

*Advisory Council on Drinking Water Quality and Testing Standards  
Minutes from May 27, 2005 Meeting*

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

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**1. Call to Order:**

The Chair opened the meeting at 9:30 a.m.

**Adoption of May 27, 2005 Agenda**

May 27, 2005 agenda was adopted by consensus.

**Adoption of April 15, 2005 Meeting Minutes**

April 15, 2005 Meeting Minutes were adopted by consensus.

**Review of Outstanding Action Items**

*Drinking Water Source Protection:*

- **Chair to convey the Council's "areas of interest" to the Minister's Office so that feedback can be gained on timing and direction for more detailed comments**

*Administrative Items:*

- **Executive Assistant and Chair to draft Annual Report for Members' review prior to June 27, 2005 Council Meeting**

**2. Reg 170 Review:**

The May 17, 2005 MOE EBR posting was discussed. It was decided that, at the June 27, 2005 Council meeting, the Council would look at the various pieces of documentation, and how it should become engaged.

**Action:**

- **Council to explore future engagement in Reg. 170 Ministry activities**

It was also decided that a more critical review of the posting should be undertaken. Council member John Rudnickas volunteered to undertake the review and summarize areas of concern and engagement prior to the Council's June 27, 2005 meeting.

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**Action:**

- **Council member John Rudnickas to review May 17, 2005 MOE EBR posting and summarize areas of interest for the Council prior to the June 27, 2005 meeting**

**3. Reg. 903 Chlorination Requirements**

The draft final Advice letter was provided to the Ministry on May 17, 2005 for fact checking, and consolidated comments were received back on May 27, 2005.

**Action:**

- **Council Chair and Robert Andrews to review the Ministry's comments on the Reg. 903 Advice Letter, for formulation of final advice to the Minister, prior to the June 27, 2005 meeting.**

The process by which the Council should receive feedback from the Ministry was discussed. It was re-enforced that our advice is independent and is intended for the Minister, and that the Council maintains editorial control over what is transmitted. Ministry comments can and will be solicited and taken under advisement for the formulation of coordinated final advice.

It was decided that future Advice Letters would carry a covering letter, outlining the Council's expectations for document review and fact checking.

**4. Drinking Water Source Protection**

The Council's direction on commenting on the two documents continued.

Council member Peter Huck undertook a review of the Technical Experts Committee report. It was decided Council's areas of interest be transmitted to Minister's Office staff with a covering memo.

**Action:**

- **Chair to convey the Council's "areas of interest" to the Minister's Office staff so that feedback can be gained on timing and direction for more detailed comments**

It was agreed that the Council Chair and Executive Assistant would review the Implementation Committee report, by cross-referencing Peter Huck's review of the Technical Experts Committee report.

**Action:**

- **Council Chair and Executive Assistant to review Implementation Committee report, by cross-referencing review of Technical Experts Committee report**

The OMWA/OWWA jointly commented on the two reports. Council Member Rod Holme offered to provide a copy to the Council. It was also determined that the EBR comments received during the public consultation period would be useful for the Council's purposes.

**Action:**

- **Council member Rod Holme to supply Executive Assistant with joint OMWA/OWWA comment letter**

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**5. Justice O'Connor Priorities:**

**Disinfection Procedure for Drinking Water in Ontario:**

A Disinfection Working Group was formed in April, 2005 and met on May 24, 2005 to identify the actions and next steps that the Council should take regarding review of the “*Disinfection Procedure for Drinking Water in Ontario*”, which is engaged in a public consultation period until June 14, 2005.

It should be noted that this document encompasses three Walkerton Recommendations: (Recommendation #28: Protozoa Treatment Standard; Recommendation #29: Lower Turbidity Limit and; Recommendation #31: Disinfection By-Products Review. As such the Council decided that the holistic review of this document would serve our purposes of meeting the intent of the 3 Walkerton recommendations.

The working group provided an overview of its progress in the review of the Procedure towards determining the Council’s direction and next steps.

It was decided that the Council’s direction would be to provide broad advice on improvements that could be made to the document in order to enhance and clarify its content and intention.

The Disinfection Working Group will meet on June 21, 2005 in order to formulate the Council’s potential priorities, and will develop a document for general Council review and discussion at the June 27, 2005 meeting.

