



TRADING SERVICES

eThekwini Draft Trade Effluent Policy

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Policy Implementing Departments	Sanitation Operations, Pollution and Environment
Policy Mandated by	Head: Water and Sanitation
Signature of Mandating Official	
Approved by	
Date Adopted	
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1. PREAMBLE

eThekwini Municipality is a Water Services Authority as legislated through the Water Services Act (Act 108 of 1997), and is responsible for ensuring that sanitation services are provided to all its residents.

Although trade effluent services are not covered by the Water Services Act, the eThekwini Municipality provides these services to all industries in its area of jurisdiction apart from those with separate agreements with the National Department of Water and Sanitation.

This policy was mandated by the Head of Water & Sanitation at a meeting held in December 2019.

The draft policy was circulated to all Deputy Heads in the Water & Sanitation, including the Deputy Head: Scientific Services, on 11th February 2020. An internal stakeholder meeting mandated by the Deputy Head was held with officials from the Pollution and Environment Branch on 17th February 2020.

2. PURPOSE

- (1) To ensure that trade effluent is disposed of in a safe and environmentally acceptable manner.

3. PROBLEM STATEMENT

- (1) This policy addresses the following problems
 - (a) There is a negative impact of inadequately disposed trade effluent on environmentally sensitive resources such as rivers, streams, estuaries, underground water and etc. The environment is negatively affected by the impact of trade effluent if it gets into the rivers and streams.
 - (b) Insufficiently treated trade effluent hinders the effective treatment of wastewater at the Municipality's wastewater treatment works.

4. LEGISLATIVE AND POLICY FRAMEWORK

- (a) Constitution of the Republic of South Africa 1996
- (b) Local Government: Municipal Structures Act (Act 117 of 1998)
- (c) Local Government: Municipal Systems Act (Act 32 of 2000)
- (d) Local Government: Municipal Finance Management Act (Act 56 of 2003)
- (e) National Water Act (Act 36 of 1998)
- (f) National Environmental Management Act (Act 107 of 1998)
- (g) Water Services Provider Contract Regulations, Gazette No. 7414, Vol. 445 No. 23636 of 2002
- (h) The National Sanitation Policy 2016
- (i) eThekwini Sewage Disposal Bylaws
- (j) National Building Regulations and Building Standards Act (Act 103 of 1977)

(k) eThekwini Municipality: Sewage Disposal By-law, 2015.

5. DEFINITIONS AND ACRONYMS

5.1. DEFINITIONS

<u>Term</u>	<u>Definition</u>
Approval	Obtaining approval by the authorised delegate;
Approved	Approved by the authorised official;
Authorised official	Officials in the Pollution and Environment Branch authorised to implement the provisions of this policy
Compliance	Compliance with the municipal by-laws or with notices issued by the Pollution and Environment Branch
Connection point	The point at which a drainage installation joins a connecting sewer;
Conservancy tank	Sealed tank that contains and stores sewage from premises and is required to be emptied on a regular basis
Council	The eThekwini Municipal Council; a municipal council composed and elected in terms of section 157 of the Constitution
Development	A new building or collection of buildings, that may be residential, commercial or industrial, that are constructed in one or more phases
Domestic sewage	Effluent which meets strength characteristics relating to chemical oxygen demand and settleable solids as prescribed by the Municipality from time to time as being appropriate to sewage discharges from domestic premises, but excludes trade effluent;
Drainage	All drains that transports sewage to a sewer connection, holding tank or treatment system
Effluent	Any liquid which is discharged from any premises directly or indirectly into a drainage work
Grey water	Sewage emanating from baths and basins, and excluding sewage emanating from sinks, washing machines, dishwashers, toilets and urinals.
Low volume treatment system	A wastewater treatment system that treats less than 2000 kilolitres per day and that complies with eThekwini Water and Sanitation guidelines.
Municipality	The eThekwini municipality, a category A municipality as envisaged in terms of section 155(1) of the Constitution and established in terms of PN343 of 2000 (KZN);
Occupier	(a) any person, including the owner, in actual occupation of premises regardless of the title under which he or she occupies those premises, if any; and (b) in the case of premises let to more than one tenant, the person who receives the rent payable by the tenants, whether for his or her own account or as an agent for a person entitled to the rent;

