



## AUSTRALIAN CAPITAL TERRITORY

Regulations 1991 No. 9<sup>1</sup>

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### **Water Pollution Regulations<sup>2</sup> (Amendment)**

The Australian Capital Territory Executive hereby makes the following Regulations under the *Water Pollution Act 1984*.

Dated 16 April 1991.

CRAIG DUBY  
Minister

GARY HUMPHRIES  
Minister

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### Principal Regulations

1. In these Regulations, “Principal Regulations” means the Water Pollution Regulations.

### Commencement

2. These Regulations commence on the date of commencement of the *Water Pollution (Amendment) Act 1989*.

### Interpretation

3. Regulation 2 of the Principal Regulations is amended—

- (a) by omitting from the definition of “biochemical oxygen demand” in subregulation (1) all the words after “determined” and substituting “over a period of 5 days”;
- (b) by omitting from the definition of “chemical oxygen demand” in subregulation (1) all the words after “utilized” and substituting “in the chemical oxidation of organic matter in a sample of water or of waste using potassium dichromate as the oxidant”;
- (c) by omitting the definitions of “dissolved organic carbon content” and “flash point” in subregulation (1) and substituting respectively the following definitions:
  - “ ‘dissolved organic carbon content’, in relation to a sample of water or of waste, means the total organic carbon value of that sample after it has been filtered through a 0.45 micrometre pore diameter filter;
  - ‘flash point’, in relation to a flammable liquid, means the lowest temperature at which the application of a flame to the liquid causes the vapour above the liquid to ignite momentarily when the liquid is heated under the standardised test conditions set out in Australian Standard 2106-1980 as in force on 31 October 1986;”;
- (d) by omitting from subregulation (1) the definitions of “Australian Standard 2031”, “filtrable residue”, “the Ordinance” and “Standard Methods”; and
- (e) by inserting in subregulation (1) the following definitions:
  - “ ‘Act’ means the *Water Pollution Act 1984*;
  - ‘settleable solids’, in relation to a sample of water containing waste, means material that settles from that sample over a period of 1 hour;

‘total dissolved solids’, in relation to a sample of water or of waste, means the amount of material in that sample that passes through a standard glass fibre filter and remains after evaporation;

‘total suspended solids’, in relation to a sample of water or of waste, means the amount of material retained on a standard glass fibre filter after the sample passes through the filter;”.

#### **Discharge into Class P waters**

4. Regulation 8 of the Principal Regulations is amended—

- (a) by omitting from subregulation (3) “a non-filtrable residue” and substituting “total suspended solids”;
- (b) by omitting from paragraph (6) (a) “matter” and substituting “solids”; and
- (c) by omitting from paragraphs (9) (a) and (b) “filtrable residue” and substituting “dissolved solids”.

#### **Discharge into Class C waters**

5. Regulation 9 of the Principal Regulations is amended—

- (a) by omitting from subregulation (2) “a non-filtrable residue” and substituting “total suspended solids”;
- (b) by omitting from paragraph (4) (a) “matter” and substituting “solids”;
- (c) by omitting from subregulation (5) “, when assessed in accordance with the prescribed formula,”;
- (d) by inserting in subregulation (5) “, when the concentration is calculated in accordance with the prescribed formula,” after “the receiving waters”;
- (e) by omitting from subregulation (8) all the words after “induce” and substituting—
  - “in the receiving waters a temperature, when calculated in accordance with the prescribed formula, of—
  - (a) if flows are less than the 5 percentile low flow value—10 degrees celsius; or
  - (b) in any other case—5 degrees celsius;

higher or lower than the temperature of the receiving waters immediately upstream of the discharge point”;

- (f) by omitting from paragraphs (10) (a) and (b) “filtrable residue” and substituting “dissolved solids”;
- (g) by omitting from subregulation (11) all the words after “discharge of waste” and substituting “would result in the concentration of ammonia in any part of the water at or near the point of discharge exceeding the concentration calculated in accordance with the prescribed formula”; and
- (h) by omitting from subregulation (12) “concentration is the concentration ascertained in accordance with the formula” and substituting “formula is”.

#### **Discharge into Class R waters**

6. Regulation 10 of the Principal Regulations is amended—

- (a) by omitting from subregulation (2) “a non-filtrable residue” and substituting “total suspended solids”;
- (b) by omitting from paragraph (5) (a) “matter” and substituting “solids”;
- (c) by omitting from subregulation (6) “, when assessed in accordance with the prescribed formula,”;
- (d) by inserting in subregulation (6) “, when the concentration is calculated in accordance with the prescribed formula,” after “the receiving waters”;
- (e) by omitting from subregulation (8) all the words after “induce” and substituting—
  - “in the receiving waters a temperature, when calculated in accordance with the prescribed formula, of—
  - (a) if flows are less than the 5 percentile low flow value—10 degrees celsius; or
  - (b) in any other case—5 degrees celsius;
  - higher or lower than the temperature of the receiving waters immediately upstream of the discharge point”;
- (f) by omitting from paragraphs (10) (a) and (b) “filtrable residue” and substituting “dissolved solids”;
- (g) by omitting from subregulation (11) all the words after “discharge of waste” and substituting “would result in the concentration of

ammonia in any part of the water at or near the point of discharge exceeding the concentration calculated in accordance with the prescribed formula”; and

- (h) by omitting from subregulation (12) “concentration is the concentration ascertained in accordance with the formula” and substituting “formula is that”.

#### **Discharge into Class O waters**

7. Regulation 11 of the Principal Regulations is amended—

- (a) by omitting from subregulation (2) “a non-filtrable residue” and substituting “total suspended solids”; and
- (b) by omitting from paragraph (3) (b) “matter” and substituting “solids”.

#### **Repeal**

8. Regulation 13 of the Principal Regulations is repealed.

#### **Part heading**

9. The heading to Part IV of the Principal Regulations is amended by omitting “MISCELLANEOUS” and substituting “FORMULAE”.

#### **Prescribed formula—faecal coliform count**

10. Regulation 16 of the Principal Regulations is amended by omitting from subregulation (1) “concentration of faecal coliforms” (wherever occurring) and substituting “faecal coliform count”.

#### **Schedule 1**

11. Schedule 1 to the Principal Regulations is amended—

- (a) by omitting from Column 1 “Iron (filtrable)” and substituting “Iron (dissolved)”;
- (b) by omitting from Column 1 “Manganese (filtrable)” and substituting “Manganese (dissolved)”;
- (c) by omitting from Column 1 “Methylene blue active substances” and substituting “Methylene blue active substances (anionic surfactants as)”.

#### **Repeal**

12. Schedule 3 to the Principal Regulations is repealed.

#### **Application**

13. Notwithstanding regulations 3, 8 and 12—

- (a) the definition of “Standard Methods” in regulation 2;
- (b) regulation 13; and
- (c) Schedule 3;

of, or to, the Principal Regulations, as in force immediately before the commencement of these Regulations, continue to apply in relation to proceedings instituted but not completed before that commencement.

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#### **NOTES**

1. Notified in the *ACT Gazette* on 6 May 1991.
2. Regulations 1984 No. 25 as amended by Ordinance No. 21, 1989.