



Drinking Water Protection Act

**DRINKING WATER PROTECTION
REGULATION**

B.C. Reg. 200/2003

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Consolidated Regulations of British Columbia

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Definitions

1 In this regulation:

“**Act**” means the *Drinking Water Protection Act*;

“**building system**” means a system, within a building, to which the British Columbia Plumbing Code applies, that receives water from a water supply system operating under a valid operating permit under the Act;

“**connection**” means the line from the water main to a dwelling, campsite or premises;

“**decals**” means an adhesive label that is issued and affixed to an operating permit at the time fees under this regulation are paid or remitted;

“**fiscal year**” means the period from April 1 in one year to March 31 in the next year;

“**small system**” means a water supply system that serves up to 500 individuals during any 24 hour period;

“**system within a system**” means a water supply system that, in the opinion of a drinking water officer or issuing official,

(a) redistributes water from a water supply system operating under a valid operating permit under the Act, and

(b) does not require further treatment processes, additional infrastructure or ongoing maintenance to prevent a drinking water health hazard.

[en. B.C. Reg. 352/2005, s. 1; am. B.C. Regs. 5/2007, App. 1, s. 1; 363/2008, s. 1; 87/2011, s. 1.]

Standards for potable water

2 The prescribed water quality standards for potable water are set out in Schedule A.

Domestic water system

3 The following are excluded from the definition of “domestic water system” in the Act:

(a) equipment, works and facilities constructed, operated or maintained

(i) under a licence, as defined in the *Water Sustainability Act*, for conservation, power or storage purposes,

(ii) under a permit issued under the *Water Sustainability Act*,

(iii) for bottled water production or distribution, or

(iv) for drinking water dispensing machines;

(b) a reservoir relating to a licence or permit referred to in paragraph (a);

(c) a building system;

(d) a system within a system.

[en. B.C. Reg. 352/2005, s. 2; am. B.C. Regs. 363/2008, s. 2; 87/2011, s. 2; 41/2016, s. 9 (a).]

Exemptions

3.1 The following are exempt from section 6 of the Act:

- (a) a small system, if
 - (i) each recipient of the water from the small system has a point of entry or point of use treatment system that makes the water potable, and
 - (ii) the water supplier ensures that the location of non-potable water discharge and non-potable water piping are identified by markings that are permanent, distinct and easily recognized;
- (b) a water supply system, including a small system, if
 - (i) the system does not provide water for human consumption or food preparation purposes,
 - (ii) the system is not connected to a water supply system that provides water for human consumption or food preparation purposes, and
 - (iii) the water supplier ensures that the location of non-potable water discharge and non-potable water piping are identified by markings that are permanent, distinct and easily recognized.

[en. B.C. Reg. 122/2013.]

Prescribed water supply systems

- 4** (1) All water supply systems are prescribed for the purposes of sections 8, 10, 11 and 22 (1) (b) of the Act.
- (2) All water supply systems, except small systems, are prescribed for the purposes of section 9 of the Act.

[en. B.C. Reg. 352/2005, s. 4.]

Treatment

- 5** (1) In this section:
- “**surface water**” means water from a source which is open to the atmosphere and includes streams, lakes, rivers, creeks and springs.
- (2) For the purposes of section 6 (b) of the Act, drinking water from a water supply system must be disinfected by a water supplier if the water originates from
- (a) surface water, or
 - (b) groundwater that, in the opinion of a drinking water officer, is at risk of containing pathogens.

[am. B.C. Regs. 352/2005, s. 5; 41/2016, s. 9 (b) and (c).]

Construction permits

- 6** (1) The following individuals are authorized to issue construction permits:
- (a) a drinking water officer who is a professional engineer, or who is working under the direction of a professional engineer;
 - (b) a professional engineer who has been approved by a drinking water officer.

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- (2) An issuing official under subsection (1) may issue a construction permit to a person after receiving an application in a form satisfactory to the issuing official.
 - (3) A person does not require a construction permit
 - (a) if the person is undertaking emergency repairs to a water supply system,
 - (b) for a water supply system that is a tank truck or a vehicle water tank, or
 - (c) for a small system, provided that an issuing official waives the requirement for a construction permit.
 - (4) A valid and subsisting construction permit that was issued under section 2 of the Safe Drinking Water Regulation, B.C. Reg. 230/92, before the repeal of that regulation is deemed to be a construction permit issued under this regulation and remains valid until its expiration date unless earlier surrendered, suspended or cancelled.

