

# DRINKING WATER SOURCE PROTECTION

Act for Clean Water  
Otonabee-Peterborough Source Protection Area

November 3, 2020

Dr. George Jacoub  
Water Research Scientist- Hydrologist  
Ministry of the Environment, Conservation and Parks  
Environmental Policy Division, Environmental Policy Branch  
40 St Clair Avenue West, Floor 14  
Toronto ON  
M4V 1M2

**Re: Proposed Amendments to the Director's Technical Rules made under Section 107 of the *Clean Water Act*, 2006 (ERO Registry Number: 019-2219)**

Dear Dr. Jacoub,

Thank you for the opportunity to comment on the proposed amendments to the Director's Technical Rules. The following comments are submitted on behalf of the Otonabee-Peterborough Source Protection Authority (O-P SP Authority).

We appreciate the efforts of the Ministry to ensure the protection of our municipal drinking water sources through the science based source protection program and the ongoing amendments to the Director's Technical Rules and local Source Protection Plans.

As you are aware, the existing regulatory framework was developed through extensive work and consultation by the Source Protection Committee, Source Protection Authority, Municipalities and other local implementing bodies. The policies in the Trent Source Protection Plan represent a balance between the need to identify threats and the actions necessary to mitigate those threats. The existing framework, including the Trent Source Protection plan is being implemented successfully in our area.

Although many of the proposed changes to the Director's Technical Rules represent increased protection for our municipal drinking water sources, in some cases, this appears to be achieved by elevating a large number of activities that previously were considered to have minimal impact on our drinking water sources, but the proposed amendments will now classify them as significant drinking water threats. For example, the significant reduction in the quantity thresholds for the handling and storage of road salt will result in a large number of additional Risk Management Plans and will require additional capacity and time to identify and manage these threats effectively.

Where appropriate the Ministry should consider adjusting the proposed amendments to the technical rules to better balance the protections achieved with the need to increase capacity for implementation. Moving forward it will be important to confirm that the Province is committed to providing the additional financial resources to implement the proposed changes.

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Below are some specific examples where additional capacity will be required:

- Reduced thresholds for the Handling and Storage of Fuel will provide a higher level of protection in our Wellhead Protection Areas, but is excepted to result in an increased number of significant drinking water threats requiring risk management plans;
- Reduced thresholds for the handling, storage and application of road salt particularly the significant reduction of the quantity threshold for road salt storage (10kg) will result in many more significant drinking water threats and risk management plans; and,
- Removal of minimum coverage threshold for the Storage of Snow could result in a significant increase in the number of threats, adding to the additional resources required for implementation and compliance.

Further clarity and guidance from the province will also be required for the implementation of the proposed amendments related to the following:

- Climate Change Impact Assessments, particularly the roles and responsibilities of SPAs and municipalities;
- Storm Water Management Facilities, particularly implementation and integration into the development process;
- In addition to the list of activities likely to involve DNAPLs, a list of specific chemicals, quantity thresholds and exclusions for small quantities in retail or residential settings would assist with policy implementation and compliance.

As always, the consistent implementation of the Technical Rules and Source Protection Plan Policies is critical to the protection of our municipal drinking water sources. The opportunity to submit these comments on Proposed amendments to the Director's Technical Rules made under section 107 of the *Clean Water Act*, 2006 (ERO Registry Number: 019-2219) is appreciated and we look forward to additional information when it becomes available.

Sincerely,



Andy Mitchell  
Chair, Otonabee-Peterborough Source Protection Authority

cc: TCC SPC  
O-P SPA and Municipalities  
Conservation Ontario