

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

Members Present	Robert Andrews Rod Holme Alex Hukowich Jim Merritt Ken Roberts Robert Walton	Michele Giddings Peter Huck Marilyn Lee Harry Richardson John Rudnickas
Ministry Liaison Staff Present:	Pat Lachmaniuk, MOE	
Council Staff Present:	Scott Barrett	Iris Biggar
Regrets:	Ron Brecher Lesbia Smith	Fred Ruf, MOHLTC
Guests:	Indra Prashad, SDWB, DWMD Ed Gill, SDWB, DWMD	

1. Call to Order:

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

Adoption of June 27, 2005 Agenda

June 27, 2005 agenda was adopted by consensus.

Adoption of May 27, 2005 Meeting Minutes

May 27, 2005 Meeting Minutes were adopted by consensus with suggested changes and corrections.

Review of Outstanding Action Items

None

2. Reg 170 Review:

The May 17, 2005 MOE EBR Proposal (O. Reg. 252/05) posting was reviewed and summarized by John Rudnickas.

It was noted that this Regulation is an “interim” approach until new Regulations for small systems can be developed and administered by the MOHLTC’s Public Health Units.

Observations:

- Lack of stakeholder understanding of the purpose of the posting
- Elimination of all chemical testing
- *Procedure for Corrective Action* document states that it is not safe to drink untreated surface water, but does not disallow consumption if no adverse results are found
- Testing for fecal coliforms is not required
- Reporting of positive fecal coliform results not required
- Chlorine residual must be measured electronically only

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- It is not clear that all testing be performed by accredited / licenced labs
- Test kits do not appear to be precluded

It was also noted that the Ministry of the Environment posted another EBR posting on June 22, 2005, which proposes efficiency and cost-effectiveness improvement to Reg. 170, as well as the permanent removal of Fecal Coliforms, Background Colony Counts, and Heterotrophic Plate Counts from Reg. 169.

As well, it was also noted that the Council had not thoroughly reviewed the May 17, 2005 “Broad Policy Proposal for the Regulation of Drinking Water Systems in Ontario” EBR posting that is available for comment until August 15, 2005.

Action:

- **Council member John Rudnickas to review the May 17, 2005 and June 22, 2005 MOE EBR postings and summarize areas of interest / engagement (with help from Robert Walton) for the Council for the July 15, 2005 meeting**

It was agreed that the Council would monitor the status of the Broad Policy Proposal, as well as any present and future regulatory amendments, and would provide feedback to the Ministry of the Environment, where the Council deems it necessary.

The Council discussed the use of untreated surface water as a drinking water supply for private residences, and decided, by consensus, that the use of untreated surface water for drinking water is a topic that will require further discussion at a future meeting.

Action:

- **Council Executive Assistant to work with Ministry of the Environment Liaison member to decide what would be needed for the Council to deliberate “*the use of untreated surface water for drinking water*” and schedule this item for the September 16, 2005 Council meeting**

3. Reg. 903 Chlorination Requirements

The final Advice letter was provided to the Minister and Ministry staff on June 16, 2005.

4. Drinking Water Source Protection

The Council continued to discuss Drinking Water Source Protection with a goal of providing meaningful feedback to the Minister on areas of potential concern or Council involvement. Peter Huck briefed the Council and it was decided that the Council Chair, in conjunction with Peter Huck, would formulate the Council’s areas of concern / interest for transmittal to Minister’s Office staff with a covering memo.

Some aspects discussed included: permitting system for wells; quantification of health benefits from broader source protection; the lack of focus on “drinking” water source protection (i.e. broadening of the scope)

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Action:

- **Council Chair to formulate the Council's areas of concern / interest for transmittal to the Minister's Office staff with a covering memo, in conjunction with Peter Huck, for presentation to the Council at the July 15, 2005 meeting**

5. Quality Management Standard

Indra Prashad and Ed Gill presented on the Drinking Water Management Division Safe Drinking Water Branch's Quality Management Standard that is under development as a direct result of Walkerton Recommendation #71, which states that:

The Ministry of the Environment should require the owners of municipal water systems to obtain an owner's licence for the operation of their waterworks. In order to obtain a licence, an owner should have:

- *a Certificate of Approval for the facility;*
- *a Permit to Take Water;*
- *approved operational plans;*
- *an approved financial plan; and*
- *an accredited operating agency.*

6. Justice O'Connor Priorities:

The Disinfection Working Group produced a draft document for discussion and presented it to the Council, which commented on the "*Procedure for Disinfection of Drinking Water in Ontario*".

It was agreed, by consensus that the Council's approach to commenting on the Procedure should be at a high level, and should point out areas of potential confusion and ways of clarifying via referencing, perhaps, other useful documents.

It was also noted that turbidity, while embedded in the Procedure, will be dealt with separately, and after more deliberation at a future Council meeting.

