

# Administrative Amendments



## Summary of proposed amendments

This is an unofficial document intended to summarize the proposed amendments to the *Wastewater Systems Effluent Regulations*. The [Regulations Amending the Wastewater Systems Effluent Regulations](#) are the official proposed amendments. Any inconsistencies with this document and the proposed regulations, the proposed regulations prevail. It does not replace or in any way supersede or modify the current Regulations or the *Fisheries Act*. It does not offer any legal interpretation of the Regulations or Act.

Environment and Climate Change Canada is proposing to amend the *Wastewater Systems Effluent Regulations* (the Regulations). The aim is to provide greater clarity and resolve implementation issues. These changes will not affect regulatory outcomes or effluent quality.

This factsheet outlines current requirements in the Regulations and the proposed amendments.

Relevant Section and Topic	Description of Proposed Amendments
Definitions Section 1  Composite Sample	<p><b>Current Requirement:</b> There is no definition of <i>Composite sample</i> in the Regulations.</p> <p><b>Proposed Amendment:</b> Add a definition of <i>Composite Sample</i>.</p> <p><i>Composite sample would mean that:</i></p> <p>(a) <i>regulatees use the definition of composite sample specified by a provincial government or Act of Parliament, if it applies to their wastewater system; or</i></p> <p>(b) <i>regulatees collect at least three samples with equal volumes or volumes proportionate to the rate of flow over:</i></p> <ul style="list-style-type: none"><li><i>the discharging period if discharging part of the day; or</i></li><li><i>over a period of not less than seven hours and not more than 24 hours if discharging all day; or</i></li></ul> <p>(c) <i>regulatees collect samples continuously at a constant rate or at a rate proportionate to the rate of flow over:</i></p> <ul style="list-style-type: none"><li><i>the discharging period if discharging part of the day; or</i></li><li><i>over a period of not less than seven hours and not more than 24 hours if discharging all day</i></li></ul>



<p><b>Definitions</b></p> <p><b>Section 1</b></p> <p><b>Duly Authorized Representative</b></p>	<p><b>Current Requirement:</b> There is no definition of <i>duly authorized representative</i> in the Regulations.</p> <p><b>Proposed Amendment:</b> Change <i>duly authorized representative</i> to <i>authorized representative</i> and add a definition.</p> <p><i>Authorized representative means:</i></p> <p>(a) <i>in respect of an owner or operator who is an individual:</i></p> <ul style="list-style-type: none"> <li>• <i>that individual; or</i></li> <li>• <i>another individual authorized to act on its behalf</i></li> </ul> <p>(b) <i>in respect of an owner or operator that is a corporation:</i></p> <ul style="list-style-type: none"> <li>• <i>an employee of the corporation; or</i></li> <li>• <i>another individual authorized to act on its behalf; or</i></li> <li>• <i>an entity authorized to act on its behalf; and</i></li> </ul> <p>(c) <i>in respect of an owner or operator that is an entity other than a corporation:</i></p> <ul style="list-style-type: none"> <li>• <i>an individual authorized to act on its behalf; or</i></li> <li>• <i>an entity authorized to act on its behalf.</i></li> </ul>
<p><b>Definitions</b></p> <p><b>Section 1</b></p> <p><b>Licensed Professional</b></p>	<p><b>Current Requirement:</b> There is no definition of <i>Licensed Professional</i> in the Regulations.</p> <p><b>Proposed Amendment:</b> Add a definition of <i>Licensed Professional</i>.</p> <p><i>Licensed professional means a licensed member of an engineering or scientific professional organization who is:</i></p> <ul style="list-style-type: none"> <li>• <i>independent of the operator of the facility; and</i></li> <li>• <i>who has technical expertise in the field in question.</i></li> </ul>
<p><b>Final Discharge Points</b></p> <p><b>Subsection 2(1)</b></p>	<p><b>Current Requirement:</b> A wastewater system can only have one final discharge point. It is located at the tail end of the treatment plant where effluent is released into the environment.</p> <p><b>Proposed Amendment:</b> Allow systems to have multiple final discharge points. Regulatees would have to monitor, sample and submit reports for each final discharge point.</p> <p>The definition of <i>final discharge point</i> would be amended.</p> <p><i>Final discharge point means the point, or multiple points, other than an overflow point, of a wastewater system beyond which its owner</i></p>

