

In Sweden, the primary Federal agency concerned with water pollution control is the National Water Protection Service. Its activities are nationwide and conducted in cooperation with other agencies concerned with water pollution control such as the local health committees which concern themselves with the public health aspects of water pollution control. Applications for permits to discharge wastes to streams in Sweden and conflicts concerning water use and water pollution problems are heard and decided by water rights courts. The decisions of the water rights courts can be appealed to a superior water rights court and, if necessary and permission is granted, to the Supreme Court of Sweden. As can be seen, Sweden places a great deal of emphasis on the judicial aspects of water pollution control practice.²³

PERMIT SYSTEMS

As is the case in most of the United States, some procedure for obtaining permits prior to discharge of wastes to streams exists in all European countries. These procedures are usually safeguarded by provisions for hearings in case of adverse proceedings. In some cases, hearings are always held prior to the issuance of a permit. In nearly all cases, interested parties are advised by public notice prior to the hearing.

It is interesting to note that the laws of many countries provide for time limits for granting permits. In England, for example, if a permit is not granted within 6 months, the permit (consent) is considered as granted free of restrictive clauses. In Poland, permits must be issued within 2 months from the date of the application. If the permit has not been issued, the officials involved must notify higher authorities requesting additional time and stating the reasons for the delay. Officials who cause the delay are subject to disciplinary action. In the United States, some State laws specify time limits for dealing with applications for permits. If no time is set and there is undue delay, applicants have, of course, the right to apply to the appropriate courts. In Yugoslavia, according to Federal Administrative Procedure Act, failure to issue a permit within 2 months means that the application has been rejected.²⁴

In some countries, such as Germany, Poland, and Yugoslavia, permits for any change in industrial process are required and the question of pollution by industrial waste is considered prior to the issuance of such permits.

Most European laws, as is the case in the United States, provide for revisions or modifications or even revocation of permits. In the case of Germany and Poland, compensation can be provided for economic losses incurred by modification or revocation of permits. Similarly, many national laws provide for damages to be paid by polluters to water users. For example, in Sweden if the discharge of industrial waste water in an area has an adverse affect on fishing, the owner of the plant may be required to pay an annual amount in the form of damages to be used for "the promotion of fishing in Sweden."²⁵ In Poland, apart from any penalties and criminal sanctions, the water economy section can impose a special water contamina-

²³ Dyrssen, Gösten, in Litwin, *op. cit.*, pp. 137-145.

²⁴ Litwin, *op. cit.*, p. 49.

²⁵ Dyrssen, Gösten, *op. cit.*, p. 138.