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# Amendments to O. Reg. 243/07

*Effective July 1, 2017*

*Province-wide webinar for stakeholders*

# Ministry of the Environment and Climate Change

## English Webinar

**Steve Hetherington**

Safe Drinking Water Branch

**Geoff Wilkinson**

Drinking Water Programs Branch

## French Webinar

**Ashleigh Boucher**

Safe Drinking Water Branch

# Questions?

- Please submit questions via the chat function of this Adobe Connect session
- We have prepared a list of commonly asked questions at the end of this presentation and will address any remaining questions at the end

# Background

- Since 2007, O. Reg. 243/07 has set the flushing and sampling of drinking water requirements for Schools, Private Schools and Child Care Centres\*
- In support of these requirements, the ministry created and implemented:
  - an inspection program,
  - a suite of education and outreach material, template records and
  - a self-reporting initiative (which will continue this year)

\*formerly known as Day Nurseries

## O. Reg. 243/07 – Gaps identified

- No requirement to:
  - sample fountains
  - rotate sampling locations year over year
  - sample all consumption points
- Ease of use for NSF certified filters or other lead reduction products
- Water conservation where lead not present

# Causal Factors

- Studies published that show variability of lead test results between taps in the same facility
  - Ecole Polytechnique study partially used Ontario lead sampling data to draw conclusion
- Details on water crisis in Flint, MI highlight potential infrastructure issues and support theory that lead contamination can be fixture-specific

# Evolving Science

## World Health Organization

<http://www.who.int/mediacentre/factsheets/fs379/en/>

“There is no known safe blood lead concentration...”

## Centres for Disease Control and Prevention

<http://www.cdc.gov/nceh/lead/>

“Lead exposure can affect nearly every system in the body.”

# 2016 Amendments

How the amendments have addressed emerging concerns:

- Mandated the sampling of drinking water fountains
- Formally recognized the use of NSF certified filters
- Standardized a minimum level of corrective actions
- Addressed water conservation efforts by reducing the need for flushing in certain situations



# Sampling

The following new requirements apply to ALL facilities (including those co-located within Schools)

- Ensure that samples are collected from every drinking water fixture\* that has not yet been sampled under O. Reg. 243/07
- Multiple sets of samples can be collected at a facility on the same day
- New requirements to sample at all drinking water fixtures supersede existing reduced sampling schedules

\***drinking water fixture** – a drinking water fountain or tap that is used to provide water for food prep or consumption

# Flushing

Flushing would not be required\* at certain fixtures if...

- the tap is not accessible to children
- The most recent 'standing' sample result was at or below one microgram per litre (1 µg/L)
- An NSF certified filter is installed at the fixture and a verification sample result was at or below 1 µg/L
  - records must be maintained to document the filters being changed

\*At least weekly end-of-branch flushing would still be required at all facilities

# Corrective Actions

For all exceedances.

- Notification procedure to Ministry of Environment and Climate Change, Ministry of Education and Public Health Unit will remain the same
- Facility operators still required to follow the direction of their Public Health Unit
- The ministry is requesting that laboratories complete a Lead Exceedance Notification Form for each individual fixture

# Corrective Actions

For results where ONLY the standing sample is in exceedance.

- Subsequent daily flushing requirement applies only to the fixture where the sample was collected
- Fixture must be flushed daily for at least 24 months
- The MOECC is recommending that the daily flushing requirement be extended to include any UN-SAMPLED drinking water fixtures in the facility as well

# Corrective Actions

For flushed sample exceedances.