[am. B.C. Reg. 352/2005, s. 6.]

Operating permits and fees

- 7 (1) A drinking water officer may issue an operating permit to a water supplier after receiving
 - (a) an application for an operating permit in a form satisfactory to the drinking water officer, and
 - (b) the fee set out in Schedule C.
- (2) An operating permit in force on March 31 of a year expires on March 31 of that year.
- (3) Despite subsection (2), an operating permit issued for a period of less than 12 months expires on the date specified on the approved application.
- (4) A drinking water officer may renew an operating permit if
 - (a) the operating permit was in force anytime during the 12 months prior to the renewal in respect of the same water supply system, and
 - (b) the fee set out in Schedule C is paid before the effective date of the renewal.
- (5) Approval is given for the remission of a fee paid under this section if
 - (a) the water supplier applies for the remission, and
 - (b) the fee is for a month of the fiscal year for which the water supplier was not required to have the operating permit to which the fee applies.
- (6) A valid and subsisting operating permit that was issued under section 4 of the Safe Drinking Water Regulation, B.C. Reg. 230/92, before the repeal of that regulation is deemed to be an operating permit issued under this regulation and remains valid until its expiration date unless earlier surrendered, suspended or cancelled.

[en. B.C. Reg. 5/2007, App. 1, s. 2.]

Decals

- 7.1** (1) If, in accordance with section 7, an operating permit is issued or renewed, a drinking water officer must issue a decal to the water supplier to cover the period for which the fee is paid.
- (2) If an operating permit does not bear a decal or if that decal does not cover the current date, then the operating permit is not valid.
[en. B.C. Reg. 5/2007, App. 1, s. 2.]

Permits and decals not transferable

- 7.2** An operating permit or a decal is not transferable.
[en. B.C. Reg. 5/2007, App. 1, s. 2.]

Temporary facilities

- 7.3** Despite sections 7 and 7.1, if an operating permit is issued for no more than 14 days during a fiscal year, then
- (a) approval is given for a reduction in the applicable fee so that the water supplier is not required to pay the fee set out in the Schedule, and
- (b) the operating permit is not required to bear a decal to be valid.
[en. B.C. Reg. 5/2007, App. 1, s. 2.]

Water monitoring analysis

- 8** (1) A water supplier must transport water samples to a laboratory in accordance with the procedures established by a drinking water officer.
- (2) For the purpose of section 11 (1) of the Act, a water supplier must monitor for total coliform bacteria and, effective April 1, 2006, *Escherichia coli*, at the frequencies set out in Schedule B of this regulation.
- (3) Despite subsection (2), a drinking water officer may establish different sampling frequencies for a water supplier.
- (4) A laboratory carrying out monitoring analyses for the parameters referred to in subsection (2) must be approved in writing by the Provincial health officer.
- (5) If requested to do so by a drinking water officer, a laboratory must provide to the drinking water officer, the water supplier, or both, a report
- (a) listing all water samples sent by the water supplier to the laboratory, and
- (b) describing, for all samples analyzed, the results of any monitoring analyses for total coliform bacteria and *Escherichia coli*.
[am. B.C. Reg. 352/2005, s. 7.]

Immediate reporting standard

- 9** (1) Subject to subsection (2), immediate reporting is required under section 12 of the Act if the water quality standards in Schedule A are not met for the fecal coliform bacteria or *Escherichia coli* parameters.

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- (2) Immediate reporting is not required if a water sample that failed to meet the immediate reporting standard
- (a) was collected from a location in the water supply system before the water is treated for the removal or inactivation of pathogens,
 - (b) is not used for domestic purposes, or
 - (c) is water for which a public advisory to boil for drinking water has been issued.

Public notification

- 10** If water provided by a domestic water system is not or may not be potable water, the owner of a public premises that is served by the domestic water system must do both of the following:
- (a) notify the public that the water is not potable water by posting a sign at every sink or drinking water fountain accessible to the public;
 - (b) if normal business practices provide an opportunity, verbally advise any person who may use the domestic water system for a domestic purpose that the water is not potable water.

