To: Mayor and Members
   Board of Health

From: Elizabeth Richardson, MD, MHSc, FRCPC
      Medical Officer of Health
      Public Health Services

Date: November 21, 2007

Re: Oversight of Small Drinking Water Systems BOH07067 (City Wide)

Council Direction:
N/A

Information:

On May 17, 2005 the Ministry of the Environment (MOE) announced that in the Fall of 2006, the Ontario government intended to make public health units responsible for ensuring safe drinking water in facilities such as churches, community halls, bed and breakfasts, tourist outfitters, food premises, and other businesses and establishments that own or operate a water supply to which the public has access.

Presently, such Small Drinking Water Systems (SDWSs) are operated under the requirements of Ontario Regulation 252/05 which remains under the jurisdiction of the Ministry of the Environment. The MOE and the Ministry of Health and Long Term Care (MOHLTC) have been working towards transferring the operational requirements under Regulation 252/05 to new Regulations (to be written) under the Health Protection and Promotion Act. These new regulations would be enforced by local Boards of Health.

In the City of Hamilton there are estimated to be 400 SDWSs. The actual number will be determined when PHS staff have been trained, equipped, and hired to visit these establishments to determine if the new SDWS Regulations apply. The latest guidance from the MOHLTC provides a phased approach to the implementation of the inspection and risk assessment process for SDWS by health units, with high risk systems completed in the first two years of the program, and medium and low risk systems inspected in years three and four.
Given the aforementioned estimates and MOHLTC guidance, at least one full-time public health inspector will be needed to conduct approximately 100 SDWS risk assessments and inspections per year.

The MOHLTC timeline for the transfer of responsibility for SDWSs to boards of health had targeted January 1, 2008. However, the province has now communicated that:

- The transfer of regulatory oversight to local boards of health will **not** occur on January 1, 2008.
- The transfer will not occur until a “state of readiness” exists in local health units.
- The MOE will retain responsibility for SDWSs until health units are prepared with additional staff, new legislation, training, equipment, information systems, and program protocols in place.
- The transfer is targeted to occur in the Spring of 2008.
- The new Regulation is still being written.
- Funding for start-up of the SDWS inspection program will be funded 100% by the MOHLTC for the first two years of the program, then cost shared 75/25% in keeping with other OPHS programs.
- A funding allocation letter is expected to be sent by the MOHLTC to health units by the end of December 2007.
- Training for public health inspectors will have two different components: one will be technical training that pertains to the inspection and risk assessment of the SDWSs; the other component will be training regarding interpretation and application of the new Regulations and MOHLTC Protocols.
- The MOHLTC will provide a list of places where local health units can send staff for training. No information is yet available about when or where the training will occur or how many public health inspectors can be trained.
- Protocols for the inspection program are still in draft and will hopefully be released to local health units for review and comment by the end of December 2007.

PHS will provide further updates on the transfer of SDWS responsibility to local Boards of Health when more details are received regarding funding, training, and other key program components.

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Elizabeth Richardson, MD, MHSc, FRCPC
Medical Officer of Health
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