

The Waterworks and Sewage Works Regulations

being

Chapter E-10.22 Reg 3 (effective June 1, 2015) as amended
by Saskatchewan Regulations [43/2020](#).

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.

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CHAPTER E-10.22 REG 3

The Environmental Management and Protection Act, 2010

PART I

Preliminary Matters

Title

- 1 These regulations may be cited as *The Waterworks and Sewage Works Regulations*.

Interpretation

- 2(1) In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act, 2010*;
- (b) “**approved**” means approved by the minister in writing;
- (c) “**basin**” means a natural or artificially created space or structure that has a shape and character that permits sewage to be treated or retained;
- (d) “**BOD₅**” means a five-day biochemical oxygen demand at 20 degrees centigrade;
- (e) “**CBOD₅**” means a five-day carbonaceous biochemical oxygen demand at 20 degrees centigrade;
- (f) “**chemical feeder**” means a device for dispensing a chemical at a predetermined rate for the treatment of water in a waterworks or sewage works;
- (g) “**collection system**” means a system of pipes, conduits, drains, mains, manholes and appurtenances used for collecting and conveying sewage, but does not include:
 - (i) plumbing within a building or structure; or
 - (ii) pipes connected to a collection system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the collection system are located;
- (h) “**design flow**” means the amount of water that is provided by a waterworks without treatment or the amount of water that is designed to be treated by a water treatment facility or sewage treatment facility based on standard engineering design parameters and capacities;
- (i) “**distribution system**” means that portion of a waterworks, including water pipes, storage reservoirs, valves, hydrants and associated components, that is designed or used to convey water for human consumptive use or hygienic use to a service connection, but does not include:
 - (i) plumbing within a building or structure;

(ii) pipes connected to a distribution system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the distribution system are located; or

(iii) tank fill drop tubes, bulk water loading stations, surface piping or hoses;

(j) **“drinking water”** means water that is intended or used for human consumption or a human consumptive use;

(k) **“effluent”** means any waste that is discharged from a sewage works;

(l) **“existing”** means in existence on the date that these regulations come into force and, with respect to waterworks, includes waterworks mentioned in subsection 28(4);

(m) **“facultative lagoon”** means a lagoon or treatment pond with an aerobic upper section and an anaerobic bottom section that allows both aerobic and anaerobic processes to occur simultaneously;

(n) **“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;

(o) **“ground water treatment plant”** means a water treatment facility that draws all of its water supply from ground water that is beyond the direct influence of surface water;

(p) **“human consumptive use”** means a use of water for human consumption, including the following uses and applications:

(i) drinking;

(ii) cooking and food preparation;

(iii) oral hygiene;

(q) **“hygienic use”** means a use of water for hygienic purposes by humans, including the following uses and applications:

(i) bathing and personal hygiene, but not including swimming;

(ii) showering;

but does not include a human consumptive use;

(r) **“lagoon”** means one or more open basins or reservoirs designed to treat or store sewage;

(s) **“mechanical treatment facility”** means a sewage treatment facility the processes of which are controlled primarily by mechanical means, but does not include facilities employing only non-aerated lagoons;

(t) **“municipal sewage works”** means a sewage works that is owned or operated by a municipality or by another person on behalf of a municipality;

(u) **“municipal waterworks”** means a waterworks that is owned or operated by a municipality or by another person on behalf of a municipality;

(v) **“municipal well”** means a well that is owned or operated by a municipality or by another person on behalf of a municipality;

- (w) **“permittee”**, except in Part II and Part III, means the person to whom a permit is issued or continued pursuant to the Act or these regulations for:
- (i) an activity mentioned in section 24 of the Act;
 - (ii) an activity in relation to a waterworks or sewage works for which a permit is required pursuant to section 25 of the Act; or
 - (iii) an activity in relation to a waterworks or sewage works for which a permit is required pursuant to section 26 of the Act;
- (x) **“person”** includes an unincorporated association, partnership or other organization, a municipality, a Crown corporation or an agency of the Crown;
- (y) **“pipes”** means closed conduits and all appurtenances attached to those conduits;
- (z) **“primary basins”** means the basins designed for treatment in a facultative lagoon;
- (aa) **“pump house”** means a facility in a waterworks containing one or more pumps and their appurtenances that are designed to pump water in or into the waterworks or a water main;
- (bb) **“pumping station”** means a facility in a sewage works containing one or more pumps and their appurtenances that are designed to pump sewage in or into the sewage works;
- (cc) **“regional sewage works”** means a sewage system:
- (i) employed to collect or treat sewage with properties equivalent or similar to sewage from municipal sources;
 - (ii) employed to collect or treat sewage from a communal collection system that serves one or more of the following:
 - (A) permanent or seasonal residences;
 - (B) acreages or farmsteads;
 - (C) trailer courts;
 - (D) commercial or industrial buildings, or any other similar facility not directly served by a municipal sewage works; and
 - (iii) with a design flow exceeding 18 cubic metres in any 24-hour period;
- (dd) **“sanitary sewer”** means a system of conduits, drains, mains and pipes in a sewage works that is intended to convey sewage exclusively or principally;
- (ee) **“secondary treatment process”** means a treatment process for sewage that consists of primary treatment and biological treatment and that may also consist of physical treatment or chemical treatment;
- (ff) **“service connection”** means a pipe that connects a main with premises;
- (gg) **“sewage treatment facility”** means those components of a sewage works that modify or hold sewage;

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- (hh) **“storm sewer”** means a system of conduits, drains, mains, manholes, basins and pipes intended to convey storm water exclusively or principally;
- (ii) **“surface water treatment plant”** means a water treatment facility that draws all or part of its water supply from a surface water body source or a source derived from groundwater under the direct influence of surface water;
- (jj) **“Table”** means a Table set out in the Appendix;
- (kk) **“total chlorine residual”** means the chlorine concentration remaining in water as free chlorine residual plus combined chlorine;
- (ll) **“upset condition”** means any abnormal conditions, anomalies or interruptions in the treatment process or the distribution system within a waterworks that may have any adverse effect on the quality of water supplied to consumers;
- (mm) **“water pipeline”** means all or a portion of a waterworks, distribution system or extended network of pipes that:
- (i) is owned by a person other than a municipality;
 - (ii) is intended or used to provide water for human consumptive use or hygienic use; and
 - (iii) serves one or more of the following:
 - (A) permanent or seasonal residences;
 - (B) acreages or farmsteads;
 - (C) trailer courts;
 - (D) commercial or industrial buildings, or any other similar facilities;
- (nn) **“water treatment facility”** means those components of a waterworks that are used to filter or condition water for the purpose of rendering the water acceptable for human consumptive use or hygienic use;
- (oo) **“works”** means sewage works or waterworks.
- (2) For the purposes of these regulations, water beneath the surface of the ground is considered under the direct influence of surface water if that water, in the opinion of the minister, exhibits:
- (a) a significant occurrence of insects or other macro-organisms, algae or large diameter pathogens, including *Giardia lamblia* and *Cryptosporidium*; or
 - (b) significant and relatively rapid shifts in water characteristics, including turbidity, temperature, conductivity or pH factors, that closely correlate to climatological or surface water conditions.

Interpretation of “person responsible for a waterworks or sewage works”

3(1) For the purposes of clauses 31(d) and (e) of the Act and in these regulations, **“person responsible for a waterworks or sewage works”** means the permittee of the waterworks or sewage works.

(2) For the purposes of subsections 35(1) and (3) of the Act, **“person responsible for a waterworks”** includes, in addition to the persons mentioned in subsection (1), a permittee whose permit has been suspended or cancelled or whose permit has expired.

(3) For the purposes of subsections 35(2) and (3) of the Act, **“person responsible for a sewage works”** includes, in addition to the persons mentioned in subsection (1), a permittee whose permit has been suspended or cancelled or whose permit has expired.

7 Nov 2014 cE-10.22 Reg 3 s3.

PART II
Sewage Works

DIVISION 1
General

Interpretation of Part

4 In this Part:

(a) **“permittee”** means the person to whom a permit is issued or continued pursuant to the Act or these regulations for:

(i) any of the following activities pursuant to section 24 of the Act:

(A) operation of a sewage works;

(B) construction of a sewage treatment works;

(C) construction of a sewage collection works for a system serving fewer than 5,000 people;

(ii) an activity in relation to a sewage works for which a permit is required pursuant to section 25 of the Act; or

(iii) an activity in relation to a sewage works for which a permit is required pursuant to section 26 of the Act;

(b) **“sewage works design standard”** means the *Sewage Works Design Standard*, EPB 503, as established by the minister on November 15, 2012, adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

7 Nov 2014 cE-10.22 Reg 3 s4.

E-10.22 REG 3 WATERWORKS AND SEWAGE WORKS**Designation of sewage works**

5(1) Subject to subsection (2), for the purposes of this Part, the following are designated as sewage works for the purposes of subclause 2(1)(ee)(ii) of the Act and these regulations:

- (a) all municipal sewage works;
- (b) all regional sewage works;
- (c) all sewage works, other than those mentioned in clause (a) or (b):
 - (i) with a design flow exceeding 18 cubic metres in any 24-hour period; and
 - (ii) that collect or treat sewage with properties equivalent or similar to sewage from municipal sources.

