

For immediate release
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McGUINTY GOVERNMENT FIXES FLAW IN WATER REGULATION
*New Rules Replace Need For Compliance On June 1; Balance Need For Safe Water And
Associated Costs*

TORONTO — The McGuinty government is fixing the previous government's flawed water regulation to ensure drinking water safety at businesses and facilities that serve the public, Environment Minister Leona Dombrowsky announced today.

"The old regulation was a sad attempt to quickly fix years of neglect. By not consulting with stakeholders, the new rules often made things worse, especially in small communities," said Dombrowsky.

"By listening to rural residents, we now have an approach that will ensure drinking water safety without requiring unnecessary tests and treatment systems. We consulted extensively and, overwhelmingly, we heard a clear preference for public health units to oversee these systems."

The government intends to make public health units responsible for ensuring facilities such as churches, community halls, bed and breakfasts and tourist outfitters have safe drinking water.

"We will be investing in public health units to help them take over this responsibility and hire and train new inspectors," Dombrowsky said.

This move follows extensive consultations with drinking water experts and with system owners and operators across the province, including 12 sessions held by the Advisory Council on Drinking Water Quality and Testing Standards in smaller communities.

The ministry has followed the advice of the advisory council and kept municipal and private water systems that provide water to year-round residents and certain designated facilities under the existing regulation.

A three-phased approach will be used to implement these changes:

- New provisions to regulate systems serving non-residential and seasonal residential uses until their intended transfer to the public health units in the fall of 2006.
- Amendments to the existing regulation to improve its cost effectiveness and efficiency for systems it continues to regulate.
- A new regulatory framework for systems overseen by public health units, which would include charges for inspections, collected through user-fees.

Proposed provisions have been posted on the Environmental Bill of Rights Registry for a public comment. This proposal will cover systems that would have needed to meet Regulation 170 requirements on June 1, 2005.

Amendments to improve the cost effectiveness and efficiency of the existing regulation will be released for public consultation this summer.

A proposed new regulatory risk-based framework detailing the roles and responsibilities of the public health units will be released for public consultation this fall. Those consultations will also consider the Advisory Council's recommendation that system operators pay an inspection fee, and a financial strategy to determine the level of those fees.

"We are committed to protecting Ontario's drinking water in accordance with the recommendations of the Walkerton Inquiry," said Dombrowsky. "O'Connor recognized the vital role that public health units play in the delivery of safe drinking water. Our efforts will mean a workable approach for owners and operators that will ensure a high level of public health protection."

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Contacts:

Art Chamberlain
Minister's Office
(416) 314-5139

John Steele
Ministry of the Environment
(416) 314-6666

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Backgrounder Document d'information



Ministry of
the Environment

Ministère de
l'Environnement

May 17, 2005

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 drinking water regulation:

- New provisions to regulate systems serving non-residential and seasonal residential uses until their intended transfer to the public health units in the fall of 2006.
- Amendments to the existing regulation to improve its cost effectiveness and efficiency for systems it continues to regulate.
- A new regulatory framework for systems overseen by public health units, which would include charges for inspections, collected through user-fees.

Proposed Regulation

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

The proposed 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. The Ministry of the Environment will continue to oversee these systems until the intended transfer to the public health units.

A basic framework of requirements that reduces the financial burden on owners while maintaining a high level of public health protection is proposed:

- Only microbiological testing is required.
- 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 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 proposed regulation is posted for public comment on the Environmental Bill of Rights Registry at: www.ene.gov.on.ca/envision/env_reg/ebri/english/index.htm. Written comments will be accepted until May 30, 2005.

Amendments To O.Reg. 170

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 will 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.

New regulatory framework

The new approach will implement 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 framework will detail the requirements for owners and operators 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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