

*Advisory Council on Drinking Water Quality and Testing Standards  
Minutes from April 15, 2005 Meeting*

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<b>Members Present</b>	Robert Andrews Michele Giddings Marilyn Lee Ken Roberts Mark Servos Robert Walton	Ron Brecher Rod Holme Jim Merritt John Rudnickas Lesbia Smith
<b>Ministry Liaison Staff Present:</b>	Pat Lachmaniuk, MOE	
<b>Council Staff Present:</b>	Scott Barrett	Iris Biggar
<b>Regrets:</b>	Peter Huck Harry Richardson	Alex Hukowich Fred Ruf, MOHLTC
<b>Guests:</b>	None	

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**1. Call to Order:**

The Chair opened the meeting at 9:35 a.m.

**Adoption of April 15, 2005 Agenda**

April 15, 2005 agenda was adopted by consensus.

**Adoption of March 21, 2005 Meeting Minutes**

March 21, 2005 Meeting Minutes were adopted by consensus.

**Review of Outstanding Action Items**

*Standards Review:*

- **Executive Assistant and Chair to review protocol for Council involvement in standards review and prepare descriptions of each stage**
  
- **Executive Assistant to develop members-only website for the Council's standards review process engagement**

**2. Reg 170 Review:**

Pro-active and requested speaking engagements were discussed.

Bob Andrews noted that he spoke at the AWWA RESEAU "Americana" conference in Montreal, on April 7, where there were 700 people, and approximately 85 people at the actual presentation session. He noted that there was great interest in the Council's report and approach to smaller, private systems.

It was agreed that the Council's website should contain a record of presentations for members' use, as well as an un-editable general presentation for public use.

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It was noted that the issue of “non-municipal, year-round residential” entities, like mobile home parks, may gain some interest and momentum this spring /summer.

An AWWA newsletter that noted that the Ministry may be “relaxing standards” was discussed.

MOE Liaison member Pat Lachmaniuk supplied the Council with the final cost of producing the Reg. 170 report, broken down into Council member expenses, and consulting fees.

**Action(s):**

- **Council members to contact the Council’s Executive Assistant regarding any potential speaking engagements where the Reg. 170 report would be an item of interest**
- **Executive Assistant to post a general Council presentation on the ODWAC website**
- **Executive Assistant to post all presentations, for future reference by Council members, on a members-only website**
- **Chair to re-contact OWWA, OMWA regarding future conferences where there may be an interest in the Reg. 170 report**
- **Executive Assistant to draft and send a formal letter the AWWA clarifying that our report makes no mention of “relaxing” standards**

**3. Reg. 903 Chlorination Requirements**

The Chair briefed the Council about some new information regarding our potential advice to the Minister. It was learned that the MOE’s Legal Service Branch has noted that Section 15 (Disinfection) of Reg. 903 only applies to new construction.

It was noted that our advice should still be applied to Section 15 as well as to sections 17 (Pump Installation), and section 20 (Well Maintenance).

It was noted that our advice letter to the Minister should reference all documents that were used in our review.

It was discussed and agreed that our advice should state that we are concentrating only on disinfection requirements, and that *other* aspects Reg. 903 could be addressed in the future. As well, our advice letter should explain that our focus is on the potability of water, and not necessarily aquifer protection.

It was determined that there needs to be a better explanation of why we feel the current regulation is inadequate with regards to disinfection.

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The issue of using Total Coliforms and / or *E.Coli* as the test(s) of choice for wells was discussed. It was agreed that the Council should remain consistent with its previous advice on microbiological indicators, as previously transmitted to the Minister of the Environment, but not publicly released as of this time.

**Action(s):**

- **Executive Assistant to re-draft general well disinfection advice letter, based on the discussions of April 15, 2005, for review by the Chair and Robert Andrews, for finalization and distribution to all Council members**

**4. Drinking Water Source Protection**

It was debated as to when and whether the Council should officially comment on the draft documents, and in what fashion.

It was decided that “areas of interest” should be flagged to the Minister’s Office so that direction on timing feedback can be received.

**Action(s):**

- **Council members to review the Drinking Water Source Protection “Technical Experts Committee Report” and the “Implementation Committee Report” documentation in order to flag “areas of interest” to the Executive Assistant**
- **Chair to supply the Council’s “areas of interest” to the Minister’s Office so that feedback can be gained on timing for comments**

**5. Justice O’Connor Priorities:**

Recommendation #27 (Total Coliform vs. *E. Coli*)

The chair noted that the advice letter on microbiological indicators was officially transmitted to the Minister’s Office on April 5, 2005.

