



In May 2002, the provincial government released the final report of the Walkerton Inquiry, “A Strategy for Safe Drinking Water – Part Two”, prepared by Associate Chief Justice Dennis O’Connor. The recommendations relate to all aspects of drinking water in Ontario, including the treatment, distribution and monitoring of drinking water and the operation and management of drinking-water systems. The Ontario government is committed to implementing all of the recommendations resulting from the Walkerton Inquiry.

Fourteen of the recommendations in this report relate to the development of a new approvals framework for municipal residential drinking-water systems. This new program, the Municipal Drinking Water Licence Program, is based on Recommendation No. 71 of the Walkerton Inquiry Part Two report, which states:

The Ministry of the Environment should require the owners of municipal water systems to obtain an owner’s licence for the operation of their waterworks. In order to obtain a licence, an owner should have:

1. *a Certificate of Approval for the facility;*
2. *a Permit to Take Water;*
3. *approved operational plans;*
4. *an approved financial plan; and*
5. *an accredited operating authority.*

The first two elements of this Licensing program are currently in place as part of the approvals program for municipal residential drinking-water systems. The Ministry will not be modifying the Permit to Take Water program for the purposes of issuing a Licence; however, the current Certificate of Approval (CofA) for treatment and distribution systems will be modified and renamed as the ‘Drinking Water Works Permit’. The modifications to the CofA program will be discussed in more detail in the future.

The Financial Plan part of the Licence program is under development as part of the *Sustainable Sewage and Water Systems Act (SWSSA)*, therefore for the purposes of issuing Licences in the upcoming years, this requirement will be deferred until SWSSA regulations are in place.

The remaining two elements of the Licensing program – Operational Plans and Accreditation of Operating Authorities – are new to the water sector and to the Ministry. These two elements relate to the Walkerton Inquiry Report's recommendation that Owners and Operating Authorities move towards incorporating the concepts of the quality management approach into their operation and management of their drinking-water systems.

Many industries voluntarily adopt the concepts of quality management as a means of building consumer confidence and for ensuring the consistent and safe production of their product. In Ontario there are a number of municipalities who have already incorporated these concepts into their management of drinking-water systems and they have subsequently been accredited by the International Standards Organization (ISO) as having met the requirements of quality management.

There is, however, no one quality management standard that can meet the diverse needs of Ontario's municipal residential drinking-water system Owners and Operating Authorities. Therefore, the Ministry, with input from many stakeholders in the water sector, has introduced the **Drinking Water Quality Management Standard (DWQMS)**.

The following sections outline how the DWQMS will enable municipalities to meet the two Licensing elements related to quality management and how the current EBR postings are to be reviewed.

Drinking Water Quality Management Standard

The DWQMS was developed by Canadian Standards Association (CSA) in consultation with an advisory group of water sector stakeholders. Workshops were held across the province to solicit additional feedback.

In addition, the Ministry posted the draft DWQMS on the EBR for 60 days, from November 28, 2005 to January 27, 2006. Twenty-nine comments were received from a variety of stakeholders and these comments were reviewed and taken into account in revising the Standard.

The DWQMS has 21 elements which relate to quality management and the risk assessment/risk management of critical control points. The Operating Authority, in consultation with the Owner, must prepare **the Operational Plan**, which outlines how they are meeting the requirements of the Standard. The Owner must submit the Operational Plan to the Ministry.

The Operating Authority will then be audited by a third-party Accreditation Body against the requirements of the DWQMS. The Accreditation Body will review the Operational Plan and the quality management system and based on this assessment, the Operating Authority will obtain the **Accreditation** necessary to meet the requirement of the Municipal Drinking Water Licence.

EBR Postings

There are two EBR postings that stakeholders should view related to the Drinking Water Quality Management Standard. The first is a decision posting of the final DWQMS and the second is a policy posting for the Guidance Document that outlines how to implement the DWQMS and develop an Operational Plan.

