

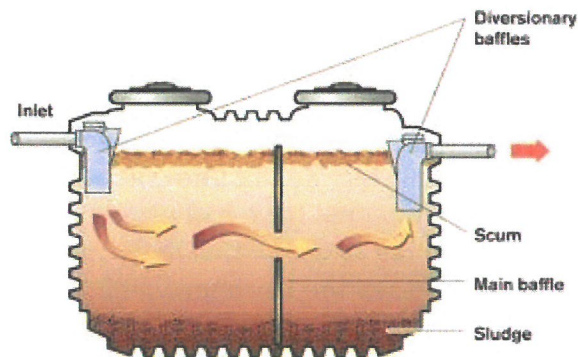
## New Septic Tank Regulations for 2020

If you own property off the mains drainage network it is crucial that you're in the know about the changing septic tank regulations. In an attempt to take measures against water pollution, the Environment Agency has laid down new rules, which mean you've until 1st January 2020 to upgrade or replace your septic system.

### Are you breaking the law?

If your Septic Tank discharges into surface water (stream, river, ditch, surface water drain etc) it will need to have been replaced by 1<sup>st</sup> of January 2020. Under [Environment Agency Septic Tank General Binding Rules](#) it must be replaced by a full sewage treatment plant which can cost many £1,000's. However this is peanuts compared to the possible £100,000 fine you could receive by not carrying out the works!

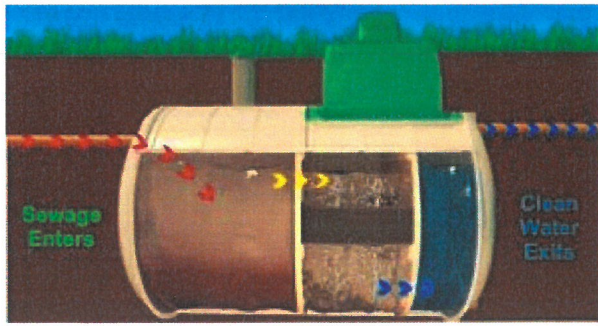
### Septic Tanks Explained...



A septic tank settles the solids in the wastewater and then discharges the liquid septic waste to the ground through a well designed and made drainage field – Not an Ezy drain, tunnel, soakaway crate, or soakaway pit. These are inadmissible for wastewater dispersal.

Septic tanks cannot discharge to surface water drains, rivers, canals, ditches, streams or any other type of waterway. If the septic tank drains into a drainage field this has to be a certain distance away from a water course, so we would suggest you contact your local waste drainage expert to discuss this.

(A Drainage Field is also known as an infiltration system, it is a series of pipes with holes placed in trenches and arranged so that the effluent can trickle through the ground for further treatment.)



Under the new rules, if you have a specific septic tank that discharges to surface water (river, stream, ditch, etc.) you are required to upgrade or replace your septic tank treatment system to a full [sewage treatment plant](#) by 2020, or when you sell a property, if it's prior to this date.

All septic tanks that as of today discharge into waterways must be either:

- Replaced, using sewage treatment plants with full BS EN 12566-3 Documentation, or
- The discharge to the waterway impeded and redirected to a drain field, designed and made according to the up-to-date British Standard BS6297 2007

## Selling Your Property & Septic Tank Regulations 2020

The majority of homeowners that have an old septic tank system do not know about these rules, as they have not been widely advertised. Many agents have had problems with sales recently as more and more solicitors are becoming aware of this new requirement and the homeowners find they are not able to sell their property before the works have been carried out. **It is the homeowners responsibility** to do this and must be done before completion at their own cost.

Some of our clients had their septic tank discharging into a field and whilst on paper this is acceptable, there are rules pertaining to how close it should be to a stream, river or ditch. Before bringing your property to the market we advise you to contact a respected contractor to survey your septic tank to check if it complies.

Even if your system complies with the septic tank regulations 2020, do make sure that you have your tank emptied and inspected before your property comes to the market, as you can guarantee that the solicitors will ask questions about when it was last emptied. I can't deny, I never understand why some sellers get a bit funny when buyers ask them to have their septic tank emptied before they take possession ..... I feel that this is a fair and reasonable request!

Reform of the regulatory system to control small sewage discharges from septic tanks and small sewage treatment plants in England

General binding rules for small sewage discharges (SSDs) with effect from January 2015

**The following general binding rules apply to all small sewage discharges:**

| # | Discharges to surface water | Discharges to ground | General binding rule   |
|---|-----------------------------|----------------------|--|
| 1 |                             | X                    | The discharge must be 2 cubic metres or less per day in volume.  |
| 2 | X                           |                      | The discharge must be 5 cubic metres or less per day in volume.  |
| 3 | X                           | X                    | The sewage must only be domestic.  |
| 4 | X                           | X                    | The discharge must not cause pollution of surface water or groundwater.  |
| 5 |                             | X                    | The sewage must receive treatment from a septic tank and infiltration system (drainage field) or a sewage treatment plant and infiltration system.   |
| 6 | X                           |                      | The sewage must receive treatment from a sewage treatment plant.   |
| 7 |                             | X                    | 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 | X                           |                      | For discharges in tidal waters, the discharge outlet must be below the mean spring low water mark.   |

| #  | Discharges to surface water | Discharges to ground | General binding rule  |
|----|-----------------------------|----------------------|---|
| 9  | X                           | X                    | All works and equipment used for the treatment of sewage effluent and its discharge must comply with the relevant design and manufacturing standards ie 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 | X                           | X                    | The system must be installed and operated in accordance with the manufacturer's specification.  |
| 11 | X                           | X                    | Maintenance must be undertaken by someone who is competent.   |
| 12 | X                           | X                    | Waste sludge from the system must be safely disposed of by an authorised person.  |
| 13 | X                           | X                    | 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 | X                           | X                    | 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 new discharge, which is one that was started on or after 1 January 2015, the following general binding rules also apply:**

| #  | Discharges to surface water | Discharges to ground | General binding rule  |
|----|-----------------------------|----------------------|---|
| 15 | X                           | X                    | New discharges must not be within 30 metres of a public foul sewer.   |
| 16 | X                           | X                    | For new discharges, the operator must ensure that the necessary planning and building control approvals for the treatment system are in place.  |
| 17 | X                           |                      | New 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 |                             | X                    | New 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 | X                           |                      | New discharges must be made to a watercourse that normally has flow throughout the year.  |
| 20 | X                           |                      | For new discharges, any partial drainage field must be installed within 10 metres of the bank side of the watercourse.  |
| 21 | X                           |                      | New discharges must not be made to an enclosed lake or pond.  |

#### **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**.

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 will apply to anyone who has a septic tank or sewage treatment plant that makes a small sewage discharge, from January 2015.

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.

Further information on the new approach to how we will regulate small sewage discharges is available on [Gov.uk](http://Gov.uk).

January 2015