

*Advisory Council on Drinking Water Quality and Testing Standards
Minutes from September 16, 2005 Meeting*

Members Present:	Robert Andrews Michele Giddings Alex Hukowich Jim Merritt Ken Roberts Lesbia Smith	Ron Brecher Peter Huck (via phone) Marilyn Lee Harry Richardson John Rudnickas Robert Walton
Ministry Liaison Staff Present:	Pat Lachmaniuk, MOE	Fred Ruf, MOHLTC
Council Staff Present:	Scott Barrett	Iris Biggar
Regrets:	Rod Holme	
Guests:	Nicola Crawhall, MOE Wendy Moss, DWMD	Anne Marie Weselan, DWMD Dan Toner, LaSB

1. Call to Order:

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

Adoption of September 16, 2005 Agenda

September 16, 2005 agenda was adopted by consensus.

Adoption of July 15, 2005 Meeting Minutes

July, 2005 Meeting Minutes were adopted by consensus.

Review of Outstanding Action Items

None

2. Drinking Water Source Protection

Staff from the Minister's Office and from the Drinking Water Program Management Branch briefed the Council on the Ministry's latest activities with regards to Drinking Water Source Protection.

It was noted that the Minister's Office asked the Council to formalize and transmit its advice to the Minister.

Some of the Council's observations included:

- Use of a formal Risk Assessment / Risk Management approach
- Cost / Benefit Analysis in context of the multi-barrier approach
- Accelerating surface water initiatives
- Definition of the term "Risk"
- Defining the drivers for Risk Management purposes

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Actions:

- **Council Member Ron Brecher to liaise with Council Executive Assistant and staff from Drinking Water Program Management Branch, to review and edit the draft advice to include clarification around accepted risk assessment / risk management concepts, for the week of October 10, 2005**
- **Council Member Peter Huck to edit draft advice to encompass the discussions held on September 16, 2005, for the week of October 10, 2005**
- **Council Chair and Executive Assistant to formalize and finalize draft advice for presentation to the Council at the October 21, 2005 meeting**

3. Reg 170 Review:

The MOHLTC Liaison staff member briefed the Council on the progress of the Joint (MOHLTC / MOE) Project Management Committee regarding the Small Drinking Water Systems Transformation Project, whose goal is to move the Regulation 252 systems from MOE control to MOHLTC control and management.

The Council offered to remain engaged in this project, in order to provide advice on upcoming regulations, associated protocols, and other initiatives necessary for the implementation of a new safe drinking water program.

The Council's Executive Assistant was asked to update and maintain the tracking table that was developed to assess the progress of the government on the implementation of the Council's 22 recommendations from their Reg. 170 Report on smaller, private systems.

Actions:

- **Council to remain engaged in the Small Drinking Water Systems Transformation Project, in order to provide pertinent advice**
- **Council Executive Assistant to update Reg. 170 Report recommendations versus the Ministry's progress table for future Council consideration of providing feedback to the Ministry of the Environment, for the week of September 19, 2005**

The use of untreated surface water as a drinking water supply for private systems was next discussed.

Some of the Council's observations included:

- Requirement to treat surface water intended for drinking
- Focus on drinking water and not other routes of exposure
- Many requirements and permits are needed for building a house, but none exist for digging / drilling a well
- Dug wells should fall under GUDI
- Reg. 170 defines GUDI
- Crossover with Reg. 903

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- Reg. 903 requires all wells to be potable
- Walkerton Recommendation # Recommendation 83 (*The provincial government should not approve water systems that would not be economically viable under the regulatory regime existing at the time of the application*)

It was decided that further investigation in to this area is warranted, and that the Council's Executive Assistant should develop Project Scoping Document / Terms of Reference, focusing on the evidence of health-related problems, and the number of systems in Ontario.

This information will be discussed with Ministry of the Environment staff per the Council's *Process for requesting Information from the Ministry* for determination of next steps.

Action:

- **Executive Assistant to develop Project Scoping Document / Terms of Reference, for discussion with Ministry of the Environment staff, during the week of October 10, 2005, to determine next steps**

4. Justice O'Connor Priorities

The Council's Disinfection Procedure advice letter was discussed and it was decided that it should be finalized, with suggested changes for transmittal to the Minister.

Action:

- **Chair and Executive Assistant to finalize advice letter and transmit to Minister during the week of September 19, 2005.**

5. Standards Review

THMs:

The Council debated the 80 µg /L vs. 100 µg /L numerical standard and agreed to support 80 µg /L for application in Ontario, based on review of the risk assessment work done by Health Canada.

It was also determined that a sound rationale for the decision should be included in an advice letter to the Minister, and that the Council would not engage in commenting on the federal number of 100 µg /L.

As well, the Council's advice letter should include sampling information, in terms of locations, frequencies, intervals, and calculation of averages. These aspects will be debated at the Council's next meeting on October 21, 2005.

The Executive Assistant developed a table comparing the application of a THM standard in other jurisdictions, in order to assist the Council in reaching a decision.

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Actions:

- **Executive Assistant to develop an advice letter for the Minister that supports the 80 µg/L standard and the rationale behind the decision, with the aid of Council member Michele Giddings**

- **Executive Assistant to update the Inter-Jurisdictional THMs table with the aid of the Ministry of the Environment Liaison staff, by October 7, 2005, for use at the October 21, 2005 Council meeting**

Turbidity:

The Council's discussion on a turbidity limit that is lower than the federal guideline was deferred to the October 21, 2005 meeting.