(2) For the purposes of this Part, the following are not designated as sewage works for the purposes of subclause 2(1)(ee)(ii) of the Act and these regulations:

- (a) pipes connected to a collection system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the collection system are located;
- (b) piping or fixtures that constitute the plumbing within a building.

24 Apr 2020 SR 43/2020 s4.

Compliance

6 Every permittee shall:

- (a) comply with this Part;
- (b) cause the sewage works to conform with the requirements of this Part;
- (c) inform every employee, helper or agent of the permittee of the contents, terms and conditions of the permittee's permit before that employee, helper or agent performs any work pursuant to the permit; and
- (d) design any new, upgraded, altered or extended sewage works in accordance with the sewage works design standard.

7 Nov 2014 cE-10.22 Reg 3 s6.

No interconnection between sanitary sewers and storm sewers

7 No permittee shall cause any sanitary sewers and storm sewers to be interconnected in a manner that permits sewage in the sanitary sewer to be discharged through the storm sewer.

7 Nov 2014 cE-10.22 Reg 3 s7.

Pumping stations

8(1) Every permittee shall ensure that every pumping station that is a part of a sewage works is equipped with mechanically forced air ventilation.

(2) Every permittee shall ensure that every water outlet, or any of its component parts that may come in contact with sewage in a sewage works, is equipped with a backflow prevention device that prevents the flow of sewage into the water outlet under any conditions.

7 Nov 2014 cE-10.22 Reg 3 s8.

DIVISION 2
Sewage Treatment Facilities

Application of Division

9 This Division applies to all sewage treatment facilities.

7 Nov 2014 cE-10.22 Reg 3 s9.

Buffer zone

10(1) In this section, “**buffer zone**” means the physical distance between:

- (a) the outside edge of a liquid surface in a facultative lagoon or a mechanical treatment facility; and
- (b) the closest corner or side of the nearest single isolated residence, built-up residential area, institutional area or commercial area.

(2) Subject to subsection (3), every permittee shall ensure that all new or expanded facultative lagoons or mechanical treatment facilities constructed after the coming into force of these regulations are designed, sited and constructed to have a buffer zone that meets the requirements set out in Table 1.

(3) With the consent of a permittee, the minister may approve terms and conditions as an alternative to complying with subsection (2) if the minister is satisfied that:

- (a) the terms and conditions offer an equivalent or better level of protection to human health and the environment; and
- (b) it is in the public interest to do so.

(4) Any terms and conditions approved pursuant to subsection (3) must be set out in the permittee’s permit, and the permittee shall comply with those terms and conditions.

7 Nov 2014 cE-10.22 Reg 3 s10.

Sewage treatment facilities

11(1) Every permittee shall ensure that sewage treatment facilities governed by the permittee’s permit are operated so as to produce effluent that meets the requirements set out in the permittee’s permit and these regulations.

(2) Subject to subsection (3), every permittee shall ensure that all sewage treatment facilities in a sewage works include:

- (a) a secondary treatment process that produces effluent with no more than:
 - (i) 30 milligrams per litre of BOD₅;
 - (ii) 25 milligrams per litre of CBOD₅; and
 - (iii) 30 milligrams per litre of total suspended solids; or
- (b) facultative lagoons designed, constructed and operated in accordance with section 12.

(3) If a sewage treatment facility in a sewage works discharges or will discharge to water frequented by fish, the permittee shall ensure that all sewage treatment facilities in the sewage works include a treatment process that produces effluent:

- (a) with no more than 30 milligrams per litre of BOD₅;

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- (b) with no more than 25 milligrams per litre of CBOD₅;
- (c) with no more than 25 milligrams per litre of total suspended solids;
- (d) with no more than 0.02 milligrams per litre of total chlorine residual;
- (e) that is not acutely toxic at the point of discharge;
- (f) that does not contain un-ionized ammonia in excess of 1.24 milligrams per litre, expressed as nitrogen at 15 degrees centigrade, plus or minus one degree centigrade; and
- (g) that achieves the effluent discharge objective set out in the permittee's permit, within the timelines laid out in the permittee's permit.

7 Nov 2014 cE-10.22 Reg 3 s11.

Facultative lagoons

12 If facultative lagoons are used to treat sewage, the permittee shall ensure that all facultative lagoons:

- (a) have a minimum of two basins in series; and
- (b) are designed and constructed in accordance with the requirements set out in Table 2.

7 Nov 2014 cE-10.22 Reg 3 s12.

Report required re any upset conditions

13(1) In this section, “**upset condition**” means any abnormal conditions, anomalies or interruptions in the treatment process or the collection system within the sewage works that could adversely affect the quality of effluent discharged into the environment.

(2) Every permittee and every employee, agent or contractor engaged by a permittee shall immediately report to the minister any known or anticipated upset condition, bypass condition or event at or affecting a sewage works that could adversely affect the quality of effluent discharged into the environment.

7 Nov 2014 cE-10.22 Reg 3 s13.

Disinfection of effluent

14(1) The minister may, in a permittee's permit, require the permittee to disinfect any effluent from a sewage works.

(2) Every permittee and every employee, agent or contractor engaged by a permittee shall immediately report to the minister any instance when:

- (a) disinfection equipment required by the permittee's permit fails; or
- (b) the level of disinfection required by the permittee's permit is not achieved or not anticipated to be achieved.

7 Nov 2014 cE-10.22 Reg 3 s14.

Records re sewage works

15 Every permittee shall:

- (a) cause operational records or logs to be maintained, including information respecting:
 - (i) maintenance work and any failure of treatment components;
 - (ii) types, dosages and total amounts of chemicals or other substances added to the sewage;
 - (iii) dates of discharge of sewage and the volumes of discharge;
 - (iv) locations from which samples for any tests are taken; and
 - (v) the results of any tests conducted on the samples taken pursuant to subclause (iv);
- (b) promptly make available the operational records or logs mentioned in clause (a) to the minister or to the public as required by the permit or requested by the minister; and
- (c) promptly provide the minister with any additional information that the minister may request respecting the operation of the permittee's sewage works.

7 Nov 2014 cE-10.22 Reg 3 s15.

PART III
Waterworks

DIVISION 1
General

Interpretation of Part

16 In this Part:

- (a) **“permittee”** means the person to whom a permit is issued or continued pursuant to the Act or these regulations for:
 - (i) any of the following activities pursuant to section 24 of the Act:
 - (A) operation of a waterworks;
 - (B) construction of a water treatment works; or
 - (C) construction of a water distribution works for a system serving fewer than 5,000 people;
 - (ii) an activity in relation to a waterworks for which a permit is required pursuant to section 25 of the Act; or
 - (iii) an activity in relation to a waterworks for which a permit is required pursuant to section 26 of the Act;

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(b) “**waterworks design standard**” means the *Waterworks Design Standard*, EPB 501, as established by the minister on November 15, 2012, adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

7 Nov 2014 cE-10.22 Reg 3 s16.

Application of Part

17(1) Subject to subsection (2), this Part applies to the following waterworks that supply water for human consumptive use or hygienic use:

- (a) all municipal waterworks;
- (b) all municipal wells that are connected to a distribution system;
- (c) all water pipelines directly connected to a municipal waterworks, regardless of volume of water supplied or number of service connections;
- (d) all water pipelines, not otherwise directly connected to a municipal waterworks or distribution system, serving 15 or more service connections;
- (e) all waterworks, other than those mentioned in clauses (a) to (d), with a design flow exceeding 18 cubic metres in any 24-hour period.

(2) This Part does not apply to the following:

- (a) pipes connected to a distribution system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the distribution system are located;
- (b) piping or fixtures that constitute the plumbing within a building.

7 Nov 2014 cE-10.22 Reg 3 s17; 24 Apr 2020 SR 43/2020 s5.

Designation of waterworks

18 For the purposes of this Part, the waterworks mentioned in subsection 17(1) are designated as waterworks for the purposes of subclause 2(1)(pp)(ii) of the Act and these regulations.

