

# Collection of Fees for Impact on the Operation of a Centralized Water Disposal System

**A.V. Kodolova<sup>1</sup>**, St. Petersburg Federal Research Center of RAS, St. Petersburg Research Center for Environmental Safety of RAS, PhD, alena\_kodolova@mail.ru

**A.B. Manvelova<sup>2</sup>**, St. Petersburg Federal Research Center of RAS, St. Petersburg Research Center for Environmental Safety of RAS, abmanvelova@mail.ru

<sup>1</sup> Senior Researcher, St. Petersburg, Russia

<sup>2</sup> Research Fellow, St. Petersburg, Russia

**Citation:** Kodolova A.V., Manvelova A.B. Collection of Fees for Impact on the Operation of a Centralized Water Disposal System, *Kompetentnost' / Competency (Russia)*, 2020, no. 9–10, pp. 31–40. DOI: 10.24411/1993-8780-2020-10904

## key words

waste water, water disposal, negative impact, judicial practice

We have analyzed the practice of applying the Rules of cold water supply and sanitation, taking into account the changes made by the RF Government Decree N 728. We believe, that amendments to Regulation N 644 have significantly improved this legal act. But, unfortunately, at present, it is still difficult to call the judicial practice of collecting fees for violation of the requirements for the composition and properties of wastewater uniform. We think, that it is necessary to finalize the issue of a unified interpretation of the results of studies of wastewater samples that are outside the definition range specified in the laboratory's accreditation area. We have proposed a number of additional adjustments to improve these Rules in relation to the calculation of fees for negative impacts on centralized water disposal systems.

## References

1. RF Government Decree of 22.05.2020 № 728 On approval of the rules for monitoring the composition and properties of wastewater and on amendments and invalidation of certain acts of the RF Government; [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_353375/](http://www.consultant.ru/document/cons_doc_LAW_353375/) (access data: 7.07.2020).
2. Yalbulganov A.A. Legal regulation of payment for negative impact on the environment: updated payment structure, *Reformy i pravo*, 2016, no. 1, pp. 27–32.
3. Budnitskiy D.M. Legal regulation of the impact on the natural environment in the course of water supply and sanitation activities: author's abstract, diss. ... cand. legal sc. 12.00.06, St. Petersburg, 2015, 38 P.
4. Berenshteyn I.V. Legal regulation of water supply and sanitation in the Russian Federation, diss. ... cand. legal sc. 12.00.03, MGU, 2006, 244 P.
5. Vasil'eva N.V. Natural resource payments as a type of budget revenue, *Aktual'nye problemy rossiyskogo prava*, 2016, no. 12, pp. 55–64.
6. Moscow district Arbitration court resolution of 7.02.2018 in case N A40-233035/2016; <https://kad.arbitr.ru/> (access data: 21.06.2020).
7. Moscow district Arbitration court decision of 12.09.2017 in case N A41-30468/17; <https://ras.arbitr.ru/> (access data: 21.06.2020).
8. North-Western district Arbitration court resolution of 4.06.2018 N Ф07-4547/2018 in case N A05-5935/2017; <https://ras.arbitr.ru/> (access data: 21.06.2020).
9. Bogolyubov S.A., Khladeneva N.I. Commentary to Federal Law N 7-FZ of 10.01.2002 On environmental protection (article-by-article), Moscow, *Yustitsinform*, 2009, p. 54.
10. Blinkova E.V. Legal structure of the water supply contract, *Yurist*, 2002, no. 1, pp. 12–16.
11. Blinkova E.V. Problems of qualification of the subject of the water supply contract through the connected network, *Pravovye voprosy stroitel'stva*, 2010, no. 2, pp. 30–36.
12. RF Government Decree of 29.07.2013 N 644 On approval of rules of cold water supply and water disposal and about modification of some acts of Russian Federation Government; [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_150474/](http://www.consultant.ru/document/cons_doc_LAW_150474/) (access data: 10.05.2020, 27.07.2020).
13. North-Western district Arbitration court resolution of 4.06.2018 N Ф07-4547/2018 in case N A05-5935/2017; <http://www.consultant.ru/cons/cgi/online.cgi?req=doc&base=ASZ&n=204550#09585964772727333> (access data: 17.08.2020).
14. Krasnoyarsk territory Arbitration court decision of 2.06.2005 N А33-3962/2005; <https://ras.arbitr.ru/> (access data: 23.06.2020).
15. RF Supreme Court Decision of 25.06.2001 N GKPI00-1448, RF Supreme Court Determination of 22.12.2009 N KAC09-609; <https://ras.arbitr.ru/> (access data: 23.06.2020).
16. Judicial acts in case N A17-94/2017; <https://ras.arbitr.ru/> (access data: 20.08.2020).
17. Judicial acts in case N A40-233035/2016; <https://ras.arbitr.ru/> (access data: 20.08.2020).
18. Judicial acts in case N A26-6719/2016; <https://ras.arbitr.ru/> (access data: 20.08.2020).
19. Moscow district Arbitration court resolution of 7.02.2018 in case N A40-233035/2016; <https://ras.arbitr.ru/> (access data: 5.07.2020).
20. North-Western district Arbitration court resolution of 5.07.2017 in case N A56-64161/2016; <https://ras.arbitr.ru/> (access data: 5.07.2020).
21. Fourth Arbitration appeal court resolution of 5.05.2017 in case N A10-4248/2016; <https://ras.arbitr.ru/> (access data: 4.07.2020).
22. RF Government Decree of 21.06.2013 № 525 On approval of the rules for monitoring the composition and properties of wastewater; [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_148199/](http://www.consultant.ru/document/cons_doc_LAW_148199/) (access data: 10.05.2020).
23. Judicial acts in case N A36-8198/2018; <https://ras.arbitr.ru/> (access data: 11.05.2020).
24. Judicial acts in case N A36-11702/2018; <https://ras.arbitr.ru/> (access data: 13.05.2020).
25. Altai territory Arbitration court decision of 12.03.2020 in case N A03-13967/2019; <https://ras.arbitr.ru/> (access data: 11.05.2020).
26. Altai territory Arbitration court decision of 6.10.2017 in case N A03-2755/2017; <https://ras.arbitr.ru/> (access data: 11.05.2020).
27. Judicial acts in case N A27-19420/2019; <https://ras.arbitr.ru/> (access data: 3.08.2020).
28. Federal Service for Accreditation Order of 25.01.2019 N 11 On approval of guidelines for describing the scope of accreditation of a testing laboratory (center); [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_348061/](http://www.consultant.ru/document/cons_doc_LAW_348061/) (access data: 10.05.2020).