

Drinking Water & Sewerage Legislation in B.C.

Municipality of Highlands
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Excellent health and care for everyone, everywhere, every time.

Overview

- Legislation
- Island Health Role
- Sewerage
- Drinking Water
- Questions
- Scenarios
- Resources

Legislation

- *Public Health Act (PHA)*
 - Sewerage System Regulation (SSR)
 - Health Hazards Regulation (HHR)
- Drinking Water Protection Act (DWPA)
 - Drinking Water Protection Regulation (DWPR)

Island Health Role

Sewerage:

- Enforce the requirements of the SSR
- Issue Permits for Holding Tanks
- Address health hazards through progressive enforcement
- Filing registry for required sewerage documentation from **Authorized Person (AP)**

Island Health Role

Drinking Water Systems:

- Enforce the requirements of the DWPA/DWPR
- Address drinking water health hazards through progressive enforcement
- Issue required construction and operating permits to water supply systems
- Ensure water suppliers provide potable water

Island Health Role

Health Hazards:

- Discharge of sewage onto ground or into a body of water.
- Constructing a sewerage system within 30 meters of a domestic well (unless a professional allows)
- Contamination of a drinking water source/system
- Operating a well within 30 meters of a source of contamination
- A condition, a thing or activity that endangers public health

Island Health Role

Sewerage:

- EHO's can use progressive enforcement for non-compliances with SSR such as:
 - Construction without proper qualifications
 - Constructs, or failing to maintain, a sewerage system in a manner that causes a health hazard
 - Failure to comply with a requirement or an Order
 - Operates a holding tank or sewerage system without permit or certification

Sewerage

- The **owner** of every parcel on which a structure is constructed or located **must** ensure that all domestic sewage is discharged into:
 - Public Sewer
 - Sewage Holding Tank
 - Sewerage System constructed and maintained as per Part 3 of the SSR

Sewerage

- A person **must not** construct or maintain a sewerage system unless they are qualified as an **AP** or supervised by an **AP**
- **AP's** must file with Island Health documentation before construction
- **AP's** must certify sewerage construction with Island Health
- **Owners** must maintain sewerage system (requires **AP** or supervision by **AP**)

Sewerage

Authorized Persons:

1. Registered Onsite Wastewater Practitioner (ROWP)
 - Type 1 or 2 systems
 - 9,100 L/Day
2. Professionals (P. Eng)
 - Type 3 systems (and Type 1 & 2)
 - 22,699 L/Day

Drinking Water

- DWPA/DWPR applies to all water supply systems other than “one single-family residence”.
- **Water suppliers (WS)** are required to obtain operating permits from Island Health and **must** provide potable water to users at all times.
- Landlords **must** provide tenants with potable water.

Drinking Water

Water Suppliers:

- Are Liable
- **Must** have construction and operate permits
- **Must** meet treatment objectives
- **Must** monitor & protect source/supply
- **Must** have ERP's and AR's
- **Must** have certified Operators

Questions (Water/Well)

1. In practice, what number of connections to a water system is Island Health actually following through on treating as a Small Water System? Is there gap between the number stipulated in the DWPR versus the number that Island Health concerns themselves with?
 - Island Health will deal with any water supply systems that serve more than “one single-family residence” as we are made aware of them. There are no gaps.
2. If a house were to have a main residence and two suites (or combination of suites and accessory dwelling units), would Island Health require the water system owner to file weekly or monthly water tests?
 - This would be considered a water supply system and have to meet all the requirements of the DWPA/DWPR, therefor the minimum monthly bacteriological testing would be 4 samples per month.
3. When the owner of a single family dwelling that uses a domestic well for potable water constructs a second dwelling on that same property and splits the water line to provide domestic water from that same domestic well to the secondary dwelling does that action require some level of government approval?
 - Yes. This would be considered a water supply system and have to meet all the requirements of the DWPA/DWPR.

Questions

Continued

3. And, if that action does then what level of government or service would approve it?

- Island Health Drinking Water Officers (DWO's) issue the required construction and operating permits for water supply systems.

And further, who enforces such as requirement?

- Island Health DWO's.

And, how and who ensures that there is sufficient domestic potable well water to provide to both homes?

- It is the water system owners responsibility to ensure water is potable, but this would be monitored and enforced by Island Health DWO's.
- Water quantity, or water usage, is governed under the *Water Sustainability Act (WSA)*, which is governed by the Province under Forests, Lands, Natural Resource Operations & Rural Development (FLNRO). Water system owner would be required to obtain license from this office.