7 Nov 2014 cE-10.22 Reg 3 s18.

Compliance

19 Every permittee shall:

- (a) comply with this Part;
- (b) cause the waterworks to conform with the requirements of this Part;
- (c) inform every employee, helper or agent of the permittee of the contents, terms and conditions of the permittee’s permit before that employee, helper or agent performs any work pursuant to the permit; and
- (d) design any new, upgraded, altered or extended waterworks in accordance with the waterworks design standard.

7 Nov 2014 cE-10.22 Reg 3 s19.

DIVISION 2
Requirements for Suppliers of Water for Hygienic Use

Requirements for municipal waterworks and wells

20(1) This section applies to the following waterworks that are governed by this Part:

- (a) municipal waterworks;
 - (b) municipal wells that are connected to a distribution system.
- (2) If authorized by the permittee's permit to supply water for hygienic use, the permittee must comply with the following requirements:
- (a) the water must be produced, stored, managed, conveyed and monitored in accordance with the requirements set out in this Part for water intended or used for hygienic use;
 - (b) a source of water that is suitable and safe for human consumption must be provided by alternative means to the consumers of water from the waterworks;
 - (c) in the case of source water drawn from a surface water source or a ground water source under the direct influence of surface water, the water must be disinfected to meet the standards set out in subsection 27(6);
 - (d) if the waterworks draws source water from a ground water source that is beyond the direct influence of surface water:
 - (i) the water must be disinfected to meet the standards set out in subsection 27(6); or
 - (ii) the permittee must satisfy the minister that 90% of routine bacteriological samples of water from the waterworks have met the requirements of subclause 29(3)(a)(i) over any period of one year.

7 Nov 2014 cE-10.22 Reg 3 s20.

Requirements for other waterworks

21(1) This section applies to the following waterworks that are governed by this Part:

- (a) water pipelines directly connected to a municipal waterworks regardless of volume of water supplied or number of service connections;
 - (b) water pipelines, not otherwise directly connected to a municipal waterworks or distribution system, serving 15 or more service connections;
 - (c) waterworks, other than those mentioned in clauses 17(1)(a) to (d), with a design flow exceeding 18 cubic metres in any 24-hour period.
- (2) If authorized by the permittee's permit to supply water for hygienic use, the permittee must comply with the following requirements:
- (a) the water must be produced, stored, managed, conveyed and monitored in accordance with the requirements set out in this Part for water intended or used for hygienic use;
 - (b) in the case of source water drawn from a surface water source or a ground water source under the direct influence of surface water, the water must be disinfected to meet the standards set out in subsection 27(6);

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- (c) in the case of a waterworks drawing source water from a ground water source that is beyond the direct influence of surface water:
 - (i) the water must be disinfected to meet the standards set out in subsection 27(6); or
 - (ii) the permittee must satisfy the minister that 90% of routine bacteriological samples of water from the waterworks have met the requirements of subclause 29(3)(a)(i) over any period of one year.
- (3) No permittee shall supply water to consumers for hygienic use unless:
 - (a) the permittee is in compliance with section 20 or this section; and
 - (b) the water is from a waterworks, well or pipeline that meets the requirements of this section.

7 Nov 2014 cE-10.22 Reg 3 s21.

DIVISION 3
Operation of Facilities Associated with Waterworks

Water wells

- 22(1)** In this section, “**approved person**” means a person who holds an approval pursuant to *The Saskatchewan Watershed Authority Act, 2005* to construct, extend, alter or operate a well that is used as a source of water in a waterworks.
- (2) Every approved person shall ensure that the well:
 - (a) has a durable well casing;
 - (b) is constructed of new materials;
 - (c) is constructed with a sanitary well cap and maintained to prevent the entry of surface water, dirt or other material into the well casing;
 - (d) is constructed in a way that ensures the annulus is sealed in order to prevent vertical fluid migration along the annulus;
 - (e) is constructed in a way that ensures that water will not pool around the well; and
 - (f) is cleaned and disinfected:
 - (i) during drilling operations;
 - (ii) after the well has been completely constructed but before use; and
 - (iii) each time after:
 - (A) a new pump has been installed; or
 - (B) maintenance or repairs have been carried out on a well or pump that is connected to the well.

7 Nov 2014 cE-10.22 Reg 3 s22.

Water pipes

- 23(1)** Subject to subsections (2) and (3), no permittee 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, the minister may authorize a permittee in the permit to install a water pipe in a trench with a sewer pipe if:
- (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 the sewer pipe is not under internal pressure and is not located above the water pipe.
- (4) The permittee of a water pipe used to supply water intended for a human consumptive use or hygienic use shall cause the water pipe to be cleaned, disinfected and pressure tested before the commencement of its use.

7 Nov 2014 cE-10.22 Reg 3 s23.

Water storage reservoirs

- 24(1)** This section applies to reservoirs used to store water intended or used for human consumptive use or hygienic use.
- (2) Every permittee shall ensure that every reservoir that is part of the permittee's waterworks:
- (a) has a watertight cover;
 - (b) is maintained in a state that is, in the opinion of the minister, of good repair;
 - (c) in the case of a reservoir that is designed and constructed after the coming into force of these regulations, meets the following specifications:
 - (i) the reservoir must not have a direct drain connection to a sewer or a storm drain, and must have appropriate backflow protection;
 - (ii) the reservoir must have convenient access to the interior of the reservoir for cleaning, maintenance and safety; and
 - (iii) the reservoir must allow for draining and maintenance without causing loss of pressure in the distribution system; and
 - (d) otherwise complies with this section.
- (3) All manholes providing access to an underground or ground level reservoir must be at least 150 millimetres above the grade of the surrounding area and the grade must be sloped away from the reservoir to prevent flooding by surface run-off.

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- (4) All manholes providing access to a reservoir must:
 - (a) be equipped with a tight fitting cover designed and maintained to prevent entry of water into the reservoir; and
 - (b) if the reservoir is located outdoors, be kept locked at all times except when being used by persons authorized by the permittee to enter the reservoir.
- (5) All pipes that pass through a reservoir must be constructed and maintained to prevent contaminants from entering the water storage reservoir.
- (6) An opening or pipe used to ventilate a reservoir must:
 - (a) be designed to prevent the entry of birds, rodents, rain water or foreign matter;
 - (b) be screened;
 - (c) be vented separately from any overflows; and
 - (d) be designed and constructed to avoid open construction between the reservoir sidewall and roof.

7 Nov 2014 cE-10.22 Reg 3 s24; 24 Apr 2020 SR 43/2020 s6.

Water treatment facilities and pump houses

25 Every permittee whose waterworks supplies water intended or used for human consumptive use or hygienic use shall ensure that:

- (a) the floor of every water treatment facility or pump house is designed so that drainage occurs only into the floor drains or sumps in the water treatment facility or the pump house;
- (b) every drain line that connects any component in a water treatment facility, including a treatment component, to a sanitary sewer has a trap that contains water at all times;
- (c) all pipes that connect the discharge pipe from a treatment component in a water treatment facility or pump house to a sanitary sewer are equipped with a backflow prevention device that prevents the flow of sewage into the water treatment facility or pump house under any conditions;
- (d) every water treatment facility or pump house is equipped with a meter that records, at a minimum, the volume of raw or treated water passing through the water treatment facility or pump house;
- (e) every chemical feeder in a water treatment facility or pump house is equipped with a device that is capable of adjusting the rate of chemical applied; and
- (f) every water treatment facility and pump house is maintained in a clean and orderly condition satisfactory to the minister.

7 Nov 2014 cE-10.22 Reg 3 s25.

DIVISION 4
Operation of Waterworks

Drinking water guidelines

26(1) In this Division and in Division 6, “**drinking water guidelines**” means the *Guidelines for Canadian Drinking Water Quality - Summary Table*, Health Canada (August, 2012) adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

- (2) No permittee shall fail to comply with the drinking water guidelines.
- (3) If there is a conflict between a standard set out in the drinking water guidelines, a standard set out in Table 3 and a standard set out in the permittee’s permit, the permittee shall comply with the more stringent standard.

7 Nov 2014 cE-10.22 Reg 3 s26.

Chemical treatment standards for water

27(1) In this section, “**standards**” means NSF/ANSI Standard 60: Drinking Water Treatment Chemicals – Health Effects, as established by NSF International, May 2, 2011, as adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

- (2) For the purposes of this section, the standards apply to the selection and use of chemicals for the treatment of drinking water.
- (3) No permittee shall use a chemical to treat water intended or used for human consumptive use or hygienic use unless:
 - (a) the chemical is listed and used in accordance with the standards;
 - (b) that permittee provides evidence to the minister that the chemical is equivalent to a chemical listed in the standards; or
 - (c) the chemical is an approved chemical.
- (4) No permittee 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.
- (5) Subject to subsection (7), every permittee of a waterworks supplying water for human consumptive use shall cause continuous disinfection by chlorination of the water entering a distribution system and of the water throughout the distribution system.
- (6) Subject to subsection (7), every permittee 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.

