

The Water Pollution Control and Waterworks Regulations

Repealed

by Chapter E-10.21 Reg 1 (effective December 5, 2002).

Formerly

Chapter E-10.2 Reg 2 (effective June 17, 1987) as amended
by Saskatchewan Regulations 65/87 and 49/2000.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I		PART IV
	Title and Interpretation		Operator Certification Board and Certification of Operators
1	Title		
2	Interpretation		
3	Interpretation for purposes of Act		DIVISION I
4	Application		General
	PART II		
	Water Pollution Control		
	INTERPRETATION		
5	Interpretation of Part	26	Interpretation of part
	PERMITS	26.1	Application of Part
6	Exemption from permits	26.2	Board established
7	Information on application for permit	26.3	Chairperson
8	Waiver of requirements	27	Board not an agent of the Crown
9	Exemption from 39(1) of Act	27.1	Head office
	SEWAGE WORKS AND INDUSTRIAL EFFLUENT WORKS SPECIFICATIONS	27.2	Meetings
10	Compliance	27.3	Authority of the board
11	Sewers	28	Borrowing powers
12	Pumping stations	28.1	Loan not guaranteed
13	Treatment facilities	28.2	Investment
14	Disinfection of effluent	28.3	Fiscal year
15	Testing	29	Audit
	PART III	29.1	Reporting
	Waterworks	29.2	Standards
	INTERPRETATION	30	Classification of facilities
16	Interpretation of Part		DIVISION II
17	Application		Operator Certification
	WATERWORKS SPECIFICATIONS	30.1	Certification required
18	Water supply	30.2	Application
19	Water transmission and distribution	31	Board may investigate
20	Water pipes	31.1	Issuance of certificate
21	Potable water storage reservoirs	31.2	Requirements for certification
22	Water treatment facilities; pump houses	32	Cancellation or suspension of certificate
23	Water treatment	32.1	Transitional
24	Operation of waterworks		
25	Water tests and records		

CHAPTER E-10.2 REG 2

The Environmental Management and Protection Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Water Pollution Control and Waterworks Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act*;
- (b) “**approved**” means approved by the minister in writing;
- (c) “**backflow prevention device**” means an effective device, method or construction used to prevent the backflow of sewage, industrial waste or potable water;
- (d) “**mineral**” means a non-living substance formed by the processes of nature that occur on or from under the surface of the ground, irrespective of their chemical or physical state, but does not include naturally-occurring water, agricultural soil, or sand or gravel that belongs to the owner of the surface of the land, other than the Crown, under *The Sand and Gravel Act*;
- (e) “**mining**” includes:
 - (i) a mode or method of working whereby the soil, earth or any mineral may be disturbed, removed, carted, carried, washed, sifted, roasted, smelted, refined, crushed or dealt with by another, similar process for the purpose of obtaining a mineral whether the mineral was previously disturbed or not;
 - (ii) the boring or drilling for a mineral; and
 - (iii) the working of the ground for the purpose of underground storage of a mineral;
- (f) “**pipes**” includes all appurtenances attached to pipes;
- (g) “**potable water**” means water that is approved for human consumption;
- (h) “**sanitary sewer**” means a system of sewer conduits, sewer drains, sewer mains and sewer pipes in a sewage works that is designed to convey sewage exclusively or principally;

- (i) **“service connection”** means a sewer pipe that connects a sewer main with premises or a water pipe that connects a watermain with premises;
- (j) **“sewer conduit”** means a conduit intended to convey sewage exclusively or principally;
- (k) **“sewer drain”** means a drain intended to convey sewage exclusively or principally;
- (l) **“sewer main”** means a main intended to convey sewage exclusively or principally;
- (m) **“sewer pipe”** means a pipe intended to convey sewage exclusively or principally;
- (n) **“waste disposal ground”** means a site at which refuse is disposed of;
- (o) **“water treatment facility”** means those components of a waterworks that are designed and used for the treatment of water by any of the following operations:
 - (i) chemical coagulation;
 - (ii) sedimentation;
 - (iii) filtration;
 - (iv) disinfection; or
 - (v) any other approved operation;
- (p) **“works”** means industrial effluent works, sewage works or waterworks.

26 Jne 87 cE-10.2 Reg 2 s2.

Interpretation for purposes of Act

3(1) For the purposes of clause 2(bb) of the Act and in these regulations, **“watercourse”** includes a gully, valley floor, drainage ditch or any other channel in which water flows either permanently or intermittently.

(2) For the purposes of the Act:

- (a) **“northern municipality”** means a northern village, town or the district, as defined in *The Northern Municipalities Act*, as the case may be;
- (b) **“rural municipality”** means a rural municipality within the meaning of *The Rural Municipality Act*.

26 Jne 87 cE-10.2 Reg 2 s3.

Application

4 These regulations do not apply to works that:

- (a) handle or treat industrial wastes that are the result of mining operations or the development of, or exploration for, any mineral resource;
- (b) are operated for the storage, treatment or disposal of sludge into or onto soil or into subsoil;

- (c) handle or treat industrial waste that is hazardous waste; or
- (d) collect, store, treat or contain contaminants, industrial waste or sewage at a waste disposal ground.

