

WATER POLLUTION CONTROL (GENERAL)
(AMENDMENT) REGULATION 1994

(Made by the Governor in Council after consultation with
the Advisory Council on the Environment
under section 46 of the Water Pollution
Control Ordinance (Cap. 358))

1. Commencement

This Regulation shall come into operation on [].

2. Interpretation

Regulation 2(1) of the Water Pollution Control (General)
Regulations (Cap. 358 sub. leg.) is amended -

- (a) by repealing the definitions of "approved sampling point", "determinand", "First Appointed Day" and "Second Appointed Day";
- (b) in the definition of "discharge point", by repealing "first enters or at which a deposit" and substituting "or a deposit first enters or";
- (c) in the definition of "flow rate", by repealing "be accurate within 3%" and substituting "have a reading accuracy of within $\pm 3\%$ ";
- (d) in the definition of "sampling point", by repealing the passage beginning "points" and ending "that plant" and substituting -

"points, whether or not a point or points specified in the licence, at which samples of a discharge or deposit".

3. Particulars to be included in statutory public notices

Regulation 5(f) is amended by adding "maximum" before "flow rate".

4. Procedure for application for renewal of a licence

Regulation 8(2) is amended by repealing "120 days" and "60 days" and substituting "4 months" and "2 months" respectively.

5. Late applications for renewal

Regulation 10(1) is amended by repealing "60 days" and substituting "2 months".

6. Authority may obtain information

Regulation 17A is amended by repealing everything after "relating" and substituting -

"to -

(a) any matter in relation to which particulars are required to be supplied in Form A;

(b) any discharge or deposit, including but not limited to -

(i) periods or times during which the discharge or deposit is made;

(ii) particulars of any process, plant or equipment involved in making the discharge or deposit."

7. Regulation added

The following is added -

"17B. Offence for contravention of
licence provision

(1) A person who contravenes any of the provisions of a licence granted under the Ordinance as are specified in subregulation (2) commits an offence and is liable to a fine of \$100,000 and to imprisonment for 6 months.

(2) The provisions specified for the purpose of subregulation (1) are any provision -

- (a) stipulating a limit of a characteristic or constituent of a discharge or deposit;
- (b) requiring that a discharge or deposit shall not contain any prohibited substance;
- (c) requiring or specifying the desludging of a septic tank or the keeping of records of sludge removed in any desludging;
- (d) requiring or specifying the proper disposal of sludge removed in the desludging of a septic tank;
- (e) requiring or specifying the keeping of records of sludge or screenings removed from a domestic sewage treatment plant or a wastewater treatment facility, or the proper disposal of such sludge or screenings;
- (f) requiring or specifying the provision, operation or maintenance of a wastewater treatment facility;
- (g) requiring or specifying the provision of standby wastewater treatment equipment;

- (h) requiring or specifying the provision of a sampling point or suitable and accessible facilities at such a point;
- (i) requiring or specifying the provision, operation or maintenance of a flow measurement device;
- (j) requiring or specifying the carrying out of routine self-monitoring, recording or analyzing of effluent or the making available of the results of such monitoring, recording or analyzing to the Authority;
- (k) requiring or specifying notification to the Authority of any emergency affecting compliance with the licence;
- (l) requiring or specifying notification to the Authority of any circumstance that may alter the nature or composition of effluent."

8. First Schedule amended

The First Schedule is amended -

- (a) by repealing "Flow rate" and substituting "Maximum flow rate";
- (b) by repealing the passage beginning "Liquid Waste" and ending "Hong Kong" and substituting "Environmental Protection Department,";
- (c) in the Chinese version -
 - (i) [re paragraph (a)];
 - (ii) [re paragraph (b)].

9. Second Schedule amended

(1) The Second Schedule is amended in Form A -

(a) by repealing the heading -

"Application for a licence/renewal/
variation of a licence"

and substituting -

"Application for a licence/Application
for renewal/variation of
a licence";

(b) in section A1, by repealing ""householder"" and
substituting ""owner", "occupier"";

(c) by repealing section B and substituting -

SECTION B. The Effluent.

B1. All applicants must complete this section.

Give the name and full address of the premises
from which the discharge or deposit is made.

.....
.....

On what date did or will the discharge or
deposit begin?

.....

B2. Applicants with toilet, bathroom or kitchen
wastewater must complete this section.

