

AGENDA
**Mississippi-Rideau
Source Protection Committee**

Date: October 4, 2018
Time: 1 pm
Location: Rideau Valley Conservation Authority – Monterey Boardroom
 3889 Rideau Valley Drive, Manotick

Welcome and Introductions		
1.0	a. Agenda Review b. Notice of Proxies c. Adoption of the Agenda (D) d. Declarations of Interest e. Approval of Minutes –August 9, 2018 (D) ▶ draft minutes attached as a separate document f. Correspondence – none	Pg. <i>Chair Graham</i>
Staff Reports, Updates and Presentation		
2.0	Section 36 Workplan Update – Staff Report attached (D)	1-5 <i>Marika Livingston</i>
3.0	Richmond Well Amendment Update – Staff Report attached (D)	6-7 <i>Brian Stratton</i>
4.0	Proposed DNAPL Policy Amendment – Staff Report attached (D).....	8-9 <i>Brian Stratton</i>
Other		
5.0	Other Business	<i>Chair Graham</i>
6.0	Member Inquiries	<i>Chair Graham</i>
7.0	Next Meeting – TBD	<i>Chair Graham</i>
8.0	Adjournment	<i>Chair Graham</i>

(I) = Information (D) = Decision

Delegations: If you wish to speak to an item on the Agenda please contact Marika Livingston before the meeting (marika.livingston@mrsourcewater.ca or 1-800-267-3504 x 1148)

2.0 Section 36 Workplan Update

Date: October 4, 2018
To: Mississippi-Rideau Source Protection Committee
From: Marika Livingston, Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee review the comments received for the Section 36 Workplan and direct staff to prepare and submit the Section 36 Workplan to the Ministry of the Environment, Conservation and Parks.

Background

On April 30, 2018, the first Annual Report was submitted to the Ministry of the Environment, Conservation and Parks. The next step was the preparation of a Section 36 Workplan due November 30, 2018. The specific details about the Section 36 Workplan were included in the Minister's approval letter for the Mississippi-Rideau Source Protection Plan received in 2014.

On August 9, 2018 a report was brought to the Source Protection Committee outlining the draft Workplan. On August 10, 2018 the Mississippi-Rideau Source Protection Region submitted the draft Workplan to the Ministry of the Environment, Conservation and Parks (MECP) for review and comments and circulated to other stakeholders for a comment period ending September 26, 2018. On September 13, 2018 the Mississippi-Rideau Source Protection Region received comments back from the Ministry. Comments were also received from municipal stakeholders.

Overall, the Mississippi-Rideau Source Protection Region received positive feedback from MECP reviewers on our submission. Please note, minimal feedback was received from municipal stakeholders.

The comments received are summarized below for review and consideration.

Next Steps

Mississippi-Rideau Source Protection Region staff will consider the below comments and apply changes. The final workplan will be presented to the Mississippi Valley and Rideau Valley Source Protection Authorities in October for endorsement and approval to submit to the MECP by November 30, 2018.

MECP Comments

Introduction

Section	Page	Comment	M-R Source Protection Staff Response
1- Introduction	Page 9	Provide clarification on numbers provided from the Annual Report submitted in May 2018. Specifically, highlight the remaining 2% of policies that are not implemented or in progress.	Of the 85 policies, 55 are completed/implemented (65%), 29 are in progress (34%) and 1 is not applicable (1%). Specifically, the policy that is not applicable is the FUEL-4-NLB Liquid Fuel at Existing Licensed Facilities whereby this policy is non-legally binding and does not require any action. This policy requests existing licensed facilities to be managed through current regulations.

Preliminary Analysis

Section	Page	Comment	M-R Source Protection Staff Response
2.1.2.3- Safe Drinking Water Act	13-14	Brief description of anticipated new or changing systems. Consider cross-referencing the new or changing systems in other parts of the document. Include description of the role of the SPA with these changes.	Each system to be updated, changed or added will be described in detail in this section. SPA roles will be outlined and included in each corresponding update in Section 3.
2.1.6- Technical Rule Changes	15	Expand Technical Rule section to include all necessary changes required to remove the Significant Groundwater Recharge Area scores, combine the 2, 4 and 6 scoring areas and make similar changes in Table 3.3.	Proposed text: 3. Updating the Significant Groundwater Recharge Area vulnerability scoring in the assessment report. This may result in the amendment of maps, and/or minor changes to the assessment report text. Significant Groundwater Recharge Area maps that currently show the vulnerability scores of 2, 4 or 6 will be amended to remove the scores, and to combine the areas into one Significant Groundwater Recharge Area.
2.1.7- Impacts of Prohibition	16	The Workplan states there are no known impacts on landowners, renters or other persons because of these	An overview will be provided of the preliminary threats enumeration/ threats assessment

Policies on the Agricultural Community		prohibition policies because there are no known cases of cropland coming out of service or other operational impacts. Consider highlighting some of the specific engagement that was undertaken for this impact analysis, such as on-the-ground inspections or engagement by Field Environmental Specialists, Agricultural Environmental Officers, or Risk Management Officers	work completed in 2010 by Dillon Consulting to identify potential threats. As well as our on-the-ground work to conduct threats verification by our Risk Management Team.
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Proposed Review and Updates

