



VISION 2016 – 2020

Conservation Ontario will be the leader in engaging Conservation Authorities in matters of common interest and in shaping effective policy related to Conservation Authorities

Conservation Ontario Council Report

From: Chitra Gowda, Source Water Protection Lead (CO)

Date: November 24, 2016

Subject: Conservation Ontario Submission on the “Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002”

Summary

On August 23, 2016, the Ministry of the Environment and Climate Change (MOECC) posted a Regulation Proposal Notice titled [“Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002, related to: lead in schools and day nurseries; drinking water systems; drinking water testing services; and drinking water operator certification”](#) (EBR #012-8244) to the Environmental Registry for public review and comment ending October 7, 2016. CO’s letter includes the acknowledgement of the positive impacts of the new proposed standards as it related to drinking water source protection; and suggests adapting a standard for a blue green algae related parameter.

Recommendation

THAT Council endorse the letter, dated October 7, 2016 on the “Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002, related to: lead in schools and day nurseries; drinking water systems; drinking water testing services; and drinking water operator certification” (EBR #012-8244) submitted to the Ministry of the Environment and Climate Change.

Background

On August 23, 2016, the Ministry of the Environment and Climate Change posted a Regulation Proposal Notice titled [“Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002, related to: lead in schools and day nurseries; drinking water systems; drinking water testing services; and drinking water operator certification”](#) (EBR #012-8244) to the Environmental Registry for public review and comment ending October 7, 2016. As stated on the Environmental Bill of Rights (EBR), with respect to the proposed changes to O. Reg. 169/03, the Minister’s Advisory Council on Drinking Water Quality and Testing Standards recommends that the government adopt three new

Ontario Drinking Water Quality Standards based on new federal guidelines, revise two existing drinking water quality standards and remove one drinking water quality standard. The Advisory Council also made recommendations on adopting some substances as aesthetic objectives as the levels at which their presence makes the water unpalatable is lower than where health impacts are expected.

Current Status

In September 2016, CO received comments on the EBR posting from Conservation Authorities. The final letter incorporates comments received and acknowledges the anticipated positive impact of the proposed standards for Toluene, Ethyl Benzene, and Xylenes on drinking water source protection. The province is encouraged to adapt a standard for Total Microcystins as a measure of potential blue green algae growth. Caution is advised in removing Adverse Water Quality Incident reports for pesticides below the proposed 100 ng/L, especially where chronic human health impacts are unknown. It is recommended that drinking water source protection form part of the training for drinking water operators.

Conclusion

CO staff have submitted the final letter to the Ministry of the Environment and Climate Change on October 7, 2016. Conservation Ontario staff will continue to leverage the relationship between this file, and the *Clean Water Act* with a priority on technical studies supporting policies to protect our drinking water sources.



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Senior Advisor
Ministry of the Environment and Climate Change
Drinking Water Management Division
Drinking Water Programs Branch
40 St. Clair Avenue West
Floor 3
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October 7, 2016

Dear Ms. Korbee:

Re: Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002, related to: lead in schools and day nurseries; drinking water systems; drinking water testing services; and drinking water operator certification (EBR 012-8244)

Thank you for the opportunity to comment on the Updates to Ontario's Drinking Water Quality Standards and other regulations of the Safe Drinking Water Act, 2002. Conservation Ontario represents Ontario's 36 Conservation Authorities, which are local watershed management agencies, mandated to ensure the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that consider human, environmental and economic interests and needs.

Under the *Clean Water Act, 2006*, the source protection authorities (SPAs) in Ontario are the 36 conservation authorities, Severn Sound Environmental Association and Municipality of Northern Bruce Peninsula. These source protection authorities support the science and policy development, and implementation of local Source Protection Plans for the protection of sources of drinking water.

The following comments are submitted for your consideration based upon a review by Conservation Authorities. These comments reflect the collective considerations of Conservation Authorities and are not intended to limit consideration of comments shared individually by Conservation Authorities.

The changes to O. Reg. 169/03 (Drinking Water Quality Standards) will have an impact on Clean Water Act related technical studies. Overall the proposals would have a positive impact. The proposed standards for Toluene, Ethyl Benzene, and Xylenes can be adopted under the Clean Water Act to determine the probability of source water being contaminated in excess of the proposed standards (possibly through the use of models), in fuel spill scenarios.

The Ministry of the Environment and Climate Change should also consider adopting a standard for Total Microcystin, as measured through ELISA method (as opposed to liquid chromatography/mass spectrometry method). There is an existing standard for one of the variants in the Microcystin group of chemicals – Microcystin-LR.

With regards to the proposal to invoke an Adverse Water Quality Incident for pesticides without drinking water quality standards only if their individual levels are above 100 ng/L, it is recommended that human health considerations continue to be a priority for the drinking water system. Where the presence of such pesticides is chronic, the 100 ng/L level may not be a suitable check especially if long term effects on human health is unknown.

The Ministry of the Environment and Climate Change should incorporate comprehensive drinking water source protection under the Clean Water Act in its mandatory training for operators. Policies under the Clean Water Act help proactively ensure that treatment capabilities are not unduly stressed. Understanding the Clean Water Act science and requirements (vulnerable areas, threat activities, identified water quality issues, contaminant transport pathways and new polices that govern them locally) is the first step to protecting drinking water and should become part of the operators training.

Should you have any questions regarding the above comments please contact myself (ext. 225).

Comment ID: 195584

Sincerely,

Chitra Gowda

Source Water Protection Lead

c.c. All Conservation Authorities' Source Water Protection Project Managers

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