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(7) With the consent of a permittee, the minister may approve terms and conditions as an alternative to complying with subsection (5) or (6) if the minister is satisfied that:

- (a) the terms and conditions offer an equivalent or better level of protection to human health and the environment; and
- (b) it is in the public interest to do so.

(8) Any terms and conditions approved pursuant to subsection (7) must be set out in the permittee's permit, and the permittee shall comply with those terms and conditions.

(9) If a permittee applies fluoride to water, the permittee shall ensure that equipment used to apply the fluoride to water in the waterworks is operated in a manner that will maintain chemical dosages of 0.7 milligrams per litre or less.

7 Nov 2014 cE-10.22 Reg 3 s27.

Standards for constituents in water - new or altered waterworks

28(1) In this section, "**alter**" means, with respect to a waterworks, a change in the water source or water treatment process used by the waterworks.

(2) Subject to subsection (3), every permittee of a waterworks that is constructed, commissioned or altered after the coming into force of these regulations shall ensure that water from the waterworks meets the following standards before the permittee supplies water to its consumers:

- (a) the standards set out in Table 3;
- (b) the standards set out in the permittee's permit;
- (c) the standards for microbiological characteristics specified in section 29, and that section applies, with any necessary modification, for the purposes of this section;
- (d) the turbidity, protozoan and viral standards specified in section 30.

(3) Clause (2)(a) does not apply to a waterworks for which all or any part of the construction design plans have been submitted to the minister on or before the day that these regulations come into force.

(4) Waterworks mentioned in subsection (3) are deemed to be existing waterworks for the purposes of these regulations.

7 Nov 2014 cE-10.22 Reg 3 s28.

Standards for microbial and bacteriological constituents in water - existing waterworks

29(1) In this section, "**examination of water and wastewater standards**" means the *Standard Methods for the Examination of Water and Wastewater*, 22nd edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation, as adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

- (2) For the purposes of this section, specification 9223 set out in the examination of water and wastewater standards applies to the testing of the bacteriological quality of water.
- (3) Every permittee of a waterworks supplying water intended or used for human consumptive use or hygienic use shall cause to be maintained throughout the distribution system water that has:
- (a) the following levels, unless otherwise set out in the permittee's permit:
 - (i) total coliform levels of zero organisms detectable per 100 millilitres;
 - (ii) *Escherichia coli* levels of zero organisms detectable per 100 millilitres; and
 - (iii) background bacteria levels of less than 200 organisms per 100 millilitres or no overgrowth; or
 - (b) if permitted by the permittee's permit, no presence of total coliform or *Escherichia coli* as determined:
 - (i) if required by the permit authorizing the operation of the waterworks, in the case of microbiological constituents, by initial field presence/absence tests that meet specification 9223 set out in the examination of water and wastewater standards; or
 - (ii) by the method set out in the permittee's permit.

7 Nov 2014 cE-10.22 Reg 3 s29.

Water turbidity standards - water for human consumptive use

30(1) In this section, "NTU" means Nephelometric Turbidity Units.

- (2) Subject to subsections (3) and (4), every permittee of a waterworks supplying water intended or used for human consumptive use shall cause the following applicable water turbidity, protozoan and viral standards to be achieved and maintained through the use of filtration or treatment technology as appropriate for the source water:
- (a) in the case of a surface water treatment plant employing chemically assisted filtration:
 - (i) if the monthly average of daily source water turbidity is greater than or equal to 1.5 NTU, the water turbidity levels from each filter must:
 - (A) not exceed 0.3 NTU:
 - (I) in at least 95% of the discrete measurements made for each calendar month; or
 - (II) if continuous turbidity monitoring is employed, at least 95% of the time for each calendar month;
 - (B) if continuous turbidity monitoring is employed, not exceed 0.3 NTU for more than 12 consecutive hours; and
 - (C) not exceed 1.0 NTU at any time;

- (ii) if the monthly average of daily source water turbidity is less than 1.5 NTU, the water turbidity levels from each filter must:
 - (A) not exceed 0.2 NTU:
 - (I) in at least 95% of the discrete measurements made for each calendar month; or
 - (II) if continuous turbidity monitoring is employed, at least 95% of the time each calendar month;
 - (B) if continuous turbidity monitoring is employed, not exceed 0.2 NTU for more than 12 consecutive hours; and
 - (C) not exceed 1.0 NTU at any time;
- (b) in the case of a surface water treatment plant employing membrane filtration, water turbidity levels from each filter must:
 - (i) be less than or equal to 0.1 NTU:
 - (A) in at least 99% of the discrete measurements made for each calendar month; or
 - (B) if continuous turbidity monitoring is employed, at least 99% of the time each calendar month; and
 - (ii) not exceed 0.1 NTU for a period greater than 15 minutes;
- (c) in the case of slow sand filtration or diatomaceous earth filtration, the water turbidity levels from each filter must:
 - (i) not exceed 1.0 NTU:
 - (A) in at least 95% of the discrete measurements made for each calendar month; or
 - (B) if continuous turbidity monitoring is employed, at least 95% of the time each calendar month;
 - (ii) if continuous turbidity monitoring is employed, not exceed 1.0 NTU for more than 12 consecutive hours; and
 - (iii) not exceed 3.0 NTU at any time;
- (d) subject to clause (f), in the case of any surface water filtration technology, other than those mentioned in clause (a), (b) or (c), that is used in combination with disinfection, protozoan and viral levels for the water must reliably achieve, to the satisfaction of the minister, at least:
 - (i) a 3-log reduction of *Giardia lamblia* and *Cryptosporidium parvum*; and
 - (ii) a 4-log reduction of viruses;

- (e) in the case of a ground water treatment plant, for water entering the distribution system or water pipelines, turbidity levels must not exceed 1.0 NTU:
 - (i) in at least 95% of the discrete measurements made for each calendar month; or
 - (ii) at least 95% of the time each calendar month if continuous turbidity monitoring is employed;
 - (f) subject to variations in source water quality resulting in elevated mean concentrations of *Giardia lamblia* and *Cryptosporidium parvum* as determined through source water quality monitoring, any greater water source protection measures, log removal or inactivation for *Giardia lamblia* and *Cryptosporidium parvum* as may be required by and in accordance with the timelines set out in the permittee's permit conditions.
- (3) For the purposes of clauses (2)(d) and (f), the permittee must demonstrate to the satisfaction of the minister that the levels mentioned in those clauses are being achieved through pilot studies or other approved means.
- (4) With the consent of a permittee, the minister may approve terms and conditions as an alternative to complying with clauses (2)(d) and (f) if the minister is satisfied that:
- (a) the terms and conditions offer an equivalent or better level of protection to human health and the environment; and
 - (b) it is in the public interest to do so.
- (5) Any terms and conditions approved pursuant to subsection (4) must be set out in the permittee's permit, and the permittee shall comply with those terms and conditions.

7 Nov 2014 cE-10.22 Reg 3 s30.

Chemical standards - water for human consumptive use supplied by existing waterworks

- 31(1)** Subject to subsections (2) and 26(3), the permittee of a waterworks supplying water intended or used for human consumptive use shall use filtration or treatment technology, as appropriate for the source water, to meet and maintain the following standards:
- (a) the standards set out in Table 3; and
 - (b) the standards set out in the permittee's permit.
- (2) The requirements set out in subsection (1) must be shown to have been met through monitoring requirements that are set out in the permittee's permit authorizing the operation of the waterworks.
- (3) In the case of a waterworks supplying water intended or used for human consumptive use, a permittee shall ensure that the drinking water quality requirements prescribed in subsection (1) for each parameter are complied with by the date set out in Table 3 for the applicable parameter.

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(4) For the purposes of subsection (3), in the case of a compliance date of July 1, 2020, the permittee of the waterworks shall provide a compliance plan to the minister by July 1, 2017 in a form and manner that the minister considers appropriate.

7 Nov 2014 cE-10.22 Reg 3 s31.

Assessment and audit of water – water for human consumptive use

32(1) In this section, “**operating permit condition**” means a condition imposed by the minister on a permit to operate a waterworks.

(2) Subject to subsection (4), the permittee of a waterworks supplying water intended or used for human consumptive use mentioned in subsection 17(1) shall ensure that an independent engineering assessment of the following respecting the waterworks is conducted as required by the minister as an operating permit condition:

- (a) the waterwork’s performance;
- (b) the waterwork’s condition;
- (c) the waterwork’s capacity;
- (d) the waterwork’s functionality;
- (e) the waterwork’s processes;
- (f) the waterwork’s optimization;
- (g) the waterwork’s sustainability;
- (h) the waterwork’s maintenance.