Action:

- **Council Executive Assistant to ensure "Turbidity" is brought forward as a future agenda item for Council deliberation**

It was decided that the Council Chair and the Council Executive Assistant will draft an advice letter to the Minister, with the help of Council member Bob Andrews, for presentation to the Council at the July 15, 2005 meeting. This advice letter will also reference the 3 Walkerton Recommendations that are now encompassed in the Procedure.

Action:

- **Council Chair and the Council Executive Assistant to draft an advice letter to the Minister, with the help of Council member Bob Andrews, for presentation to the Council at the July 15, 2005 meeting**

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As well, the Council Executive Assistant will draft a cover letter, which will accompany the Council's advice, with the purpose of outlining the expectation of the level of review expected, as well as the amount of future Council involvement, after the delivery of the advice.

Action:

- **Council Executive Assistant to draft cover letter to accompany Council's advice**

7. Standards Review

THMs:

The MOE Liaison Council member provided documentation and briefed the Council on the "Not to Exceed Approach" cost analysis data.

In debating the 80 vs. 100 ug/l standard level as well the sampling and location issues, the Council still found that it needed more information. Dr. Len Ritter from the University of Guelph was invited to the July 15, 2005 Council meeting to present on the subject of assigning risk factors in the development of standards.

Council member Michele Giddings noted that there was a task group report on THMs that could be of use in the Council's deliberations.

Action:

- **Council member Michele Giddings to supply the Council Executive Assistant with the task group report on THMs for use at the July 15, 2005 meeting**

It was agreed that wording to the effect that "good disinfection practices will reduce THMs" will be developed by Council member Bob Andrews, and will be worked into the Council's general advice on the "*Procedure for Disinfection of Drinking Water in Ontario*".

Action:

- **Council member Bob Andrews to develop wording around "good disinfection practices reducing THMs" for inclusion in the Council's general advice on the "*Procedure for Disinfection of Drinking Water in Ontario*".**

TCE:

It was noted that the final TCE CDWG was posted on June 24, 2005, and that the Council Chair sent a letter to the Minister of the Environment on June 21, 2005, stating the Council's endorsement of the revised Guideline and recommending its adoption as an Ontario Standard.

Chlorite/Chlorate:

It was noted that the "Draft Document for Public Comment" was made available from Health Canada's website, on June 14, 2005, and an EBR Notice was posted on June 16, 2005. Both comment periods end October 14, 2005, but the Council had already agreed at the May 27, 2005 meeting that it would endorse these Guidelines.

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Action:

- **Council to recommend that the Ministry of the Environment endorse the revised Canadian Drinking Water Guidelines for Chlorite / Chlorate, once approved by both the CDW and the CHE, and adopt them as Ontario Drinking Water Quality Standards, conditional upon Health Canada's posting of the Final Guidelines**

Priority Setting Discussion:

The Council had chosen the June meeting of each year to discuss priorities for drinking water standards and emerging issues.

To aid in this review, the Council used its Standards Review Protocol, Stage 1, to channel the discussion.

The Council discussed and considered the following:

- NDMA
- Endocrine Disruptors, and Pharmaceuticals and Personal Care Products
- Disinfection By-Products
- Fluoride

It was noted that Endocrine Disruptors, and Pharmaceuticals and Personal Care Products are being studied in Ontario, but that there is not enough data, at present, to determine threats to human health via drinking water. The Council will, however, continue to follow developments on these classes of compounds.

NDMA was an interim standard and was rolled into Reg. 169 in 2003. It is also a Disinfectant By-Product, so it is also of interest to the Council in relation to Walkerton Recommendation #31.

Action:

- **Council Chair and Executive Assistant to draft letter to the Minister outlining our recommendation for substances of interest, and the recommendation that Ontario put them forward for inclusion on the National Priority List**

8. Administrative Items:

The 2004-2005 Annual Report preparation continues, and is due to the Minister by July 31, 2005.

Actions:

- **Council members to continue to provide comments to the Executive Assistant up to and including the July 15, 2005 Council meeting**
- **Executive Assistant to continue drafting Annual Report with the Chair, for circulation and finalization at the July 15, 2005 Council meeting**

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The revised Code of Conduct and Conflict of Interest document was discussed and the discussion was deferred to the July 15, 2005 Council meeting, when a representative of the Ministry's Legal Services Branch will be present to explain what the various clauses mean.

It was noted that the 12th Canadian National Conference of the Federal-Provincial-Territorial Committee on Drinking Water will be calling for papers in January, 2006.

It was discussed and re-affirmed 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, in January, 2006**

Finally, a discussion about the Ministry's efforts to bring all drinking water-related activities under the umbrella of one division was discussed. The Chair noted that he would discuss this item with the Chief Drinking Water Inspector prior to formalizing the Council's thoughts in writing to the Minister.

Action:

- **Chair to talk to the Chief Drinking Water Inspector regarding the Ministry's efforts to bring all drinking water-related activities under one umbrella**

Next Meeting(s):

July 15, 2005

August 19, 2005* (Tentatively scheduled – subject to cancellation)

September 16, 2005

October 21, 2005

9. Adjourn.

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