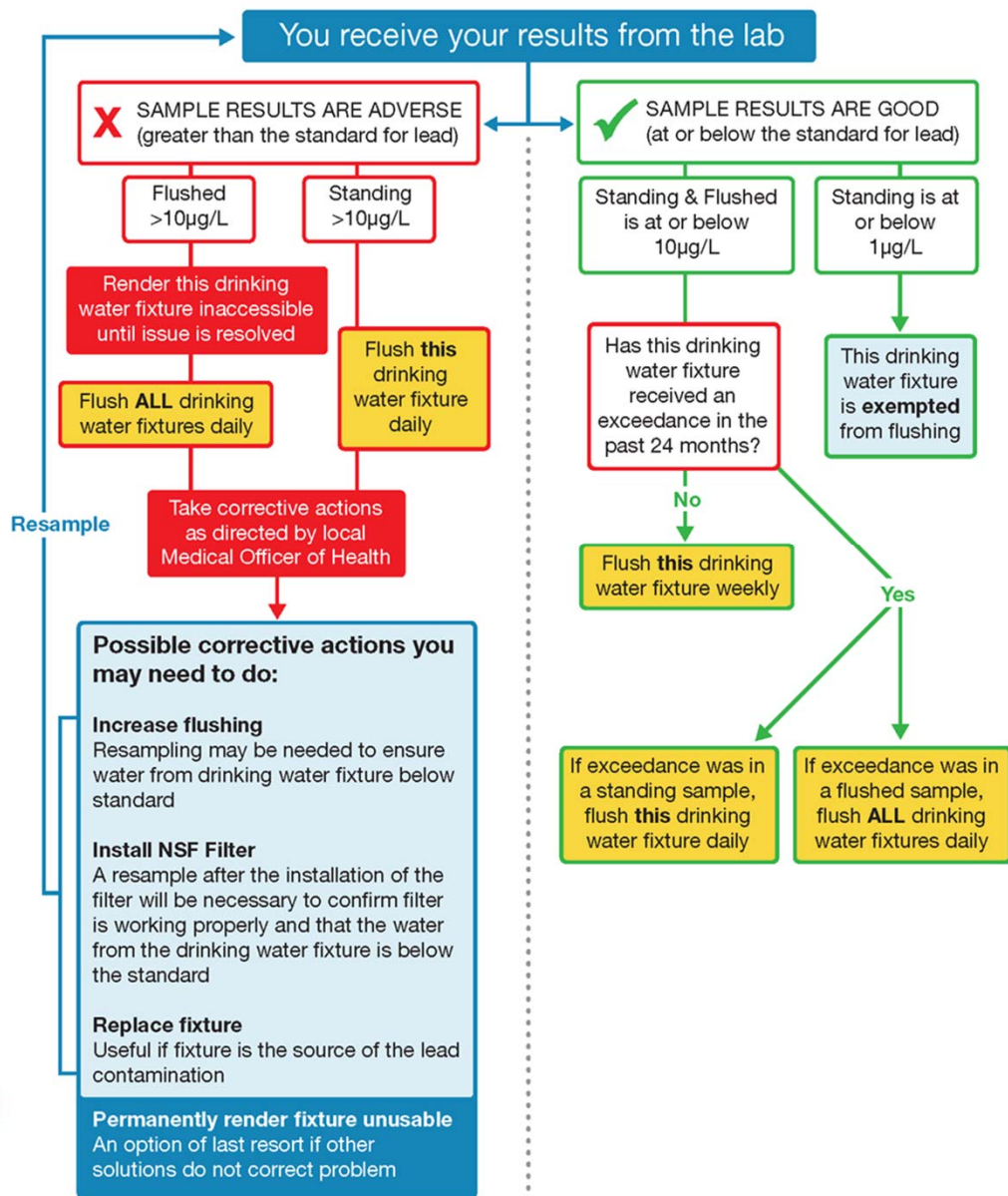
- Facility must be flushed daily for at least 24 months.
- The regulation requires the fixture to be rendered inaccessible as soon as exceedance had been identified.
- Based on the judgement of the PHU, the fixture could remain out of service until issue resolved

# Corrective Actions

- The MOECC is recommending 3 general courses of action for resolving flushed exceedances
  - Status Quo – increased flushing and resampling to mitigate lead levels at the fixture
  - Filters – installation of NSF certified filters where applicable
  - Fixture replacement – installation of (preferably NSF certified) new fixture
- ‘Resolution’ could constitute:
  - A flushed sample result below the standard after increased flushing
  - An NSF certified filter installation or fixture replacement with corresponding verification sample result

## I got my lead test results back from the lab. Now what?

The following decision tree will help you know what actions you should take depending on the results of your lead testing sample results.



# Amendment Timelines

Amendments come into effect July 1, 2017.

