

Health Act

SAFE DRINKING WATER REGULATION

[includes amendments up to B.C. Reg. 214/2001]

Contents

[1 Interpretation](#)

[2 Application to construct](#)

[3 Health hazards](#)

[4 Approval to operate](#)

[5 Water potability](#)

[5.1 Orders respecting Schedule A standards](#)

[5.2-5.3 Repealed](#)

[5.4 General authority for orders respecting water potability](#)

[6 Disinfection of surface water](#)

[7 Emergency response plans](#)

[8 Offences](#)

[Schedule A — Microbiological Standards](#)

[Schedules B and C — Repealed](#)

Interpretation

1 In this regulation:

"Act" means the *Health Act*;

"construction permit" means a construction permit issued under section 2;

"disinfection" means a treatment process that kills or inactivates organisms which are infectious or injurious to human health or are indicative of the presence of organisms which are infectious or injurious to human health;

"domestic purposes" means the use of water for normal household requirements, including sanitation, human consumption and food preparation;

"free chlorine residual" means the concentration of chlorine, excluding combined chlorine, that remains in water after it has been disinfected;

"laboratory" means a laboratory that has been approved in writing by the Provincial health officer to perform tests for a parameter specified in Schedule A [*Microbiological Standards*];

"operating permit" means a permit issued by a medical health officer or public health inspector to a water purveyor to operate a waterworks system;

"potable water" means water that meets the standards established by Schedule A [*Microbiological Standards*] and is safe to drink and fit for domestic purposes without further treatment;

"Provincial health officer" means the senior medical health officer of the Province;

"public health engineer" means a person who is

(a) registered or licensed as a professional engineer under the *Engineers and Geoscientists Act*, and

(b) authorized by the medical health officer to issue a construction permit under section 2;

"surface water" means water from a source which is open to the atmosphere and includes streams, lakes, rivers, creeks, springs and shallow wells;

"treatment" means any physical, biological or chemical process which makes water potable;

"water purveyor" means a person, corporation, municipality or village municipality that offers or supplies, or holds itself out as being available to offer or supply, water for domestic purposes;

"waterworks system" means a system of water supply including its source, treatment, storage, transmission and distribution facilities, where water is furnished or offered for domestic purposes, but does not include a water supply serving only one single family residence.

[am. B.C. Regs. 390/92, Sch. s. 1; 120/2001, s. 1; 214/2001, s. 1.]

Application to construct

2 (1) A person must not

(a) commence or carry on construction, alteration or extension of a waterworks system unless he or she obtains from a public health engineer a construction permit stating that work on the construction, alteration or extension of a waterworks system may be commenced, or

(b) construct, alter or extend a waterworks system, except in accordance with the plans approved by the public health engineer.

(2) To obtain the construction permit required under subsection (1), a person must submit to a public health engineer

(a) an application to construct a waterworks system, complete with plans and specifications, and

(b) the results of a water analysis for those water quality parameters that have been specified by a medical health officer for a water source.

(3) A public health engineer must review the documents submitted under subsection (1) and may issue a construction permit.

(4) A construction permit

(a) is not transferable,

(b) is valid for not more than one year, and

(c) cannot be varied except by the issuance of a new construction permit.

(5) A public health engineer may waive the requirement for a construction permit specified in subsection (1) where emergency repairs are being undertaken or where the construction either replaces or extends a water main.

[en. B.C. Reg. 390/92, Sch. s. 2.]

Health hazards

- 3** (1) Where, in the opinion of a medical health officer or public health inspector, the quality of water in a waterworks system is, or may become, a health hazard,
- (a) the water purveyor must notify all users served by the waterworks system of the existing or potential health hazard, and
 - (b) the water purveyor must seek approval from a medical health officer or public health inspector regarding
 - (i) the manner by which the users are to be notified,
 - (ii) the wording of the notification,
 - (iii) the time period for notification, and
 - (iv) the frequency of repeat notices to be issued while the health hazard continues.
- (2) Where a water purveyor fails to take action as required under subsection (1) (a), a medical health officer or public health inspector may order the purveyor to notify the users of the hazard.
- (3) Where a risk of waterborne disease has been identified by a medical health officer or public health inspector, a water purveyor must take immediate action to minimize the risk to the satisfaction of a medical health officer or public health inspector.

[am. B.C. Reg. 390/92, Sch. s. 3.]

Approval to operate

- 4** (1) A water purveyor must not operate a waterworks system unless the purveyor is the holder of a valid operating permit.
- (2) To obtain an operating permit, a person must submit an application for an operating permit to a medical health officer or public health inspector.
- (3) The medical health officer or public health inspector must review the application submitted under subsection (2) and may issue an operating permit for a waterworks system.
- (4) A medical health officer or public health inspector may, at any time, attach terms and conditions to an operating permit respecting the operation and monitoring of the waterworks system by the purveyor.
- (5) A water purveyor must comply with all terms and conditions imposed under subsection (4).
- (6) A water purveyor must not convey or deliver water for domestic purposes by means of a tank truck or a vehicle water tank unless the purveyor is the holder of an operating permit issued by a medical health officer or public health inspector responsible for the area where the water is delivered.

