

NEWFOUNDLAND AND LABRADOR  
REGULATION 65/03

**Environmental Control Water and Sewage Regulations, 2003**

under the  
Water Resources Act  
(O.C. 2003-231)

Amended by:

23/09

NEWFOUNDLAND AND LABRADOR  
REGULATION 65/03

Environmental Control Water and Sewage Regulations, 2003  
under the  
Water Resources Act  
(O.C. 2003-231)

(Filed May 23, 2003 )

Under the authority of section 64 of the Water Resources Act , the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's , May 21, 2003 .

Deborah E. Fry  
Clerk of the Executive Council

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Short title

1. These regulations may be cited as the Environmental Control Water and Sewage Regulations, 2003 .

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Definitions

2. In these regulations

(a) "Act" means the Water Resources Act ;

(b) "composite sample" means a quantity of undiluted effluent collected continually at an equal rate or at a rate proportionate to flow over a designated sampling period;

(c) "grab sample" means a quantity of undiluted effluent collected at any given time; and

(d) "industry" means

(i) the Metal Mining Industry,

(ii) the Pulp and Paper Industry, and

(iii) the Petroleum Refining Industry.

65/03 s2; 23/09 s1

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Sewage discharge compliance

3. A person discharging sewage and other materials into a body of water, public sewer or sewer leading to a public sewer shall comply with the standards, conditions and provisions prescribed in these regulations for the constituents, contents or description of the sewage or other discharged materials.

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Discharge of materials

4. (1) A person shall not discharge sewage or other effluent into a public sewer or a sewer leading to a public sewer containing materials which would obstruct or impede the flow of sewage within the public sewer or impair or interfere with the public sewer or sewage works of that public sewer.

(2) The materials referred to in subsection (1) include oil or by-products of oil, flammable, explosive, toxic, poisonous or corrosive liquids, solids or gases, fats, congealing materials and other substances in quantity which interfere with the free flow within the public sewer.

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Specified discharge prohibition

5. A person shall not discharge into a public sewer or sewer leading to a public sewer, sewage or effluent

(a) containing a constituent specified in Column 1 of Schedule B having a content in milligrams per litre, parts per million, in excess of the maximum specified in Column 2 of that Schedule;

(b) having a temperature in excess of 65° Celsius; or

(c) having a pH value less than 5.5 or greater than 9.0.

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Specified discharge prohibition

6. A person shall not discharge into a body of water sewage or effluent

(a) containing a constituent specified in Column 1 of Schedule A having a content in milligrams per litre in excess of the maximum specified in Column 2 of that Schedule;

(b) having a temperature in excess of 32° Celsius;

(c) having a pH value less than 5.5 or greater than 9.0; or

(d) a radio-active substance having a gross beta activity before discharge of more than 37 Bq per litre with the exception of

(i) radium 226 which shall not exceed 0.37 Bq per litre, and

(ii) strontium 90 which shall not exceed 0.37 Bq per litre.

65/03 s6; 23/09 s2

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Discharge not construed by regulations

7. Nothing in these regulations shall be construed to permit the discharge of a pollutant into a body of water.

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Analysis procedures

8. Notwithstanding sections 5, 6, 7 and 10.1, all analytical work in relation to effluent samples and receiving water samples is to be carried out using analytical procedures acceptable to the Assistant Deputy Minister of Environment of the Department of Environment of the Government of Newfoundland and Labrador .

65/03 s8; 23/09 s3

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Sampling

9. (1) A person taking effluent samples or receiving water samples shall take them as composite samples or as grab samples.

(2) In the case of composite sampling, all levels are required to be within the appropriate values as established in sections 5, 6 and 10.1 and Schedules A to E as appropriate.

(3) In the case of grab sampling, 90% of all levels taken in one month shall be within the appropriate values as established in sections 5, 6 and 10.1 and Schedules A to E as appropriate.

65/03 s9; 23/09 s4

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Monitoring

10. The minister may, for specific purposes and time periods as he or she may determine, require that a water user or discharger of sewage monitor its effluent for the constituents in sections 5 and 6 and Schedules A to E as appropriate and report the effluent quality.

