

**STATUTORY INSTRUMENT**

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THE NATIONAL WATER RESOURCES MANAGEMENT AGENCY (WATER  
POLLUTION CONTROL) REGULATIONS, 2021  
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STATUTORY INSTRUMENT No. 13 OF 2021

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THE NATIONAL WATER RESOURCES MANAGEMENT  
AGENCY ACT  
(ACT NO 5 OF 2017)

THE NATIONAL WATER RESOURCES MANAGEMENT  
AGENCY (WATER POLLUTION CONTROL ) REGULATIONS  
2021

In exercise of the powers conferred upon him by section 36 of the National Water Resources Management Agency Act 2017, the Minister responsible for water resources hereby makes the following regulations -

PART I—PRELIMINARY

1. In these Regulations unless the context otherwise requires - <sup>Interpretation</sup>

"Act" means the National Water Resources Management Agency Act No. 5 of (2017);

"Agency" means the National Water Resources Management Agency;

"agricultural water use" means the use of water to enhance agricultural output by means of irrigation or the use of water to sustain livestock;

"effluent" means a waste in liquid form or suspension in a liquid or emulsion form;

"effluent standards" means the effluent standards set out in the Second Schedule ;

"EPA" means Environment Protection Agency established under section 2 of the Environmental Protection Agency Act 2008;

"environmental water use" means the release or maintenance of a particular flow of water to maintain specific environmental and recreational purposes;

"fisheries (aquaculture) water use" means the release or maintenance of certain flow of water for the purpose of meeting the needs of aquaculture or fisheries activities;

"industrial and mining water use" means the use of water by non-municipal establishment for the purposes of production;

"MDAs" means Ministries, Departments and Agencies;

"municipal water use" means the diversion, treatment and distribution of water by a water supply utility to satisfy a range of domestic and non-domestic demands within a given municipality;

"person" includes both natural and legal persons;

"permit holder" means a person who acquires right from the Agency to discharge waste into a water body that may impair its quality;

"power generation water use" means the use of the hydraulic potential of water for the generation of power by diverting it through penstocks and turbines

"road construction and dust suppression" means water used for the purposes of road construction and suppressing dust;

"recreational water use" or "recreational use" means the use of water for activities such as swimming, boat surfing, etc.;

"under water (wood) harvesting" means logging of wood from underwater forest;

"vessel or floating platform" means boat, ship or other waterborne vessels that use fresh or marine water for water transportation;

"waste" means materials or substances of any kind, and includes but not limited to, oil, any pollutant, garbage and sewage from floating bodies, industrial operations or any other source;

"waste standards" means the waste standards set out in the Second Schedule ;

"water transportation use" means the use of water for navigation by boat, ship or other waterborne vessels for economic benefit;

"waterbody" means a natural or constructed watercourse or body of water above or below the ground;

"water resources in Sierra Leone" means all water resources in any form including the atmosphere, surface and underground water sources, whether the water resources are in territorial waters, exclusive economic zone or any area under the jurisdiction of the Republic of Sierra Leone;

"waste discharge register" means a register that contains the particulars of all waste discharge persons.

#### PART II—PROCESSING APPLICATION FOR PERMIT

Water discharge permit

2. Subject to the Act any person wishing to discharge waste into water bodies shall obtain a permit from the Agency.

Sources of waste discharge requiring permit

3. Subject to the Act a person shall obtain permit from the Agency for the discharge of waste from -

- (a) vessel or floating platform;
- (b) municipal water use;
- (c) industrial and mining water uses;
- (d) agricultural water use;
- (e) power generation water use;
- (f) water transportation use;
- (g) fisheries (aquaculture) water use;
- (h) environmental water use;
- (i) recreation water use;
- (j) underwater (wood) harvesting ;
- (k) road construction and dust suppression ; and
- (l) any other water uses.

4. (1) Holders of a Exemption
- (a) water right permit ;
  - (b) well drilling licence ; and
  - (c) dam safety licence

may undertake any activity under these regulations without obtaining a permit.

(2) Notwithstanding that holders referred to under sub-regulation (1) are exempted from obtaining a permit they shall be regulated by these regulations .

5. (1) An application for a permit shall be in the format as Application for Permit  
set out in the First Schedules.

(2) An application for a permit shall be submitted to the Agency in the prescribed form and shall be accompanied by the following -

- (a) the appropriate administrative and processing fees ;and
- (b) any other documents determined by the Agency

- 6 . (1)Where an applicant - Incomplete application
- (a) fails to pay the appropriate administrative and processing fees;
  - (b) submits an incomplete application form ;
  - (c) submits an application containing errors; or
  - (d) fails to attach an environmental assessment certificate from the EPA

the Agency shall notify the applicant in writing to rectify the situation within 14 days from the date of receipt of the application .