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Term	Definition
Person	Natural and juristic persons, partnerships, trusts, body corporates, home owners associations and organs of state;
Premises	Any piece of land, with or without any building or structure thereon where— (a), the external surface boundaries of which are delineated on— (i) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act No. 9 of 1927), or in terms of the Deeds Registry Act, 1937 (Act No. 47 of 1937; or (ii) a sectional plan registered in terms of the Section Titles Act, 1986 (Act No. 95 of 1986); (b) there is an official document in respect of rural land or Ingonyama Trust land, which is situated within the area of jurisdiction of the Municipality; or a municipal service is rendered on land which is not specified on a plan, and a portion of such land which is not so delineated but which is connected to the sewage system or is capable of being so connected;
Prescribed	Set by legislation or regulation, or resolution of the Council.
Property	(a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person; (b) a right registered against immovable property in the name of a person; (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; (d) public service infrastructure; or any immovable property or a portion thereof of which a person has taken occupation or possession without title: Provided that this in no way infers the granting of permission or the regularisation by the Municipality for the illegal occupation of land or property by any person;
Property Owner	The person registered in the Deeds Registry as the owner of land, and includes the beneficial owner of the land, and the owner of land by virtue of vesting in terms of any applicable law
Registered private plumber	A person who has passed a qualifying trade test in plumbing or has been issued with a certificate of proficiency for plumbing in terms of the Manpower Training Act, 1981 (Act 56 of 1981) as amended, or holds such other qualification as may be required under the South African Qualifications Authority Act, 1995 (Act 58 of 1995);
Sanitation service	The collection, removal, disposal or purification of human excreta, domestic wastewater, sewage and effluent resulting from the use of water for commercial purposes;
Sanitation system	The structures, pipes, valves, pumps, meters or other associated items used in the collection, transport and disposal of excreta and sewage.
Septic tank	A tank designed to receive and retain sewage for such a time and in such a manner as to ensure adequate decomposition;
Sewage	Wastewater, trade effluent, standard domestic effluent and other liquid waste, either separately or in combination, but excludes stormwater;
Sewer connection	A pipe owned and installed by the Municipality for the purpose of conveying sewage from a drainage installation (drain, soil-water pipe, stack, wastewater pipe, ventilation pipe, antisiphonage pipe, soil-water fitting, wastewater fitting, mechanical appliance or any other appliance or

Term	Definition
	fitting, or a combination of such drain, pipe, stack, fitting and appliance, for the collection and conveyance of sewage) on a premises to a sewer, connecting from a private drain into the sewerage system— (a) beyond the boundary of those premises; (b) within a servitude area; or within an area covered by a way leave or by agreement;
Sewer	Any pipe or conduit which is the property of or is vested in the Municipality and which may be used for conveying sewage from the connecting sewer, but excludes any drain
Sewerage system	The structures, pipes, valves, pumps, meters or other associated items used in conveying sewage to a wastewater treatment works.
Surveyor's diagram	A diagram showing existing and/or proposed property boundaries, drawn up by a land surveyor.
Tanker	A vehicle fitted with a pump and a tank which is used to transport the collected material (liquids, sludge, slurries) to a treatment or disposal site.
Trade effluent	Any liquid, whether or not containing matter in solution or suspension, which is given off in the course of or as a result of any industrial, trade, manufacturing, mining or chemical process or any laboratory research or agricultural activity, and includes any liquid other than standard domestic effluent or stormwater.
Wastewater treatment works	An installation which treats incoming sewage so that the resulting liquid effluent and solids may be safely disposed of.

5.2. ACRONYMS

EWS	eThekwini Water and Sanitation Unit
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6. POLICY RULES

6.1. CONNECTIONS TO MUNICIPAL SEWERAGE SYSTEM

(1) General requirements

- (a) All Owners/Occupiers of properties able to be connected to the municipal sewerage system must ensure that trade effluent is disposed of through a connection to the system or, if authorised by the Municipality, via a tanker to an approved Municipal facility.
- (b) Only trade effluent complying with municipal standards set out in the Sewage Disposal Bylaws may be disposed to the sewerage system.
- (c) The design of the private drainage must be approved by the Municipality.

6.2. PROHIBITION ON MORE THAN ONE SANITATION SYSTEM PER SITE

If a site is served by waterborne sewerage, no other sanitation system is permitted on the same site.

If a site is served by a conservancy tank for trade effluent, a septic tank for domestic effluent only may be installed.

6.3. ON SITE EFFLUENT DISPOSAL SYSTEMS

(1) Conservancy tanks

- (a) Owners/Occupiers must obtain approval from the Municipality before installing a conservancy tank for trade effluent.
- (b) Owners/Occupiers must be responsible for the construction and maintenance of their conservancy tanks, including the disposal of sewage.
- (c) Owners/Occupiers must get a permit to discharge trade effluent from a conservancy tank via a tanker.
- (d) Owners/Occupiers may use their own tankers to transport effluent to an approved Municipal facility or they may use a separate tanker company to transport the effluent. Companies transporting trade effluent by tanker must obtain a permit to do so.
- (e) Owners/Occupiers must not deliver trade effluent which does not comply with the standards laid down in accordance to the Municipality Sewage Disposal Bylaws.
- (f) Trade effluent discharged to a municipal facility must undergo toxicity testing by an accredited laboratory.

