



OBLIGATIONS OF THE WATER SUPPLIERS OF DRINKING WATER TREATMENT SYSTEMS THAT HAVE POINT OF USE/POINT OF ENTRY DEVICES

1. Objective

To clarify the obligation of water suppliers operating decentralized drinking water treatment systems.

2. Background

The [Drinking Water Protection Act](#) (DWPA) contains requirements for drinking water suppliers to ensure the water supplied to their users is potable and meets any additional requirements established by the [Drinking Water Protection Regulation](#) (DWPR) and the water supply system's operating permit. The DWPR sets out requirements for drinking water quality — including treatment, construction and operation of water systems, monitoring, reporting, and public notification should health hazards arise.

The DWPR includes options for small water systems (systems serving under 500 people in a 24 hour period) to provide potable water via a decentralized system that utilizes Point-of-Use (POU) or Point-of-Entry (POE) devices.¹

Section 3.1(a) of the DWPR contains the specific amendment pertaining to POU/POE devices:

The following are exempt from section 6 of the [Drinking Water Protection] Act :

(a) a small water system, if:

(i) each recipient of the water from the small system has a point of entry or point of use treatment system that makes the water potable.

(ii) the water supplier ensures that the location of non-potable water discharge and non-potable water piping are identified by markings that are permanent, distinct and easily recognized.²

¹ POE provides each service user with a device that treats all the water entering the property, house or building (ensures that all of the water entering the service user's system is treated). POU provides a device for individual locations within the building where potable water is required (e.g., a single outlet or faucet such as a kitchen sink).

² Section 6 (DWPA):

Subject to the regulations, a water supplier must provide, to the users served by its water supply system, drinking water from the water supply system that

(a) is potable water, and

(b) meets any additional requirements established by the regulations or by its operating permit.

3. Water Supplier Obligations

Section 3.1(a)(i) of the DWPR exempts small systems with POU/POE devices from section 6 of the DWPA, but it does not exempt suppliers from providing potable water to end users. This provision provides an alternative to the construction and operation of a centralized treatment facility by permitting decentralized treatment for individual homes. The effect is to shift the requirement to provide potable water from one section of the DWPA to another section under the DWPR.

The shifting of the requirement to provide potable water does not exempt the water supplier from other obligations under the DWPA or DWPR. The provision of potable water to the end user is not a one-time obligation. The provision of potable water is an on-going obligation that water suppliers are expected to meet by monitoring water quality, maintaining systems and dealing with operational failures. There is nothing in the DWPA or DWPR to suggest that a water supplier is absolved of these on-going responsibilities.

Section 4(1) of the DWPR provides that all water supply systems are prescribed for the purposes of sections 7, 8, 10, 11, and 22(1)(b) of the DWPA. These sections outline obligations with respect to Construction Permits, Operating Permits, Emergency Response and Contingency Plans, Water Monitoring Requirements and Assessment Response Plans. In the case of water supply systems using POU/POE devices, the water monitoring requirements under section 11(1) of the DWPA are limited to water that has been treated by the POU/POE device.

POU/POE devices are not excluded from definition of a domestic water system due to section 3(c) of the DWPR, which refers to "building system." The definition of a "building system" refers to systems to which the B.C. Plumbing Code applies that receive water from a water supply system operating under a valid permit under the DWPA. The B.C. Plumbing code (now contained within the B.C. Building Code as Book II (Plumbing Systems)) makes no provision for POU/POE systems; rather, it sets out the requirements for plumbing for distributing potable water within homes (e.g., pipes, taps and toilettes). POU/POE systems are considered to be part of the water supply system and requirements for their construction and operation are regulated by the provisions of the DWPA and DWPR.

The exemption from section 6(b) of the DWPA does not apply to the regulations made under the DWPA or to all of the requirements on the operating permit of a water supplier. The only effect of section 3.1(a)(i) of the DWPR is to exempt the water in the distribution system from the source up to the point of connection with a POU/POE device from meeting the requirement of being potable and meeting any additional requirements established by the regulations or by the system's operating permit related to water quality. This exemption no longer applies once the water enters the treatment device as section 3.1(a)(i) states specifically that the exemption is contingent on there being a POU/POE device that "makes the water potable."