(4) Where the applicant fails to rectify the situation within 14 days after receipt of the application the Agency shall not process the application.

Processing of application

7. (1) The Agency in processing or considering an application shall conduct an investigation to ascertain whether the proposed wastewater discharge-

- (a) is in accordance with the established water and environmental policies;
- (b) is in accordance with established waste discharge standards set out in the Second Schedule; and
- (c) will not cause irreparable damage to water resources, public health and the environment

(2) In conducting the investigations under sub-regulation (1) the Agency shall-

- (a) consider the technical and social aspects of the application; and
- (b) ensure public participation by the people in the area likely to be affected by the proposed discharge

Publication of application

8. (1) The Agency may prior to granting the permit publish in the gazette and in at least one national newspaper with wide circulation a notification to the general public about the applicant's application and invite objection which shall be submitted to the Agency within 30 days from the date of the publication.

(2) Objections made in response to the notice under sub-regulation (1) shall be made in writing or in any other form as the Agency may specify in the notice

9. (1) The Agency shall hold a public hearing in respect of an application in a location to be determined by the Agency. <sup>Public hearing</sup>

(2) For the purposes of conducting a public hearing, the Agency may collaborate with-

- (a) the relevant ministry , department or agency; and
- (b) the traditional authorities, local councils, and the community.

(3) The public hearing shall be properly recorded and documented by the Agency.

(4) The Agency shall produce a report on the recommendations made during the public hearing.

(5) In consideration the application the Agency shall take into consideration the recommendations made during the public hearing

10. (1) Where the Agency in consultation with relevant MDAs considers that the proposed waste discharge requires an environmental impact assessment, the Agency shall notify the applicant to submit evidence that an environmental impact assessment has been conducted and approved by the EPA. <sup>Environmental impact assessment</sup>

(2) Where in the opinion of the EPA the proposed or existing waste discharge requires an environmental management plan , that requirement shall be one of the conditions for the grant of a waste discharge permit.

Grant of permit

11. After considering an application and the Agency grants the permit to an applicant who satisfies the requirement for a permit it shall notify the applicant of its decision in writing.

Refusal of an application

12. (1) The Agency shall refuse to grant a permit if it has reasonable justification based on the following -

- (a) technical data;
- (b) sustainability of water resources;
- (c) national security;
- (d) public safety; and
- (e) other reasonable justification.

(2) Where an application is refused the Agency shall notify the applicant of its decision in writing and shall stipulate the grounds on which the application was refused.

Conditions attached to a permit

13. Where a permit is granted to an applicant he shall comply with all the conditions attached to the permit.

Permit fees

14. An applicant who is granted a permit shall pay the permit fees set out in the Fourth Schedule.

Registration number

15. The Agency shall issue a registration number to each holder of a permit.

Register

16. The Agency shall maintain a register containing the following information -

- (a) name and address of permit holders;
- (b) category and type of waste;
- (c) source of the waste;

(d) waterbody affected;

(e) location of waste discharge; and

(f) physiochemical components of the waste; and bacteriological component.

17. (1) A permit holder shall keep a full and correct record of each test conducted on waste discharged and the total volume of waste discharged to enable reasonable and accurate estimate to be made of the total content and volume of the monitored pollutants discharged into the water during the permit period. Records

(2) The permit holder shall furnish the Agency on a monthly basis or at any time that the Agency may demand a copy of the records made under subregulation (1).

18. A permit granted under these regulations shall be valid for a period of one year. duration of permit

19. (1) A permit holder shall submit an application for the renewal of his permit 90 days before the expiration date of the permit. Renewal of permit

(2) The expiration date of a permit shall be the same date the permit was registered.

20. (1) A permit holder shall not transfer his permit to any other person unless he applies to the Agency for approval and the Agency approves the transfer. Transfer of Permit

(2) The Agency shall conduct a background check on the proposed transferee before approving the transfer.

21. The Agency may terminate the permit of a permit holder with prior notice where the holder - termination of permit

- (a) is in breach of the conditions attached to the permit;
- (b) fails to comply with these regulations ;and
- (c) transfers the permit to another without the approval of the Agency

### PART III–COMPLAINTS COMMITTEE

complaints  
Committee

22. (1) Pursuant to subsection (1) of section 9 of the Act the Agency shall establish a committee to be known as the Complaints Committee.

(2) The Complaints Committee shall comprise the following members-

- (a) Chairman of the Board
- (b) a Board member; and
- (c) a technical employee of the Agency;

(3) The Complaints Committee shall be responsible for reviewing the application of an applicant who is aggrieved with the decision of the Agency.

