



Health Hazard Communication Guideline

Purpose and Goals

This guideline clarifies the roles of the health officers, health authorities, Engineers & Geoscientists BC (EGBC) EGBC and Applied Science Technologists & Technicians of BC (ASTTBC); and the communication processes that may arise between those individuals and organizations.

The specific goals of this guideline are to:

- explain the roles of the health officers, health authorities, EGBC and ASTTBC when addressing potential issues associated with filings under the SSR; and
- improve the understanding of the appropriate circumstances when information could be exchanged between health authorities, EGBC and ASTTBC when addressing potential issues associated with filings under the SSR.

Prescribed Health Hazards

The [Sewerage System Regulation](#) (SSR) prescribes health hazards as follows:

- (a) the discharge of domestic sewage or effluent into
 - (i) a source of drinking water, as defined by the [Drinking Water Protection Act](#),*
 - (ii) surface water, or*
 - (iii) tidal waters;**
- (b) the discharge of domestic sewage or effluent onto land;*
- (c) the discharge of domestic sewage or effluent into a sewerage system that, in the opinion of a health officer, is not capable of containing or treating domestic sewage;*
- (d) the proposed construction or maintenance of a sewerage system that, if constructed or maintained in accordance with the plans and specifications filed under section 8 or the maintenance plan filed under section 9, may in the opinion of a health officer cause a health hazard.*

General

Section 2.1 of the SSR is not intended as a requirement for health officers, the health authorities, EGBC or ASTTBC to review filings related to sewerage systems, or to undertake site inspections or investigations of sewerage systems. Specifically, a sewerage system filing by an authorized person is not an “application,” and the SSR does not impose approval authority or duty upon these agencies and organizations.

As defined in Section 1 of the SSR, registrants of EGBC, and Registered Onsite Wastewater Practitioners (ROWPs) of ASTTBC are authorized persons under the SSR.

Health Officers and Health Authorities

- For the purposes of section 2.1(1)(d), only a health officer may form an opinion on whether the construction and maintenance of a sewerage system may cause a health hazard.
- The review of filings by health officers remains at the discretion of the individual health authorities. The identification of health hazards does not imply that a health officer is required to routinely review filings for sewerage systems.
- A health officer may identify health hazards within sewerage system filings based on their own review or based on their assessment of complaints or concerns received by the health authorities from members of the public, authorized persons, regulatory bodies of authorized persons.
- Where a health officer has identified a potential or prescribed health hazard within a filing for a sewerage system, the health officer should first contact the authorized person responsible for the filing and attempt to resolve the issue through communications with the authorized person.
- If, after communicating with the authorized person responsible for a filing, the health officer is satisfied that the authorized person has resolved the health hazard concerns in a manner acceptable to the health officer, the health officer need take no further action.
- If, after communicating with the authorized person responsible for a filing, the health officer remains unsatisfied and the authorized person has not resolved the health hazard concerns in a manner acceptable to the health officer, the health officer should then determine the health hazard abatement action that may be warranted under the [Public Health Act](#). Any health authority actions may run concurrently or independently of the processes of the professional regulatory bodies for authorized persons.

EGBC

- As the regulatory body for the professions of engineering and geoscience, EGBC has the duty to uphold and protect the public interest respecting the practices of professional engineering and professional geoscience.

- If a health officer believes that an EGBC registrant has made decisions or engaged in practices which may be illegal or unethical (or the continued practice of a registrant or licensee might pose a risk of significant harm to the environment or to the health or safety of the public or a group of people), the health officer can file a complaint with EGBC as described here: <https://www.egbc.ca/Complaints-Discipline/Complaints-Discipline/Complaint-Process>. Health officers can consider contacting a Practice Advisor to discuss the possibility of filing a complaint against the EGBC member or licensee first.
- Health officers who are themselves registrants of EGBC are bound by their duty to report as captured in Principle 9 of the Code of Ethics, and [Section 58 of the Professional Governance Act](#).
- Health officers should be aware that the EGBC complaint process is a formal complaint review, investigation and, if appropriate, discipline process and will not result in the resolution of issues that arise at the time of a filing for a sewerage system. EGBC's jurisdiction is only in relation to the practice of registrants of EGBC. The complaint, investigation and discipline process may result in penalties against the registrant including suspension or cancellation of their license to practice but will not resolve issues between parties. No remedies are provided to complainants or others as a result of the EGBC complaint, investigation or discipline process. EGBC notifies Health Authorities of practice restrictions, or suspension or cancellation of licenses of registrants who are known to act as authorized persons under the SSR. The EGBC complaint process is also confidential and EGBC cannot share detailed information about a complaint as it progresses. In situations where it determines it to be appropriate, EGBC may provide health officers with some information about sewerage issues arising from EGBC's dealings with its registrants.

