

**Ministry of
the Environment**

Laboratory Licensing and
Inspection Program

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**Ministère de
l'Environnement**

Programme de délivrance des permis
et d'inspection des laboratoires

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DATE: June 8, 2006

TO: Ontario Licensed Drinking-Water Testing Laboratories

FROM: Cammy Mack, Supervisor, Regulatory Requirements

RE: Announcement of Regulation 170/03 Amendments

Yesterday, Minister Laurel Broten announced another step to safeguard the province's water supply by improving rules for drinking water systems.

As you know, Ontario Regulation 170/03 sets water testing and treatment standards for municipal and private systems that provide water to year-round residences and those systems that serve facilities such as schools, day cares, health centres and social care facilities. The improvements are the result of extensive consultations over the last year with drinking water experts and with system owners and operators.

The amendments to OR 170 are risk-based and are designed to safeguard the quality of Ontario's drinking water, while making the regulation more workable and affordable for operators of residential drinking water systems and systems serving designated facilities. They add clarity and flexibility to the testing and operational regimes set out in the legislation and in some cases, could reduce the cost of regulatory compliance.

For more information about yesterday's announcement, visit the MOE website for the:

- Revised regulation found on e-Laws at:
http://www.e-laws.gov.on.ca/DBLaws/Source/Regs/English/2006/R06247_e.htm
- Media Backgrounder
- EBR Decision Notice
- Plain language guides for non-municipal year round residential and designated facilities
- One-page summaries for each category
- Treatment Options Fact Sheet for non-municipal year-round residential drinking water systems
- Training Manual for supervised persons
- Municipal Technical Updates
- Forms for DWIS
- Summary Chart of amendments

Although most of the regulation changes concern drinking-water systems, there are some changes which affect licensed laboratories. Below, are the highlighted changes to be noted by laboratories.

- Removal of fecal coliforms and total coliform background (TCB) standards in OR169/03.
 - ✓ Fecal coliform and TCB testing requirements have been removed.
 - ✓ Where a licensed laboratory is requested, by their DWS client, to test for fecal coliform or TCB, results are **NOT REPORTABLE** to the Ministry's Spill Action Centre (MOE-SAC) and the Local Medical Officer of Health (LMOH) unless the parameter has been identified as a health-related parameter in an order or approval.
 - ✓ Laboratories are required to report the results to the drinking-water system owner/operator (DWS) client within 28 days of the approved test results, as normal.

- Removal of heterotrophic plate count (HPC) standard in OR 169/03.
 - ✓ HPC testing only required by systems which are required to chlorinate their distribution systems
 - ✓ Where a licensed laboratory is requested, by their DWS client, to test for HPC, results are **NOT REPORTABLE** to the Ministry's Spill Action Centre (MOE-SAC) and the Local Medical Officer of Health (LMOH) unless the parameter has been identified as a health-related parameter in an order or approval.
 - ✓ Laboratories are required to report the results to the drinking-water system owner/operator (DWS) client within 28 days of the approved test results, as normal

- Licensed laboratory reporting of free chlorine residual or combined chlorine residual results information along with adverse microbiological test results.
 - ✓ OR 170/03, Section 6.3 of Schedule 6, requires the DWS to sample and test for free chlorine residual or combined chlorine residual whenever a microbiological sample is required to be taken and submitted to a licensed laboratory for testing.
 - ✓ Where a licensed laboratory is requested, by their DWS client, to test for total coliform and/or *E.coli* and an adverse water quality result is found for one or both of these parameters, the laboratory is required to immediately report the adverse microbiological result and also to specify the free chlorine residual or combined chlorine residual results information to MOE-SAC and the LMOH (if chlorine result information has been provided to the laboratory).
 - ✓ Where a licensed laboratory is requested, by their DWS client, to test for total coliform and/or *E.coli* and an adverse water quality result is found, the laboratory is required to report the adverse and the free chlorine residual or combined chlorine residual results to MOE-SAC and the LMOH (if the results are provided to the laboratory).

- ✓ If the free chlorine residual or combined chlorine residual result information has not been provided to the licensed laboratory by the DWS client, the laboratory may request the information but it is not a legal requirement for the laboratory to obtain it.
- Clarification of laboratory accreditation body
 - ✓ Subsection 6-4(3) of Schedule 6 of OR 170/03 has been amended to require that laboratories be appropriately accredited by “*an accreditation body for drinking-water testing that is designated or established by the Act*”.
 - ✓ As per the MOE-SCC-CAEAL Tripartite agreement, the SCC is the designated accrediting body until the agreement expires.
 - ✓ Current SCC/CAEAL program for Ontario drinking-water testing laboratories remains until further notice from the Ministry.
- Changes to trichloroethylene (TCE) standard
 - ✓ The standard for trichloroethylene (TCE) has been revised from 0.050 mg/L to 0.005 mg/L in OR 169/03 to be consistent with the recently revised Canadian Drinking Water Guideline (CDWG) of 0.005 mg/L.
 - ✓ Licensed laboratories will be contacted by their assigned Laboratory Inspector to discuss changes (i.e., RDL requirements, instrument limitations etc.)
- Testing frequency changes
 - ✓ Testing for organic and inorganic chemical parameters in small municipal residential, non-municipal year-round residential and large non-residential systems changed to once every five years
 - ✓ Microbiological testing of drinking water in small municipal residential and non-municipal year-round residential systems changed to:
 - Raw source water monthly - only required for systems with sources that are ground water or ground water under direct influence of surface water
 - Distribution system either once every two weeks (if treatment installed in accordance with the regulation) or weekly (treatment not installed)
 - ✓ Microbiological testing of drinking water in non-residential or non-municipal seasonal residential systems serving a designated facility changed to:
 - Raw source water monthly - only required for systems with sources that are ground water or ground water under direct influence of surface water
 - Distribution system either monthly (if treatment installed in accordance with the regulation) or bi-weekly (treatment not installed)
- Legal requirement for Drinking Water Systems (DWS) to register with the MOE
 - ✓ Owners legally required to register with MOE and to provide the ministry with necessary system information if they have not already done so, and to update information if changes are made to the system.

I would also like to take this opportunity to inform you that effective Monday, June 12th, 2006, I will be leaving the Laboratory Services Branch for a 6 month (perhaps longer) secondment at 2 St. Clair Avenue, Toronto as Manager of the Assessment, Evaluation and Best Practices Section in the Ministry's Drinking Water Management Division (DWMD).

In the interim and until further notification, please contact the following Ministry staff in my absence:

- ✓ General Laboratory Licensing and Inspection Program Issues –
Dan Toner: (416) 235-6310 or (dan.toner@ene.gov.on.ca)
- ✓ Specific Regulatory Issues
Assigned Laboratory Inspector
- ✓ Laboratory Licensing Issues:
Patricia Levene: (416) 235-6370 or (patricia.levene@ene.gov.on.ca)
- ✓ DWIS Issues:
Peter Maheras: (416) 235-6337 or (peter.maheras@ene.gov.on.ca)

Have a safe, healthy and enjoyable summer.



Cammy L. Mack

Cc: P.K. Misra, Director, LaSB
Dan Toner, Asst. Director, LaSB
Laboratory Inspectors, LaSB