

**Environmental Public Health (Registrable Aerosol-generating Systems)
Regulations 2021**

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No. S 646

ENVIRONMENTAL PUBLIC HEALTH ACT (CHAPTER 95)

ENVIRONMENTAL PUBLIC HEALTH (REGISTRABLE AEROSOL-GENERATING SYSTEMS) REGULATIONS 2021

In exercise of the powers conferred by section 111 of the Environmental Public Health Act, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Environmental Public Health (Registrable Aerosol-generating Systems) Regulations 2021 and come into operation on 31 August 2021.

Definitions

2. In these Regulations, unless the context otherwise requires —

“cooling tower” has the meaning given by paragraph 2 of the Environmental

Public Health (Registrable Aerosol-generating Systems) Order 2021 (G.N. No. S 645/2021);

“registered owner or occupier”, in relation to a registered aerosol-generating system, has the meaning given by section 66A(3) of the Act.

PART 2

REGISTRATION OF REGISTRABLE AEROSOL-GENERATING SYSTEM

Application for registration of registrable aerosol-generating system

3.—(1) A person that is required to register a registrable aerosol-generating system under section 66A(1) of the Act must apply to the Director-General for the registration in accordance with this regulation.

(2) An application to register a registrable aerosol-generating system must —

- (a) be made to the Director-General in the form and manner that the Director-General requires;
- (b) be accompanied by the information and documents that the Director-General requires; and
- (c) be accompanied by the relevant fee specified in the First Schedule.

Registration of registrable aerosol-generating system

4.—(1) Upon registering a registrable aerosol-generating system, the Director-General must issue to the registered owner or occupier for the registered aerosol-generating system, in the form and manner the Director-General determines, a certificate of registration that states —

- (a) the name of the registered owner or occupier;
- (b) the address of the premises in or on which the registered aerosol-generating system is installed; and
- (c) the unique registration number assigned to the registered aerosol-generating system for the registration.

(2) The registration of the aerosol-generating system remains valid until it is suspended or cancelled by the Director-General under section 66A(4) of the Act.

PART 3

DUTIES OF REGISTERED OWNER OR OCCUPIER

General duties of registered owner or occupier

5.—(1) A registered owner or occupier for a registered aerosol-generating system must ensure that —

- (a) a label (clearly stating the unique registration number assigned to the registered aerosol-generating system) is affixed at a conspicuous place on the registered aerosol-generating system;
- (b) the registered aerosol-generating system is —
 - (i) maintained in good working condition; and
 - (ii) kept clean and free of algae, dirt, fungi, scale, rust, slime, sludge and any other foreign matter; and
- (c) the registered aerosol-generating system is supplied only with —
 - (i) rainwater;
 - (ii) water provided by the Public Utilities Board;
 - (iii) water collected from the condensate coil of any air-conditioning system; or
 - (iv) water from any other source approved by the Director-General.

(2) A person that contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

Draining, cleaning and disinfection of registered aerosol-generating system

6.—(1) A registered owner or occupier for a registered aerosol-generating system must ensure that, whenever the use or operation of the registered aerosol-generating system has ceased for a period exceeding 5 consecutive days, the registered aerosol-generating system is completely drained of water and kept dry.

(2) A registered owner or occupier for a registered aerosol-generating system must ensure that the registered aerosol-generating system is thoroughly cleaned and

disinfected —

- (a) at least once every 6 months or at such other intervals as the Director-General may require; and
- (b) in the case where the use or operation of the registered aerosol-generating system has ceased for a period exceeding 5 consecutive days, before resuming the use or operation of the registered aerosol-generating system.

(3) A person that contravenes paragraph (1) or (2) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

Quality of water in registered aerosol-generating system

7.—(1) A registered owner or occupier for a registered aerosol-generating system must —

- (a) obtain a sample of the water in the registered aerosol-generating system and have the sample tested for conformity to each parameter limit specified in the Second Schedule (not less frequently than the minimum testing frequency for that parameter limit or at such other intervals as the Director-General may require), in —
 - (i) a testing laboratory accredited by the Singapore Accreditation Council to conduct the test; or
 - (ii) any other place allowed by the Director-General; and
- (b) submit to the Director-General, in the manner and within the time that the Director-General requires, a copy of the results of each test undertaken under sub-paragraph (a).

(2) A registered owner or occupier for a registered aerosol-generating system must not use or operate, or allow the use or operation of, the registered aerosol-generating system, unless the water in the registered aerosol-generating system conforms to every parameter limit specified in the Second Schedule.

(3) A person that contravenes paragraph (1) or (2) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and

(b) for a second or subsequent offence, to a fine not exceeding \$10,000.

(4) In this regulation, “minimum testing frequency”, in relation to a parameter limit specified in the second column of the Second Schedule, means the minimum testing frequency specified for that parameter limit in the third column of that Schedule.