(3) Notwithstanding subsection (2) and subject to subsection (4), the minister may direct, in writing, one or more independent engineering assessments as an operating permit condition if the minister considers it necessary due to:

- (a) additional water demands on a waterworks;
- (b) limited existing capacity to provide water in accordance with the waterworks design standard;
- (c) anticipated or planned expansion of a waterworks; or
- (d) evidence that, in the opinion of the minister, indicates a potential problem.

(4) Subsections (2) and (3) do not apply to:

- (a) waterworks mentioned in clause 17(1)(a) or (b) that:
 - (i) are served by a ground water treatment plant; and
 - (ii) serve fewer than 50 consumers; or
- (b) waterworks mentioned in clause 17(1)(c) or (d) if the water pipeline serves fewer than 15 service connections.

(5) An independent engineering assessment required pursuant to this section is to be done at the sole expense of the permittee of the waterworks.

- (6) The permittee of a waterworks supplying water intended or used for human consumptive use shall report the findings of an independent engineering assessment required by this section to the minister, in a form satisfactory to the minister, within 90 days after the completion of the assessment.
- (7) No permittee to whom a written direction is issued pursuant to subsection (3) shall fail to comply with the direction within the period specified in the direction.
- (8) Any requirement to complete an independent engineering assessment included as an operating permit condition that is in effect on the date on which *The Waterworks and Sewage Works Amendment Regulations, 2020* come into force is of no force and effect.

24 Apr 2020 SR 43/2020 s7.

Required notices - water for hygienic use

33 If a waterworks is intended to supply water for hygienic use, the permittee of the waterworks shall ensure that:

- (a) at least twice every year, the owner of every service connection is notified in writing respecting the restrictions on water use;
- (b) at least once every year, the owner of every service connection is supplied with self-adhesive advisory labels that:
 - (i) are acceptable to the minister; and
 - (ii) are to be attached adjacent to taps within the structure so as to advise users that the water is not safe for human consumptive use;
- (c) the waterworks, standpipes, fill pipes and other publicly accessible water sources found on the distribution system are continuously posted with a notice that the water is not safe for human consumptive use; and
- (d) the minister is advised at least once each year as to all measures taken to advise users that the water is not safe for human consumptive use.

7 Nov 2014 cE-10.22 Reg 3 s33.

What is required if unusual operational anomalies, etc.

34(1) Every permittee of a waterworks and every employee, agent or contractor engaged by a permittee shall immediately report to the minister any known or anticipated upset condition, bypass condition or event at or affecting a waterworks that could adversely affect the quality of water produced by the waterworks.

(2) The persons mentioned in subsection (1) shall immediately report to the minister any instance where:

- (a) disinfection equipment fails;
- (b) the level of disinfection required by section 27 is not achieved or is not anticipated to be achieved; or
- (c) on-site water quality testing records are missing.

7 Nov 2014 cE-10.22 Reg 3 s34.

DIVISION 5
Water Samples and Tests

Interpretation of Division

35 In this Division, “**accredited laboratory**” means a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

7 Nov 2014 cE-10.22 Reg 3 s35.

Accredited laboratory

36(1) Subject to subsections (2) and (3), on and after March 31, 2004, an accredited laboratory must perform any analysis pursuant to this Division in accordance with the parameters for which it has been accredited.

(2) For the purposes of this Division, if an accredited laboratory is not specifically accredited to perform an analysis required by this Division:

- (a) the minister may approve any analytical protocols and procedures that the minister considers necessary to ensure that water is properly tested; and
- (b) the accredited laboratory performing analysis pursuant to this Division shall perform the analysis in accordance with the analytical protocols and procedures prescribed and authorized pursuant to clause (a).

(3) If the minister approves any analytical protocols and procedures pursuant to subsection (2), the minister shall cause those protocols and procedures to be made available to the public in any manner that the minister considers likely to bring them to the public’s attention, including causing them to be posted on the Internet website of the ministry or the Water Security Agency.

7 Nov 2014 cE-10.22 Reg 3 s36.

Testing, test results and notice of test results

37(1) In this section, “**standards**” means the *Bacteriological Follow-up Standard*, EPB 505, as established by the minister on November 15, 2012 and adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code.

(2) Every permittee of a waterworks shall:

- (a) cause water samples to be taken regularly during the operation of the waterworks to test for bacteria and chlorine, and for any other constituents that the permittee’s permit requires to be monitored, at those locations and times and at a frequency:

- (i) specified in the permittee’s permit; or
- (ii) as directed by an order made pursuant to the Act; and

(b) subject to subsections (3) and (4), submit the water samples taken pursuant to clause (a) for analysis to an accredited laboratory.

- (3) A water sample taken for the purposes of analysis pursuant to subclause 29(3)(b)(i) may be submitted to an accredited laboratory or to any approved laboratory.
- (4) A permittee may perform tests on water samples taken for the purposes of analysis for on-site total chlorine residuals, free chlorine residuals or turbidity monitoring and need not submit those water samples for testing to an accredited laboratory.
- (5) If the results of any sample test taken pursuant to subsection (2) show that the level of any bacteria or any other constituent in the treated water exceeds the level or range set out in these regulations, the permittee shall:
- (a) in the case of a test result showing the presence of total coliforms, fecal coliforms, *Escherichia coli* or 200 or more organisms per 100 millilitres as an overgrowth of background bacteria, conduct any additional testing in accordance with the standards;
 - (b) in the case of any other constituent that exceeds a level set out in these regulations, conduct any additional testing at the times and frequencies and in the manner directed by the minister.
- (6) If the minister considers it necessary and in the public interest, the minister may require a permittee to conduct any further sampling and testing, in addition to that conducted pursuant to subsection (2), to monitor:
- (a) the quality of the water in the waterworks; or
 - (b) the efficacy of the treatment process.
- (7) Subject to subsection (8), any laboratory that conducts any analysis of water samples from a waterworks shall, within seven days after the date of completion of the analysis, report the results of the analysis to:
- (a) the permittee of the waterworks; and
 - (b) the minister.
- (8) If a sample submitted in accordance with subsection (3) or (6) shows the presence of total coliforms, fecal coliforms, *Escherichia coli* or 200 or more organisms per 100 millilitres as an overgrowth of background bacteria, the laboratory that conducted the analysis shall:
- (a) notify the minister in accordance with the standards; and
 - (b) within 72 hours after obtaining the result, send a written copy of the result to the permittee who submitted the samples and to the minister.
- (9) On being notified pursuant to subsection (8), the permittee of the waterworks shall:
- (a) immediately notify the minister of the measures the permittee has taken and intends to take to remedy the situation in relation to the testing results;
 - (b) notify consumers served by the waterworks of the measures mentioned in clause (a) in the manner and within the time that is directed by the minister in accordance with the standards; and
 - (c) take any other action in relation to the results of testing and quality of water that the minister may reasonably require to protect human health or public safety.

E-10.22 REG 3 WATERWORKS AND SEWAGE WORKS**Required testing after completion, alteration, extension or repair**

38 Every permittee of a waterworks supplying water for human consumptive use or hygienic use shall cause samples of water from any part of the waterworks, including the distribution system or any portion of the distribution system, that is new, altered, extended or repaired to be analysed for bacteria in an accredited laboratory as soon as possible after the completion of the new waterworks or the alteration, extension or repair.

7 Nov 2014 cE-10.22 Reg 3 s38.

Fluoride in drinking water

39(1) If fluoride is applied to drinking water, the permittee of the waterworks shall submit samples of water from the waterworks to an accredited laboratory for fluoride analysis.

(2) The samples mentioned in subsection (1) must be taken at the locations and times and in the frequency and manner set out in the permit.

7 Nov 2014 cE-10.22 Reg 3 s39.

Operational records to be kept

40(1) Every permittee of a waterworks shall cause operational records or logs to be maintained, including records of the following:

- (a) the total water pumped into the distribution system on a daily basis or the total raw water used;
- (b) the types, dosages and total amounts of chemicals applied to the water for treatment;
- (c) the locations from which samples for any tests conducted by the permittee of the waterworks were taken in accordance with the permittee's permit and the name of the person who conducted the sampling or testing and the results of those tests;
- (d) any departures from normal operating procedures that may have occurred and the time and date that they occurred;
- (e) any instructions that were given during operation of the waterworks to depart from normal operating practices and the name of the person who gave the instructions;
- (f) any upset condition or bypass condition, the time and date of the upset condition or bypass condition and measures taken to notify others and resolve the upset condition or bypass condition;
- (g) any condition of low disinfectant levels, the time, date and location of occurrence and measures taken to restore disinfectant levels to required values;
- (h) the dates and results of calibrating any metering equipment and testing instruments;
- (i) the dates and types of maintenance performed on equipment and any actions taken to ensure the normal operations of the waterworks.

