

SOURCE PROTECTION COMMITTEE (SPC) MEETING SUMMARY

OCTOBER 28, 2020 – VIRTUAL MEETING/TELECONFERENCE

PROGRAM UPDATE

- Technical Rule Changes
 - K. Taylor noted the technical rule changes are now posted on the Environmental Registry, and they could be approved late this year or early next year. There are minor changes that could just result in editorial changes to the plan, and major changes that could result in further significant threats.
 - The changes that need to be incorporated into the plan include:
 - A new formula for calculating the impervious surface areas as it relates to road salt application and storage, and a change in the percentage of impervious area to identify significant risk. Thresholds for road salt storage has also dropped.
 - For Fuel, the risk of fuel handling and storage will now be combined, and the threshold for Significant Drinking Water Threats (SDWT) in Wellhead Protection Areas (WHPA) with a score of 10 for storage of fuel above ground has decreased to quantities greater than 250L (from 2500L above ground).
 - Differentiating between the impact of Stormwater Management Facilities on surface water and groundwater sources considering land use types and impervious areas.
 - Rule changes that *may* need to be incorporated into the plan include:
 - Incorporating the climate change risk assessment (water quality)
 - Intake Protection Zone 1 (IPZ 1) - Enabling setbacks within the prescribed radius to capture transport pathways.
 - IPZ 2 – Enable multiple scores to represent variations in land characteristics and hydrological conditions
 - Handling and Storage of Dense Non-Aqueous Phase Liquids - Adopt the list of activities from O. Reg.153 (brownfields) where DNAPL is likely to be stored or handled.
 - Revise the waste sub-threat categories to align with the EPA
- Other Systems Brought into Source Protection
 - K. Taylor provided update on the Ministry’s progress and guidance on incorporating other systems into Source Protection. This includes First Nations and well clusters. These initiatives are likely to require a different approach from a policy point of view, such as using softer tools and more education and outreach.

- 2019 Annual Progress Reporting Provincial Summary (Mary Wooding)
 - M. Wooding provided an update on the Provincial Summary of annual progress reporting, some key notes included:
 - 98 percent of legally-binding significant drinking water threats (SDWT) policies have been or are in the progress of being implemented.
 - 21 threat policies from 8 SPR/As are experiencing implementation challenges
 - On average, 83 percent of existing SDWT have been addressed across all SPRs.
 - There is a 94 percent compliance rate following inspections for contraventions to RMPs.
 - 15 percent of drinking water issues show improvements
- **The program update was received as information by the SPC.**

REVIEW OF POLICY IMPLEMENTATION CHALLENGES

- **Policy S-6(1) Sewage**
 - K. Taylor provided background and noted the main issue with this policy is that the text of the policy should identify pumping stations as a component of the system that could fail and lead to a release of pathogens. This issue can be fixed by adding (i.e. pumping station failure) to the policy text.
 - **The committee approved this policy amendment.**
- **Policy F-1 and F-2 Handling and Storage of Fuel (Part 1)**
 - K. Taylor noted an issue with these policies in that the Applicable Activities statement only refers to the storage of fuel, not the handling. It was also noted that handling can pertain to more than just fuel tanks, such as pipes, nozzles.
 - **The committee approved the staff recommendation for this policy amendment.**
- **Policy F-1 and F-2 Handling and Storage of Fuel (Part 2)**
 - K. Taylor added the consideration of technical rules adding above grade fuel tanks greater than 250 Litres in IPZ 1 with a vulnerability score of 9 or higher and in WHPAs with a vulnerability score of 10 as significant threats. The committee confirmed that the existing policies include prohibition for future and risk management plans for existing, will apply to these new threats.
- **Policy A-1(1) and A-4(2) Pathogen Quantities**
 - This policy challenge relates to the lack of threshold for determining significant threats from animal pathogens, especially as it relates to backyard chickens and livestock. Staff have researched and consulted on this topic and developed to set of recommendations to address this issue. The committee approved the recommended pathogen policy direction.
- **Policy D-1 and D-2 DNAPLs Exclusions**

- Staff noted the Threat Summary section of the Source Protection plan states “...for practical reasons, DNAPLs present in very small quantities (e.g. Household cosmetics) were not considered significant drinking water threats.” DNAPLs can likely be found in most homes and the committee decided that it would not be practical to have RMPs for these situations. Staff noted that the current policy does not make that distinction and the recommendation would address this situation.
- R. Straka inquired about the use of solvents/DNAPLs by private businesses in households or people bringing home company vehicles that might have DNAPLs in them and whether that is or should be addressed by this policy. K. Taylor suggested the policy would apply to home businesses but it is not practical to apply risk management plans to people bringing company vehicles home. A robust education and outreach program could help manage this situation. J. Stephens (RMO) noted they were informed not to use RMPs for construction sites because these are declared as temporary threats due to the sites being transient and not long term storage.
- **The committee approved the staff recommendation.**
- **Policy R-1 Road Salt (Part 1)**
 - Staff noted there will be more road salt significant threats based on the new technical rule changes that are coming. Staff and RMOs noted several issues and problems with RMPs for salt including:
 - i. Dealing with different contractors every year
 - ii. Because the municipality appoints the Risk Management Official, the municipality is technically writing a Risk Management Plan for themselves for municipal roads.
 - iii. Many large parking lots use sand with only a small salt percentage to keep it from freezing
 - iv. Addressing residential properties is problematic
 - Staff researched and consulted on a new recommended policy direction.
 - **The committee received the policy approach for information.**
- **Specified Action Policy R-4(4) (Part 2)**
 - Staff noted Policy R-4(3) addressed future threats. The purpose of this policy is to have municipalities consider throughout their planning review, the amount and location of future impervious surfaces that could result in more road salt significant threats. Staff recommended adding a new specified action policy with a strategic legal effect to our Plan (Policy R-4(4)) that would encourage the municipal planners to consider design criteria for future parking lots and sidewalks that would reduce the requirements and impacts of salt based on some of the best management practices.
 - The Committee approved the staff recommendation.

STAFF REPORT – COLBORNE DRINKING WATER SYSTEM

- A. Anderson (LTC) provided background on the Colborne industrial park where DNAPLs are prohibited. The Municipality has lands available for purchase within the industrial park, however, the prohibition of any

amount of DNAPL handling and storage in future have limited the scope for industrial and/or commercial use of these properties. The municipality has requested that an exemption from the future DNAPL prohibition be made for the Colborne industrial park. Staff noted with the vulnerability score of the lands in question being mostly 6 staff believe that there is an ability to allow for activities that involve DNAPL use under the conditions of a Risk Management Plan. Staff noted the potential to develop protocols to address DNAPLs to a very high standard from the initial development stages. The municipality would like to move quickly on the amendment and staff is recommending a Section 34 amendment. This policy challenge and approach is included in the approved Section 36 Work Plan. The committee deferred the decision and asked that a resolution from the municipality. **The committee also asked for more information and work be done on the staff recommendation.**

- Some members of the committee had concerns with this approach. A. Hukowich suggested an amendment to the specific parcels addressed and the specific type or amounts of DNAPL that could be utilized be addressed by this amendment. Staff noted this would be considered. D. Workman noted that due to the geology and well depth the well has low susceptibility to contaminants.

OTHER ITEMS

- K. Taylor noted Program Managers are gathering and discussing comments and concerns regarding the technical rule changes to be submitted to the Ministry.

NEXT MEETING

- Staff indicated that the next meeting will be in January, 2021.