Appeals

23. (1) An aggrieved applicant may lodge a complaint in writing to the Complaints Committee for the Agency's refusal to grant or renew a permit or for any other reason.

(2) The complaint letter shall contain the following -

- (a) state the nature of the objection or complaint ;
- (b) attach a copy of the Agency's letter that was issued to the applicant notifying him of the refusal;
- (c) attach all relevant documents for the determination of the complaint

(3) The complaint shall be submitted to the Complaints Committee within 30 days of the Agency's decision

(5) A complainant dissatisfied with the decision of the Complaints Committee may appeal to the Minister

(6) A person dissatisfied with the decision of the Minister may appeal to the High Court and the decision of the High Court shall be final.

### PART IV –POLLUTION CHARGES, SAMPLING AND MONITORING

24. (1) The charges to be levied for waste discharge shall be as set out in the Fourth Schedule charges and payment of pollution

(2) A permit holder shall pay the assessed waste discharge charges in advance or as may be determined by the Agency after consultation with the holder.

(3) Subject to section 20 of the Act the charges referred to under sub-regulation (1) shall be used to defray the cost of managing water resources.

25. (1) A permit holder who routinely discharges or instructs the discharge of waste into water body (ground and surface water) shall Sampling , testing and Monitoring

- (a) monitor the quality and quantity of the effluent discharged;
- (b) establish fixed discharge points;
- (c) sample and test for all parameters and substances contained in the waste discharged from each discharge point as set out in the Third Schedule ;

- (d) sample and test every time a waste is discharged;
- (e) ensure that all sampling and testing of waste is in accordance with the monitoring guide set out in the Third Schedule or other methods approved by the Agency;

(2) The Agency shall prescribe the approved methods available for inspection sampling and testing

Reporting  
pollution  
Incidents

26. (1) A permit holder who accidentally discharges waste directly or indirectly into a water body shall -

- (a) immediately report the incident to the Agency giving details of the incident including the quantity and quality of the waste discharged;
- (b) state measures that have been or are being taken to mitigate any adverse environmental impacts of the discharge;
- (c) immediately notify other relevant MDAs in the locality which may be able to assist in preventing or mitigating harm to human or animal health or to the environment ; and
- (d) take all reasonable measures to warn potentially affected persons of the danger arising from the discharge , including television and radio broadcast if appropriate

(2) For the purposes of sub-regulation (1), any waste discharged shall be deemed to be "significant" if it differs in quantity, quality, composition, at a different place or in a different manner that is approved by the Agency.

27. (1) Where a permit holder fails to comply with the waste standards the Agency shall serve a notice requiring the holder to ensure compliance within fourteen (14) days. Abatement

(2) The Agency shall by notice in writing served on a person referred to in sub-regulation (1) require that person to take measures to mitigate or repair any damage to the environment caused as a result of the discharge or to prevent a recurrence of any incident which caused the damage, within a reasonable period prescribed in the notice.

(3) If a person fails to comply with the notice under sub-regulation (2), the Agency shall cause the required measures to be taken and shall order the person on whom the notice was served, to reimburse the Agency for the costs of taking such measures

#### PART V–MISCELLANEOUS PROVISIONS

28. Without prejudice to the Act and these regulations the Agency may Breach of  
Regulations

- (a) seal off any premises of operations of a person who fails to comply with these regulations ; and
- (b) impose an administrative fine as specified in the Fourth Schedule.

29. (1) Any person who without a permit discharges waste contrary to these regulations commits an offence and is liable on summary conviction to a fine not less than five million leones or to a term of imprisonment for not less than one year or to both the fine and imprisonment. Offences

(2) A permit holder who transfers a permit otherwise than in accordance with these Regulations commits an offence and is liable on summary conviction to a fine of not less than Five Million Leones and a term of imprisonment not less than one year.



(3) A person who assaults, threatens, obstructs or allows any person to assault, threaten, obstruct an authorized officer or person in the performance of his duties under these Regulations, commits an offence and on conviction, shall be liable to a fine of not less than Five Million Leones or a term of imprisonment not less than one year or both such fine and imprisonment

(4) Any person who negligently discharges or permits the discharge of waste directly or indirectly into a water body which exceeds the waste standards, set out under these Regulations commits an offence and shall be liable on summary conviction to a fine of not less than Five Million Leones or a term of imprisonment not less than one year or both, in respect of every day during which the waste continues to pollute the water body.