Section	Page	Comment	M-R Source Protection Staff Response
3- Proposed Review and Updates	18	Clarify if the proposed amendments may occur as either locally initiated S.34 amendments or as part of the comprehensive S. 36 work	For example: Kemptville East (S. 34 or S. 36) Lemieux Island (S. 34)
Proposed Update 1- Source Protection Plan Policy Review for Part IV Policies	19	The SPA may wish to write some flexibility in this section to describe the review, policy development and final submission of policy revisions as needed. In addition, since changes to the DNAPL threats may be made as part of future changes to the Tables of Drinking Water Threats, it may be helpful to mention that this proposed update will consider where and how these policies will apply.	Text will be included to allow for flexibility since it is possible that the policy review will determine that no new or revised Part IV policies are required. Text will be added to account for future changes to the Tables of Drinking Water Threats regarding DNAPLs.
Proposed Update 2- Source Protection Plan Policy Creation for New Liquid Hydrocarbon Oil Pipeline Threat	20	Outline procedure to update required documents even if a pipeline is not identified as a threat. Include technical work required to update Assessment Report and Source Protection Plan should it be required.	Text will be included to account for the possibility that no new policy will be created (since most of the land where pipelines could be a threat has been already developed for residential purposes). Nonetheless, text will be included to account for new considerations in the explanatory document outlining the committee's reasons for not including a new policy. Moreover, all necessary technical work will be outlined, such as delineating areas where pipelines would be a significant, moderate or low threat.
Proposed Update 4-	22	Outline technical work required to undertake the revisions	Proposed text: If required, a new Intake Protection Zone study will be

Lemieux Island Water Purification Plan Intake Improvement Project			completed as per the Directors rules. However, please note that the new intake may not result in a new intake protection zone depending on the location of the intake due to the provincial boundaries.
Proposed Update 5- Climate Change Assessment	23	In the “Steps” section, include a placeholder commitment to update sections because of changes to the Directors Rules and/or guidance from the Ministry.	Proposed text: In addition, Mississippi -Rideau Source Protection Authority staff will commit to update any other sections of the Assessment Report or Source Protection Plan as a result of changes to the Director’s Technical Rules or further guidance from the Ministry.
Proposed Update 7- New Municipal Wells in Kemptville	26	Separate text into each well.	Text will be organized per well (no longer combined)
Proposed Potential Update 2- Water Quality Assessment for Municipal Wells in Westport	28	Identify how the results from the inspections will be used and applied to address the bacteria observed.	Text will be included to identify what the updates may be and what the scope of future work will look like.
Timeframe			
Section	Page	Comment	M-R Source Protection Staff Response
Executive summary	4	A clear concise timeframe is required for submission of the Section 36 workplan.	A timeline will be established.
Section 3- Proposed Review and Updates		For sections where work is identified as “underway” or “ongoing”, the date began, and steps already taken is recommended to be included for the readers benefit.	Dates and steps already taken to be included in “steps” section of each Section 3 item.
Clerical Updates			
Section	Page	Comment	M-R Source Protection Staff Response
2.1.4- Policy Effectiveness and	15	While decision notices were distributed to stakeholders in April 2018, the regulatory changes introducing liquid hydrocarbon pipelines as a prescribed	Look at inconsistencies between dates (i.e., April 2018 vs. July 1, 2018)

Implementation Challenges		threat activity did not come into effect until July 1, 2018	
Proposed Update 2- Source Protection Plan Policy Creation for New Liquid Hydrocarbon Oil Pipeline Threat	20	In the proposed update for pipelines (section 3.2) the text “and also change the SGRA vulnerability scoring” appears to be unintentionally placed here.	Remove sentence that was unintentionally included
Proposed Update 3- Source Protection Plan Policy Update for Fuel Storage and Significant Groundwater Recharge Area Vulnerability Scoring Change	21	In the proposed update for fuel storage and SGRAs (section 3.3) the “AR/SPP section” should be revised for consistency with the Steps row to indicate that the assessment report may also be amended	The “AR/SPP” section should be revised for consistency to indicate the AR may also be amended
Stakeholders			
Section	Page	Comment	M-R Source Protection Staff Response
N/A	N/A	Workplan is well written, comprehensive, well-constructed and easy to follow.	N/A

3.0 Richmond Well Amendment Update

Date: October 4, 2018
To: Mississippi-Rideau Source Protection Committee
From: Brian Stratton, Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive this update about the upcoming amendment to the Source Protection Plan to add two new municipal wells and associated Wellhead Protection Area for Western Development Lands in Richmond,

and furthermore,

That the Mississippi-Rideau Source Protection Committee direct staff to proceed with presenting the amendment to the Source Protection Authority for approval.

Background

A new municipal well system, comprised of two wells, to serve the Western Development Lands in the community of Richmond is in the final stages of approval and will be owned and operated by the City of Ottawa. These wells now have a mapped Wellhead Protection Area (WHPA) which illustrates where and to what degree the groundwater is vulnerable to contamination. Groundwater extraction at the new wells will affect two existing WHPA's, the King's Park WHPA in Richmond and the Munster WHPA (see attached map of the proposed WHPA). The Mississippi Valley and Rideau Valley Source Protection Authorities are seeking an amendment to the Mississippi-Rideau Source Protection Plan before the new well system is brought online.