- (2) Every permittee of a waterworks shall cause the operational records or logs mentioned in subsection (1) to be recorded and maintained in the following manner:
- (a) operational records or logs must be made in chronological order, with the dates, times and testing locations clearly indicated;
 - (b) entries in an operational record or log must only be made by the permittee or its duly authorized agent, contractor or employee;
 - (c) any person mentioned in clause (b) making an entry in an operational record or log must do so in a manner that allows the person to be unambiguously identified as the maker of the entry;
 - (d) operational records or logs must be maintained for at least five years;
 - (e) any anomalies or instances of missing entries in an operational record or log must be accompanied by explanatory notes;
 - (f) operational records or logs must only contain data or information that is actually observed or produced;
 - (g) operational records or logs must not contain default values generated manually or by automated means.
- (3) Every permittee of a waterworks shall make the operational records or logs maintained pursuant to clause (2)(d) available promptly on request of the minister.

7 Nov 2014 cE-10.22 Reg 3 s40.

**Water assurance and quality control policy and record keeping -
water for human consumptive use**

- 41(1) Every permittee of a waterworks supplying water intended or used for human consumptive use shall have in place a written quality assurance and quality control policy that meets the following standards adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code:
- (a) the *Quality Assurance and Quality Control for Water Treatment Utilities Standard - Drinking Water Quality Management*, EPB 542, as established by the minister on November 15, 2012;
 - (b) the *Waterworks Emergency Response Planning Standard*, EPB 540, as established by the minister on November 15, 2012;
 - (c) the *Water Quality Emergency Planning Standard - An Overview*, EPB 541A, as established by the minister on November 15, 2012; and
 - (d) before commencement of operation of the waterworks, the *Water Quality Contingency Planning Standard*, EPB 540B, as established by the minister on November 15, 2012.
- (2) Every permittee of a waterworks shall review the records and logs kept pursuant to section 40 on a monthly basis to ensure that operating parameters and water quality parameters applicable to the operation of the waterworks are being achieved.

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(3) If a review of the records and logs mentioned in subsection (2) indicates that any of the following things has occurred, the permittee and any employee, agent or contractor engaged by the permittee shall report the findings to the minister as soon as is reasonably practicable after the review has been done:

- (a) the quality of water from the waterworks has been adversely affected;
- (b) any upset condition, bypass condition or event at the waterworks has not been reported in accordance with section 34;
- (c) on-site water quality testing records are missing.

7 Nov 2014 cE-10.22 Reg 3 s41.

Annual notice to consumers

42(1) At least once each year, every permittee of a waterworks supplying water intended or used for human consumptive use or hygienic use shall provide consumers supplied by the waterworks with a notification of:

- (a) the quality of water produced or supplied by the waterworks in comparison with the levels set out in these regulations; and
- (b) the permittee's compliance with sample submission requirements described in the permittee's permit.

(2) As soon as possible after complying with subsection (1), the permittee shall provide the minister with written notice of the permittee's compliance.

7 Nov 2014 cE-10.22 Reg 3 s42.

**PART IV
Certification**

**DIVISION 1
Interpretation and Application of Part**

Interpretation of Part

43 In this Part:

- (a) **“board”** means the Operator Certification Board continued pursuant to section 45;
- (b) **“certificate”** means a certificate issued to an operator by the board pursuant to section 68 and includes a certificate issued to an operator in training;
- (c) **“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.

7 Nov 2014 cE-10.22 Reg 3 s43.

Application of Part

44(1) This Part applies to:

- (a) municipal sewage works;
 - (b) sewage works, in addition to municipal sewage works, having a design flow of sewage exceeding 18 cubic metres over any 24-hour period;
 - (c) all regional sewage works;
 - (d) municipal waterworks that produce or supply water intended or used for human consumptive use;
 - (e) municipal wells that are connected to a distribution system and that produce or supply water intended or used for human consumptive use;
 - (f) waterworks that produce or supply water intended or used for human consumptive use, in addition to municipal waterworks, having a design flow exceeding 18 cubic metres over any 24-hour period;
 - (g) all water pipelines directly connected to a municipal waterworks, regardless of volume of water supplied or number of service connections; and
 - (h) all water pipelines, not otherwise directly connected to a municipal waterworks, serving 15 or more service connections.
- (2) This Part does not apply to:
- (a) sewage works that are only associated with municipal waterworks that produce or supply water intended or used only for hygienic use; or
 - (b) waterworks that produce or supply water intended or used only for hygienic use.

7 Nov 2014 cE-10.22 Reg 3 s44.

DIVISION 2
Operator Certification Board

Board continued

45 The Operator Certification Board is continued as a corporation.

7 Nov 2014 cE-10.22 Reg 3 s45.

Membership of board

46(1) The board consists 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.

- (2) 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.

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- (3) 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.
- (4) If a member of the board dies or resigns, the person ceases to be a member of the board on the date of death or on the date that a written resignation is received by the board, as the case may be.
- (5) If the office of a member of the board becomes vacant, the minister may:
- (a) appoint another person for the remainder of the term of the person who vacated the office; or
 - (b) appoint another person for the term mentioned in subsection (2).
- (6) A vacancy in the office of a member of the board does not impair the power of the remaining members of the board to act.

7 Nov 2014 cE-10.22 Reg 3 s46.

Board of directors and chairperson

- 47(1)** A board of directors consisting of the members of the board shall manage the business and affairs of the board.
- (2) The members of the board shall designate a chairperson and a vice-chairperson from among the members of the board.
- (3) The vice-chairperson shall exercise the powers and perform the duties of the chairperson whenever the chairperson is absent or otherwise unable to act.

7 Nov 2014 cE-10.22 Reg 3 s47.

Board not an agent of the Crown

- 48** The board is not an agent of the Crown in right of Saskatchewan.

7 Nov 2014 cE-10.22 Reg 3 s48.

Head office

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

7 Nov 2014 cE-10.22 Reg 3 s49.

Meetings

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

7 Nov 2014 cE-10.22 Reg 3 s50.

Responsibilities of board

- 51** The board is responsible for the following:
- (a) receiving and reviewing applications for certificates pursuant to this Part;
 - (b) issuing certificates to applicants whom the board considers qualified.

7 Nov 2014 cE-10.22 Reg 3 s51.

Powers of board

52 The board may:

- (a) accept any funds;
- (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 this Part;
- (c) charge fees within the range set out in section 66 for the certification of operators, for the renewal of certificates and for matters respecting certification and certificates and collect and expend those fees;
- (d) employ any staff necessary to carry out its responsibilities or the intent of this Part;
- (e) attach any terms and conditions to a certificate that the board considers appropriate;
- (f) issue or renew or refuse to issue or renew a certificate;
- (g) cancel or amend a certificate to correct a clerical or other similar error;
- (h) amend, suspend or cancel a certificate in accordance with section 71;
- (i) 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;
- (j) enter into reciprocity agreements with other jurisdictions respecting operator certification standards;
- (k) make bylaws governing its business and operations that it considers appropriate;
- (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 Part.

7 Nov 2014 cE-10.22 Reg 3 s52.

Borrowing powers

53(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 responsibilities of the board.

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

7 Nov 2014 cE-10.22 Reg 3 s53.

No Crown guarantee for loans by board

54 No loan made pursuant to section 53 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.

7 Nov 2014 cE-10.22 Reg 3 s54.

E-10.22 REG 3 WATERWORKS AND SEWAGE WORKS**Investments of board**

55 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 conditions and in any amount that the board considers appropriate.

7 Nov 2014 cE-10.22 Reg 3 s55.

Fiscal year of board

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

7 Nov 2014 cE-10.22 Reg 3 s56.

Audit

57 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 or the minister may direct.

7 Nov 2014 cE-10.22 Reg 3 s57.

Annual report

58(1) In each year, not later than June 30, the board shall provide an annual report to the minister for the previous fiscal 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, their levels of certification 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.

(3) Subject to subsection (5), the board may publish or distribute a copy of its records and information, including the following information with respect to each certified operator:

- (a) his or her name;
- (b) his or her level of certification;
- (c) his or her place of employment;
- (d) his or her certificate number;
- (e) the date of issue or upgrading of his or her certificate;
- (f) the date of expiry of his or her certificate.

