the means of taking into account factors such as rainfall, which may influence certain discharges. The NRA views the Recommendation as a means of increasing control over the total amount of substances discharged per unit time.

Recommendation 12: Consents for discharges influenced by rainfall need to be as specific as possible in the nature of flows authorised for discharge, under dry and under rainfall conditions. References to the design criteria for flows going to full treatment and to overflows or storage, and safeguards against the discharge of solids should be explicitly mentioned in consents for new and refurbished overflows.

There was concern over design criteria for the introduction of this Recommendation to existing installations. The Recommendation applies to new and refurbished overflows, and in its implementation due accord will be taken of the Recommendations of the Technical Committee on Storm Overflows 1970 report, to current modelling techniques such as WASP, and to the recent work of the Urban Pollution Management Group, when consent conditions are being formulated.

Recommendation 13: The NRA should gather systematic data on pollution caused by temporary discharges which are unconsented, and by discharges from various special situations such as mineral workings. The NRA should then promote, in the light of this data, programmes to emphasise the need for discharges to be consented, possibly by accelerated procedures if they are to be very short term; and take enforcement action against dischargers who ignore or defy any need for a consent.

This Recommendation was generally welcomed and will be implemented as a routine data-gathering exercise which will, in turn, lead to appropriate action.

Recommendation 14: In new and reviewed consents there should be consistent application of limits for ammonia in all discharges to which this is relevant.

The Report contained tabulated information indicating that the use of limits for ammonia in sewage treatment works' discharge consents differed markedly from one NRA region to another; in percentage terms - from 0% in Northumbria to 95% in Wessex. Such wide variation was not based on environmental requirements. The limits for total ammonia used across the country also varied widely - from 1 to 110 mg/l. Ammonia is highly toxic to aquatic life: guideline values in the EC Freshwater Fish Directive are 0.005 mg/l ammonia (non-ionised) or less. In order to protect fish life in rivers, the NRA has to control such concentrations and will therefore apply ammonia limits to any consent where it considers it relevant to do so. The standards themselves, however, could differ considerably from one area to another and will be based on the relevant Water Quality Objectives (WQOs), once set. This approach was endorsed by comments received from the Office of Water Services (OFWAT).

For many dischargers the use of limit values in consents may not require any managerial or capital outlay, because the existing discharges may be well within any limit which might be set. For others, some action may be necessary in the future. The NRA is also aware that requirements for nitrification plant at many works, in order to reduce ammonia levels, have long been known and will already have been accommodated within planned expenditure programmes.

It will be some time before the full implication of the WQOs that the Secretary of State will be setting can be assessed. In the meantime, therefore, the NRA proposes to add ammonia limits to a number of consents for sewage works discharges currently without such limits, and will aim to set the limits at levels which the works should be

able to achieve with careful operation, but without significant additional capital investment. It is hoped that dischargers will be able to agree with the NRA the ammonia limits that fit the existing capability of individual works in this way.

Recommendation 15: The NRA should make a commitment to gather the data necessary to evaluate the suitability of TOC and turbidity as new determinands for inclusion into consents in place of BOD and suspended solids. If a sustained period of parallel assessment produces sufficiently encouraging results, the aim should be to begin using the new determinands as replacements for the old about five years from now.

This Recommendation attracted forty seven responses, many of which pointed out technical difficulties with alternative tests and the need to ensure that any new parameter, particularly in respect of BOD₅, was properly assessed as being suitable. The BOD₅ test was first established in 1913. The period of 5 days was chosen for two reasons: 5 days were required to produce consistent results, and 5 days was representative of the average period for the discharged material to reach the sea. By the time the results of the analyses is known, that will indeed be the case. It's aim is to give an indication of the impact the discharge will have in terms of oxygen depletion, but it does not indicate when the oxygen demand will be exerted, or at what rate. There is, therefore, a strong case for replacing it if a more satisfactory and relevant test can be identified.

The NRA therefore considers that it is essential to consider all options and relationships between the various oxygen depletion measurement techniques - available or desired - over the next 5 years. Such a programme should also examine the utility and applicability of instantaneous, short-term, and longer-term tests; it may well be that the ratio between certain parameters is equally important. Thus the NRA will take steps to set up a programme, involving outside interests as appropriate, to examine further alternatives to replacing BOD₅ and suspended solid standards where relevant.

Recommendation 16: For environmentally significant discharges of complex composition where not all important constituents can be individually identified and numerically limited, consents should specify a clearly-defined toxicity limit, the appropriate form of toxicity test to be used, and the minimum frequency with which it should be applied.

Although this Recommendation was generally welcomed, significant questions have been raised relating to its general applicability, feasibility, specificity and cost. The response has been such, however, as to encourage the NRA to pursue the matter further via its R&D programme, by learning from, and liaising with, similar programmes in other countries, and to continue the gradual introduction of consents containing such conditions.

Recommendation 17: The NRA should include in all relevant consents conditions indicating access and facilities required for flow measurements and the taking of samples to be done by the NRA at whatever times in the day, night or week it judges appropriate. The NRA should also encourage sampling staff to maintain the practice of making their visits unpredictable.