1. ASTTBC

- As the regulatory body for Registered Onsite Wastewater Practitioners (ROWPs), ASTTBC has the duty to uphold and protect the public interest respecting the practices of their registrants. If a health officer determines that the professional conduct or behaviour of an ASTTBC registrant gives rise to a concern, the health officer is encouraged to contact ASTTBC's registrar regarding the concern, and the possibility of lodging a complaint against the ASTTBC registrant where appropriate. The ASTTBC Complaint process is described and updated on the ASTTBC website: <https://asttbc.org/public/complaint-submission/>
- Health officers should be aware that ASTTBC's complaint process is governed by the [Professional Governance Act](#) and the ASTTBC Bylaws and is a formal process which must abide by the governing legislation, procedural fairness obligations to

the registrant and administrative law. The Investigation Committee oversees the conduct of investigations and may appoint an investigator with legislative authority to attend a registrant's place of business to inspect their practice and copy records. While the investigation is confidential, information may be shared with a complainant during the investigation and certain discipline outcomes are publicly reported on the ASTTBC website. Dispositions at the conclusion of an investigation may include a warning letter, an order to engage in remedial actions with the consent of the registrant, a closure of the file with no action or a citation for a disciplinary hearing.

- If the Investigation Committee determines that there are urgent public risk concerns regarding a registrant, ASTTBC may seek to suspend a registrant's registration or place limits or conditions upon their practice while an investigation is conducted. This is considered an extraordinary action and requires serious and urgent risks to the public interest.
- ASTTBC Registrants are required to abide by [section 58 of the Professional Governance Act](#), which places a statutory duty on them to report another registrant to their regulatory body if they have reasonable and probable grounds to believe that registrant has engaged in their regulated practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people. ASTTBC registrants also have an additional duty under the ASTTBC Bylaws to report other people engaged in regulated practice that might pose a risk of significant harm to the environment or health and safety of the public to the appropriate regulator or authority. The PGA contains a prohibition against reprisals against a registrant who makes a report pursuant to the PGA duty. The prescribed definition of "health hazard" is likely to constitute a risk of significant harm to the environment and/or public and mean that an ASTTBC registrant is obligated to registrants who caused health hazards to the appropriate regulator.

Appendix 1: Examples of Health Hazards

For the purposes of this guideline, additional examples of potential health hazards which may be identified within filings or through inspection, are listed below.

- Neighboring well or surface water not identified on plans.
- Setback for newly constructed systems does not meet the requirements of the [SSR, section 3.1](#) (as per the Ministry of Health *Sewerage System Policy for Setback from Wells Based on Repairs or Alterations*).
- Conflicts with the Groundwater Protection Plan (part 2 of the [Groundwater Protection Regulation](#)), Drinking Water Protection Plan (developed under [part 5 of the Drinking Water Protection Act](#)), [Health Hazards Regulations Section 8](#), or sewerage system bylaws or watershed protection plans as provided by local government.
- Potential contamination near small/private surface water intakes.
- Nearby steep slope, outcropping, or excavation that may be considered a breakout point.
- Sewerage system is proposed for construction at or below a flood plain elevation.
- Sewerage system design will result in inadequate treatment (e.g., inadequate vertical separation, soil covering, and/or hydraulic overloading, and inadequate pre-treatment).
- Filing errors that may lead to health hazards, such as:
 - Incorrect distances identified on the plan.
 - Errors in marking of buildings, lot lines or other features on the plot plan.
 - Soil parameters stated in filing are not consistent with what is known about the site.
 - No confirmation from a professional competent in hydrogeology that a system can be constructed less or greater than 30 m from a well.
- Sewerage system plot plan does not include all structures to be tied into the system.
- Setbacks/treatment not appropriate to sensitive areas (shellfish harvesting/recreational waters).
- Potential health hazards based on administrative errors in filings (e.g., the filing form conflicts with the [Drinking Water Protection Act](#), or the original filing/supporting documentation is not sealed/signed).