Water potability

- 5** (1) A water purveyor must provide potable water to all users served by the waterworks system.
- (2) A water purveyor must notify the medical health officer or public health inspector of any situation or condition which renders or could render the water unfit to drink.
- (3) To monitor water potability, a water purveyor must ensure that water samples

- (a) are collected
 - (i) in accordance with procedures established by the medical health officer or public health inspector,
 - (ii) from locations acceptable to the medical health officer or public health inspector, and
 - (iii) at a minimum frequency required by the medical health officer or public health inspector,
- (b) are shipped to a laboratory in accordance with procedures established by the medical health officer or a public health inspector, and
- (c) are analyzed for the parameters specified by the medical health officer or public health inspector.

(3.1) Repealed. [B.C. Reg. 214/2001, s. 2.]

(4) The person or agency performing the analyses specified in subsection (3) (c) must report the results of the analyses to the medical health officer or public health inspector in whose jurisdiction the water samples were taken.

(5) The water purveyor must report the results of any or all of the analyses specified in subsection (3) (c) to

- (a) a user or a potential user of the water, at the request of that person, or
- (b) any or all users of the water, at the request of, and at a minimum frequency established by, the medical health officer or public health inspector.

(6) Repealed. [B.C. Reg. 120/2001, s. 2.]

[am. B.C. Regs. 120/2001, s. 2; 214/2001, s. 2.]

Orders respecting Schedule A standards

5.1 If the water being provided by a waterworks system fails to meet a standard established by Schedule A [*Microbiological Standards*], the medical health officer or public health inspector may order the water purveyor to do one or more of the following, in accordance with the directions given by that official:

- (a) Repealed. [B.C. Reg. 214/2001, s. 3.]
- (b) undertake monitoring, or more frequent monitoring, of its water source and the water provided by the waterworks system;
- (c) obtain an independent report on or assessment of the waterworks system providing specific recommendations for complying with the obligation to provide potable water;
- (d) make improvements to the waterworks system or take other measures in order to comply with the obligation to provide potable water.

[en. B.C. Reg. 120/2001, s. 3; am. B.C. Reg. 214/2001, s. 3.]

Sections Repealed

5.2 and **5.3** Repealed. [B.C. Reg. 214/2001, s. 4.]

General authority for orders respecting water potability

5.4 In addition to any other authority under the Act or this regulation, if the medical health officer or public health inspector considers that the water provided by a

waterworks system is not potable or is at risk of becoming nonpotable, the medical health officer or public health inspector may order the water purveyor to take one or more of the actions referred to in section 5.1 in accordance with the directions given by that official.

[en. B.C. Reg. 120/2001, s. 3.]

Disinfection of surface water

- 6** (1) A water purveyor must
- (a) disinfect all surface water,
 - (b) record the results of all analyses and tests required by the medical health officer or public health inspector to measure free chlorine residuals or the results of other approved disinfection treatment, and
 - (c) provide the results of all these analyses and tests to the medical health officer or public health inspector.

(2) Notwithstanding subsection (1), where, after receiving a written request and relevant supporting information from a water purveyor, the medical health officer considers that

- (a) the surface water does not require disinfection,
- (b) the water purveyor has taken adequate measures to protect and maintain the potability, quality and safety of the surface water and its source, storage, transmission and distribution facilities, and
- (c) the water purveyor has taken adequate measures to provide for the immediate disinfection of the surface water, or to otherwise provide potable water to all users, in the event of an emergency,

the medical health officer may waive the requirement set out in subsection (1) (a) and may, at any time, attach terms and conditions to the waiver.

(3) The medical health officer may, at any time, revoke a waiver given under subsection (2) if a term or condition is no longer being complied with.

(4) Repealed. [B.C. Reg. 214/2001, s. 4.]

[am. B.C. Regs. 57/93, s. 1; 120/2001, s. 4; 214/2001, s. 4.]

Emergency response plans

7 (1) A water purveyor must have a written emergency response plan approved by the medical health officer or public health inspector to be implemented in the event of an emergency affecting the waterworks system.

(2) The plan must be readily available at strategic locations for easy access by the purveyor and staff.

(3) The plan must include

- (a) the names and telephone numbers at work, of
 - (i) the management personnel for the waterworks system,
 - (ii) the medical health officer and public health inspector or inspectors, and
 - (iii) other pertinent agencies and officials,
- (b) the persons to be contacted in each type of emergency, and
- (c) the steps to follow in the event of an emergency that may adversely affect the potability of the water.

[am. B.C. Reg. 57/93, s. 2.]

Offences

8 A person who contravenes this regulation or an order made pursuant to it commits an offence and is liable to a fine of not more than \$2 000 or to imprisonment for not more than 6 months or both.

Schedule A

[en. B.C. Reg. 120/2001, s. 5.]

Microbiological Standards

The following are established as microbiological standards for water provided by waterworks systems as potable water:

Parameter:	Standard:
Fecal coliform	Less than 1 fecal coliform per 100 mL
<i>Escherichia coli</i>	Less than 1 <i>Escherichia coli</i> per 100 mL
Total Coliform	0 total coliform per 100 mL
(a) 1 sample in a 30 day period	
(b) more than 1 sample in a 30 day period	At least 90% of samples have 0 total coliform per 100 mL and no sample has more than 10 total coliform per 100 mL

Schedules B and C

Repealed. [B.C. Reg. 214/2001, s. 5.]

[Provisions of the *Health Act*, R.S.B.C. 1996, c. 179, relevant to the enactment of this regulation: section 8]