Although there was concern over access arrangements, it is important for all to appreciate that environmental protection is a 24-hour, 365 day-a-year, task. The NRA must, therefore, have the right and capability to sample at any time that an effluent is being discharged. It also recognises, however, that any arrangements to do so should not place unreasonable demands on the discharger.

Such arrangements need to be discussed with the discharger in order to ensure that operational needs of safety and security are achieved in the most cost efficient manner on a site-by-site basis.

Recommendation 18: Whilst it is not the practice of the NRA generally to notify the discharger on each occasion of the results of the sample taken from his discharge, there should be regular dialogue between the NRA and the discharger covering satisfactory results over a period as well as highlighting any variations calling for explanation or causing concern.

This Recommendation was seen as important by a number of respondents. Regular dialogue is an ongoing commitment and will continue to be so.

Recommendation 19: Sampling programmes need to be economical, but frequencies must be adequate for results to provide a basis for decision or enforcement. Detailed guidance on required effluent sampling frequencies will be provided by the NRA's Sampling Group. Tripartite sampling should not be regarded as wasted effort if no prosecution follows. To promote efficiency, comparisons of sampling cost and frequency should be made between regions from time to time as well as audits of sampling and laboratory procedures.

Recommendation 20: In standard procedures for dealing with emergencies and accidents the obtaining of samples necessary for subsequent enforcement action should be explicitly included.

There were no significant objections to these two Recommendations. In order to meet the requirements, sampling programmes are being examined and brought up-to-date. The need for, and practical steps required for, taking tripartite samples have been incorporated within the training of pollution control staff.

Recommendation 21: Any type of sample, whether routine or investigational, may be used in assessing compliance with absolute limits.

The need for tripartite samples is recognised where legal action is to follow: but absolute limits apply at all times, and do not rely upon an agreed frequency of sampling. Subject to agreed deviations such as the specific weather conditions described under Recommendation 8, there should be no exceedences of an absolute limit.

Recommendation 22: Percentile limits must always be related to specified time periods. For the assessment of compliance by tables based on BS 5700, consents should specify rolling time periods: these need not always be for 12 months, and in cases of discharges needing careful supervision, periods of six months or less will be

preferable. The assessment should be based solely on results from the routine monitoring programme: special or investigational samples introduce bias and should not be used for this purpose.

Although some respondents were concerned with the possibility that time periods might be less than 12 months in duration, it is emphasised that the NRA would adopt an appropriate time period for each consent.

Recommendation 23: The counting of exceedences against percentile limits should be separate for each determinand having such limits. The NRA should adopt a standard form of words to put this beyond doubt in all consents that include percentile limits.

This Recommendation was generally welcomed and has been implemented for new and revised consents.

Recommendation 24: The NRA should promote continuous monitoring of environmentally significant discharges where technology and circumstances make that possible with adequate reliability at reasonable cost. This may be achieved by voluntary arrangements with dischargers or through consent conditions. On either basis, validation by NRA of equipment and data and in suitable cases remote access facilities for the NRA should be provided for.

Recommendation 25: Monitoring directly by the NRA must continue as our independent check, on a tripartite basis where necessary, and generally, where discharges are undertaking some self-monitoring as well as where they are not. The scale of this work should be decided in local circumstances and on the basis of general policy on sampling frequencies.

Recommendation 26: Where automatic or continuous monitoring is required, consents should usually indicate the types of data needed and the degree of accuracy required rather than the particular equipment to be used. Consents should provide for independent certification of the equipment's accuracy at regular intervals and in appropriate cases may require facilities for the NRA to interrogate the equipment remotely.

Recommendation 27: The NRA should always be ready to indicate to dischargers which of the data they may be expected to provide has to appear on the register. The NRA can and should also indicate which data they will not rely on as evidentiary.

All of these Recommendations had been identified by most dischargers as having significant cost implications although, in view of the subsequent introduction of a charging scheme for cost-recovery by the NRA for compliance work, comparative costs were not possible. (Recommendation 24 had, in any case, stressed that adequate reliability at reasonable cost was a fundamental factor.) The NRA has also to note the line being taken by HMIP with respect to certain industrial discharges under the Environmental Protection Act (EPA) for the purposes of Integrated Pollution Control (IPC), which places considerable emphasis on 'self-monitoring' accompanied by HMIP auditing. The more difficult aspects, however, fall on the NRA: these concern the purpose of continuous on-line monitoring in the consents, a

clearer definition of those discharges considered to be 'environmentally significant', the nature of any data entered on the Water Act Register, and their legal standing. These issues the NRA will pursue, and discuss similar areas of interest with HMIP.

The NRA is aware, however, of cases where the discharger has considerably benefited from the installation of on-line effluent monitoring, in controlling plant behaviour as a management tool. Some clarification is also in order : it is necessary to differentiate between 'continuous monitoring data' derived for the purposes of efficient plant management, and 'sampling data' taken for the purposes of compliance with a consent, by whatever means. In this respect, the reference in Recommendation 25 to "...monitoring directly by the NRA..." being a necessity for the purposes of providing an independent check, should have specifically referred to the taking of samples by the NRA. Such a necessity is likely to remain for the foreseeable future as problems of instrument reliability, analytical quality control, and independent auditing are addressed. It is recognised by the NRA that further work is needed before these Recommendations can be implemented.

