

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION

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MINUTES

**Mississippi-Rideau
Source Protection Committee**

April 7, 2011

#4/11

Meeting Location: Rideau Valley Conservation Authority
3889 Rideau Valley Drive, Manotick, Ontario

Present:

Scott Berquist	Scott Bryce
Richard Fraser	Paul Knowles
Drew Lampman	Patricia Larkin
Pieter Leenhouts	Randy Malcolm
Peter McLaren	Beverly Millar
Eleanor Renaud	Tammy Rose
Janet Stavinga (Chair)	

Alan Arbuckle (Source Protection Authority Liaison)
Mark Burnham (Source Protection Authority Liaison)
Mary Wooding (Ministry of the Environment Liaison)

Staff: Sommer Casgrain-Robertson Allison Gibbons
Tiffany Onesi Michelle Paton
Brian Stratton

Guests: Bob Herres, W.O. Stinson and Sons Ltd.
Derek Matheson

Regrets: Jean-Guy Albert (Medical Officer of Health Liaison)
George Braithwaite Carol Dillon

1.0 Welcome and Introductions

Allison Gibbons introduced and welcomed Tiffany Onesi, the new Planning Assistant for source water protection.

Chair Stavinga then welcomed everyone to the meeting and asked all participants to introduce themselves.

a) Agenda Review

Chair Stavinga reviewed the purpose of the meeting and the Agenda.

b) Notice of Proxies **None**

c) Adoption of the Agenda

Motion 1-4/11

That the Agenda be approved as presented.

Carried

d) Declarations of Interest **None**

e) Approval of Minutes

Patricia Larkin identified an omission in the draft minutes from the March 3, 2011 meeting. Staff were instructed to amend the minutes to include a statement indicating that Chair Stavinga and Patricia Larkin would draft a motion recommending that the Ontario Building Code be amended to list Regulation 903 of the Water Resources Act as Applicable Law. This would give Chief Building Officials jurisdiction over the construction, inspection and decommissioning of private wells.

Motion 2-4/11

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of March 3, 2011 be approved as amended.

Carried

f) Status of Action Items

Motion 3-4/11

That the Mississippi-Rideau Source Protection Committee receive the Status of Action Items Report for information.

Carried

g) Correspondence

Motion 4-4/11

That the Mississippi-Rideau Source Protection Committee receive the correspondence for information.

Carried

2.0 Home Heating Oil Presentation

Sommer Casgrain-Robertson introduced Bob Herres, a fuel oil distributor with W.O. Stinson & Son Ltd.

Mr. Herres outlined how the handling and storage of fuel oil is currently regulated under Ontario Regulation 213/01 of the *Technical Standards and Safety Act, 2000*. He confirmed that fuel oil can be stored both indoors and outdoors and can pertain to forced-air furnaces, boilers, water heaters, or standby generators. He explained factors that lead to fuel leaks: tank corrosion, physical impacts, improper maintenance and vandalism. He described some of the reasons why single walled steel tanks with side-feed were prone to corrosion. Mr. Herres then described the evolution of fuel storage tanks and gave examples of more leak resistant technologies that are available today (e.g. new types of tanks, tank trays).

Mr. Herres stressed that exterior tanks are a huge concern to the industry and, when at all possible, indoor tanks are recommended. Indoor tanks are less prone to leaks because they are not exposed to freeze / thaw cycles and people are more likely to detect leaks indoors because they smell oil.

Mr. Herres advised that fuel suppliers must perform an inspection of a fuel oil installation prior to supplying fuel and a minimum of every ten years thereafter to ensure compliance with codes and regulations. He added that fuel distributors are audited to ensure compliance with these regulatory requirements. While homeowners are also required to have their fuel oil installation inspected annually by a certified Oil Burner Technician, many are unaware of this legal requirement or equate the practice as a “cash-grab” by fuel oil suppliers.

Members discussed the possible impacts of compliance or non-compliance on home-owner insurance policies due to the high costs of clean-up in the event of a system failure. The importance of pollution liability insurance was stressed.