(2) Septic tanks

No trade effluent may be discharged into a septic tank system.

(3) Low volume treatment systems

No trade effluent may be treated in low volume treatment system.

(4) Grey Water reuse systems

No trade effluent may be connected to the grey water system.

6.4. DISPOSAL OF TRADE EFFLUENT

(1) General requirements

- (a) No trade effluent that is harmful to the environment or may cause damage to the sanitation infrastructure may be discharged to the Municipality's sanitation system.
- (b) Only effluent complying with the Municipality's requirements may be discharged to the municipal sanitation system.
- (c) Owners/Occupiers must discharge trade effluent to a municipal sewer, unless the Municipality authorises an alternative disposal method.
- (d) Owners/Occupiers must obtain a permit from the Municipality before discharging trade effluent to the sanitation system.

- (e) The Municipality may impose specific conditions on an Owner.
 - (f) All privately owned infrastructure upstream of the connection point must be inspected and approved by the Municipality before effluent can be discharged.
 - (g) A sampling facility for sampling of trade effluent by the Municipality must be provided.
 - (h) The Municipality may require the Owner to modify his/her system by taking precautionary measures to prevent pollution or unwanted impacts on the municipal sewerage system. The Owner/Occupier must install such modifications at his/her own cost.
 - (i) The Municipality may require the Owner/Occupier to install suitable pre-treatment facilities or other modifications to his/her drainage system. The Owner/Occupier must install the pre-treatment system at his/her own cost.
 - (j) Owners/Occupiers must obtain permission from the Municipality before:
 - i. making substantive modifications to their drainage or pre-treatment system,
 - ii. changing the composition of the effluent
 - iii. increasing the volume of effluent beyond the level previously authorised
- (2) Disposal directly to municipal sea outfall pipe via a private pipeline
- (a) The Municipality may authorise an Owner/Occupier to discharge effluent directly to a sea outfall pipeline through a private sewer. The pipeline design and construction must be approved by the Municipality and the Owner/Occupier must maintain the pipeline.
 - (b) The effluent must comply with requirements as set out in Schedule B of the Sewage Disposal Bylaws determined by the Municipality, and may not pose a health hazard to municipal employees or the general public, or cause unwanted impact on the receiving environment.
- (3) Transport of effluent to a sea outfall by tankers
- Discharge of effluent transported to the sea outfall by tankers must be approved by Municipality.
- (4) Tariffs
- (a) An additional tariff is payable for trade effluent over and above the normal sanitation tariff. This additional tariff is based on the measured or calculated volume, the chemical oxygen demand and the settleable solids of the effluent and any other parameters decided by the Municipality.
 - (b) The Municipality may adjust the trade effluent tariffs each financial year.
 - (c) Tanker Owners disposing of sewage and trade effluent at wastewater treatment works are invoiced for each tanker that disposes of effluent based on the volume and the industrial charge, if any, calculated on the basis of the results of the sampling and testing.

7. POLICY PROCEDURES

7.1. CONNECTIONS TO MUNICIPAL SEWERAGE SYSTEM

- (1) Provision of individual sewer connections and provision of waterborne sewerage for trade effluent disposal.
 - (a) The Owner/Occupier must submit a plan for the internal drainage to the Regional Co-ordinator, Land Use Management, in the Engineering Unit together with the stipulated fees.
 - (b) The Regional Co-ordinator, Land Use Management, must send the plan to the Regional Co-ordinator, Development Applications and Approvals, in the Engineering Unit.
 - (c) The Regional Co-ordinator, Development Applications and Approvals, must send the plan to the Pollution and Environment Branch and the Regional Engineer, Sanitation Operations, for comments. The Engineering Unit may only grant approval for the plans if they have been approved by the Pollution and Environment Branch and the Regional Engineer, Sanitation.
 - (d) When the Regional Co-ordinator, Development Applications approves the plan, the Owner/Occupier appoints a registered private plumber to install the drainage.
 - (e) The Owner/Occupier may appoint the private plumber to install the connection from the inspection manhole to the municipal sewer. Alternatively, the Owner/Occupier may pay a prescribed fee to the Municipality to install the connection.
 - (f) On completion of the work, a municipal official mandated by the Regional Co-ordinator, Development Applications and Approvals, inspects the private drainage. If the connection has been installed by the private plumber, the connection must be overseen and approved by a municipal official mandated by the Regional Engineer, Sanitation Operations.
 - (g) The internal drainage work must be approved by the Regional Co-ordinator, Development Applications and Approvals.
- (2) Installation of conservancy tanks for trade effluent disposal
 - (a) The Owner/Occupier must submit plans for the conservancy tank and drainage to the Regional Co-ordinator, Land Use Management, in the Engineering Unit.
 - (b) The Regional Co-ordinator, Land Use Management, must send the plans to the Regional Co-ordinator, Development Applications and Approvals, in the Engineering Unit.
 - (c) The Regional Co-ordinator, Development Applications and Approvals, must send the plans to the Regional Engineer, Sanitation Operations, for approval.
 - (d) If a conservancy tank is designed to hold any trade effluent, Regional Engineer, Sanitation Operations must request a letter from the Senior Manager, Land Use Management, in the Engineering Unit attesting that the proposed development is in the best interests of eThekwini, notwithstanding that it is not served by municipal sewerage.