(1) Where does toilet wastewater discharge to
(please tick)?

(a) Septic tank

- (b) Other treatment facilities
- (c) Communal sewer or drain for the carriage of foul sewage
- (d) Elsewhere, for example, a watercourse

(If (b) or (d), please specify)

State the location of the facility in relation to the premises

.....
.....

(2) Where do the kitchen and bathroom wastewaters discharge to (please tick)?

- (a) Septic tank
- (b) Other treatment facilities
- (c) Communal sewer or drain for the carriage of foul sewage
- (d) Elsewhere, for example, a watercourse

(If (b) or (d), please specify)

State the location of the facility in relation to the premises

.....
.....

B3. Complete this section if the application is for commercial, industrial or institutional premises.

(1) State -

(a) the industry, trade, business or other work carried on at the premises

.....
.....

(b) the number of staff

.....

(c) the number of working hours per day

.....

(d) the number of working days per week

.....

If fluctuation in any of the above is expected, please elaborate

.....
.....

(2) If the business is manufacturing, state -

(a) what is made

(b) the raw materials used and the major streams of wastewater produced

.....

(c) water account number(s)

(d) the information shown in the last received water account(s) as -

(i) the billing period

.....

(ii) the water consumption
(in cubic metres)

.....;

(e) the information shown on the
next-but-last received water
account(s) as -

(i) the billing period

.....

(ii) the water consumption
(in cubic metres)

.....;

B4. If the application is for discharges from
domestic premises, omit this section.

(1) What is the maximum daily flow rate of the
discharge(s) or deposit(s)?

Besides tap water, any other sources of
water used?

If yes, please specify (for example, well,
stream or recycled water)
and its total daily consumption

(2) If the effluent is treated before it leaves your premises show by ticking the boxes what treatment processes are used -

Screening	<input type="checkbox"/>	Temperature control	<input type="checkbox"/>
Settlement	<input type="checkbox"/>	Biological treatment	<input type="checkbox"/>
		What kind?	
Chemical precipitation	<input type="checkbox"/>	Other process	<input type="checkbox"/>
		What kind?	
Ion exchange	<input type="checkbox"/>		
pH adjustment	<input type="checkbox"/>		

Provide a layout plan and schematic diagram of the treatment plant if one is available.

(3) Where does the effluent discharge to?
.....
(for example surface water drain, foul sewer, treatment plant, river, stream or sea); draw a sketch plan of the discharge in section C.";

(d) in section C, by repealing the passage beginning "If" and ending "plant," and substituting -

"If the application is for discharges from domestic premises, omit this section. If the application is other than for discharges from domestic premises,";

(e) by repealing sections E1 and E2 and substituting -
"I hereby certify that the particulars provided
in this form are, to the best of my knowledge
and belief, correct.";

(f) by repealing Note 2 and substituting -
"2. The information given in this application,
and the result of the application, will be
recorded in a register open for public
inspection. If an applicant wishes to
withhold certain information from public
notification, a separate application under
section 43 of the Ordinance will be
required.";

(g) by adding after Note 2 -
"3. The issue of a licence is subject to
payment of a prescribed fee, details of
which are provided in a leaflet attached to
this application form. A demand note for
the fee, specifying the date by which it
should be paid, will be sent to the
applicant. A licence will not be issued
unless the fee is paid by the due date.".

(2) [The Chinese version of Form A is amended -]

10. Fees

The Third Schedule is amended -

(a) in item 1 -

(i) in paragraphs (a)(i) and (b)(i), by
repealing "0.4 cubic meter per hour" and
substituting "10 cubic metres per day";

- (ii) in paragraph (a)(ii), by repealing "0.4 cubic meter but does not exceed 1.25 cubic metres per hour" and substituting "10 cubic metres but does not exceed 30 cubic metres per day";
 - (iii) in paragraph (b)(ii), by repealing "0.4 cubic metre but does not exceed 1.25 cubic metres per hour" and substituting "10 cubic metres but does not exceed 30 cubic metres per day";
 - (iv) in paragraphs (a)(iii) and (b)(iii), by repealing "1.25 cubic metres per hour" and substituting "30 cubic metres per day";
- (b) by adding -
- "1A. Discharge or deposit from industrial, institutional or commercial premises of domestic sewage only 120";
- (c) in item 3, by adding "or renewal" after "variation".
-