Ms. Casgrain-Robertson thanked Mr. Herres for his presentation.

3.0 Draft Policy Ideas: Handling and Storage of Fuel Oil

Sommer Casgrain-Robertson confirmed that draft policy ideas for liquid fuels regulated under Ontario Regulation 213/01 would be considered by the Committee at their June, 2 2011 meeting.

Ms. Casgrain-Robertson then reviewed the staff report on the Handling and Storage of Fuel Oil and presented staff’s recommended policy concept for the handling and storage of fuel regulated under the *Technical Standards and Safety Act, 2000*, O. Reg. 213/01 and *Installation Code for Oil Burning Equipment*.

She advised that the *Technical Standards and Safety Act* Codes are expected to be revised during the next couple of years which could result in Ontario’s Codes being brought up to Canadian Code standards in some areas. She stressed that some fuel suppliers and insurance companies are also requiring more stringent standards regarding fuel oil storage, distribution and utilization due to the high costs of clean up in the event of a spill.

A Member questioned the rationale for requiring the replacement of double-bottom steel tanks with bottom-feed and leak detection at 20 years of age if the leak detection is not indicating a problem.

Another Member questioned whether additives are available to mitigate the effects of water/moisture/condensation in storage tanks. Mr. Herres responded that they have not proven effective.

Members discussed whether pollution liability insurance covers fuel oil that migrates down into an aquifer and/or fuel oil that migrates beyond property boundaries. Members also discussed whether there is a limit on liability coverage.

Ms. Casgrain-Robertson noted that Policy Idea #3 under Future Significant Threats encourages home owners to locate their storage tanks indoors. This will create new significant threats since the provincial threat tables consider outdoor tanks a moderate threat and indoor tanks in basements a significant threat. This raises a concern with the Provincial Threats Tables and why there is a discrepancy between what the threats tables consider a significant threat and what the fuel and insurance industries consider the greatest threat. Mary Wooding agreed to raise this issue with the Ministry of the Environment.

A Member asked about the storage of fuel for generators at construction sites. Staff will explore this circumstance further and develop a policy idea for Committee consideration at a future meeting if warranted.

Following deliberation, the following amendments were made to the draft policy ideas:

- Include an overriding statement, at the beginning of the policy, on the education and outreach approach.
- # 1 and 2: Amend the replacement time for double-bottom steel tanks with bottom feed to 25 years. There is value in setting a replacement date because the leak detection only indicates if oil leaks through the inside layer and fills the space between the inside and outside bottom layers. Within 25 years the outside bottom layer could become weakened due to corrosion and should not be relied on as a leak prevention barrier.
- # 1, 2, 3, 4, and 5: Add a bulleted statement regarding appropriate decommissioning of fuel storage tanks.
- #2 and 3: Add statement about oil lines being installed in a manner that protects them from physical damage to all Risk Management Plan and
- #2 and 4: Retain the education and outreach components.
- #4: Delete mini-bullets. Add statement regarding risk management requirements. Add statement regarding alternative sources of fuel.

Sommer Casgrain-Robertson confirmed that Risk Management Plan requirements would be given to a Risk Management Official who would determine how best to ensure compliance.

Motion 5-04/11

That the Mississippi-Rideau Source Protection Committee approve draft policy ideas as amended for the handling and storage of fuel oil and direct staff to undertake early engagement with potential policy implementers and potentially affected persons and bodies.

Carried

4.0 Ontario Drinking Water Stewardship Program Update

Sommer Casgrain-Robertson introduced Derek Matheson, the Ontario Drinking Water Stewardship Program Manager who provided an update on the program. He explained that \$351,113 in Early Actions funding was allocated to property owners between 2007 and 2010 and there is now \$230,642 in funding for property owners through the Early Response Program. This funding is for property owners to undertaking projects that will address significant drinking water threats. He added the funding will be available until December 1, 2012.