Time limits for publication

- 11** For the purposes of section 15 (b) of the Act, a water supplier must prepare and make public, within 6 months of the end of the calendar year, an annual report of the results of the monitoring required by this regulation, its operating permit or the drinking water officer.

Qualification standards for persons operating water supply systems

- 12**
- (1) In this section, “**Environmental Operators Certification Program**” means the program of classification and certification for water supply system operators established in British Columbia by the Environmental Operators Certification Program Society.
 - (2) Subject to subsections (3) and (6), a person is qualified to operate, maintain or repair a water supply system if the person is certified by the Environmental Operators Certification Program for that class of system as classified under the Environmental Operators Certification Program.
 - (3) Subsection (2) applies to water supply systems classified as level 1 or level 2, and effective January 1, 2006, water supply systems classified as level 3.
 - (4) Despite section 4 (2) of this regulation, an operating permit may require a person to be certified to operate, maintain or repair a small system.
 - (5) Despite subsection (3), an operating permit may establish a later date on which subsection (2) applies to a water supply system.
 - (6) Subsection (2) does not apply to a person with specialist knowledge immediately relevant to maintenance or repair of a water supply system provided the

maintenance or repair is conducted following procedures approved by a person certified by the Environmental Operators Certification Program.

[en. B.C. Reg. 352/2005, s. 8.]

Emergency response and contingency plan

- 13** (1) In this section, “**environmental health officer**” has the same meaning as in the *Public Health Act*.
- (2) A water supplier must include the following in an emergency response and contingency plan:
- (a) the names and telephone numbers of
 - (i) the management personnel for the water supply system,
 - (ii) the drinking water officer, medical health officer and environmental health officer, and
 - (iii) other agencies and officials specified by the drinking water officer;
 - (b) the persons referred to in paragraph (a) to be contacted in each type of emergency or abnormal operational circumstance;
 - (c) the steps to follow in the event of an emergency or abnormal operational circumstance;
 - (d) protocols to follow respecting public notice if an immediate reporting standard is not met.
- (3) A water supplier must
- (a) make the emergency response and contingency plan accessible to the staff of the water supplier, and
 - (b) provide a copy of the emergency response and contingency plan to the drinking water officer.
- (4) A water supplier must make a summary of the emergency response and contingency plan accessible to the users served by its water supply system.
- (5) A water supplier must not include in the summary referred to in subsection (4) any information that may reasonably pose a risk to the water supply system.

[am. B.C. Reg. 237/2018, Sch. 2.]

Well floodproofing

- 14** For the purpose of section 16 of the Act, the following persons must floodproof their wells in the manner described in section 63 (a) and (b) of the Groundwater Protection Regulation:
- (a) the owner or operator of a well that provides or may provide drinking water and that is identified in an assessment as being at risk of flooding;
 - (b) the owner of a well completed after October 31, 2005 that is for the purpose of supplying a water supply system.

[en. B.C. Reg. 300/2004; am. B.C. Reg. 41/2016, s. 9 (d).]

Assessment response plan

- 15 For the purposes of section 22 (3) of the Act, an assessment response plan must include provisions to identify, eliminate and prevent cross connections with non-potable water sources.

SCHEDULE A

WATER QUALITY STANDARDS FOR POTABLE WATER

(sections 2 and 9)

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

SCHEDULE B

**FREQUENCY OF MONITORING SAMPLES FOR
PRESCRIBED WATER SUPPLY SYSTEMS**

(section 8)

Population Served by the Prescribed Water Supply System:	Number of Samples Per Month:
less than 5 000	4
5 000 to 90 000	1 per 1 000 of population
more than 90 000	90 plus 1 per 10 000 of population in excess of 90 000

SCHEDULE C

[en. B.C. Reg. 5/2007, App. 1, s. 3.]

OPERATING PERMIT FEES

(section 7)

- 1 The operating permit fee for a fiscal year is:
- (a) for 1 - 14 connections no charge
 - (b) for 15 - 300 connections \$150
 - (c) for 301 - 10 000 connections \$250
 - (d) for 10 001 - 20 000 connections \$500
 - (e) for more than 20 000 connections \$1 000

- 2 If an operating permit is issued for a period of less than 12 months, the fee is calculated using the following formula:

$$fee = \frac{n \times z}{12}$$

where

- n is the number of calendar months of the fiscal year in which the permit will apply, and
z is the applicable fee under section 1.

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