Purpose of Amendment

An amendment to the Mississippi-Rideau Source Protection Plan, developed under Ontario's *Clean Water Act*, is needed so that the policies to protect drinking water sources set out in the Plan can apply within these new WHPAs. This will afford the same level of protection for the new drinking water source as currently exists for all other municipal drinking water sources in the Mississippi-Rideau Source Protection Region.

The amendment will include updated mapping of affected vulnerable areas in the Source Protection Plan and a new chapter for the Rideau Valley Source Protection Area Assessment Report with mapping and technical information on the Munster, Richmond King's Park and new Richmond well system serving the Western Development Lands.

Regulatory Process for Amendment

Section 34 of the Clean Water Act and Sections 48-50 of Ontario Regulation 287/07 set out the regulatory process for the amendment. Once the amendment has been prepared, it will be submitted to the Ministry of the Environment, Conservation and Parks for approval.

Consultation Period

The mandatory 35-day consultation period ended on September 28, 2018. In accordance with the Regulations, a notice of amendment was published on www.mrsourcewater.ca and in the Manotick Messenger newspaper.

In addition to the general public, the following parties have been specifically notified of this public consultation period:

- Affected municipalities;
- Chief of any affected First Nations band with reserve lands;
- All bodies responsible for implementing policies; and,
- People potentially affected by policies to address significant drinking water threats.

As of September 27, 2018, no comments have been received. If any comments are received, copies of these comments will be included in the submission of the amendment to the Source Protection Authorities and to the Ministry of Environment, Conservation and Parks as per Section 34 (3) of the *Clean Water Act*.

Next steps

The Richmond well amendment will be presented to the Mississippi Valley and Rideau Valley Source Protection Authorities for approval to submit to the Ministry of Environment, Conservation and Parks on October 17, 2018 and 27, 2018 and submitted to the Ministry of Environment, Conservation and Parks shortly thereafter.

4.0 Proposed DNAPL Policy Amendment

Date: October 4, 2018
To: Mississippi-Rideau Source Protection Committee
From: Brian Stratton, Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee approve the initiation of a Section 34 amendment to update DNAPL policies as per staff proposal.

Background

The significant threat policies within the approved Mississippi-Rideau Source Protection Plan require **prohibition** (S. 57) of future DNAPL storage/handling and **risk management** (S. 58) for existing DNAPL storage/handling.

In Fall 2016, a desktop and windshield survey was conducted to determine the land use for each parcel of land under our Phase I threat assessment. A consultant reviewed the land use and categorized properties into a high, medium or low risk of handling or storing DNAPLs or Organic Solvents. Most properties were classified as low risk, with some medium and very few high. The inventories indicated there was a potential for DNAPL storage and handling within the WHPAs.

In Spring 2017, risk management staff started Phase II of the threat assessment. 65 site visits were completed for properties identified in our Phase I assessment as potentially handling or storing DNAPLs or Organic Solvents. Site visits were used as an opportunity to build relationships with business owners and provide initial educational information. Some products, mainly aerosol cans in the automotive industry were identified as DNAPLs. These products were found to be in small quantities at approximately 20 sites. Sites included retail stores, automotive repair shops and stores selling automotive products.

A key finding during our Phase I and Phase II work was that no businesses handle or store large volumes (i.e., 45-gallon drums) of DNAPLs within the Mississippi-Rideau Source Protection Region. Nevertheless, some automotive repair/maintenance businesses were confirmed to use products that do contain DNAPLs in small quantities (i.e., aerosol cans containing brake cleaners). For existing businesses using these products, Risk Management Plans will be negotiated.

Mississippi-Rideau source water staff are currently involved with the Provincial Working Group which is considering updating and revising the current circumstances for DNAPLs and Organic Solvents. Several changes are under discussion, including a retail exemption for DNAPLs. Current discussions do not include adding a quantity exemption for smaller amounts of DNAPL products.

What is the Problem?

New automotive service businesses are currently **prohibited** in areas where the storage and handling of DNAPLs is a significant drinking water threat (WHPA-A, B & C). For some

municipalities, this affected area is large (WHPA-C in Kemptville is 80.81 km²). Source Protection staff are encountering difficulties with the implementation of this prohibition policy. Prohibition goes beyond the initial intent of the Source Protection Plan DNAPL policies—especially when automotive facilities are using and storing such small quantities.

What is the Solution?

Mississippi-Rideau Source Protection staff recommend a review of the DNAPL prohibition policy and consider revising. Below is an example of the proposed policy approach.

WHPA (Vulnerability Score of 10) & IPZ (Vulnerability Score of 10)

- Continue with prohibition

WHPA B & C (Vulnerability Score < 10)

- Exemption for Retail (un-opened) small container DNAPL storage;
- Risk Management Plan for small container DNAPL handling and storage; **or**,
- Prohibition for non-small container DNAPL handling and storage.

Education and Outreach Policies