**Action:**

- **Disinfection Working Group to meet on June 21, 2005 in order to formulate the Council’s potential priorities, and to develop a document for general Council review and discussion at the June 27, 2005 meeting**

**THMs:**

The MOE Liaison Council member provided documentation and briefed the Council on the comments received at the Committee on Drinking Water (CDW) meeting on May 2-4, 2005. Comment concerns included location vs. system sampling; running average vs. not to exceed values, and; the definition of “average”.

In debating the 80 vs. 100 ug/l standard level, the Council found that they needed more information on how the two numbers related to risk factors. It was suggested that Dr. Len Ritter from the University of Guelph be invited to a future Council meeting to present on the subject of assigning risk factors.

**Action:**

- **Ministry of the Environment liaison staff to invite Dr. Len Ritter from the University of Guelph, to a future Council meeting to present on the subject of assigning risk factors**

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It was noted that short-term exposure to THMs can cause human health effects during pregnancy.

As well, it was decided that it would be helpful if the MOE provide “Not to Exceed Approach” cost data to the Council to complement the review.

**Action:**

- **Ministry of the Environment liaison staff to provide “Not to Exceed Approach” cost data for THMs to Council to complement review**

The MOE Liaison Council member provided documentation on HAAs vs. THMs, and their relationship was discussed. It was determined that the relationship is a linear one, and that they are independent of other DBPs.

As well, it was concluded that other DBPs would be expected to parallel the linear relationship between HAAs and THMs.

Walkerton Recommendation #31: Disinfection By-Products Review was re-visited and discussed. It was concluded that the list of different DBPs is actually not as large as was originally envisaged. (THMs, HAAs, Chlorite/Chlorate, Bromate, NDMA, etc.)

This results from the relatively limited number of treatment technologies used across the province. It was also noted that if circumstances warranted unique monitoring, the Certificate of Approval system would build in any DBP monitoring requirements and limits.

As such, it was concluded that a process of providing overall advice on DBPs, on an on-going basis, can be superseded by the review of individual DBP standards, based on the review of the associated treatment technology.

## **6. Standards Review**

The Executive Assistant briefed the Council on the “Standards Review Protocol” that is to be instituted and updated for current and future standards review.

Many comments and suggestions were received and the document will be updated for circulation to Council members prior to the June 27, 2005 meeting.

**Action:**

- **Executive Assistant to update “Standards Review Protocol” document for circulation to Council members prior to the June 27, 2005 meeting**

During the June 27, 2005 meeting, the Council’s priority setting review will take place. This is now called Stage 1 for the purposes of the Council’s “Standards Review Protocol”.

Council members were asked to think about, and get their suggestions for substances of concern to the Executive Assistant, prior to the June 27, 2005 meeting.

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**Action:**

- **Council members to provide substances of concern to Executive Assistant prior to June 27, 2005 meeting**

To help this exercise, the May 2005 Health Canada priority list was circulated. As well, the Ministry of the Environment liaison staff is to provide the complete 5-year list to the Executive Assistant for circulation to the Council members prior to the June 27, 2005 meeting to help them with their substances of concern determination.

**Action:**

- **Ministry of the Environment liaison staff to provide 5-year priority list to Executive Assistant for circulation to the Council members prior to the June 27, 2005 meeting**

**TCE:**

It was noted that the final TCE CDWG is proceeding and Ontario intends to adopt it as an Ontario Drinking Water Quality Standard (ODWQS). This is now called Stage 7 for the purposes of the Council's "Standards Review Protocol".

The request for non-municipal TCE data was next discussed. The Ministry of the Environment liaison staff reported that there is no non-municipal TCE data since these systems are not obligated to monitor for it. As well, TCE is only generally of concern for groundwater sources.

The Council became engaged with TCE much later in the process, due to the timing of the creation of the Council. As such, the Council agreed that requesting more study of the standard, at this time, would not be appropriate.

The Council agreed that the standard should proceed as an ODWQS. As far as implementation issues, there is only one municipal system in Ontario that would have difficulty meeting the new 5 ug/l limit.

Once the CDWG becomes final, the Council will send a letter to the Minister of the Environment, stating endorsement of the revised standard.

**Action:**

- **Once the TCE CDWG becomes final, the Council Chair to send a letter to the Minister of the Environment, stating endorsement of the revised TCE standard**

**Chlorite/Chlorate:**

The Ministry of the Environment liaison staff presented information on the Chlorite/Chlorate standards that are soon to be released for public comment. This is now called Stage 4 for the purposes of the Council's "Standards Review Protocol".

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.

