

**June 2006**

## **Technical Update**

**For Municipal Residential Drinking Water Systems under O. Reg. 170/03**

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Following public consultation, on June 5, 2006, O. Reg. 170/03 was amended. These technical amendments are designed to safeguard the quality of Ontario's drinking water, while making the regulation more workable and affordable for owners and operators of municipal and non-municipal year-round residential drinking water systems and systems serving designated facilities. They also add clarity and flexibility to the testing and operational regimes set out in O. Reg. 170/03. For full details, please see:

[http://www.e-laws.gov.on.ca/DBLaws/Regs/English/030170\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Regs/English/030170_e.htm)

## **Laboratory Licensing**

On October 1, 2003, the *Safe Drinking Water Act, 2002* required that all laboratories performing Ontario drinking-water analyses be licensed by the Ministry of the Environment for specific drinking water testing. Each laboratory is inspected by the Ministry before a Drinking-Water Testing Licence is issued. All licensed laboratories must publicly display their Drinking-Water Testing Licence on-site in order that clients can confirm which tests the laboratory is licensed to perform. Laboratory licences are valid for up to five years. All drinking water system owners/operators must use a licensed laboratory.

A Drinking-Water Testing Licence authorizes the offer or provision of a drinking water testing service that involves performing the drinking water test at a laboratory if:

- the test is authorized in the licence or is in the class specified in the licence, and
- the laboratory is specified in the licence, and
- the laboratory is accredited by the Standards Council of Canada (or equivalent) to conduct the test, or
- the licence expressly authorizes the conduct of the test.

Certain exceptions apply to accommodate geographic constraints, the availability of licensed laboratories or new requirements for the testing of parameters for which there are no existing laboratories licensed for a particular test. The Act provides that the licence may be issued with conditions and there is authority to amend conditions, suspend and revoke licenses for failure to comply with the requirements of the Act.

The Drinking-Water Testing Services Regulation (O. Reg. 248/03) prescribes certain conditions for drinking water testing licenses and sets acceptable sample handling and testing methods, as well as requirements for test reports and record-keeping.

## **The importance of laboratory licensing**

Laboratory licensing and inspection are regulatory processes overseen by the province to ensure that laboratories testing Ontario drinking water produce credible, accurate test results. It involves reviewing laboratory documents such as test methods, staff training records, policies and procedures and accreditation status; ensuring that the laboratory provides drinking water system owners clear direction regarding sample collection, handling and testing and verifying that the licensed laboratory understands and complies with regulatory requirements. It permits the province to revoke, suspend or renew a licence or in

the case of serious non-compliance, to prohibit the analysis of drinking water samples. Laboratory licensing serves to recognize those laboratories that use appropriate practices and methods that are fit for the purpose of analyzing regulated drinking water samples.

Although laboratory accreditation is a necessary step in ensuring competence in testing and provides formal recognition of the competence of the laboratory to carry out specific tests, it is not sufficient by itself to ensure compliance with regulatory requirements and the use of methods that are fit for the purpose of analyzing drinking water samples. Laboratory licensing confirms that laboratories testing Ontario drinking water are compliant with their regulatory requirements through on-site inspections by the Ministry's Specialized Laboratory Inspectors. In the event non-compliance is found at a licensed laboratory, the Ministry will enforce compliance, which may include revocation of their licence. Continuing accreditation is a condition of the licence.

## **Exemptions**

A Drinking-Water Testing Licence is not required for the following persons testing drinking water samples at the site of drinking water systems, for tests listed in Section 2 of the Drinking-Water Testing Services Regulation (O. Reg. 248/03): certified operator or water quality analyst, Provincial Officer or person acting under the supervision of a provincial officer, a medical officer of health, public health inspector or person acting under the supervision of a public health inspector, inspectors designated under *the Occupational Health and Safety Act* or the *Health Protection and Promotion Act*, a professional engineer as defined under the *Professional Engineers Act*, or a person acting under the supervision of a professional engineer. In addition, a licence is not needed for a person acting under the supervision of a certified operator if the person is carrying out a chlorine residual or turbidity check at a small municipal residential system and the person:

- has been trained by a certified operator to conduct the test;
- works under the supervision of a certified operator; and
- immediately advises a certified operator of all test results

Testing conducted at the drinking water system by continuous monitoring equipment that forms part of the drinking water system are exempt from licensing if the analysis is for the following parameters: alkalinity, aluminium, chlorine dioxide, colour, fluoride, free chlorine residual, free and total chlorine residual, hardness, methane, odour, pH, taste, temperature or turbidity. In-line microbiological testing equipment is permitted to meet sampling and analysis requirements but only upon written approval of the Director, Ministry of the Environment.

A laboratory facility does not require a licence if performing for tests on drinking water samples purely for research or for developing testing methods, where the purpose is outlined in a written research proposal and the tests are not paid for on a fee per test basis.

## **Finding a licensed laboratory**

The Ministry of the Environment maintains a contact listing of licensed laboratories and the test classes for which they are licensed on its website at:

[www.ene.gov.on.ca/envision/water/sdwa/lablicensing.htm](http://www.ene.gov.on.ca/envision/water/sdwa/lablicensing.htm)

**For more information contact:**

Public Information Centre

Ministry of the Environment

135 St. Clair Avenue West

Toronto, ON M4V 1P5

Tel: 1-800-565-4923 or (416) 325-4000

[www.ene.gov.on.ca](http://www.ene.gov.on.ca)

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