- (4) The board may publish or distribute the information mentioned in subsection (3) in any manner and at any time that the board considers necessary or appropriate.
- (5) The board may not publish or disclose any record or information, other than the information specifically mentioned in clauses (3)(a) to (f), that is personal in nature or that could disclose an individual's education, test marks or work history.

7 Nov 2014 cE-10.22 Reg 3 s58.

DIVISION 3

Standards to be met by Operators to obtain Certificates

Interpretation of Division

59 In this Division and in Division 4:

- (a) **“standards”** means the *Saskatchewan Water and Wastewater Works Operator Certification Standards*, EPB 539, as established by the minister on November 15, 2012, respecting the training and qualifications of operators and the classification of facilities as adopted pursuant to the Adoption of Standards Chapter of the Saskatchewan Environmental Code;
- (b) **“wastewater collection facilities”** means that part of a sewage works that includes the collection system and pumping stations;
- (c) **“wastewater treatment facilities”** means those components of a sewage works that modify or hold sewage;
- (d) **“water distribution facilities”** means that part of a waterworks that:
- (i) includes the distribution system, pump houses and water pipelines; and
 - (ii) only treats water by means of chemical addition;
- (e) **“water treatment facilities”** means those components of a waterworks that are used to filter or condition water for the purpose of rendering the water acceptable for human consumptive use.

7 Nov 2014 cE-10.22 Reg 3 s59.

Decision of board

60 For the purposes of this Part, the board shall base its decision whether to issue or renew or refuse to issue or renew a certificate, or to amend, suspend or cancel a certificate, on the standards.

7 Nov 2014 cE-10.22 Reg 3 s60.

Classification of facilities

61(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:

- (a) water distribution facilities;
- (b) water treatment facilities;
- (c) wastewater collection facilities;
- (d) wastewater treatment facilities.

E-10.22 REG 3 WATERWORKS AND SEWAGE WORKS

(2) The minister may classify a waterworks or sewage works mentioned in subsection (1) in accordance with the standards.

(3) If the minister considers it appropriate to do so, the minister may reclassify a waterworks or sewage works in accordance with the standards.

7 Nov 2014 cE-10.22 Reg 3 s61.

**DIVISION 4
Certificates**

Minimum certificates that operators must hold

62 Subject to sections 63 to 65, every municipality and permittee of a waterworks or sewage works governed by this Part shall ensure that the operation, repair and maintenance of those works is under the direction of an operator who holds at least the corresponding certificate for the classification of those works that is set out in the standards.

7 Nov 2014 cE-10.22 Reg 3 s62.

Minimum certificate exemption for certain municipal waterworks

63(1) The permittee of a municipal waterworks mentioned in clause 44(1)(d) or a municipal well connected to a distribution system mentioned in clause 44(1)(e), supplying water intended or used for human consumptive use, need not ensure that the operation, repair and maintenance of those works are under the direction of an operator mentioned in section 62 if:

- (a) fewer than 50 consumers are served by the municipal waterworks or the municipal well that is connected to a distribution system;
- (b) the municipal waterworks or the municipal well that is connected to a distribution system incorporates a ground water treatment plant;
- (c) the operator in charge of the municipal waterworks or the municipal well that is connected to a distribution system successfully completes training for small waterworks systems in accordance with the standards; and
- (d) once every two years, commencing on March 31, 2007, the operator in charge of the municipal waterworks or the municipal well that is connected to a distribution system has obtained 10.0 contact hours, 1.0 Continuing Education Unit or 1.34 credit hours of training in a field that the board considers to be an appropriate field.

(2) For the purposes of subsection (1), the permittee of a municipal waterworks or a municipal well that is connected to a distribution system shall provide the minister with a report:

- (a) in a form satisfactory to the minister;
- (b) within the period required by the minister; and
- (c) that sets out the number of consumers to be served by the municipal waterworks or the municipal well that is connected to a distribution system.

7 Nov 2014 cE-10.22 Reg 3 s63.

Minimum certificate exemption for certain water pipelines

64 The permittee of a water pipeline mentioned in clause 44(1)(g) supplying water intended or used for human consumptive use need not ensure that the operation, repair and maintenance of the water pipeline are under the direction of an operator mentioned in section 62 if:

- (a) there are fewer than 15 service connections to that water pipeline;
- (b) the operator in charge of the water pipeline successfully completes training for small waterworks systems or water distribution class 1 in accordance with the standards; and
- (c) once every two years, commencing on March 31, 2007, the operator in charge of the water pipeline has obtained 10.0 contact hours, 1.0 Continuing Education Unit or 1.34 credit hours of training in a field that the board considers to be an appropriate field.

7 Nov 2014 cE-10.22 Reg 3 s64.

Minimum certificate exemption for certain municipal sewage works

65(1) The permittee of a municipal sewage works mentioned in clause 44(1)(a) need not ensure that the operation, repair and maintenance of the sewage works are under the direction of an operator mentioned in section 62 if:

- (a) fewer than 50 consumers are served by the municipal sewage works;
- (b) the municipal sewage works does not discharge to surface water or shallow underlying ground water;
- (c) in the opinion of the minister, the municipal sewage works does not represent a risk to the surrounding area, inhabited areas, ground water supplies, or the environment;
- (d) the operator in charge of the municipal sewage works successfully completes training for small sewage systems in accordance with the standards; and
- (e) once every two years, commencing on March 31, 2007, the operator in charge of the municipal sewage works has obtained 10.0 contact hours, 1.0 Continuing Education Unit or 1.34 credit hours of training in a field that the board considers to be an appropriate field.

(2) For the purposes of subsection (1), the permittee of a municipal sewage works shall provide the minister with a report:

- (a) in a form satisfactory to the minister;
- (b) within the period required by the minister; and
- (c) that sets out the number of consumers to be served by the municipal sewage works.

7 Nov 2014 cE-10.22 Reg 3 s65.

E-10.22 REG 3 WATERWORKS AND SEWAGE WORKS**Application for certificate or renewal**

- 66(1)** Every applicant for 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 standards;
 - (c) pay the fee that the board may charge pursuant to subsection (3);
 - (d) provide any information and materials that the board may reasonably require to assess the application; and
 - (e) comply with any other requirements that may be set by the board.
- (2) Every applicant for renewal of a certificate shall:
- (a) pay the fee that the board may charge pursuant to subsection (3);
 - (b) provide any information and materials that the board may reasonably require to assess the application; and
 - (c) comply with any other requirements that may be set by the board.
- (3) The board may charge a fee in an amount that it considers necessary to recover its costs in reviewing an application and issuing a certificate to a maximum of \$125 for each year that the certificate applied for may be issued.
- (4) Any fee charged pursuant to this section is non-refundable.
- (5) Notwithstanding subsection (2), a certificate issued to an operator in training is not renewable.

7 Nov 2014 cE-10.22 Reg 3 s66.

Board may investigate applicant

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

7 Nov 2014 cE-10.22 Reg 3 s67.

Issuance or refusal of certificate

- 68(1)** Within 90 days after receiving an application for a certificate or the renewal of a certificate, the board shall:
- (a) if it is satisfied that the applicant has met the requirements of the standards and has complied with these regulations, issue or renew a certificate to the applicant;
 - (b) if it is not satisfied of the matters set out in clause (a), notify the applicant that a certificate will not be issued or renewed and provide the applicant with written reasons for not issuing or renewing a certificate; or
 - (c) if the board considers it necessary, notify the applicant that further information is required to assess the application.

(2) An applicant who is not issued a certificate, or whose certificate is not renewed, may, within 30 days after being notified pursuant to clause (1)(b), make written representations to the board to have the board reconsider its decision, and the board shall consider those representations in determining whether or not a certificate should be issued or renewed.

7 Nov 2014 cE-10.22 Reg 3 s68.

Term of certificate and application to upgrade

69(1) A certificate issued or renewed by the board expires on the date set out in the certificate, which is not to be later than two years from the date of issue or renewal.

(2) The holder of a certificate may apply to have the holder's certificate upgraded to a higher level of certification before the holder's certificate expires.

(3) Sections 66 to 68 apply, with any necessary modification, to an application to upgrade a holder's certificate.

7 Nov 2014 cE-10.22 Reg 3 s69.

Additional information re renewal of certificate

70 In addition to the requirements set out in clause 68(1)(a), an applicant who wishes to have his or her certificate renewed must satisfy the board that the applicant has obtained 5.0 contact hours, 0.5 Continuing Education Units or 0.67 credit hours per year of training in a field that the board considers to be an appropriate field since the date that the applicant's certificate was issued or last renewed.

7 Nov 2014 cE-10.22 Reg 3 s70.

Amendment, cancellation, suspension of certificate

71(1) Subject to subsection (2), the board may amend or cancel a certificate, or suspend a certificate for a stated period, if 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, human health or public safety 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 its intended action, including written reasons; and

(b) an opportunity to make written representations to the board.