26 Jne 87 cE-10.2 Reg 2 s4.

PART II
Water Pollution Control
INTERPRETATION

Interpretation of Part

5 In this Part:

- (a) **“basin”** means a natural or artificially created space or structure that has a shape and character to retain or treat sewage or industrial waste;
- (b) **“BOD₅”** means a five-day biochemical oxygen demand at 20 degrees centigrade;
- (c) **“collection system”** means a system of sewer pipe, sewer conduit, sewer drain, sewer main and appurtenances used for collecting and conveying sewage from source to discharge;
- (d) **“diffuser”** means a tube or other device with more than one outlet port to distribute effluent more uniformly throughout the receiving waterbody than would be the case for a single discharge point;
- (e) **“effluent”** means any waste discharging from a sewage works or an industrial effluent works;
- (f) **“facultative lagoon”** means a lagoon composed of one or more open basins each of which is designed to treat sewage or industrial waste, during periods when the surface of the basin is free of ice, by means of dissolved oxygen present in the sewage or waste as a result of photosynthesis and atmospheric reaeration;
- (g) **“lagoon”** means one or more open basins or reservoirs designed to treat or store sewage or industrial waste;
- (h) **“mechanical treatment facility”** means a sewage treatment facility the processes of which are controlled primarily by mechanical means;
- (i) **“municipal sewage works”** means a sewage works that is owned or operated by a municipality or by another person on behalf of a municipality;
- (j) **“outfall sewer”** means the point, location or structure where industrial waste or sewage is discharged to the ultimate disposal area;
- (k) **“primary basins”** means the first major basins in a treatment facility;
- (l) **“pumping station”** means a facility containing one or more pumps and their appurtenances that are designed to pump sewage or industrial waste in a sewage works or industrial effluent works;

- (m) **“sanitary sewage”** means sewage that is discharged from sanitary conveniences of dwellings, office buildings, industrial plants or institutions;
- (n) **“secondary treatment process”** means a treatment process of sewage that results in a final effluent with average daily BOD₅ and total suspended solids concentrations each reduced by a minimum of 85% from the untreated sewage;
- (o) **“sludge”** means the accumulated solids separated in a treatment facility from industrial waste or sewage;
- (p) **“solid industrial waste”** means industrial waste other than waste that is exclusively or principally liquid or gaseous industrial waste;
- (q) **“storm sewer”** means a system of conduits, drains, mains and pipes intended to convey storm water exclusively or principally;
- (r) **“storm water”** means rainwater or water resulting from the melting of snow or ice;
- (s) **“treatment facility”** means those components of a sewage works or industrial effluent works that modify or hold sewage or industrial waste by any of the following means:
 - (i) biological;
 - (ii) bacteriological;
 - (iii) chemical;
 - (iv) physical; or
 - (v) mechanical.

26 Jne 87 cE-10.2 Reg 2 s5; 24 Jly 87 SR 65/87
s26.

PERMITS

Exemption from permits

6(1) The following discharges of contaminants are exempt from clause 17(a) of the Act:

- (a) discharge from sewage works, other than municipal sewage works, unless the average flow of effluent from the sewage works, as determined by the department, exceeds 18 cubic metres per 24-hour period, where that determination is based on the three consecutive months having the greatest flow in a year;
- (b) discharge from pipes in a collection system owned or operated by a municipality where the pipes are located under the surface of the property on which the premises served by the collection system are located;
- (c) discharge from piping fixtures comprising the plumbing within a building;

WATER POLLUTION CONTROL
AND WATERWORKS

E-10.2 REG 2

- (d) any storm water discharge other than storm water discharge at any industrial operation that has a permit pursuant to clause 17(a) or 17(c) of the Act;
 - (e) discharge from a water treatment facility, except for sanitary sewage.
- (2) Discharge of contaminants from and construction or installation of, alteration or extension to or the operation of the following works are exempt from clauses 17(a) and (c) of the Act:
- (a) works that are operated for the disposal of salt water, sediment or other wastes from oil or gas well operation or development;
 - (b) works that collect, store or contain industrial waste in a building or the underground works of a mine where the industrial waste is not subsequently disposed of into the environment;
 - (c) works that handle or treat waste from abbatoirs unless the average flow of effluent from the works, as determined by the department, exceeds 18 cubic metres per 24-hour period, where that determination is based on the three consecutive months having the greatest flow in a year;
 - (d) works that handle or treat livestock waste from intensive livestock operations where a valid and subsisting permit has been obtained pursuant to *The Pollution (By Livestock) Control Act, 1984* and the regulations pursuant to that Act for those works;
 - (e) works that drain water from agricultural land and that are defined as drainage works pursuant to *The Water Corporation Act*.
- (3) Any construction or installation of, alteration or extension to or operation of works that are operated:
- (a) for the disposal of industrial waste into deep well formations if the disposal is approved pursuant to *The Oil and Gas Conservation Act* and the regulations pursuant to that Act; or
 - (b) solely for the disposal of water that is used to reduce temperature and that does not contain any additive to the water source;
- is exempt from clause 17(c) of the Act.