Remedial measures

8.—(1) A registered owner or occupier for a registered aerosol-generating system that becomes aware, or has reason to suspect —

- (a) that the water in the registered aerosol-generating system does not conform to any parameter limit specified in the Second Schedule; or
- (b) that the water in the registered aerosol-generating system is contaminated by any substance which is likely to endanger the health of any person,

must take the following remedial measures:

- (c) within 3 days after becoming so aware or having reason to so suspect — thoroughly clean and disinfect the registered aerosol-generating system;
- (d) within 24 hours after the registered aerosol-generating system is cleaned and disinfected in accordance with sub-paragraph (c) — obtain a sample of the water in the registered aerosol-generating system and have the sample tested (so as to ascertain the water’s conformity to each parameter limit specified in the Second Schedule), in —
 - (i) a testing laboratory accredited by the Singapore Accreditation Council to conduct the test; or
 - (ii) any other place allowed by the Director-General;
- (e) within 7 days after the completion of the test undertaken under sub-paragraph (d) — submit to the Director-General, in the manner and within the time that the Director-General requires, a copy of the results of the test.

(2) A person that contravenes paragraph (1)(c), (d) or (e) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

Drift eliminators

9.—(1) The registered owner or occupier for a registered aerosol-generating system that is a cooling tower must ensure that —

- (a) the cooling tower is installed with one or more drift eliminators so as to minimise the drift from the cooling tower; and
- (b) every drift eliminator mentioned in sub-paragraph (a) is maintained in good working condition.

(2) A person that contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

(3) In this regulation —

“drift”, in relation to a cooling tower, means the suspension of fine water droplets that —

- (a) emerges from the airflow outlet of the cooling tower; and
- (b) is carried in the airflow from the cooling tower without initial evaporation;

“drift eliminator” means a device or physical barrier that is —

- (a) installed on a cooling tower at a location before the cooling tower’s airflow outlet; and
- (b) designed to minimise the formation and release of any drift from the cooling tower.

Maintenance of records

10.—(1) A registered owner or occupier for a registered aerosol-generating system must keep and maintain, in such form and manner as the Director-General may require, and for the applicable period mentioned in paragraph (2), complete and accurate records of —

- (a) the results of every test undertaken under regulations 7 and 8;
- (b) every remedial measure taken by the registered owner or occupier under regulation 8; and

- (c) any work carried out by the registered owner or occupier for the purpose of cleaning, disinfecting and maintaining the registered aerosol-generating system.

(2) For the purposes of paragraph (1), the applicable period is —

- (a) in the case of records of the results of any test undertaken under regulation 7 or 8 — 12 months after the date of the results of the test;
- (b) in the case of records of any remedial measure taken by the registered owner or occupier under regulation 8 — 12 months after the date of the taking of the remedial measure; and
- (c) in the case of records of any work carried out by the registered owner or occupier for the purpose of cleaning, disinfecting and maintaining the registered aerosol-generating system — 12 months after the date of the carrying out of the work.

(3) A registered owner or occupier for a registered aerosol-generating system must make available for inspection by the Director-General or any authorised officer, the records mentioned in paragraph (1), during the applicable period mentioned in paragraph (2), when so requested by the Director-General or any authorised officer.

(4) A person that contravenes paragraph (1) or (3) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

Notification of change in particulars

11.—(1) The registered owner or occupier for a registered aerosol-generating system must notify the Director-General, in the form and manner that the Director-General requires, within 30 days after any of the following occurs:

- (a) there is a change in the name or contact details of the registered owner or occupier;
- (b) there is a change in the address of the premises in or on which the registered aerosol-generating system is installed;
- (c) the registered owner or occupier ceases to be the owner or occupier of the premises in or on which the registered aerosol-generating system is installed.

(2) A person that contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

PART 4

REVOCATION

Revocation

12. The Environmental Public Health (Cooling Towers and Water Fountains) Regulations (Rg 7) are revoked.

FIRST SCHEDULE

Regulation 3(2)(c)

FEES

- | | | |
|----|--|------|
| 1. | For an application to register a registrable aerosol-generating system | \$70 |
|----|--|------|

SECOND SCHEDULE

Regulations 7 and 8

WATER IN REGISTERED AEROSOL-GENERATING SYSTEM

| <i>First column</i> | <i>Second column</i> | <i>Third column</i> |
|---|---|---|
| <i>Parameter</i> | <i>Parameter limits</i> | <i>Minimum testing frequency</i> |
| 1. Heterotrophic Plate Count (HPC) at 48h, 35°C | Must not exceed 100,000 colony forming units per millilitre | (a) once a month; and (b) in the case where the use or operation of the registered aerosol-generating system has ceased for a period |

| | | | | |
|----|-------------------------------------|--|-----|---|
| | | | | exceeding 5 consecutive days, before resuming the use or operation of the registered aerosol-generating system |
| 2. | <i>Legionella</i> Bacteria Count | Must not exceed 10 colony forming units per millilitre | (a) | once every 3 months; and |
| | | | (b) | in the case where the use or operation of the registered aerosol-generating system has ceased for a period exceeding 5 consecutive days, before resuming the use or operation of the registered aerosol-generating system |

Made on 23 August 2021.

LEE CHUAN SENG
Chairman,
National Environment Agency,
Singapore.

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(To be presented to Parliament under section 111(4) of the Environmental Public Health Act).