

**Ministry of the Environment**

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**Ministère de l'Environnement**

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TO : Ontario Licensed Laboratories

RE : Drinking Water Testing at Licensed Laboratories

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This memorandum serves as a reminder to all licensed laboratories that the analysis of any waters in respect of a small drinking water system as defined under the *Health Protection and Promotion Act* (HPPA) or a drinking water system as defined under the *Safe Drinking Water Act, 2002* (SDWA) to determine water quality for the purpose of drinking water safety and human health protection must be performed using licensed test methods at an accredited and licensed laboratory, unless specified in an exception set out in the regulations under the *Safe Drinking Water Act, 2002*. This includes drinking water taken from private unregulated wells.

In addition, this memorandum is a reminder to all licensed laboratories of the requirements related to providing test result data to the Director and reporting of adverse test results of samples from water mains not in service and bacteriological re-samples.

Subsection 63 (1) of the SDWA states that  
"No person shall offer or provide a drinking-water testing service except under the authority of and in accordance with a drinking-water testing licence. 2002, c. 32, s.63 (1)."

A drinking water testing service is defined as "a service that involves the conduct of one or more drinking-water tests;"

"drinking-water test" means,

- (a) a test for the purpose of this Act to assist in the determination of the quality of any waters in respect of a drinking-water system,
- (b) a test for the purposes of the *Health Protection and Promotion Act* to assist in the determination of the quality of any waters in respect of a small drinking water system within the meaning of that Act,
- (c) a prescribed test; ("analyse de l'eau potable")

“drinking-water system” means a system of works, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes,

- (a) anything used for the collection, production, treatment, storage, supply or distribution of water,
- (b) any thing related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system, and
- (c) a well or intake that serves as the source or entry point of raw water supply for the system; (reseau d’eau potable”)

“drinking water” means,

- (a) water intended for human consumption, or
- (b) water that is required by an Act, regulation, order, municipal by-law or other document issued under the authority of an Act,
  - (i) to be potable, or
  - (ii) to meet or exceed the requirements of the prescribed drinking water quality standards; (“eau potable”)

Water samples being analyzed in order to help determine the quality of water in respect of a drinking water system (including an unregulated private well) for the purpose of drinking water safety and human health protection must be performed using licensed test methods at an accredited and licensed laboratory, unless they meet an exception set out in the regulations made under the SDWA. This includes drinking water taken from private unregulated wells and parameters in addition to those listed in O. Reg. 169/03.

Under section 18 of the SDWA, reporting requirements only apply to a prescribed adverse result for a drinking-water test conducted on any waters from a municipal drinking-water system or a regulated non-municipal drinking-water system. As per section 18.1 of the SDWA, requirements to immediately report to the Ministry of Health and Long Term Care and to the medical officer of health also apply to a prescribed adverse test result for a drinking water test conducted on waters from a small drinking water system within the meaning of the HPPA. Accordingly, adverse test results from samples taken from an unregulated drinking-water system such as a private well do not have to be reported to the Ministry and the local Medical Officer of Health. In addition, test results of samples from unregulated systems do not have to be submitted to the Ministry’s Drinking Water Information System (DWIS), unless they meet criteria set out in s. 12 (3) of O. Reg. 248/03.

Samples which have been taken from temporary water mains or hydrants which are not in service or water mains under construction (i.e. not connected to the distribution system) are not to be uploaded to DWIS or reported as an adverse if they are not taken to determine the quality of water in respect of the drinking water system or small drinking water system for the purpose of the SDWA or HPPA, as they would then not be drinking water tests as defined in the SDWA.

Results of bacteriological resamples taken as part of corrective action required in Schedule 17 and Schedule 18 of O. Reg. 170/03, must be submitted to the Ministry’s DWIS (O. Reg. 248/03 ss. 12 (3)) and if the re-sample is an adverse

result prescribed in O. Reg. 170/03 Schedule 16-3, then reporting of the prescribed adverse result as per section 18 of the SDWA and O. Reg. 170/03 must occur. Similarly, bacteriological resamples taken from a small drinking water system as part of corrective action required under O. Reg. 318/08 or O. Reg. 319/08 made under the HPPA must be provided to the medical officer of health in a manner approved by the Director. If the re-sample is an adverse result prescribed in O. Reg. 248/03, subsection 12.1 (2), then immediate reporting of the prescribed adverse result as per section 18.1 of the SDWA and the requirements in section 12.1 of O. Reg. 248/03 must occur. Adverse Quality Incident Numbers should be uploaded to the Drinking Water Information System with the appropriate sample.

Should you have any further questions, please feel free to contact me directly.

Regards,



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