Recommendation #28 (Protozoa Treatment Standard)

The Council heard a presentation from MOE liaison staff on the implementation of Recommendation #28.

It was decided that, since the protozoa treatment standard has already been implemented by the MOE, a *specific* review is not necessary.

However, the Council decide to create a working group to review the “*Procedure for Disinfection of Drinking Water in Ontario*”, so as to provide a more holistic approach, involving *all* aspects of this Procedure, which happens to include Protozoa, Turbidity, and Disinfection By-Products.

The “Disinfection Working Group”, to be chaired by Robert Andrews, will also include Council members Peter Huck, Ken Roberts, and Lesbia Smith.

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The mandate of this working group will be to scope out issues in the Procedure and identify actions and next steps for the Council.

The working group will provide a status report at the May 27, 2005 meeting.

The “*Procedure for Disinfection of Drinking Water in Ontario*” as well as the Turbidity performance standard were re-posted on the Environmental Registry on April 5, 2005. Comments from the public comment period, which ends June 13, 2005, will be used to cross-reference the working group’s issue selection.

Recommendation #29 (Turbidity Limit)

It was agreed that “the desirability of a turbidity limit that is lower than the limit specified in the federal-provincial guidelines” would be dealt with by the Disinfection Working Group, as part of their overall review of the “*Procedure for Disinfection of Drinking Water in Ontario*”.

Recommendation #31 (Disinfection By-Products (DBPs) Review)

HAAs: It was noted that the HAA document was not available at the time of this meeting, but that the MOE Liaison Council member would supply it when it becomes available.

THMs: It was noted that THMs will be discussed at the next Committee on Drinking Water (CDW) meeting on May 2-4, 2005. After that, comments and issues discussed will be brought to the Council to aid in the discussion of the final limit to be adopted by Ontario. The MOE Liaison Council member would supply the tables and documents to the Executive Assistant prior to the May 27, 2005 meeting, for distribution to all Council members.

It was also noted that the THMs vs. HAAs cost analysis tabulation was still under progress, but that the MOE Liaison Council member would supply it either prior to, or at the May 27, 2005 meeting.

It was noted that recommendation #31 is very broad, involving all chemical and radiological disinfection, and that a process needs to be developed in order for the Council to provide advice on DBPs to the Minister on an on-going basis, taking into consideration new and emerging water treatment technologies.

The Council agreed and decided to ask the MOE to provide a short (5-10 pages) report on DBPs, from the perspectives of: how other jurisdictions are managing them; new and emerging technologies in water treatment that may result in new DBPs; and the MOE’s process for reviewing new and emerging water treatment processes that may result in new DBPs.

This report will be used by the Council to arrive at a process of providing on-going advice to the Minister on current, new, and emerging DBPs.

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**Action(s):**

- **Disinfection Working Group to begin scoping out issues in the guideline and identifying actions and next steps for the Council, to provide a status report back to the Council, at the May 27, 2005 meeting**
- **MOE Liaison Council member to supply CDW THM comments to Executive Assistant, after the CDW meeting (May 2-4, 2005), for distribution to the Council, prior to the May 27, 2005 meeting**
- **MOE Liaison Council member to supply THMs vs. HAAs cost analysis tabulation documents to Executive Assistant, for distribution to the Council, prior to the May 27, 2005 meeting**
- **Council to decide how to obtain information on DBPs, from the perspectives of: how other jurisdictions are managing them; new and emerging technologies in water treatment that may result in new DBPs; and the MOE's process for reviewing new and emerging water treatment processes that may result in new DBPs**

**6. Standards Review**

TCE: Implementation of the TCE standard in Ontario was discussed.

It was noted that the final TCE CDWG *could* be announced in August, 2005, and that any input from the Council should be as close as possible in timing to the Health Canada's posting date.

It was noted that there would likely be only be one municipal system (the Coldwater well system in Severin) in the province that would have difficulty meeting the new standard.

It was also concluded that private well systems would be the most affected, and that it is not well known to what extent they would be affected.

As a result, the Council recommended that the MOE use a statistical approach to determine the prevalence, distribution, and concentration of TCE in non-municipal water systems, along with 1,4-dioxane (a TCE stabilizer), in order to determine if further work in this area is needed for the Council to provide advice on the implementation the new TCE standard in Ontario.

Since Arsenic is also currently undergoing public consultation, it was also suggested that data be collected on it at the same time as TCE and 1, 4-dioxane, since the Council will become engaged in the Arsenic Implementation Plan for Ontario, as well.

The Executive Assistant will draft a request letter to the Ministry for review by Council member Ron Brecher, to include a rationale of what it means to implement the new TCE standard in Ontario, and why the addition of 1,4-dioxane, and Arsenic.