26 Jne 87 cE-10.2 Reg 2 s6.

Information on application for permit

7(1) Subject to subsection (4), when a person makes an application for a permit to do those things described in clause 17(a) of the Act, he shall include in his application:

- (a) engineering drawings showing the details of mechanical, structural, electrical and control equipment;
- (b) a plan of the collection system, pumping stations and force mains that are connected to the treatment facility and showing, with respect to the collection system:
 - (i) the location of the collection system in relation to other underground facilities;

- (ii) the size and type of pipe used in the collection system;
 - (iii) the depth of burial of the sewer mains that form part of the collection system;
 - (iv) the gradient of the sewer mains that form part of the collection system;
 - (v) the locations of manholes that form part of the collection system;
 - (vi) the profile elevations for the collection system;
 - (vii) the design information of the collection system, including flows, areas served and future areas to be served;
- (c) a location plan drawn to a scale specified on the plan and showing:
- (i) the applicant's proposed or existing treatment facility or proposed and existing treatment facilities, as the case may be;
 - (ii) the land on which the treatment facility is or will be located and that:
 - (A) is owned by the applicant or, if the land is not owned by the applicant, controlled by the applicant through an agreement with the owner of the land for its use; and
 - (B) may be affected by the operation of the treatment facility;
 - (iii) the existing, proposed or existing and proposed residential, industrial, office or institutional developments within one kilometre of the treatment facility;
 - (iv) the roads giving access to the treatment facility;
 - (v) the topographical elevations contoured to one metre intervals of the area within 300 metres of the treatment facility;
 - (vi) a plan of outfall sewers that form part of the sewage works showing:
 - (A) the location of the outfall sewers;
 - (B) the depth of burial of the outfall sewers;
 - (C) the erosion protection details;
 - (D) the diffuser details if one is present;
 - (E) the points of entry to watercourses and lakes that may be affected by the operations of the treatment facility; and
 - (F) the measures to be used to prevent unauthorized entry to the outfall sewers;
 - (vii) any groundwater wells within one kilometre of all lagoons; and
 - (viii) any watercourses and lakes that may be affected by the operation of the treatment facility;

- (d) process flow diagrams and a hydraulic profile of unit processes in the treatment facility with a written description of the process flow diagrams;
 - (e) a written description of the treatment of any contaminant in the treatment facility and the discharge from the treatment facility of any effluent including a description of:
 - (i) the quantity and quality of the contaminant to be treated;
 - (ii) the expected quality and quantity of the effluent;
 - (iii) the principles of treatment and capacities of individual treatment units of the treatment facility;
 - (iv) in the case where operation of the treatment facility is to continue during construction, the proposed operations during construction;
 - (v) any watercourses and lakes that may be affected by the operations of the treatment facility;
 - (vi) the soil and ground water characteristics at the site of all lagoons, effluent irrigation developments and sludge handling and disposal locations;
 - (vii) any sludge handling and disposal methods; and
 - (viii) the seepage control and ground water protection measures for all lagoons, effluent irrigation developments and sludge handling and disposal locations.
- (2) Subject to subsection (4), when a person makes an application for a permit to do those things described in clause 17(b) of the Act, he shall include in his application:
- (a) the name of the person on whose behalf the chemical is to be applied;
 - (b) the purpose of the treatment;
 - (c) the chemical product to be used;
 - (d) the intended dosage rate of each chemical product to be used;
 - (e) the period of treatment;
 - (f) the total amount of each chemical product to be used per treatment;
 - (g) the number of times each chemical product will be applied;
 - (h) the name or location and description of the water body to be treated, together with a sketch plan; and
 - (i) the major water users that may be affected.
- (3) Subject to subsection (4), when a person makes an application for a permit to do those things described in clause 17(c) of the Act, he shall include in his application, with respect to the treatment facility:
- (a) the information prescribed in subsection (1);

- (b) an engineering report with respect to the treatment facility containing information necessary to design and operate the treatment facility;
 - (c) information on the quality and quantity of water used in the processes generating the effluent;
 - (d) information on the variation in rates of flow and the maximum and average concentrations of significant components in the effluent where the quantity and quality of effluent varies according to industrial operating procedures;
 - (e) process flow diagrams of unit processes in the treatment facilities generating the effluent, and the quantity and quality of the effluent generated;
 - (f) the expected impact of the effluent on the receiving environment and proposed mitigative measures in those cases where there may be, in the opinion of the department, a significant impact on the environment; and
 - (g) the proposed program to monitor the quantity and quality of the effluent and impact of the effluent on the receiving environment.
- (4) Where any information described in subsection (1), (2) or (3) has been provided to the department before an applicant submits his application, that information may be excluded from the application, unless the minister requests that it be included.

26 Jne 87 cE-10.2 Reg 2 s7.

Waiver of requirements

8 The minister may, when he considers it appropriate, waive any of the requirements of section 7.

26 Jne 87 cE-10.2 Reg 2 s8.

Exemption from 39(1) of Act

9 Any permit, approval, licence or other authority issued with respect to any of the following are exempt from subsection 39(1) of the Act:

- (a) discharge from sewage works, other than municipal sewage works, unless the average flow of effluent from the sewage works, as determined by the department, exceeds 18 cubic metres per 24-hour period, where that determination is based on the three consecutive months having the greatest flow in a year;
- (b) discharge from pipes in a collection system owned or operated by a municipality where the pipes are located under the surface of the property on which the premises served by the collection system are located;
- (c) discharge from piping fixtures comprising the plumbing within a building;
- (d) works that are operated for the disposal of salt water, sediment or other wastes from oil or gas well operation or development;

WATER POLLUTION CONTROL
AND WATERWORKS

E-10.2 REG 2

- (e) works that handle or treat waste from abbatoirs unless the average flow of effluent from the works, as determined by the department, exceeds 18 cubic metres per 24-hour period, where that determination is based on the three consecutive months having the greatest flow in a year;
- (f) works that handle or treat livestock waste from intensive livestock operations where a valid and subsisting permit has been obtained pursuant to *The Pollution (By Livestock) Control Act, 1984* and the regulations pursuant to that Act for those works;
- (g) works that drain water from agricultural land and that are defined as drainage works pursuant to *The Water Corporation Act*;
- (h) any construction or installation of, alteration or extension to or operation of works that are operated for the disposal of industrial waste into deep well formations if the disposal is approved pursuant to *The Oil and Gas Conservation Act* and the regulations pursuant to that Act.

