

The Effluencer

Administrative Amendments



Summary of Amendments

Environment and Climate Change Canada has amended the [Wastewater Systems Effluent Regulations \(the Regulations\)](#) to provide greater clarity and resolve implementation issues. These changes will not affect regulatory outcomes or effluent quality.

This factsheet outlines the new administrative requirements in the Regulations. Further information is available on the [wastewater webpage](#).

Description of Administrative Amendments

Section 1 - Definitions

Composite Sample (New)

When collecting a composite sample, a regulatee must either:

(a) use the definition of composite sample defined by the government of a province or by any federal Act, if it applies to their wastewater system;

(b) collect at least 3 samples of equal volumes, or of volumes proportionate to the flowrate, taken at equal time intervals over:

- ▶ the discharging period, if discharging part of the day; or
- ▶ a period between 7 to 24 hours, if discharging all day; or

(c) collect samples continuously at constant rate, or at a rate proportionate to the flowrate, over:

- ▶ the discharging period if discharging part of the day; or
- ▶ a period between 7 to 24 hours, if discharging all day.

Authorized Representative (New)

The term “duly authorized representative” is changed to “authorized representative”.

Under the Regulations, an authorized representative is:

(a) if the owner or operator is an individual, that individual, another individual, or an entity authorized to act on their behalf;

(b) if the owner or operator is a corporation, an employee of the corporation, another individual or an entity authorized to act on behalf of the corporation; or

(c) if the owner or operator is an entity other than a corporation, an individual or entity authorized to act on its behalf.



Licensed Professional (New)

Under the Regulations, a licensed professional is a licensed member of an engineering or scientific professional organization who has technical expertise in the field in question.

Subsection 2(1) - Final Discharge Points (Amended)

Systems are allowed to have multiple final discharge points. Regulatees must monitor, sample and submit reports at each final discharge point, as specified under sections 7, 10, 11 and 17 to 19 of the Regulations.

The definition of final discharge point was also amended.

Final discharge point means any point of a wastewater system, other than an overflow point, beyond which its owner or operator no longer exercises control over the quality of the wastewater before it is deposited as effluent in water or a place.

Subsection 6(5) - Suspended Solids Exemption (Amended)

Wastewater lagoons that are experiencing algae or invertebrate blooms are allowed to exclude samples that exceed 25 mg/L from the calculation of the suspended solid average concentration. They can use the exemption during 4 months from May to November inclusive. The months do not have to be consecutive. Regulatees must declare the use of the exemption in their monitoring reports.

Paragraph 6(7)(h) - Dechlorination (New)

If chlorine, or one of its compounds, is used in the treatment of wastewater, regulatees must install, operate, and maintain a dechlorination system.

The dechlorination system must not allow the total residual chlorine concentration to exceed 0.10 mg/L in a grab effluent sample, when measured using a total residual chlorine instrument or tested in accordance with standards of good scientific practice.

Regulatees must confirm in their Identification Report that their dechlorination system meets the above criteria. They must also keep onsite records on the dechlorination system, including:

- ▶ a description of the system and the manufacturer's specifications, if any; and
- ▶ results of the concentration of total residual chlorine in the effluent, if any, and how it was measured.

Subsection 9(3) - Calibration Frequency (Amended)

Regulees must calibrate monitoring equipment in accordance with the recommendations of the manufacturer or of a licensed professional.

If no recommendations exist, they must calibrate the equipment at least once every calendar year, and at least 5 months apart.

If a calibration procedure is based on the recommendations of a licensed professional, the procedure must be documented and available onsite.

Subsection 10(2) - Samples Taken Prior to Discharge (New)

To determine the average concentrations of their intermittent lagoon, regulatees may use a sample collected two weeks or less before discharging, if it was collected to meet another federal or provincial requirement. Samples collected prior to discharge for other reasons do not qualify.

This sample will count as their sample for the first 30 days of discharge. Regulatees must continue to sample every two weeks if discharging longer.

Subsection 10(5) - Other Sampling Location (New)

Owners or operators of lagoons are allowed to sample at a location other than the final discharge point if:

- ▶ effluent samples are representative as if they had been collected at the final discharge point; and,
- ▶ a licensed professional has determined the sampling location and procedure to ensure a representative sample can be collected.

The sampling location and procedure prepared by the licensed professional must be documented and available onsite.

Subsection 11(1) - Acute Lethality Testing for Intermittent Systems (Amended)

Regulatees with intermittent systems discharging more than 2,500 m³/day are required to do an acute lethality test once per discharge instead of every quarter.

Subsection 11(4) - Additional Acute Lethality Testing (Amended)

Once a sample is determined to be acutely lethal, regulatees must collect a new sample and do an acute lethality test without delay. They must continue to sample every two weeks to determine if the effluent remains acutely lethal. Further information is available in the [acute lethality factsheet](#).

Regulatees can stop additional testing when three consecutive samples are found not to be acutely lethal, as stated in subsection 11(5).

Section 19.1 - Unauthorized Deposits (New)

Regulatees must notify an inspector, fishery officer, or authority prescribed by any regulations made under the Act without delay, if the effluent:

- ▶ is acutely lethal,
- ▶ exceeds:
 - the un-ionized ammonia limit of 1.25 mg/L, expressed as nitrogen (N), at 15°C ± 1°C
 - 0.10 mg/L of total residual chlorine in a grab sample, as set out in paragraph 6(7)(h).

Of note, any release that exceeds these standards 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

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

Disclaimer

This information does not in any way supersede or modify the *Wastewater Systems Effluent Regulations* or the *Fisheries Act*, or offer any legal interpretation of those Regulations or Act. Where there are any inconsistencies between this information and the Regulations or Act, the Regulations or Act take precedence, respectively. A copy of the Regulations is available at the following website: <https://laws-lois.justice.gc.ca/eng/Regulations/SOR-2012-139/FullText.html>

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