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IMPROVING THE REGULATION OF DRINKING WATER SYSTEMS IN ONTARIO

The McGuinty government is committed to improving the regulation of drinking water systems to ensure everyone in Ontario has access to safe, clean drinking water.

A three-phased approach will be used to implement changes to the way drinking water is regulated:

- New provisions to regulate systems serving non-residential and seasonal residential uses until their proposed transfer to the public health units as early as fall 2006.
- Amendments to the existing Ontario Regulation 170/03 to improve its cost effectiveness and efficiency for systems it continues to regulate.
- A new legislative and new regulatory framework to be proposed for systems overseen by public health units, which would include charges for inspections, collected through user-fees.

New regulation for non-residential and non-municipal seasonal residential systems that do not serve designated facilities (Ontario Regulation 252/05)

The government has put systems serving non-residential and seasonal residential uses into their own regulation with fundamental requirements for testing, reporting and corrective action to ensure public health is protected.

The new regulation under the Safe Drinking Water Act covers five categories of drinking water systems: Large Municipal Non-Residential, Small Municipal Non-Residential, Large Non-Municipal Non-Residential, Small Non-Municipal Non-Residential and Non-Municipal Seasonal Residential unless these systems serve a designated facility. These categories would cover facilities such as churches, community halls, bed and breakfasts and tourist outfitters. The Ministry of the Environment will continue to oversee these systems until the intended transfer to the public health units.

The fundamental framework of requirements that reduces the financial burden on owners while maintaining a high level of public health protection includes:

- Only microbiological testing is required. In most cases, testing frequency has been reduced.
- Owners are not required to install treatment equipment.
- Small Non-Municipal Non-Residential and Small Municipal Non-Residential Systems (e.g., community halls, ball diamonds) can continue to post signs in lieu of testing unless the water system supplies an establishment that serves food. The ministry must be notified if signs are posted in lieu of testing.
- Reporting requirements have been simplified, with annual reports to consumers no longer required.
- Adverse test results, reporting requirements and corrective action still apply. Adverse test results (e.g., positive bacteria results) must be reported to the local health unit and the ministry's Spills Action Centre.

The final regulation has been posted on the Environmental Bill of Rights Registry at www.ene.gov.on.ca/envision/env_reg/ebr/english/index.htm. For more information about the regulation visit <http://www.ene.gov.on.ca/envision/water/sdwa/reg252.htm>.

Amendments to Ontario Regulation 170/03

Municipal and private water systems that provide water to year-round residential developments and designated facilities that serve vulnerable populations such as children and the elderly continue to be regulated by the Drinking Water Systems Regulation (O. Reg. 170/03).

The Ministry of the Environment will continue to lead the development of provincial drinking water policy.

Over the summer, the government will publicly consult on proposed technical amendments to improve the efficiency, clarity and cost-effectiveness of O. Reg. 170/03.

Working with Public Health Units

The third step in changing the way drinking water is regulated is developing a risk-based, site-specific approach for all drinking water systems serving non-residential and seasonal uses. Health units would evaluate risks at individual systems and develop a system-specific water protection plan to ensure compliance with provincial drinking water quality standards.

The proposed new regulatory and regulatory framework will detail the requirements for owners and operators currently under the new regulation as well as the roles and responsibilities of the public health units. The proposed framework will be released for public consultation in fall 2005. Those consultations will also consider the advisory council's recommendation that system operators pay an inspection fee, which the council suggested could be \$250 to \$375 a year. Municipalities and others will be consulted as the financial strategy for this program is developed.

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