26 Jne 87 cE-10.2 Reg 2 s9.

SEWAGE WORKS AND INDUSTRIAL
EFFLUENT WORKS SPECIFICATIONS

Compliance

10 The owner or operator of a sewage works or industrial effluent works shall comply with sections 11 to 13 and shall cause the sewage works or industrial effluent works, as the case may be, to conform with those sections.

26 Jne 87 cE-10.2 Reg 2 s10.

Sewers

11(1) The minister may prescribe the standards with which the materials and operations for sewage works shall conform where those standards are required for the protection of the environment or the public health.

(2) No sanitary sewers and storm sewers shall be interconnected in a manner that permits sewage in the sanitary sewer to be discharged through the storm sewer.

(3) The sewer pipes in a sanitary sewer shall be placed at depths or afforded protection that will, in the opinion of the minister, prevent freezing or damage by external loading caused by traffic on the surface of the land above the sewer pipes.

26 Jne 87 cE-10.2 Reg 2 s11.

Pumping stations

12(1) A pumping station shall have mechanically forced air ventilation.

(2) Unless otherwise approved, a pumping station that is:

- (a) designed to pump more than 225 litres per minute; or
- (b) the only pumping station in the sewage works or industrial effluent works;

shall have at least two pumps.

(3) A potable water outlet that may come in contact with waste in a sewage works, industrial effluent works or any component part thereof shall be equipped with a backflow prevention device.

26 Jne 87 cE-10.2 Reg 2 s12.

Treatment facilities

13(1) Treatment facilities shall be operated to produce an effluent that meets the requirements set by the minister.

(2) Unless otherwise approved, all sewage works shall include a secondary treatment process or facultative lagoons designed in accordance with subsection (3).

(3) Unless otherwise approved, all facultative lagoons shall be designed to have:

- (a) a minimum of two basins operating in series;
- (b) primary basins with a surface area sufficient to ensure that a BOD₅ loading of no greater than 30 kilograms per hectare per day will be applied; and
- (c) a combined storage capacity in all basins, other than the primary basins, of at least 180 days of sewage flow into the basins for the service connections and population to be served by the sewage works.

(4) Unless otherwise approved, no owner or operator of a lagoon shall cause or allow any discharge from the lagoon in the period commencing on November 1 in any year and ending on the date of commencement of the spring run off in the following year as determined by the minister.

(5) Gas chlorinators and chlorine cylinders used in any treatment facility shall be isolated in a room or enclosure that:

- (a) is separate from other parts of the treatment facility;
- (b) has a door that opens only in an outward direction;
- (c) provides for visual inspection of the room from outside the room; and
- (d) has mechanical ventilation to the exterior atmosphere.

(6) Gas chlorination safety equipment used in a treatment facility shall be located close to, but outside, the room containing the gas chlorination equipment or cylinders.

26 Jne 87 cE-10.2 Reg 2 s13.

Disinfection of effluent

14 The minister may:

- (a) if he considers it necessary, require that effluent be disinfected; and
- (b) prescribe requirements for the disinfection required pursuant to clause (a);

and the owner or operator of a sewage works or industrial effluent works, as the case may be, shall comply with those requirements.

26 Jne 87 cE-10.2 Reg 2 s14.

Testing

15(1) The owner or operator of a sewage works or industrial effluent works shall:

- (a) cause tests to be conducted and information to be collected as required by the minister;
- (b) cause operational records to be maintained, which records shall include information respecting:
 - (i) maintenance work;
 - (ii) dosages and amounts of chemicals or other additives to the sewage or industrial waste;
 - (iii) dates of discharge and the volumes of discharge; and
 - (iv) locations from which samples for any tests are conducted and the results of those tests; and
- (c) make available the operational records mentioned in clause (b) and the results of the tests conducted and the information collected pursuant to clause (a) to the department as requested by the minister.

26 Jne 87 cE-10.2 Reg 2 s15.

PART III
Waterworks
INTERPRETATION

Interpretation of Part

16 In this Part:

- (a) **“chemical feeder”** means a device for dispensing a chemical at a predetermined rate for the treatment of water;
- (b) **“distribution system”** means a system of water pipes, storage reservoirs, valves and hydrants designed to convey water from the point where it is treated to the point where it is made available to the consumer;
- (c) **“free chlorine residual”** means that portion of the total residual chlorine remaining in water that will react chemically and biologically as hypochlorous acid or hypochlorite ion;
- (d) **“municipal waterworks”** means a waterworks owned or operated by a municipality or by another person on behalf of a municipality;
- (e) **“pump house”** means a facility in waterworks containing one or more pumps and their appurtenances that are designed to pump water in a waterworks;

(f) **“total chlorine residual”** means the chlorine concentration remaining in water as free chlorine residual plus combined chlorine that is available to oxidize organic matter.

