

June 22, 2005

PROPOSED AMENDMENTS TO THE DRINKING WATER SYSTEMS REGULATION

Ontario Regulation 170/03

This regulation applies to large municipal residential systems, small municipal residential systems and non-municipal year-round residential systems (e.g., mobile home parks, rural subdivisions). It also applies to any system serving a designated facility (e.g. schools, day cares, health centres or social care facilities), regardless of category.

Proposed amendments to O. Reg. 170/03

The proposed amendments to O. Reg. 170/03 are risk-based and are designed to safeguard the quality of Ontario's drinking water, while making the regulation more workable and affordable for operators of residential drinking water systems and systems serving designated facilities. They would add clarity and flexibility to the testing and operational regimes set out in O. Reg. 170/03 and in some cases, could reduce the cost of regulatory compliance. The proposed amendments include:

Testing:

- Greater flexibility for timing of testing chlorine residual in water distribution systems
- Clearer and less frequent microbiological testing requirements for designated facilities, small municipal residential and non-municipal year-round residential systems
- Less frequent testing for chemical parameters at small municipal residential systems and systems serving mobile home parks and rural subdivisions
- Clearer definitions of terms such as weekly, bi-weekly and monthly to remove confusion about how often testing must be done.

Corrective action:

- Clearer and updated corrective actions in response to adverse water quality to better focus on appropriate measures when there may be a risk to drinking water
- Clearer direction on adverse conditions and correction action related to chlorine residual in the distribution system.

Operational requirements:

- Mandatory registration of all systems subject to O. Reg. 170/03 to ensure the ministry has information about the system
- Eliminating the requirement for an Engineer's report and the requirement for systems that require an engineering evaluation report to re-evaluate treatment equipment every 5 or 10 years. These would be replaced by a new comprehensive licensing regime as recommended by Justice O'Connor.
- Clear requirements to ensure that systems using hauled water have properly constructed and maintained cisterns to protect drinking water

- Flexibility for performing operational checks within all systems except large municipal residential systems
- Exemption from treatment option for groundwater-based systems serving private year-round residential systems that meet strict safety conditions.

The proposed amendments to O. Reg. 170/03 have been posted on the Environmental Bill of Rights registry at <http://www.ene.gov.on.ca/envregistry/025605er.htm> for 90 days for public comment. Written comments will be accepted until September 20, 2005.

Improving drinking water regulation in Ontario

Amending O. Reg. 170/03 is part of the government's plan to improve the regulation of drinking water systems. In May, the government announced its intention to make public health units responsible for ensuring facilities such as churches, community halls, bed and breakfasts and tourist outfitters have safe drinking water.

On June 3, 2005, systems serving non-residential and seasonal residential uses became subject to Ontario Regulation 252/05. The new regulation establishes a basic regulatory framework focused on maintaining a level of microbiological testing, reporting and corrective action that reduces the financial burden on owners while maintaining a high level of public health protection. The Ministry of the Environment will continue to oversee these systems until the intended transfer to the public health units.

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