Recommendation 28: With the increased number of results likely to be flagged as exceedences on the public registers following the introduction of 80 and 50 percentile limits, the NRA should develop a clear introductory note on the meaning and interpretation of percentile limit exceedences, and arrange for this to be readily accessible by anyone consulting the public registers.

Although this Recommendation applied primarily to an anticipated problem relating to the introduction of 50 and 80 percentile limits, it applies equally to problems of interpreting information on the Register in connection with NRA consents and the EC Urban Waste Water Directive, and such a note will be of value to Register users. The Recommendation was generally welcomed.

Recommendation 29: The NRA needs to consider all relevant circumstances in deciding on prosecution in individual cases including the discharger's record of care. Where a discharger has shown little or no care, or active contempt, for consent obligations over a period, this should be a factor in favour of prosecution. The NRA must not be regarded as reluctant to prosecute in situations where significant pollutions occur and relevant evidence is available.

Most respondents agreed with this Recommendation. The NRA has shown itself willing to take action in appropriate cases, and will always take all relevant circumstances into account in deciding upon whether or not a prosecution is justified.

Recommendation 30: Application forms by corporate bodies for discharge consents should require the applicant to designate by name and post a manager of an appropriate level to take a direct interest in the good operation of the discharges in compliance with the limits which the consent will define. Other contacts may be used in addition for day-to-day purposes as convenient, but the NRA will aim to maintain dialogue and liaison with the designated person from time to time and any change in the person assigned this task should be notified to the NRA.

This Recommendation raised the fear that individuals rather than the 'corporate body' consented for discharge would be the target for any legal action: such fears are unfounded. It is however essential that all companies, especially those where effluent management involves a number of individuals - either collectively or sequentially - should designate a point of contact (a post) for the NRA on the application form. Where several effluents are discharged from separate activities on the same site (and some perhaps subject to HMIP controls and others to NRA consents), clear designation of the posts and people to be contacted in relation to different discharges can be specially important in emergency and other situations.

Recommendation 31: For many discharges not subject to regular sampling, any billing system introduced for annual charges should include a section or enclosure where from time to time the discharger can notify any change in circumstances relating to the discharge (eg change of occupier) or confirm that no changes have occurred and any maintenance obligations have been fulfilled. Application forms for consents should be revised to make clear that this practice will be introduced.

The few responses on this Recommendation were generally favourable. In its further development of charging schemes, the Recommendation will be given consideration as a means of keeping the register of consents up to date.

Recommendation 32: The NRA should introduce a system of formal Action Warnings on the lines indicated above, in addition to existing procedures for warning dischargers when their effluents are or threaten to be unsatisfactory.

Apart from comment upon the degree of "formality" of such warnings, and that such action should not lead to less prosecutions, no significant objections to this Recommendation were received. The NRA is concerned to strike the right balance between warning a discharger when the quality of the discharge is deteriorating but remains compliant, taking action when a discharger marginally and rarely fails to comply, and dealing with those dischargers who blatantly or persistently fail to comply with the conditions of the consent. Cognisance has also to be taken of the effectiveness of the NRA's efforts in bringing cases to court, and the court's indulgence in hearing and dealing with breaches of consents. With regard to offences relating to actual pollution of receiving waters, the NRA is adopting a hierarchical procedure: this ranges from issuing warning letters, where the offence need not be admitted; through issuing letters of caution, where the offence is admitted; to prosecution. It is already current practice for the NRA to inform dischargers with 'look up' table consents of any recorded sample 'failure', and where such samples have been taken on a tripartite basis the discharger is clearly made aware of the seriousness of the event. Thus the NRA remains committed to the concept of more clearly delineating between the situations cited above and the appropriate action to take. The aim, as in other fields of similar work such as Health and Safety, is to find the best ways of relating preventative action and prosecution to each other on a basis that can take account of the "track record" or careful or careless discharging which each discharger builds up.

Recommendation 33: Much of the work of implementing our Recommendations as they are adopted should go forward on a catchment basis with the sort of factors we have indicated influencing the priority for each catchment. This approach should lend itself well to providing worthwhile progress reports locally and nationally as the work goes forward on a well-defined time-table.

There was general agreement with this Recommendation. The NRA is developing the concept of catchment planning and will take forward the Recommendation as appropriate within that procedure.

The Next Steps

The changes arising from the Report are only part of wider changes being introduced into many aspects of pollution prevention and water quality planning. The NRA will continue to consult dischargers in various ways about such changes, and will be issuing internal guidance to regional staff. The work of insisting on consent compliance cannot be informal, but the NRA is encouraged that dischargers are steadily recognising - in growing numbers - the advantages to their being committed to regular and systematic control and supervision of their effluent discharges.



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