(3) The board is not required to give an oral hearing to any person to whom notice has been sent pursuant to subsection (2).

7 Nov 2014 cE-10.22 Reg 3 s71.

PART V
General

Required contents of easements

72 For the purposes of clause 34(2)(a) of the Act, every easement must contain the following information and provisions:

- (a) the name of the person proposing to construct, extend, alter or operate the sewage works that is the subject of the easement;
- (b) the nature and extent of the construction, extension, alteration or operation of the sewage works that is the subject of the easement;
- (c) the name of the registered owner of the land on which the sewage works that is the subject of the easement is to be constructed, extended, altered or operated and, if different, the name of the registered owner of the land affected by the sewage works that is the subject of the easement;
- (d) the legal description of the lands mentioned in clause (c);
- (e) a provision that:
 - (i) grants an easement by the registered owners of the lands affected by the sewage works that is the subject of the easement;
 - (ii) conveys a right to use the land for the purposes and to the extent required to construct, alter, extend or operate the sewage works that is the subject of the easement; and
 - (iii) states that the easement runs with the land and is binding on the present and subsequent registered owners of the lands affected by the sewage works that is the subject of the easement and their heirs, executors, administrators and assigns.

7 Nov 2014 cE-10.22 Reg 3 s72.

R.R.S. c.E-10.21 Reg 1 repealed

73 *The Water Regulations, 2002* are repealed.

7 Nov 2014 cE-10.22 Reg 3 s73.

Coming into force

74(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Environmental Management and Protection Act, 2010* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the coming into force of section 1 of *The Environmental Management and Protection Act, 2010*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Nov 2014 cE-10.22 Reg 3 s74.

Appendix

TABLE 1
Facultative Lagoon and Mechanical Treatment Facility Buffer Zones
 [*Section 10*]

	Facultative Lagoon Buffer Zone (Metres)	Mechanical Treatment Facility Buffer Zone (Metres)
Single Isolated Residence	300	300 ¹
Built-up Residential Area	550 ¹	300 ¹
Institutional Area	550 ¹	300 ¹
Commercial Area (with no built-up residential area)	300	300 ¹

¹ See subsections 10(3) and (4) that set out how minimum buffer zone requirements may be reduced.

TABLE 2
Facultative Lagoon Design Requirements and Compliance Dates
 [Section 12]

Type of lagoon and discharge method	Primary Basin Loading Design	Combined design storage capacity in all basins other than primary basins	Compliance Date
Type 1: Existing facultative lagoon that discharges or will discharge via effluent irrigation.	Primary basin surface area sufficient to ensure a CBOD ₅ of not greater than 25 kilograms/hectare/day and a BOD ₅ of not greater than 30 kilograms/hectare/day	Design storage for 240 days of average day sewage input for the population served.	November 1, 2025
Type 2: Expanded, upgraded or new facultative lagoon that discharges or will discharge via effluent irrigation.	Primary basin surface area sufficient to ensure a CBOD ₅ of not greater than 25 kilograms/hectare/day and a BOD ₅ of not greater than 30 kilograms/hectare/day	Design storage for 240 days of projected average day sewage input to the population to be served over a projected minimum 20-year design life.	Date on which expansion, upgrade or new lagoon is commissioned.
Type 3: Expanded, upgraded or new facultative lagoon other than Type 1 or Type 2 lagoons.	Primary basin surface area sufficient to ensure a CBOD ₅ of not greater than 25 kilograms/hectare/day and a BOD ₅ of not greater than 30 kilograms/hectare/day	Design storage for 220 days of projected average day sewage input to the population to be served over a projected minimum 20-year design life.	Date on which expansion, upgrade or new lagoon is commissioned.
Type 4: Existing facultative lagoon other than Type 1 or Type 2 lagoons.	Primary basin surface area sufficient to ensure a BOD ₅ of not greater than 30 kilograms/hectare/day	Design storage for 180 days of average day sewage input for the population served.	December 5, 2002

TABLE 3
Standards for Water re certain Parameters and Compliance Dates
[Section 28 and subsections 31(1) and (3)]

PART A			
Chemical – Health Category			
Chemical – Health Category Parameter	Maximum Acceptable Concentration (mg/L)	Interim Maximum Acceptable Concentration (mg/L)	Compliance Date
Arsenic	0.010		December 2010
Barium	1		December 2010
Benzene	0.005		December 2010
Benzo(a)pyrene	0.00001		December 2010
Boron		5.0	December 2010
Bromate	0.01		July 1, 2020
Cadmium	0.005		December 2010
Carbon tetrachloride	0.005		December 2010
Chlorate	1.0		July 1, 2020
Chlorite	1.0		July 1, 2020
Chromium	0.05		December 2010
Cyanide	0.2		December 2010
Dichlorobenzene, 1,2	0.2		December 2010
Dichlorobenzene, 1,4	0.005		December 2010
Dichloroethane, 1,2		0.005	December 2010
Dichloroethylene, 1,1	0.014		December 2010
Dichloromethane	0.05		December 2010
Dichlorophenol, 2,4	0.9		December 2010
Fluoride ¹	1.5		December 2010
Haloacetic Acids ⁵	0.080		July 1, 2020
Lead ²	0.01		December 2010
Mercury	0.001		December 2010
Microcystin-LR	0.0015		July 1, 2020
Monochlorobenzene	0.08		December 2010
Nitrate ³ as NO ₃	45		December 2010
Selenium	0.01		December 2010
Tetrachlorophenol, 2,3,4,6	0.1		December 2010
Trichloroethylene	0.05		December 2010
Trichlorophenol, 2,4,6	0.005		December 2010
Trihalomethanes (THM) ⁴	0.100		December 2010
Uranium	0.02		December 2010
Vinyl Chloride	0.002		December 2010

¹ Maximum allowable concentration of naturally occurring fluoride in treated drinking water intended or used for human consumptive use.

² Faucets should be thoroughly flushed before sample is collected.

³ Nitrate levels in excess of 45 mg/L (10 mg/L as nitrate-nitrogen) may cause adverse health effects in infants less than six months old.

⁴ Based on an annual average of 4 seasonal samples collected from water mains within the distribution system.

⁵ Haloacetic acids refers to the total of monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid and dibromoacetic acid and is based on a locational running average of a minimum of quarterly samples taken from the water mains within the distribution system.

PART B
Radiological

Radiological ⁶ Screening Parameter	Maximum Acceptable Concentration (Bq/L) ⁷	Compliance Date
Gross alpha	0.5	December 2010
Gross beta	1.0	December 2010
Lead-210 (²¹⁰ Pb)	0.2	December 2010
Radium-226 (²²⁶ Ra)	0.5	December 2010
Tritium (³ H)	7000	December 2010
Strontium-90 (⁹⁰ Sr)	5	December 2010
Iodine (¹³¹ I)	6	December 2010
Cesium-137 (¹³⁷ Cs)	10	December 2010

⁶ Radiological - Water samples may be initially screened for radioactivity using gross alpha and gross beta activity determinations. Compliance with the standards may be inferred if the measurements for gross alpha and gross beta activity are less than 0.5 Bq/L (becquerels per litre) and 1.0 Bq/L, respectively, as these are lower than the strictest Maximum Acceptable Concentrations. If these values are exceeded then Table 3 of the Guidelines for Canadian Drinking Water Quality--Summary Table, Health Canada (August 2012), as amended from time to time, applies.

⁷ Becquerels per litre

PART C
Chemical – Pesticides

Chemical – Pesticides ⁸ Parameter	Maximum Acceptable Concentration (mg/L)	Interim Maximum Acceptable Concentration (mg/L)	Compliance Date
Atrazine		0.005	December 2010
Bromoxynil		0.005	December 2010
Carbofuran	0.09		December 2010
Chlorpyrifos	0.09		December 2010
Dicamba	0.12		December 2010
2,4-D9		0.1	December 2010
Diclofop-methyl	0.009		December 2010
Dimethoate		0.02	December 2010
Malathion	0.19		December 2010
MCPA ¹⁰	0.10		December 2010
Pentachlorophenol	0.06		December 2010
Picloram		0.19	December 2010
Trifluralin		0.045	December 2010

⁸ Pesticides commonly used in Saskatchewan

⁹ 2,4 Dichlorophenoxyacetic acid

¹⁰ 2-Methyl-4-Chlorophenoxyacetic Acid

TABLE 4

Repealed. 24 Apr 2020 SR 43/2020 s8.

TABLE 5

Repealed. 24 Apr 2020 SR 43/2020 s8.