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Discharge standard varied by industry

10.1 (1) Notwithstanding paragraphs 5(a) and 6(a),

(a) a person primarily in the Metal Mining Industry shall not discharge sewage or effluent which does not comply with standards prescribed in Schedule C;

(b) a person primarily in the Pulp and Paper Industry shall not discharge sewage or effluent which does not comply with standards prescribed in Schedule D; and

(c) a person primarily in the Petroleum Refining Industry shall not discharge sewage or effluent which does not comply with standards prescribed in Schedule E.

(2) For the purpose of subsection (1), whether a person falls primarily within a particular industry shall be determined by the minister.

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Repeal

11. The Environmental Control Water and Sewage Regulations , Consolidated Newfoundland and Labrador Regulation 1078/96, are repealed.

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Schedule A

Column 1  
Constituents  
Column 2  
Maximum Content  
(in milligrams per  
litre unless noted)

B.O.D.  
20

Coliform - faecal  
1000/100 ml

Coliform - total  
5000/100 ml

Solids (dissolved)  
1000 (see note)

Solids (suspended)

30 (see note)

Oils (Ether extract)

15

Floating debris, oils and grease

None to be visible

Arsenic

0.5

Barium

5.0

Boron

5.0

Cadmium

0.05

Chlorine

1.0

Chromium (hexavalent)

0.05

Chromium (trivalent)

1.0

Copper

0.3

Cyanide

0.025

Iron (total)

10

Lead

0.2

Mercury

.005

Nickel

0.5

Nitrates

10

Nitrogen (ammoniacal)

2.0

Phenol

0.1

Phosphates (total as P<sub>2</sub>O<sub>5</sub>)  
1.0

Phosphorus (elemental)  
0.0005

Selenium  
0.01

Sulfides  
0.5

Silver  
0.05

Zinc  
0.5

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Schedule B

Column 1 Constituents	Column 2 Maximum Content (in milligrams per litre)
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5-day B.O.D.	300
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Chlorine Demand	30
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Fats, Oils and Grease (Ether extract)	100
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Suspended Solids	350
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Boron	5.0
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Cadmium	0.05
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Chromium (hexavalent)	0.05
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Chromium (trivalent)	1.0
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Copper  
0.3

Cyanide  
2.0

Iron  
15.0

Lead  
0.2

Mercury  
0.005

Nickel  
0.5

Phenols  
0.5

Phosphates (total as P<sub>2</sub>O<sub>5</sub>)  
10.0

Phosphorus (elemental)  
0.0005

Zinc  
0.5

#### NOTES:

(1) If water is being abstracted from a water course, used, treated and subsequently returned to the same water course, these solids data mean that the effluent should not contain more than 1000 or 30 milligrams per litre more than was in the water originally abstracted.

(2) 1 bequerel (Bq) - 27.03 pico-curies. Bequerel is the SI unit for the measure of radioactivity.

(3) All metal results should be the total of the particulate and the dissolved fractions of that metal and the maximum content is the amount in excess of the background level as determined upstream of the discharge.

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Schedule C

A person primarily in the Metal Mining Industry shall comply with sections 3 and 19.1 and 20 and Schedule 4 of the Metal Mining Effluent Regulations ( Canada ) SOR/2002-222, including any changes or amendments to those sections of and that schedule to those regulations over time.

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Schedule D

A person primarily in the Pulp and Paper Industry shall comply with sections 3 and 14 of the Pulp and Paper Effluent Regulations , ( Canada ) SOR/92-269, including any changes or amendments to those sections of those regulations over time.

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Schedule E

A person primarily in the Petroleum Refinery Industry shall comply with sections 4, 7, 8 and 9 and Schedules 1 and 2 of the Petroleum Refinery Liquid Effluent Regulations , ( Canada ) CRC -c.828, including any changes or amendments to those sections and those schedules of those regulations over time.

23/09 s7

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