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As a result, Ontario has no real concerns with adopting these standards from their final Canadian Drinking Water Guidelines.

**MTBE:**

The Ministry of the Environment liaison staff presented information on the MTBE Aesthetic Objective that is soon to be released for public comment. This is now called Stage 4 for the purposes of the Council's "Standards Review Protocol". There is likely to be no real issue for implementation in Ontario, as this is an Aesthetic Objective, based on the odour threshold, which is much lower than the concentration that may pose a health risk.

**Action:**

- **Once the MTBE CDWG becomes final, the Council Chair to send a letter to the Minister of the Environment, stating endorsement of the revised MTBE Aesthetic Objective**

Blue-Green Algae: Council member Michele Giddings presented on the CDWG for Microcystin-LR (Blue-Green Algae).

**Action:**

- **Executive Assistant to make available Blue-Green Algae presentation for Council's members**

It was noted that Microcystin-LR was an Ontario Drinking Water Objective in 2002, and was made a standard when Regulation 169/03 was put into place. Unfortunately, only the MOE's laboratory has an approved method for this standard.

As a result, it was decided that "Standards for which no method / and or no licenced laboratory available" be brought forward as a future agenda item.

**Action:**

- **Executive Assistant to ensure that "Standards for which there is no method / and or no licenced laboratory available" becomes a future agenda item for Council deliberation.**

**7. Administrative Items:**

The 2004-2005 Annual Report preparation is still underway. Since this report is due to the Minister by June 30, 2005, the report will need to be finalized prior to or on the next Council meeting date: June 27, 2005. The Executive Assistant to continue drafting the report with the Chair, for circulation to Council Members prior to the June 27, 2005 meeting.

**Action:**

- **Executive Assistant to continue drafting Annual Report with the Chair, for circulation to Council Members prior to the June 27, 2005 meeting**

The revised Code of Conduct and Conflict of Interest document was discussed. There were still some concerns among members that the Ministry's Legal Services Branch should attend a Council meeting to explain what the various clauses mean. As a result, the Chair and Executive Assistant to arrange for the Ministry's Legal Services Branch to

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send a representative to discuss Members' concerns and questions at the July 15, 2005 Council meeting.

**Action:**

- **Chair and Executive Assistant to arrange for Ministry's Legal Services Branch to send a representative to discuss Members' concerns and questions regarding the Code of Conduct and Conflict of Interest document, for the July 15, 2005 Council meeting**

Re-Appointment status was next discussed, and it was noted that they are still underway, and are proceeding through the system. It was also noted that the terms were submitted per the Members' wishes, as there are to be staggered terms of service.

It was noted that Drinking Water Management Division was contacted and a Quality Management Standard (QMS) presentation will be given at the June 27, 2005 Council Meeting.

It was noted that the 12<sup>th</sup> Canadian National Conference of the Federal-Provincial-Territorial Committee on Drinking Water will be held April 1-4, 2006 in St. John, New Brunswick. The conference is being organized by the Canadian Water and Wastewater Association (CWWA).

It was discussed and agreed that the Council should be represented and should make a presentation at this conference on our Reg. 170 report.

**Action:**

- **Executive Assistant to ensure that the Council submits a request for a presentation for the National Conference of the Federal-Provincial-Territorial Committee on Drinking Water**

It was also noted for information that the WHO is developing software for an assessment tool for small water systems on Compact Disc.

Also discussed was the Council's connection and involvement with the Walkerton Clean Water Centre (WCWC), given that their grand opening is May 31, 2005, and they now have a full-time CEO (Dr. Saad Jasim). The Council Chair to refresh communications with the WCWC to explore collaboration / cross-over activities, and possibly invite the CEO to a future Council Meeting.

**Action:**

- **Chair to refresh communications with WCWC to explore collaboration / cross-over activities, and invite CEO to a future Council Meeting**

The process by which the minutes are reflected and recorded was discussed. It was suggested and agreed that, after discussion of a particular agenda item, the actual minute wording be discussed and agreed upon before recording.

**Action:**

- **Minute wording is to be discussed and agreed upon before recording during Council meetings**

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As well, there was a suggestion that Action Items be more formalized to include: what, who, and by when a task is to be done.

**Action:**

- **Action Items are to include: what, who, and by when a task is to be done**

**Next Meeting(s):**

June 27, 2005

July 15, 2005

August 19, 2005

September 16, 2005

**8. Adjourn.**

Meeting was adjourned by the Chair at 4:00 p.m.