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Chlorite/Chlorate: The Chlorite/Chlorate standards were discussed, and the draft document for public comment was distributed. When posted, the comment period will be 4 months. Council member Michele Giddings is to forward the Quebec data to the Executive Assistant, for distribution to the Council, prior to the May 27, 2005 meeting.

It was noted that Chlorite/Chlorate are Disinfection By-Products, and are only likely to be of concern when chlorine dioxide is used as a disinfectant. There are likely, then, to be of no real issue in Ontario, since no water systems currently use chlorine dioxide.

The discussion turned to increased chlorate ion formation in hypochlorite solutions that are stored for long periods of time.

It was requested that a technical briefing for Chlorite/Chlorate be presented by the MOE at the May 27, 2005 Council meeting.

MTBE: The MTBE (a gasoline additive, and common groundwater contaminant) Aesthetic Objective (AO) was presented as a draft document for public comment. When posted, the comment period will be 4 months.

It was requested that a technical briefing for MTBE be presented by the MOE at the June 27, 2005 Council meeting.

As a result of the deliberations on TCE, Chlorite/Chlorate, MTBE, and standards in general, it was determined that the Council needs to structure and formalize its involvement in standards which are at the "Initial Ontario Standard" stage (Stage 3 of the Council's Standards Review Protocol).

At this stage, it was suggested that the Council's involvement should be at a higher level, since the public comment documents are already peer-reviewed, and two of the Council's members are intimately involved in the national process. However, potential issues can also be flagged from the Council members' own experience and expertise.

It was also suggested that, at this stage, the Council could ask for information on two things: the range of values (compromises made in determining a national guideline), and contentious issues (the two Council members, involved in the national process, would have first hand information on these).

The Chair and the Executive Assistant are to formalize and outline, in detail, the Council's process for reviewing standards that are at, or nearly at, the stage of public consultation (where a draft or final document for public review exists) for future use.

**Action(s):**

- **Executive Assistant and Council member Ron Brecher to draft a request letter to the MOE asking for a statistical approach to determine the prevalence, distribution, and concentration of TCE in non-municipal water systems, along with 1, 4-dioxane (a TCE stabilizer), and Arsenic, in order to determine if**

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**further work in this area is needed to implement the TCE standard in Ontario, as well as the Arsenic standard**

- **Council member Michele Giddings to forward the Quebec Chlorite/Chlorate data to the Executive Assistant, for distribution to the Council, prior to the May 27, 2005 meeting**
- **MOE Liaison Council member Pat Lachmaniuk to arrange for a technical briefing for Chlorite/Chlorate to be presented at the May 27, 2005 Council meeting**
- **MOE Liaison Council member Pat Lachmaniuk to arrange for a technical briefing for MTBE to be presented at the June 27, 2005 Council meeting**
- **The Chair and the Executive Assistant to formalize and outline, in detail, the Council's process for reviewing standards that are at, or nearly at, the stage of public consultation (where a draft or final document for public review exists) for future use**

**7. Administrative Items:**

The proposed outline of the Council's Annual Report was discussed and endorsed with some minor corrections and additions. The Executive Assistant and Chair will draft the report's sections, with the help of various Council members as needed, for discussion at the May 27, 2005 meeting. The final report is due to the Minister on June 30, 2005.

The Code of Conduct and Conflict of Interest document was discussed. The Chair will re-revise the document, have it reviewed by MOE's Legal Services Branch, then have it distributed to the Council, and then finalize it for Members' signatures at the May 27, 2005 meeting. It was noted that this document should be completed before the 1 year anniversary of the Council, which is May 12, 2005.

It was noted that the chair would contact the Chief Drinking Water Inspector of Ontario to invite a Quality Management Standard (QMS) presentation at a future Council Meeting.

Re-Appointment status was next discussed, and it was noted that they are underway, and that security checks would be the next step.

**Action(s):**

- **Executive Assistant and Chair to draft Annual Report's sections for discussion at May 27, 2005 meeting**
- **Chair to re-revise Code of Conduct and Conflict of Interest document for review by Legal Service Branch, distribution to Council members, and finalization for Members' signatures for the May 27, 2005 meeting**

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- **Chair to contact the Chief Drinking Water Inspector of Ontario to invite a Quality Management Standard (QMS) presentation at a future Council Meeting**

**Next Meeting(s):**

May 27, 2005

June 27, 2005

July 15, 2005

August 19, 2005 (tentative)

**8. Adjourn.**

Meeting was adjourned by the Chair at 3:00 p.m.