26 Jne 87 cE-10.2 Reg 2 s16.

Application

17(1) Sections 18 to 25 apply to:

- (a) all municipal waterworks except, subject to clause (b), municipal wells;
- (b) municipal wells that are connected to a distribution system; and
- (c) all waterworks, other than municipal waterworks, that have an average flow of potable water, as determined by the department, exceeding 18 cubic metres per 24-hour period, where that determination is based on the three consecutive months having the greatest flow in a year.

(2) The owner or operator of a waterworks or distribution system shall comply with sections 18, 19, 21 and 22 and shall ensure that the waterworks conform with those sections.

26 Jne 87 cE-10.2 Reg 2 s17.

WATERWORKS SPECIFICATIONS

Water supply

18(1) A well used as a source of water in a waterworks shall:

- (a) have a durable well casing;
- (b) be constructed of new materials; and
- (c) be constructed and maintained to prevent the entry of surface water, dirt or other material into the well casing.

(2) A water well used as a source of potable water shall be cleaned and disinfected:

- (a) during drilling operations;
- (b) after the well has been completely constructed but before use; and
- (c) after a new pump has been installed or after maintenance or repairs have been carried out on a well or pump that is connected to the well.

26 Jne 87 cE-10.2 Reg 2 s18.

Water transmission and distribution

19(1) The minister may prescribe the standards with which the materials and operations for waterworks shall conform where those standards are required for the protection of the environment or the public health.

(2) Subsections (1), and 20(4) do not apply to:

WATER POLLUTION CONTROL
AND WATERWORKS

E-10.2 REG 2

- (a) pipes in a distribution system owned or operated by a municipality where the pipes and appurtenances are located under the surface of the property on which the premises served by the distribution system are located; or
 - (b) piping fixtures comprising the plumbing within a building.
- (3) Water pipes shall be placed at depths or afforded protection that will, in the opinion of the minister, prevent freezing or damage by external loading caused by traffic on the surface of the land above the water pipes.

26 Jne 87 cE-10.2 Reg 2 s19.

Water pipes

20(1) Subject to subsections (2) and (3), no owner or operator of a waterworks shall install:

- (a) a water pipe in a trench with a sewer pipe; or
 - (b) a sewer pipe in a trench with a water pipe.
- (2) If the minister is satisfied that it is in the public interest to do so, he may authorize the owner or operator of a waterworks to install a water pipe in a trench with a sewer pipe where:
- (a) the lowest portion of the water pipe is placed at least 600 millimetres above the highest portion of the sewer pipe in a vertical plane;
 - (b) the water pipe is horizontally separated from the sewer pipe by at least 300 millimetres; and
 - (c) the sewer pipe is not under internal pressure.
- (3) Subsection (1) does not apply to a service connection if a sewer pipe is not under internal pressure and is not located above the water pipe.
- (4) The owner of a potable water pipe shall cause the potable water pipe to be cleaned, disinfected and pressure tested prior to the commencement of its use.

26 Jne 87 cE-10.2 Reg 2 s20.

Potable water storage reservoirs

21(1) A reservoir used for the storage of potable water shall:

- (a) have a watertight cover; and
 - (b) be maintained in a state that is, in the opinion of the minister, of good repair.
- (2) All manholes providing access to an underground or ground level potable water storage reservoir shall be at least 150 millimetres above the grade of the surrounding area and the grade shall be sloped away from the reservoir to prevent flooding by surface run off.
- (3) All manholes providing access to a potable water storage reservoir shall:

- (a) be equipped with a tight fitting cover designed to prevent entry of water; and
 - (b) if the reservoir is located outdoors, be kept locked at all times except when being used by persons authorized by the owner of the reservoir to enter the reservoir.
- (4) All pipes that pass through a potable water storage reservoir shall be constructed and maintained to prevent contaminants from entering the potable water storage reservoir.
- (5) An opening or pipe used to ventilate a potable water storage reservoir shall be designed to prevent the entry of birds, rodents, rain water or foreign matter and be screened.

26 Jne 87 cE-10.2 Reg 2 s21.

Water treatment facilities; pump houses

- 22(1)** The floor of a water treatment facility or pump house shall be designed so that drainage occurs only into the floor drains or sumps in the water treatment facility or the pump house.
- (2) A drain line that connects a treatment component in a water treatment facility to a sanitary sewer shall have a trap that contains water at all times.
- (3) All pipes that connect the discharge pipe from a treatment component in a water treatment facility or pump house to a sanitary sewer shall be equipped with a backflow prevention device acceptable to the minister.
- (4) A water treatment facility or pump house shall be equipped with a meter that records the volume of water passing through the water treatment facility or pump house.
- (5) A chemical feeder in a water treatment facility or pump house shall be equipped with a device that is capable of adjusting the rate of chemical applied.
- (6) Gas chlorinators and chlorine cylinders used in water treatment in any water treatment facility or pump house shall be isolated in a room or enclosure that:
- (a) is separate from other parts of the water treatment facility;
 - (b) has a door that opens only in an outward direction;
 - (c) provides for visual inspection of the room from outside the room; and
 - (d) has mechanical ventilation to the exterior atmosphere.
- (7) Gas chlorination safety equipment used in water treatment in a water treatment facility or pump house shall be located close to, but outside of, the room containing the gas chlorination equipment or cylinders.
- (8) Water treatment facilities and pump houses shall be maintained in a clean and orderly condition satisfactory to the minister.