- EBR Decision Posting on the Drinking Water Quality Management Standard. (<http://www.ene.gov.on.ca/envregistry/026021ep.htm>)
- EBR Proposal Policy Posting for Drinking Water Quality Management Standard Guidance Document. (<http://www.ene.gov.on.ca/envregistry/028715ep.htm>)

Operational Plan

As noted above, the Operational Plan documents the processes and procedures that the Owner and Operating Authority have in place to meet the requirements of the DWQMS.

The Ministry recognizes that municipalities generally have these processes and procedures in place, however for the purposes of the DWQMS these documents may need to be reviewed and updated. In order to provide municipalities time to understand the requirements of the DWQMS and to ensure that the appropriate tools and staff are in place, the Ministry is proposing three options for the first submission of the Operational Plan.

These options provide municipalities the flexibility to determine the best fit for their drinking-water system and its resources. The options allow for the first Operational Plan document to be based on either implementing the entire Standard (Option 3) or a limited scope of the Standard (Options 1 and 2). The options are outlined in detail in the *EBR Posting for the Director's Direction for Operational Plan Submission*.

The dates by or on which the first Operational Plan is to be submitted (which is also the date by or on which the Owner must apply for a Licence and Drinking Water Works Permit) are outlined in the schedules attached to the draft Prescribed Dates Regulation.

Submission dates for municipalities will be phased in over a period of 18 months starting from July 1, 2008 and ending on December 1, 2009. It is proposed that 24 of the largest municipalities (populations over 100,000) will submit Operational Plans and License Applications in the first two months, while submission dates for the remaining municipalities will be phased in by district from Southern Ontario – West to East – to Northern Ontario. Phasing in by district will enable municipalities in neighbouring communities to help each other in developing their Operational Plans and quality management systems.

EBR Postings

There are two EBR postings that should be reviewed concurrently, the first relating to the options for the content of Operational Plans and the second relating to the date or by which these Plans are to be submitted (along with other information) to the Ministry.

- EBR Proposal Policy Posting for the Director's Direction for Operational Plan Submission. (<http://www.ene.gov.on.ca/envregistry/028714ep.htm>)
- EBR Regulation Proposal Posting for the Prescribed Dates Regulation for the Municipal Drinking Water Licence Program. (<http://www.ene.gov.on.ca/envregistry/028502er.htm>)

Accreditation of Operating Authorities

In order to fulfill this element of the Licensing program, the Operating Authority of a drinking-water system must be accredited by a third-party organization to operate the system.

The process by which the Operating Authority receives Accreditation is outlined in the draft Accreditation Protocol. This Protocol contains information on the accreditation process for the different Operational Plan submission options outlined in the Director's Directions and it also contains information relating to the ongoing accreditation process.

Based on the submission option selected for the Operational Plan, the Operating Authority will receive either a Limited Scope or Full Scope, Certificate of Accreditation. If a Limited Scope Certificate of Accreditation is obtained, then the municipality has one year from the issuance of this Certificate to submit an Operational Plan for the entire Standard.

EBR Posting

Stakeholders should view the following document in conjunction with the previously identified postings to get a complete picture of the Licensing program as it relates to the DWQMS, Operational Plans and Accreditation.

- EBR Proposal Policy Posting for the Accreditation Protocol for Operating Authorities. (<http://www.ene.gov.on.ca/envregistry/028713ep.htm>)

Planning Considerations

The Municipal Drinking Water Licence program is a new way of doing business for water sector stakeholders and also for the Ministry. The new requirements for quality management will require municipalities to review existing resources and to make decisions regarding future needs. The five EBR documents are being posted together to provide municipalities with information on the 'big picture'.

The main cost to municipalities will be staff time to implement the Drinking Water Quality Management Standard and to prepare an Operational Plan. New program initiatives that should be included in the planning/budget process include:

- Implementation of DWQMS and Preparation of Operational Plans – impact will depend on current status of management processes and procedures, records management, etc.
- Accreditation of Operating Authority – Operating Authority will engage an auditor to assess whether the quality management system meets the requirements of the DWQMS.

There are no anticipated additional resources required for the requirement for Permits to Take Water, or the requirement to apply for Drinking Water Works Permits, which replace the existing Certificates of Approval.