

New Small Drinking Water Systems Program in Ontario

Background

A New Approach to Regulating Small Drinking Water Systems

Safe drinking water is essential to health. Ontario has taken significant steps to increase the safeguards for drinking water systems in Ontario, including enacting the Safe Drinking Water Act, 2002 and a number of regulations under this Act, administered by the Ministry of the Environment (MOE).

While these drinking water requirements make sense for large, municipally-run drinking water systems, they present significant challenges for smaller operators that serve such facilities as community centres, churches, fairgrounds, conservation authorities, small businesses, mobile home parks and campgrounds. There are some 18,000 “small drinking water systems” in Ontario that draw their water from private sources, such as a lake, stream or well.

Based on consultations held by the MOE's Advisory Council on Drinking Water Quality and Testing Standards, it was clear that a new risk-based, site-specific approach was needed for these small systems and it was recommended that oversight for these systems be transferred to the Ministry of Health and Long-Term Care (MOHLTC) and public health units.

Under this new risk-based approach, public health inspectors will conduct a site-specific risk assessment on every small drinking water system in the province. Based on the assessment, they will determine what owners and operators must do to keep their drinking water safe and will issue

a directive for each system, which may include requirements such as water testing, treatment and training. This reflects a customized approach for each small drinking water system depending on the level of risk, rather than “one-size-fits-all” requirements.

Transfer of Oversight of Small Drinking Water Systems to MOHLTC

On December 1, 2008, amendments to the Health Protection and Promotion Act will come into force, which will transfer the responsibility for overseeing the following five (5) categories of small drinking water systems from MOE to MOHLTC:

1. Large municipal non-residential drinking water systems, that serve such facilities as municipally-owned airports and industrial parks, and large sports and recreation facilities.
2. Small municipal non-residential drinking water systems, that serve such facilities as small community centres, libraries, and sports and recreation facilities.
3. Non-municipal seasonal residential drinking water systems, that serve such facilities as private cottages on communal drinking water systems.

4. Large non-municipal non-residential drinking water systems, that serve such facilities as large motels and resorts.

5. Small non-municipal non-residential drinking water systems, that serve such facilities as motels, restaurants, gas stations, churches, and bed and breakfasts.

Also on December 1, 2008, two new regulations under the Health Protection and Promotion Act, will be in force. The new regulations are O. Reg. 318/08 (*Transitional – Small Drinking Water Systems*) (referred to as the “Transitional Regulation”) and O. Reg. 319/08 (*Small Drinking Water Systems*) (referred to as the “Permanent Regulation”).

The Transitional Regulation effectively carries-over current standards under MOE regulations so that they will continue to apply to a small drinking water system until a risk assessment is completed for the site. Once the risk-assessment is completed, site-specific requirements (e.g., for sampling, treatment, testing) would then be issued by a public health inspector through a binding directive. Once a directive has been issued, the owner and operator(s) of the system will have to comply with the Permanent Regulation.

The Permanent Regulation provides the new requirements that must be followed by small drinking water system owners and operators, such as minimum quarterly testing for E. coli and total coliforms and record retention requirements.

Owners and operators of small drinking water systems are responsible for keeping the drinking water that is available through their system safe and meeting their regulatory requirements such as routine water sampling. Before a public health inspector arranges the initial site-specific risk assessment, owners and operators should make sure their water sampling history is up-to-date.

Features of the New Small Drinking Water Systems Program

Under the SDWS program, public health inspectors will:

- identify small drinking water systems that meet the criteria of the program
- provide information and education for owners/operators of small drinking water systems about the importance of safe drinking water and their responsibilities under the regulations
- conduct an initial on-site risk assessment of each small drinking water system in the province
- issue a directive for each small drinking water system, which may include requirements relating to such matters as water testing, treatment and training, based on the risk assessment
- conduct ongoing monitoring and surveillance of small drinking water systems, including ongoing risk assessments, the frequency of which will be based on each system’s risk category
- respond to any adverse events associated with small drinking water systems
- collect and report information on small drinking water systems to MOHLTC.