

Overview of Recent Changes and Proposed Changes Respecting Drinking-Water System Legislation

Presented at: Ontario East Municipal Conference

Presented by: Safe Drinking Water Branch, Eastern Region

Ministry of the Environment

September 13, 2005

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Agenda

REGULATION OF DRINKING WATER SYSTEMS

- ◆ Scope of O. Reg. 170/03
- ◆ Non-Residential and Non-Municipal Seasonal Residential Systems that do not Serve Designated Facilities – O. Reg. 252/05
- ◆ Proposed Modifications to O. Reg. 170/03
- ◆ Drinking Water Inspection Practices

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Regulation of Drinking Water Systems - Scope

- June 2003 – O. Reg. 170/03 introduced monitoring, treatment, notification, and reporting requirements for 8 categories of drinking-water systems.
- Some categories had not been regulated under preceding legislation (i.e. O. Reg. 459/00 and 505/01) or through site-specific Approvals.

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Regulation of Drinking Water Systems - Scope

- May 12, 2004 – Subsection 4(1) of the SDWA; Minister establishes Advisory Council on Drinking Water Quality and Testing Standards.
- Chaired by Jim Merritt – 16 members
- Extensive consultation through a series of public meetings held across the province in 2004.

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Regulation of Drinking Water Systems - Scope

- February 8, 2005 – Advisory Council releases report providing advice on smaller systems subject to O. Reg. 170/03.
- June 2005 – O. Reg. 252/05 is the first step in implementing many of the Advisory Council's smaller systems recommendations.

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O. Reg. 170/03 & O. Reg. 252/05

- Advisory Report to the Minister and the Committee's Annual Reports can be found at:

– www.odwac.gov.on.ca

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O. Reg. 170/03 & O. Reg. 252/05

Municipal Systems

Large Municipal Residential

Small Municipal Residential

Large Municipal Non-Residential – O. Reg. 252/05

Small Municipal Non-Residential – O. Reg. 252/05

Non-Municipal Systems

Non-Municipal Seasonal Residential – O. Reg. 252/05

Non-Municipal Year-Round Residential

Large Non-Municipal Non-Residential – O. Reg. 252/05

Small Non-Municipal Non-Residential – O. Reg. 252/05

O. Reg. 252/05 covers five categories not serving designated facilities.

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O. Reg. 170/03 & O. Reg. 252/05

- O. Reg. 170/03 - Vulnerable populations & residences remain with MOE.
 - ❖ Category-wide consistent monitoring, treatment, and notification requirements.
- O. Reg. 252/05 - Non-residential and seasonal residential operations that do not serve designated facilities are being transitioned from SDWA to HPPA.
 - ❖ Site specific risk-based assessments.

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O. Reg. 252/05 – Transition Regulation

- O. Reg. 252/05 will exist during transition to HPPA.
 - Monitoring limited to E. Coli and Total Coliform in plumbing (no raw water monitoring, no HPC monitoring, and no monitoring for chemistry);
 - If chlorinating, residual readings only required when bacti samples collected;
 - No sunset date for posting warning notices;
 - Annual reports no longer required; and,
 - Treatment not required for systems where it has not already been installed.

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O. Reg. 252/05 – Transition Regulation

	Small Non-Municipal Non-Residential	Small Municipal Non-Residential	Non-Municipal Seasonal Residential	Large Non-Residential (Municipal and Non-Municipal)
Sampling in distribution system or plumbing	Monthly sampling for <i>E.coli</i> and total coliforms	Bi-weekly sampling for <i>E.coli</i> and total coliforms	Bi-weekly sampling for <i>E.coli</i> and total coliforms	Weekly sampling for <i>E.coli</i> and total coliforms
Testing	Drinking water samples must be sent to a laboratory licensed by MOE for testing.			
Sign Posting Option	Posting allowed, except for a food service establishment	Posting allowed, except for a food service establishment	Posting not allowed (unless system is not using electricity)	Posting not allowed (unless system is not using electricity)

Future Requirements for Regulated Systems not Subject to O. Reg. 252/05

- For those systems that will be retained under MOE mandate a number of modifications are likely to be introduced over the next few months to address stakeholder concerns (EBR posting to Sept. 20, 2005):
 - ❖ Scope and frequency of monitoring
 - ❖ Refine what tests must result in notifications
 - ❖ Refine reporting requirements
 - ❖ Define treatment triggers for Non-Municipal Year-Round Residential Systems

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Proposed Amendments to O. Reg. 170/03

- Proposed amendments include:
 - ❖ Removal of Fecal Coliforms, HPC, and Background from O. Reg. 169/03;
 - ❖ Register system within 30 days of operation;
 - ❖ Annual Reports need not be sent to the Director;
 - ❖ Record retention periods generally reduced;
 - ❖ If continuous monitor alarms, no need to immediately dispatch person if within 2 minutes a further test indicates parameter is below the alarm standard;

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Proposed Amendments to O. Reg. 170/03

- ❖ Where secondary disinfection required, owner need only collect 7 tests each week with a minimum of 4 readings one day and 3 readings on another day;
- ❖ Small Municipal Residential Systems – tests may be performed by someone working under direction of a certified operator;
- ❖ Small Municipal Residential Systems – frequency of bacti collections is halved (1 sample every 2 weeks if chlorinating);

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Proposed Amendments to O. Reg. 170/03

- ❖ Small Municipal Residential Systems – Raw water samples no longer required for surface water supplies. Monitoring continues for groundwater or GUDI sources;
- ❖ Small Municipal Residential Systems – frequency of organic and inorganic monitoring reduced to once every 60 months; and,
- ❖ Total Coliform/Aeromonas spp/chemical & radiological notifications – “Immediately re-sample” becomes “as soon as reasonably possible”.

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Inspections Process

- On May 19, 2005 – Meeting in Napanee attended by SDWB Director, Compliance Managers, and Clare Muisiner. Municipal operating authorities:

Durham Region	City of Peterborough
City of Kingston	Prince Edward County
Loyalist Township	Town of Smiths Falls
Greater Napanee	City of Stratford

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Inspections Process

- In the aftermath of the May 19, 2005 meeting, and other such meetings held across the province:
 - Draft inspection reports are made available for discussion prior to finalizing the assessments;
 - In most cases, there will be no request for Action Plans associated with Best Practices;
 - Timelines for receipt of final reports improving;

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Inspections Process

- Inspectors should minimize requests for photocopies; and,
 - On-going discussion respecting rated capacities as expressed within Certificates of Approval.
- Eastern Region SDWB Supervisors:
 - Jim Mahoney (Kingston/Cornwall/Ottawa) phone (613) 548-6902
 - Clare Muisiner (Peterborough/Belleville) phone (705) 755-4328

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Additional Information

- For regulations visit: www.e-laws.gov.on.ca. Search consolidated law, and regulations under the Safe Drinking Water Act, 2002
- For guides and fact sheets related to drinking water, call: 1-800-565-4923 or visit: www.ene.gov.on.ca
- You can also sign up for drinking water updates by sending an email to: drinking.water@ene.gov.on.ca

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