	<p><i>or operator no longer exercises control over the quality of the wastewater before it is deposited as effluent in water or a place.</i></p>
<p><b>Suspended Solids Exemption</b></p> <p><b>Subsection 6(5)</b></p>	<p><b>Current Requirement:</b> Lagoons that exceed the suspended solid limit of 25 mg/L from July to October do not have to use these results when calculating the average concentration. This would only apply to the monitoring report(s) covering those months.</p> <p><b>Proposed Amendment:</b> Regulatees would have to mention in their monitoring reports if they use the exemption.</p>
<p><b>Dechlorination</b></p> <p><b>Subsection 6(7)</b></p>	<p><b>Current Requirement:</b> An average total residual chlorine limit of 0.02 mg/L is set out in the Regulations. It only applies to systems that uses chlorine, or one of its compounds, in the treatment of wastewater.</p> <p><b>Proposed Amendment:</b> Regulatees must install, operate and maintain a dechlorination system. Once dechlorinated, the concentration of total residual chlorine could not exceed 0.10 mg/L in a grab sample.</p> <ul style="list-style-type: none"> <li>Regulatees would have to keep records on the system onsite, including manufacturer’s specifications. Regulatees would have to keep on site any results of chlorine measured.</li> </ul>
<p><b>Calibration frequency</b></p> <p><b>Subsection 9(3)</b></p>	<p><b>Current Requirement:</b> Regulatees are required to calibrate their monitoring equipment at least once every calendar year. Calibrations must be at least five months apart.</p> <p><b>Proposed Amendment:</b> Monitoring equipment must be calibrated in accordance with the recommendations of the manufacturer or licensed professional. If this is not possible, the equipment has to be calibrated at least once in every calendar year. Calibrations must be least five months apart.</p> <ul style="list-style-type: none"> <li>If a licensed professional prepared a calibration procedure, it must be documented and available onsite.</li> </ul>
<p><b>Sample taken at other location</b></p> <p><b>New subsection 10(2)</b></p>	<p><b>Current Requirement:</b> Regulatees must collect their sample at the final discharge point only.</p> <p><b>Proposed Amendment:</b> Allow sampling at another location of the intermittent lagoons only if:</p> <ul style="list-style-type: none"> <li>similar effluent samples can be collected; and</li> </ul>

	<ul style="list-style-type: none"> <li>• a licensed professional has determined the sampling procedure and location.</li> </ul> <p>If a licensed professional prepared a calibration procedure, the sampling location and procedure must be documented and available onsite.</p>
<p>Samples taken prior to discharge</p> <p>Subsection 10(3)</p>	<p><b>Current Requirement:</b> It is not possible to use samples collected prior to emptying an intermittent lagoon to show compliance with the Regulations. Regulatees are required to sample at least:</p> <ul style="list-style-type: none"> <li>• once during the first 30 days of discharge; and</li> <li>• every two weeks, if discharging longer.</li> </ul> <p><b>Proposed Amendment:</b> Regulatees could use a sample collected two weeks or less before emptying the intermittent lagoon. This sample would count as their sample for the first 30 days of discharge. To be allowed, the sample has to be collected to meet another federal or provincial requirement.</p> <ul style="list-style-type: none"> <li>• Regulatees would have to sample every two weeks if discharging longer.</li> </ul>
<p>Acute Lethality Testing</p> <p>New subsection 11(1)</p>	<p><b>Current Requirement:</b> Owners of intermittent lagoons discharging more than 2,500 m<sup>3</sup>/day are required to do acute lethality testing. They must test on a quarterly basis even though they may not be discharging every quarter.</p> <p><b>Proposed Amendment:</b> Require intermittent systems discharging more than 2,500 m<sup>3</sup>/day to do an acute lethality test once per discharging event.</p>
<p>Acute Lethality Testing</p> <p>subsection 11(3), now subsection 11(4)</p>	<p><b>Current Requirement:</b> If a sample is acutely lethal, regulatees are required to collect samples twice a month to determine if the effluent remains acutely lethal.</p> <p><b>Proposed Amendment:</b> If a sample is determined to be acutely lethal, regulatees must, without delay, collect a sample and do an acute lethality test. They must then sample every two weeks to determine if the effluent remains acutely lethal.</p>
<p>Unauthorized Deposits</p>	<p><b>Current Requirement:</b> There are no requirements in the Regulations.</p>

## New Section 19.1

**Proposed Amendment:** Regulatees must notify an inspector, without delay, if:

- their effluent exceeds:
  - the total residual chlorine limit; and/or
  - maximum grab concentration of unionized ammonia; or
- the effluent is acutely lethal.

Of note, any release that exceeds these limits is not authorized under the Regulations. It may also be subject to subsection 36(3) of the *Fisheries Act*. Refer to this factsheet for the procedure for unauthorized wastewater deposits.

## FOR ADDITIONAL INFORMATION

Visit the Wastewater website at [Canada.ca/wastewater](https://Canada.ca/wastewater).

If the information you need is unavailable on our website, please contact Environment and Climate Change Canada at [eu-ww@ec.gc.ca](mailto:eu-ww@ec.gc.ca).