Questions (Sewerage)

1. The Manual of Composting Toilets and Greywater Practice, has initiated the design of sewerage systems allowing these in 2016. If the Daily Design Flow of two or three units fall below the 9600L/day, can these units share a singular processor and grey water system if designed and filed as per the SSR?
 - Provided an AP files and certifies with Island Health yes.
2. If a single family dwelling has a septic tank and field and the owner constructs another dwelling on the same property can both of the dwellings utilize the same septic system?
 - Provided an AP files and certifies with Island Health yes.
3. What if the original home's septic field was constructed for the capacity of only 1 single family dwelling? Is there anything different that must occur then for septic approval? And, if so, who or what area would provide enforcement?
 - Owner must get an AP to file and certify with Island Health.
 - Onus is on owner to comply with the law, however if need a building permit is required documentation from AP filed with Island Health will be faxed to Highlands.
 - If illegal work is done (that does not include AP) EHO can take progressive enforcement to owner.

Questions (Sewerage)

4. In respect to location(s) of septic tanks and fields on a private residential lot does Island Health require the property owner to map out its proposed location? And, if so what environmental factors and or boundaries does Island Health consider in their approvals?
- If construction is being done on a sewerage system then an AP must submit an “as built” drawing of sewerage system with Letter of Certification (LOC).
 - Island Health does not approve sewerage systems. Our office is a filing registry for AP’s and our EHO’s enforce the regulatory requirements of the SSR.
 - The only legal setback in the SSR is that a sewerage system cannot be constructed within 30 meters of a well used for domestic purposes, however the 30 meter setback can be reduced if a professional competent in the area of hydrogeology submits a report (with the filing/ROSS) that the construction of the sewerage system will not likely cause a health hazard.
 - ROWP’s have to follow the setbacks laid out in the Standard Practice Manual Version 3 (as per their professional organization ASTTBC), however P. Eng’s do not have to adhere to any setbacks.
5. Does Island Health physically visit these private properties to ensure accuracy?
- No. Island Health EHO’s would only come onsite when complaints are registered. EHO’s will address health hazards and take the necessary action to correct them.

Questions (Sewerage)

6. What is Island Health's role in permitting the following?

- Island Health does not permit sewerage systems. We are a filing registry for the necessary documentation from AP's.
- a) An Accessory Dwelling Unit with a compost toilet and/or grey water system designed and installed as per the SSR (Sewerage System Regulation).
 - AP must file and certify sewerage system (all aspects of sewerage system: composting toilet and/or grey water system) with Island Health.
 - b) An Accessory Dwelling Unit with rain water harvesting installed as per the Drinking Water Protection Regulation?
 - This question does not make sense.
 - c) If there are two or more dwellings that share any of these systems, how does this change (i.e. what is the threshold with respect to number of dwellings or volumes)?
 - If two or more dwellings share a sewerage system that is fine provided it has been constructed in accordance with the SSR. If they are not on the same physical lot then easements would be necessary to allow access onto another property.
 - A water supply system that serves more than one-single family residence needs to meet all of the requirements of the DWPA/DWPR.

Scenarios (Sewerage)

- Any construction or maintenance must be done by an AP or supervised by an AP.
- This includes composting toilets.
- This includes adding living space to an existing house or adding accessory buildings.
- AP's must file and certify with Island Health
- Island Health deals with complaints and health hazards

Scenarios (Water)

- One single-family residence using a single water source/supply is exempt.
- Being exempt this could be any source of water (surface, ground or even rainwater).
- Landlords are required to provide their tenants with potable water.
- Water quality would have to meet prescribed standards, but does not require permits from Island Health.

Scenarios (Water)

- Landlords renting one single-family residence to one single-family would need to provide potable water, but be exempt from permits.
- Potable water is defined as meeting prescribed standards.
- If the house has two separate suites in the house and is rented to two separate families then this would be considered a water supply system and would need to comply with DWPA.

Scenarios (Water)

- A water supply serving more than one single-family residence requires compliance:
 - Accessory dwellings
 - B & B's
 - Business's
 - Community Centers (Caleb Pike Heritage House)
 - Government Offices
 - Recreational Facilities
 - Food Premises

Scenarios (Rainwater)

- Exempt or non-potable use (toilets or irrigation)
- DWO's assess sources against treatment objectives (which are set by the province)
- MOH has surface & ground water treatment objectives, but currently none for rainwater
- MOH is currently researching treatment objectives for rainwater

Resources

Sewerage AP's:

ROWP's: <https://owrp.asttbc.org/rowp-finder/>

P. Eng: <https://www.egbc.ca/Member-Directories/Professionals-for-Sewerage-System-Regulation>

Resources

Water

IH: <https://www.islandhealth.ca/learn-about-health/drinking-water>

MOH: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-quality/drinking-water-quality>

HC: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/water-quality/drinking-water/canadian-drinking-water-guidelines.html>

Sewerage

IH: <https://www.islandhealth.ca/learn-about-health/environment/sewerage-subdivision>

MOH: <https://www2.gov.bc.ca/gov/content/environment/waste-management/sewage/onsite-sewage-systems>

LAWS: www.bclaws.ca