- (e) Once the Regional Engineer, Sanitation Operations has received the letter from the Senior Manager, Land Use Management, and approved the plans, the Owner/Occupier appoints a registered private plumber to install the drainage.

7.2. DISPOSAL OF TRADE EFFLUENT

- (a) The Owner/Occupier must submit an application for a site trade effluent permit to Professional Technologist in the Pollution and Environment office of the relevant zone.
 - (b) The Professional Technologist or authorised official may require more information or may require a meter to be installed on the property.
 - (c) The Professional Technologist or authorised official must check the characteristics of a sample of effluent that has been taken from the site.
 - (d) If the effluent meets the required standards, the Professional Technologist or authorised official may issue a trade effluent permit if there is sufficient capacity in the sewage system to permit the conveyance, effective treatment and lawful disposal.
 - (e) The permit may include:
 - i. special limits for certain parameters,
 - ii. relaxations and
 - iii. special conditions
 - (f) The Professional Technologist or authorised official may issue a time limited provisional permit, requiring certain improvements to the Owner/Occupier's effluent system before a full permit is issued.
 - (g) The duration of the permit is determined by the Professional Technologist or authorised official, depending on the quality and volume of effluent.
 - (h) The Professional Technologist or authorised official may issue a special five year permit. Owner/Occupiers must apply for five year permits to be renewed before they expire.
- (2) Applications for tanker permits
- (a) The Owner/Occupier of the tanker service must submit an application to the Professional Technologist or authorised official to dispose of trade effluent by tankers operated either by the Owner/Occupier or a private tanker operator.
 - (b) The application must be approved by the Professional Technologist or authorised official for delivery to a specified municipal treatment works facility.
 - (c) The Professional Technologist or authorised official may impose conditions for the transport and disposal of effluent.
 - (d) On approval of the application, the Owner/Occupier's vehicles will be registered with the Pollution and Environment Branch.
 - (e) The duration of the permit is determined by the Pollution and Environment Branch dependent on the quality of effluent.

- (f) Samplers from the scientific laboratory must take at least six trade effluent samples per year from every property with a trade effluent permit for testing in the laboratory.
- (3) Sampling and monitoring
- (a) For premises discharging trade effluent above a minimum volume and when determined by the authorised official, samplers from the scientific laboratory must take at least six effluent samples per year for testing in the laboratory.
 - (b) The results of these samples are used to set the parameter related tariff for the next financial year and to monitor compliance with the Municipal Sewage Disposal Bylaws and/or prescribed standards.
 - (c) The Pollution and Environment Branch must make routine inspections of each site to check for contraventions and for risks in the effluent system. If necessary, a notice will be written to the Owner/Occupier requiring specific improvements by a set date.
 - (d) The effluent from tankers is sampled at the wastewater treatment works where the effluent is disposed of.
- (4) Compliance
- (a) If any sample of trade effluent is found to be out of specification in accordance with the Sewage Disposal Bylaws, the Municipality will issue Contravention notices to the Owner/Occupier requiring the problem to be rectified.
 - (b) In serious contraventions of permitted operations, or if contravention notices have not been sufficiently heeded, the Municipality may issue
 - i. an Admission of Guilt Summons to the Owner/Occupier, requiring the Owner/Occupier to pay a fine for each out of specification result thereafter, or take actions to do such work necessary to remedy the breach and restore the environment and may recover the cost of such action from the Owner/Occupier.

8. POLICY EVALUATION AND REVIEW

- (1) The Deputy Head, Scientific Services, must provide a report annually to the Head, Water & Sanitation, regarding any recommendations and feedback from Council Officials and Owner/Occupier s/Occupiers; and
- (2) The policy will be monitored by the Deputy Head, Scientific Services, who must report to Council every 3 years.
- (3) Policy will be reviewed as and when required.