Drinking Water Testing Services (Reg. 248):

The Council broadened its discussion of "standards for which there are few or no accredited laboratories available" to a more holistic review of Reg. 248.

Some of the Council's observations included:

- Walkerton Recommendation #41 (The provincial government should phase in the mandatory accreditation of laboratories for all testing parameters, and all drinking water testing should be performed only by accredited facilities), may have been used to literally in the Regulation.
- Definition of "research"
- "Fit for Purpose" testing
- Significance of health-related parameters versus non-health-related parameters
- Simplified tests
- Use of mandatory parameters instead of exemptions
- Moving list of required tests / exemptions from Regulation to guidance document

It was decided that Council member John Rudnickas, with the help of Ken Roberts, develop a set of recommendations to form an advice letter, to be drafted by the Executive Assistant, to the Minister on clarifying and simplifying Reg. 248. The advice letter will be brought to Council on October 21, 2005 for discussion.

Actions:

- **Council member John Rudnickas to develop Reg. 248 recommendations with Ken Roberts, by October 14, 2005**

- **Executive Assistant to develop an advice letter for the Minister, with the recommendations, for discussion at the October 21, 2005 Council Meeting**

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Pending Reviews

1,4-dioxane:

The Council was briefed on a situation where the Ministry of the Environment requested an interim guideline value from Health Canada. The Ministry is currently reviewing the value, and it was decided that the Council would review the Ministry's comments and Health Canada's documentation, in order to provide advice to the Minister on endorsement of a value.

Action:

- **Ministry of the Environment Liaison staff member to provide necessary documentation to the Council at least 1 week prior to the October 21, 2005 Council meeting**

6. Administrative Items:

The Council Chair briefed the Council on the status of the Annual Report. It was noted that it was officially sent to the Minister on July 26, 2005, and was posted on the Council's website. No official acknowledgement has been received from the Minister as of September 16, 2005.

The Council's Code of Conduct and Conflict of Interest Guideline was discussed again. The Council requested some clarification of wording and a definition for "public domain".

Action:

- **Executive Assistant to clarify wording in Section 2.1.4 and obtain a definition from Legal Services Branch for "public domain", and update document for discussion at the October 21, 2005 Council meeting**

As well, the Chair contacted the Minister's Office regarding the intent of Council members "representing" various associations. It was discovered that the intent was to appoint members based on their merits and skill sets as an individual, but that their membership and involvement with professional associations was valued.

An Action Plan for the Council's 2005 fiscal year was developed by the Executive Assistant and discussed. It was agreed that the document would be edited, based on feedback, and brought back to Council for the October 21, 2005 meeting.

Upon endorsement, the Council's chair will forward a copy to the Minister's Office for their information.

Action:

- **Executive Assistant to update Action Plan for presentation at the October 21, 2005 Council meeting**

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An invitation was extended to the Council to have a representative attend the Walkerton Clean Water Centre's Board meeting on September 30, 2005, as an observer.

Action:

- **Council member Marilyn Lee volunteered to attend the Walkerton Clean Water Centre's Board meeting on September 30, 2005**

An invitation was extended to the Council to have a representative on the Walkerton Clean Water Centre's Research Committee.

Action:

- **Council member Robert Andrews volunteered to represent the Council on the Walkerton Clean Water Centre's Research Committee**

Attendance at conferences of interest was discussed, and attendance will be supported where the conference is formally acknowledged at Council meetings.

In particular, attendance at the Healthy Waters, Healthy Communities Latornell Symposium, November 16-18, 2005, was discussed. It was agreed that the Council would support Council Members that would like to attend. The website with all the information is: <http://www.latornell.ca/>

Action:

- **Council members wishing to attend the Latornell Healthy Waters, Healthy Communities Symposium should register directly with the Conference organizers**

The two membership vacancies on the Council were discussed, and it was agreed that the compilation of a skills set list for Council members, and suggested gaps would aid the Minister's Office in filling these positions.

It was also discussed that the Council could offer up the names of individuals or areas of expertise that could use more strength, such as an environmental economist or a representative of the water treatment equipment manufacturing sector.

Action:

- **Council members to E-Mail the Executive Assistant with a short list of their specific areas of expertise, as well ideas on the names of individuals or areas of expertise that could use more strength on the Council**

The public release of the Council's advice to the Minister, as well as promoting or highlighting the accomplishments of the Council was discussed.

It was determined that a process should be developed and presented to the Minister's Office for the logistics and timing of the public release of the Council's Advice to the Minister.

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Action:

- **Executive Assistant and Ministry of the Environment Liaison staff to develop a process for the public release of Council Advice, by October 7, 2005, to be presented at the October 21, 2005 Council Meeting**

Opportunities to present the Council's activities and work at upcoming conferences were discussed. Of note were the AWWA/WQTC conference in Québec on November 6-10, 2005 and the Annual OWWA conference in the spring of 2006.

Action:

- **Executive Assistant to pursue getting the Councils' Reg 170 Report on the agenda for these two conferences and ensuring that abstracts are developed and delivered in a timely fashion**

Next Meeting(s):

October 21, 2005
November 18, 2005
December 16, 2005
January 20, 2006

8. Adjourn.

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