(5) Any person who in order to procure the grant of a permit under these Regulation willfully makes any statement, knowing the same to be false in any material particular or not having reason to believe the same to be true commits an offence and shall be liable upon conviction to a fine of not less than five million Leones or

**SCHEDULES**  
**FIRST SCHEDULE**  
Application Form  
(Regulation 5)

**FORM A:**

**APPLICATION FOR EFFLUENT DISCHARGE INTO AQUATIC ENVIRONMENT**

**1.0 Applicant Details:**

Name of company/organization: -----  
-----  
Name of CEO/Director: -----  
Name of contact person(s): -----  
-----  
Mailing address: -----  
Telephone (Office): ----- Mobile: -----  
E-mail----- Website: -----

Permit: New  Renewal

Renewal: If renewal, state Permit ID number: .....

2.0 Details of Discharging Facility

2.1 Location of discharging facility:

.....  
.....

2.2 Activity of discharging facility: (e.g. Palm oil processing, sewage plant, tea factory)

2.3 Nature and composition of effluent:

.....  
2.4 Does the facility have effluent treatment plant Yes No

1.5 If Yes, Type of effluent treatment plant and capacity,

.....  
2.6 State the quantity of effluent to be discharge per day (in M3/day):

.....  
2.7. Effluent discharge rate (in M<sup>3</sup>/hr.): .....

2.8. Type of water source:.....

2.9. Does the facility have access to or own a recognized laboratory for monitoring the quality of the discharged effluent?

Yes No

2.9.1 If yes, state the name and location of the laboratory with details of its capacity.

.....  
.....

2.9.2. Description of the activities of the effluent discharge facility:

.....  
.....  
.....

2.9.3. Point of discharge with GPS coordinates (UTM): (Easting: ..... Northing: .....)

2.9.4 Location of discharge:

Name of Town: .....

Chiefdom: .....

District: .....

Region: .....

River: .....

Tributary of: .....

Basin name: .....

3.0 Declaration by Applicant

I hereby certify that the information given above is correct and true to the best of my knowledge:

.....  
Signature of Application

.....  
Full Names in Block letters

.....  
Position

On behalf of: .....

(Firm name and seal).....

Date:.....

4.0 For Official Use

Comments: .....

.....  
Signature: .....

Date .....

NB: Completed application form should be submitted to:

Director General

**National Water Resources Management Agency**  
**Tower Hill, Water Directorate, Freetown, Sierra Leone**  
**Email: waterresourcesagency2018@gmail.com**  
**Contact: +232 75 597184/ +232 30 775898**

## SECOND SCHEDULE

**Wastewater/Effluent Standard**  
(Regulation 7(1)(b))

Table 1 Standards for some industries

No	Parameters	Maximum Limits (mg/l)
Food and Beverage; Paints and Chemicals Industries		
1	Alkalinity as CaCO <sub>3</sub>	150
2	Total Pesticides	0.5
3	Total coliform	400 MPN/100ml
Hotels and Resorts Industry		
1	Alkalinity as CaCO <sub>3</sub>	250
2	Total Pesticides	10 MPN/100ml
3	Total coliform	400 MPN/100ml
Textile Industry		
1	Colour	TCU 300
2	Alkalinity as CaCO <sub>3</sub>	150
3	Trichloroethane	70 µg/l
4	Perchloroethylene	40 µg/l
5	Benzene	10 µg/l

Table 2 Maximum limits of water quality parameters in effluents

No	Parameters	Maximum Limits (mg/l)
1	Total Dissolved Solids (tds)	2500
2	Total Suspended Solids (TSS)	25
3	Turbidity	75 NTU
4	Biological Oxygen Demand (BOD)	30
5	Chemical Oxygen Demand (COD)	100
6	Aluminium	0.04
7	Ammonia Nitrogen	10
8	Total Arsenic	0.5
9	Soluble Arsenic	0.1
10	Barium	0.7
11	Boron	1
12	Cadmium	0.1
13	Calcium	100
14	Chloride	500
15	Chlorine	0.1
16	Chromium (Total)	0.5
17	Chromium (Hexavalent)	0.05
18	Copper	1
19	Cyanide (Total)	1
20	Cyanide (Weak Acid Dissociable – WAD)	0.5
21	Cyanide- Free	0.1
22	Detergents	10
23	Fluoride	1
24	Iron	2
25	Lead	0.1
26	Magnesium	100
27	Manganese	1
28	Mercury	0.1
29	Nickel	0.5
30	Nitrate – N	20
31	Nitrite – N	1
32	Oil & Grease	2.5
33	Phenolic Compound	0.2
34	Phosphate	5





MADE this 28th day of September, 2021.

ENG. PHILIP KARIMU LANSANA  
*MINISTER OF WATER RESOURCES*

FREETOWN,  
SIERRA LEONE  
SEPTEMBER, 2021.