26 Jne 87 cE-10.2 Reg 2 s22.

Water treatment

- 23(1)** No person shall use a chemical to treat potable water unless it is a chemical that is acceptable to the minister for that purpose.
- (2) No owner or operator of a waterworks providing potable water shall cause the operation of a distribution system, or portion of a distribution system, that is new, altered, extended or repaired to commence operation until it has been disinfected.
- (3) The owner or operator of a waterworks shall cause continuous disinfection by chlorination, or other suitable, approved means, of the water entering a distribution system and of the water throughout the distribution system.
- (4) Unless otherwise approved, the owner or operator of a waterworks shall cause to be maintained:
- (a) a free chlorine residual of not less than 0.1 milligrams per litre in the water entering a distribution system; and
 - (b) a total chlorine residual of not less than 0.5 milligrams per litre or a free chlorine residual of not less than 0.1 milligrams per litre in the water throughout the distribution system.
- (5) The owner or operator of a waterworks shall ensure that equipment used for the application of fluoride to water in the waterworks is operated in a manner that will maintain:
- (a) control of chemical dosages that is, in the opinion of the minister, proper; and
 - (b) a total concentration of fluoride in the treated water not exceeding 1.5 milligrams per litre.

26 Jne 87 cE-10.2 Reg 2 s23.

Operation of waterworks

- 24(1)** The owner of a waterworks that provides potable water shall ensure that the waterworks is operated so that the levels of the following constituents in the treated water delivered to consumers does not exceed the levels specified or falls within the range specified, as the case may be, by the minister for the following:
- (a) viruses;
 - (b) microbiological constituents;
 - (c) chemical constituents;
 - (d) biocides;
 - (e) radioactive constituents; and
 - (f) any other constituents that the minister may specify.

(2) If any test results show that the level, in the treated water delivered by a waterworks to consumers, of any constituent mentioned in subsection (1) exceeds the level specified or does not fall within the range specified, as the case may be, for that constituent established by the minister and those initial test results are made known to the owner or operator of a waterworks, the owner or operator, as the case may be, shall immediately:

- (a) conduct further tests as required by the minister at an approved laboratory; and
- (b) submit the results of the initial and further tests to the minister.

(3) If the average of at least three test results on samples collected in any 30-day period show that the level, in the treated water delivered by a waterworks to consumers, of a constituent mentioned in subsection (1) exceeds the level for that constituent specified by the minister, the owner or operator of the waterworks shall immediately, after receiving the results from the third of those tests:

- (a) subject to subsection (4), notify those persons receiving water from the waterworks by providing a notice, containing a summary of the three test results and any additional information that the minister may direct, through the printed and electronic news media serving the region where the waterworks are located or in any other manner that the minister considers appropriate;
- (b) notify the Director of the Water Quality Branch of the department of the three test results:
 - (i) by telephone or in person; and
 - (ii) in writing;
- (c) advise the Director of the Water Quality Branch of the department in writing of the measures he has taken and intends to take to remedy the situation; and
- (d) take any other action that the minister may direct.

(4) Where less than 100 premises receive water from a waterworks, the owner or operator of the waterworks may give the notice required by clause (3)(a) by sending a written notice to each of those premises.

26 Jne 87 cE-10.2 Reg 2 s24.

Water tests and records

25(1) The owner or operator of a waterworks that provides potable water shall cause samples of water from the distribution system or portion of the distribution system that is new, altered, extended or repaired to be sampled and analyzed for bacteria in the Provincial Laboratory or another approved laboratory.

(2) When a waterworks is in operation, the owner or operator of the waterworks shall cause samples of water to be:

- (a) taken regularly in the waterworks at those locations and times and at that frequency required by the minister and in that manner that the minister may direct; and

- (b) submitted to the Provincial Laboratory, or another approved laboratory, for bacteriological examination at those times and in that manner that the minister may direct.
- (3) When a sample submitted pursuant to subsection (2) shows the presence of bacteria, the owner or operator of the waterworks shall take any action that the minister may direct.
- (4) Where fluoride is applied to potable water, the owner or operator of a waterworks shall submit samples of water from the waterworks, at the locations and times and in the frequency and manner that the minister may direct, to the Provincial Laboratory, or another approved laboratory, for fluoride analysis.
- (5) The owner of a waterworks shall cause operational records to be maintained, which records shall include information respecting:
- (a) total water pumped into the distribution system on a daily basis;
 - (b) dosages and amounts of chemicals applied to the water; and
 - (c) locations from which samples for any tests conducted by the owner or operator of waterworks were taken and results of those tests.
- (6) The owner or operator of a waterworks shall cause all tests to be conducted that the minister may direct on the water in the waterworks including:
- (a) where chlorine is applied, a daily test showing the chlorine residual; and
 - (b) any tests that the minister may direct to monitor the quality of the water in the waterworks or the efficiency of the treatment processes.
- (7) The owner or operator of a waterworks shall make available any information obtained in complying with subsections (1) to (6) to the department as requested by the minister.