Mr. Matheson confirmed that the applications to extend the municipal well casings in North Grenville and Merrickville-Wolford were approved. The project in Kemptville is expected to be completed by the end of the month while the project in Merrickville-Wolford should be finished by the end of 2011.

Motion 6-04/11

That the Mississippi-Rideau Source Protection Committee receive the Ontario Drinking Water Stewardship Program staff report for information.

Carried

5.0 Ottawa IPZ-3 Vulnerability Scores

Sommer Casgrain-Robertson acknowledged an ongoing desire among City of Ottawa staff and source protection staff to improve the vulnerability scoring approach for Intake Protection Zone studies. An improved approach could be applied to these studies in future Assessment Report amendments.

Ms. Casgrain-Robertson explained that the City of Ottawa had proposed an alternative approach to determine IPZ-3 area vulnerability factors, however, source protection staff were unsure if it would meet the provincial Technical Rules. City staff has agreed to work with source protection staff and the province

to develop a stronger study methodology and revisit the Intake Protection Zone studies in future.

Motion 7-04/11

Whereas the City of Ottawa has expressed concerns with the approach used to determine IPZ-3 area vulnerability factors and are proposing an alternative:

And whereas source protection staff and the Source Protection Committee have identified that while current Intake Protection Zones studies are a reasonable first time assessment, further technical expert input is required to make the approaches and methodologies more scientifically defensible;

And whereas, all Assessment Reports in Ontario have been submitted to the Province and are currently under review by the Ministry of the Environment;

And whereas, many lessons learned and a growing body of knowledge will be available to draw from once Assessment Reports are approved;

And whereas, neither the current approach nor the alternative approach proposed by the City of Ottawa will result in significant drinking water threats in IPZ-3 meaning this area cannot be subject to any restrictions or prohibitions in the Source Protection Plan;

Therefore, be it resolved that the Mississippi-Rideau Source Protection Committee ask Conservation Ontario to coordinate a comprehensive review of all Intake Protection Zones studies in approved Assessment Reports and produce a report of lessons learned and recommended approaches for future Intake Protection Zone studies;

And that source protection staff and municipalities use this report and any other available knowledge and findings to reevaluate local Intake Protection Zone studies once Source Protection Plans are completed.

Carried

6.0 Community Outreach

Chair Stavinga reviewed the community outreach activities.

Past Activities

5. Eastern Regions Meetings.

Ms. Casgrain-Robertson emphasized how beneficial these meetings have been. The opportunity to discuss policy development with source protection staff in neighbouring regions is invaluable. She advised that other regions are also struggling with incorporating Education and Outreach components into their Plans.

- 7. One-on-One meetings with Municipal Staff
Brian Stratton continues to meet with municipal staff

Upcoming Activities

- 2. Municipal Working Group Meetings.
The Municipal Working Group meetings scheduled for April 21 and May 19 have been cancelled. The meetings will resume in June. Staff stressed that municipal input early in the policy development process lead to much stronger draft policy ideas and will hopefully foster municipal support for source protection policies at the end of the process.

Patricia Larkin stated that the topic of the next Lecture Series of the Mississippi Valley Field Naturalists would be “The Lay of the Water over Mississippi Lands”. This event will take place at 7:30 pm on April 21 at the United Church on Elgin Street in Almonte.

Motion 8-04/11

That the Mississippi-Rideau Source Protection Committee receive the Community Outreach staff report for information.

Carried

7.0 Other Business

In response to a question from a member, Sommer Casgrain-Robertson advised that, to date, policies are being drafted individually but an all-encompassing plan may be required. She added that the role of the Risk Management Officials needs to be explained in greater detail.

8.0 Member Inquiries None

9.0 Next Meeting
May 5, 2011, 4 pm
Merrickville Community Centre

Staff will provide additional details regarding the venue as well as timing of the working group meeting.

10.0 Adjournment
The meeting was adjourned at 4:45 pm.

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Janet Stavinga
Chair

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Michelle Paton
Recording Secretary