26 Jne 87 cE-10.2 Reg 2 s25.

PART IV
Operator Certification Board and Certification of Operators

DIVISION I
General

Interpretation of Part

26 In this Part:

- (a) **“board”** means the Operator Certification Board established pursuant to section 26.2;
- (b) **“certificate”** means a certificate issued by the board pursuant to section 31.1 and includes a certificate issued to an operator in training;
- (c) **“certification program”** means a program that provides for the certification of operators and the classification of a waterworks or sewage works;

- (d) **“collection system”** means a system of sewer pipe, sewer conduit, sewer drain, sewer main and appurtenances used for collecting and conveying sewage from source to discharge;
- (e) **“distribution system”** means a system of water pipes, storage reservoirs, valves and hydrants designed to convey water from the point where it is treated to the point where it is made available to the consumer;
- (f) **“municipal sewage works”** means a sewage works that is owned or operated by a municipality or by another person on behalf of a municipality;
- (g) **“municipal waterworks”** means a waterworks owned or operated by a municipality or by another person on behalf of a municipality;
- (h) **“operator”** means a person who adjusts, inspects or evaluates a process that controls the effectiveness or efficiency of sewage works or waterworks and includes:
 - (i) a person who adjusts or directs the flow, pressure or quality of the water within sewage works or waterworks; and
 - (ii) an operator in training;
- (i) **“wastewater”** means sewage.

14 Jly 2000 SR 49/2000 s2.

Application of Part

26.1 This Part applies to:

- (a) municipal waterworks, municipal sewage works or municipal wells that are connected to a distribution system; and
- (b) waterworks or sewage works, other than municipal waterworks and municipal sewage works, that have an average flow of water or sewage exceeding 18 cubic metres per 24-hour period based on the three-month period having the greatest flow in a year.

14 Jly 2000 SR 49/2000 s2.

Board established

26.2(1) The Operator Certification Board is established as a corporation.

- (2) The board shall consist of at least three but not more than seven persons appointed by the minister who, in the minister’s opinion, have experience with waterworks or sewage works.
- (3) Each member of the board:
 - (a) holds office at pleasure for a term not exceeding three years that is specified in the appointment;
 - (b) is eligible for reappointment; and
 - (c) continues in office until a successor is appointed.

WATER POLLUTION CONTROL
AND WATERWORKS

E-10.2 REG 2

- (4) Members of the board are entitled to:
- (a) remuneration at a rate determined by the board; and
 - (b) reimbursement for expenses in accordance with the rates paid to members of the public service in Saskatchewan.

14 Jly 2000 SR 49/2000 s2.

Chairperson

26.3(1) The members of the board shall designate a chairperson and a vice-chairperson.

(2) The vice-chairperson shall exercise the powers and perform the duties of the chairperson whenever the chairperson is absent or otherwise unable to act.

14 Jly 2000 SR 49/2000 s2.

Board not an agent of the Crown

27 The board is not an agent of the Crown in right of Saskatchewan.

14 Jly 2000 SR 49/2000 s2.

Head office

27.1 The head office of the board is to be situated at any place within Saskatchewan that the board may designate.

14 Jly 2000 SR 49/2000 s2.

Meetings

27.2 The board may meet at any time and place and in a manner that it considers necessary or desirable for the proper conduct of its business.

14 Jly 2000 SR 49/2000 s2.

Authority of the board

27.3 The board may:

- (a) accept any funds granted to the board by the minister;
- (b) enter into contracts or agreements that it considers expedient or desirable in the exercise of its powers or the performance of its responsibilities pursuant to these regulations;
- (c) set fees for the certification of operators, for renewal of certificates and for matters respecting certification and certificates and collect and expend those fees;
- (d) employ any staff necessary to carry out the intent of these regulations;
- (e) determine the period for which a certificate remains in effect as long as the period is not less than one year nor greater than three years;
- (f) attach any terms to a certificate that the board considers appropriate;

- (g) issue or renew a certificate;
- (h) cancel or amend a certificate to correct a clerical or other similar error;
- (i) amend, suspend or cancel a certificate in accordance with section 32;
- (j) appoint any advisory committees that it considers necessary for the efficient conduct of the affairs and business of the board, including appointing persons to an advisory committee who are not members of the board;
- (k) enter into reciprocity agreements with other jurisdictions respecting operator certification standards;
- (l) generally do and authorize the doing of any things that it considers incidental or conducive to the exercise of its powers or the performance of its responsibilities pursuant to this Act.

14 Jly 2000 SR 49/2000 s2.

Borrowing powers

28(1) The board may borrow any amount of money that it considers will be required to fund the operations of the board or to fulfil the purposes of the board.

(2) The board may provide any guarantee or security that it considers appropriate respecting a loan.

14 Jly 2000 SR 49/2000 s2.

Loan not guaranteed

28.1 No loan made pursuant to section 28 is to be guaranteed by the Minister of Finance, and the Government of Saskatchewan is not liable for the repayment of that loan or any interest, principal or premium respecting that loan.

14 Jly 2000 SR 49/2000 s2.

Investment

28.2 The board may:

- (a) invest any part of the capital or operating money of the board in any security or class of securities authorized for investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of the investments in any manner, on any terms and in any amount that the board considers appropriate.

14 Jly 2000 SR 49/2000 s2.

Fiscal year

28.3 The fiscal year of the board is the period commencing on April 1 in one year and ending on March 31 in the next year.

14 Jly 2000 SR 49/2000 s2.

Audit

29 The board shall appoint an auditor, at the board's expense, who shall audit the board's records, accounts and financial statements:

- (a) annually; and
- (b) at any other times the board may direct.

14 Jly 2000 SR 49/2000 s2.

Reporting

29.1(1) In each year, not later than June 30, the board shall provide an annual report to the minister for the previous year that includes:

- (a) the number of applications for certification and for certification renewals, certifications and renewals granted, certifications and renewals denied and hearings by the board;
 - (b) the total number of operators with valid certificates, their names and their places of employment;
 - (c) an annual audited financial statement; and
 - (d) any other information that the minister may request.
- (2) An annual report mentioned in subsection (1) is a public document.

14 Jly 2000 SR 49/2000 s2.

Standards

29.2 For the purposes of this Part, the *Saskatchewan Water and Wastewater Works Operator Certification Standards, 2000*, as prepared by the department, respecting the training and qualifications of operators and the classification of facilities are adopted.

14 Jly 2000 SR 49/2000 s2.

Classification of facilities

30(1) For the purposes of this Part, waterworks and sewage works are to be divided into the following types of facilities in accordance with the standards mentioned in section 29.2:

- (a) water distribution facilities;
 - (b) water treatment facilities;
 - (c) wastewater collection facilities;
 - (d) wastewater treatment facilities.
- (2) The minister may classify a facility mentioned in subsection (1) in accordance with the standards mentioned in section 29.2.
- (3) All waterworks and sewage works classified by the minister before the coming into force of this Part retain their existing classification until they are reclassified pursuant to the standards mentioned in section 29.2.

- (4) The minister may, where the minister considers it appropriate, reclassify a facility in accordance with the standards mentioned in section 29.2.
- (5) For the purposes of subsection (1):
- (a) “**water distribution facilities**” means that part of a waterworks that includes the distribution system and pump houses as defined in clause 16(e) and has no other treatment than that of chemical addition;
 - (b) “**wastewater collection facilities**” means that part of a sewage works that includes the collection system and pumping stations as defined in clause 5(l);
 - (c) “**wastewater treatment facilities**” means those components of a sewage works that modify or hold sewage by any of the following means:
 - (i) biological;
 - (ii) bacteriological;
 - (iii) chemical;
 - (iv) physical;
 - (v) mechanical.

14 Jly 2000 SR 49/2000 s2.

DIVISION II Operator Certification

Certification required

30.1 Within five years after the coming into force of this Part, every municipality and owner of a waterworks or sewage works shall ensure that the operation, repair and maintenance of those works is under the direction of an operator who holds the corresponding certificate for the classification of those works.

14 Jly 2000 SR 49/2000 s2.

Application

30.2(1) A person who wishes to obtain a certificate shall:

- (a) apply to the board in a form acceptable to the board;
- (b) provide evidence satisfactory to the board that the applicant has the necessary training, education and experience for certification as set out in the *Saskatchewan Water and Wastewater Works Operator Certification Standards, 2000*;
- (c) pay a non-refundable fee set by the board; and
- (d) comply with any other requirements that may be set by the board.

WATER POLLUTION CONTROL
AND WATERWORKS**E-10.2 REG 2**

- (2) A person who wishes to renew a certificate shall:
- (a) pay a non-refundable fee set by the board; and
 - (b) comply with any other requirements that may be set by the board.
- (3) Notwithstanding subsection (2), a certificate issued to an operator in training is for a non-renewable term.

14 Jly 2000 SR 49/2000 s2.

Board may investigate

31 The board may investigate or request any information that it considers necessary respecting an application for a certificate or the renewal of a certificate.

14 Jly 2000 SR 49/2000 s2.

Issuance of certificate

31.1(1) The board shall, within 90 days after receiving an application for a certificate:

- (a) issue a certificate to the applicant;
 - (b) notify the applicant that a certificate will not be issued and provide the applicant with written reasons for not issuing a certificate; or
 - (c) notify the applicant that further information is required to complete the application.
- (2) An applicant who is not issued a certificate may, within 30 days of being notified pursuant clause (1)(b), make written representations to the board and the board shall consider those representations in determining whether or not a certificate should be issued.

14 Jly 2000 SR 49/2000 s2.

Requirements for certification

31.2 The board shall not issue or renew a certificate unless the applicant has, in the board's opinion, successfully completed the requirements for certification set out in section 30.2.

14 Jly 2000 SR 49/2000 s2.

Cancellation or suspension of certificate

32(1) Subject to subsection (2), the board may amend or cancel a certificate, or suspend a certificate for a stated period, where the board is satisfied that:

- (a) the certificate was obtained by fraud, deceit or the submission of an application containing inaccurate information;
- (b) the person holding the certificate has been discharged from employment in a facility for gross negligence or for incompetence in the performance of his or her duties; or
- (c) the person holding the certificate has placed the environment or health or safety of the public at risk.

(2) Before taking any action pursuant to subsection (1), the board shall provide the person holding the certificate with:

- (a) reasonable notice of the intended action, including written reasons; and
- (b) an opportunity to make written representations to the board.

14 Jly 2000 SR 49/2000 s2.

Transitional

32.1(1) In this section, “**voluntary certification program**” means a program established and operated by the department for the voluntary certification of operators that was in operation before the coming into force of this Part.

(2) A person who is certified pursuant to a voluntary certification program may apply to the board within 18 months of the coming into force of this section for certification in the class in which he or she was certified pursuant to the voluntary certification program as long as he or she meets the requirements set out in the *Saskatchewan Water and Wastewater Works Operator Certification Standards, 2000*.

14 Jly 2000 SR 49/2000 s2.