## Sampling deadlines

- Child Care Centres and Schools in the 'Primary' Division would be considered the priority and must have their sampling completed by Jan 1, 2020
  - 1/3 of sampling in each 2017, 2018 and 2019
- All other Schools have an extended timeframe to complete their sampling – Jan 1, 2022



## The future...

- Health Canada is currently consulting on a change to the lead standard from 10  $\mu\text{g}/\text{L}$  to 5  $\mu\text{g}/\text{L}$
- Typically, when the federal government changes a health standard, the provinces will follow shortly afterwards

# Education & Outreach

- The Ministry is updating all O. Reg. 243/07 guidance material, including pages on Ontario.ca
- New template documents are available:
  - flushing record, sampling record & fixture inventory
- Facilities are encouraged to formulate a sampling plan to address the new requirements as soon as possible
- Signs and posters now available on [Publications Ontario](#)
- New [O. Reg. 243/07 guide](#) NOW AVAILABLE

# Optional Signage



# Posters and Signs

You can search for the item # on the main page:

<https://www.publications.serviceontario.ca/pubont/servlet/ecom/MainServlet?selectedLocale=en>

Sampling Poster (Item # 025838)

Flushing Poster (Item # 025837)

Handwashing sign (Item # 025834)

Lead tested sign (Item # 025833)

# Frequently Asked Questions



## What taps do I have to sample?

A: All ‘drinking water fixtures’. A “drinking water fixture” refers to every drinking water fountain and every tap that is used to provide drinking water or to prepare food and/or drink for children under 18 years of age.



# 1 sample or 2?



## Can I count previous samples?

A: If a facility has the appropriate sampling records that show a specific location has been sampled under O. Reg. 243/07 already then that fixture can be counted as done.





## How can multiple samples be taken in a day?

A: Multiple sets of samples may be taken at one facility on the same day, provided that ALL of the standing samples are collected before beginning any flushing. It is also recommended that, if possible, the taps that are being sampled on the same day are not directly adjacent to one another, to ensure all samples collected are from standing water.

## Can I test everything this year?

A: Yes. There is no provision in the regulation that prevents facilities from sampling all applicable fixtures this year. For child care centres and any school that has kids in the 'primary division' (gr 3 or younger) they have to sample at least 1/3 of their drinking water fixtures, that's a minimum, not a target.

## Calculating 1/3 of taps!

A: The requirement is 1/3 of the drinking water fixtures that do not have existing sampling records in each facility. The requirement is not for a school board to sample all of the taps in 1/3 of their schools. Each facility is measured separately, including the co-located child care centres within schools.

## Is signage mandatory?

A: 2 types of signs have been developed, printed and laminated by MOECC. They are available for facilities to order through Publications Ontario.

Neither are mandatory, there are no expectations on type or frequency of usage, the facilities are free to use them as a resource as they deem necessary.

## I am a Child Care Centre located in a school. Do I have any requirements?

A: Yes. The regulation applies to operators of all child care centres. You are required to meet all the requirements of the amended regulation. The operator of the school within which you are located **MAY** offer to conduct your sampling and/or flushing but are not required to. Have this discussion with them.

## How do I fill out a Chain of Custody form?

- Ensure that all drinking water fixtures in the facility are assigned a unique identifier. (either a name, number or code to distinguish all fixtures from one another)
- Samples **MUST** be submitted to the licensed laboratory using the correct DWIS number.

## How do I fill out a Chain of Custody form? (co-located)

- Have a conversation with the school or child care centre you are co-located with about which taps and fountains 'belong' to which facility.
- Samples **MUST** be submitted to the licensed laboratory using the correct DWIS number. (if the samples have been collected from a tap in the co-located child care centre, ensure it is the child care centre's DWIS number on the chain of custody form **NOT** the school's)

## What about before and after school programs?

A: Unless the before and/or after school programs have taps/fountains that are solely dedicated for their use, their sampling will be covered by the school when they sample all their fixtures. Programs run by the school boards don't need to be registered while those run by an outside provider (e.g. YMCA) do.



## When can co-located facilities share samples again?

A: Sample sharing is only available to facilities that are co-located when BOTH parties are completed their mandatory sampling.

This is detailed in subsection 5(2)5.3i of the regulation

## **What does minimum level of corrective actions mean?**

A: It means making the fixture that produced the flushed exceedance inaccessible to children until the lead issue at the fixture has been resolved. This is required in all situations, unless the facility is instructed by the Public Health Unit that they can continue to use the fixture for handwashing/sanitation purposes if necessary.

# Reduced Lead Sampling

You can reduce your annual lead sampling frequency to once every three years if:

- your two most recent years of test results for lead, from both standing and flushed samples, do not exceed the drinking water standard for lead;
- all of the drinking water fixtures throughout the facility have been sampled at least once since June 7, 2007; and
- a [Notice of Reduced Lead Sampling](#) form has been submitted to the ministry.

*If you are currently on a reduced sampling schedule and have already sampled all of your facility's drinking water fixtures then the reduced sampling schedule remains valid.*



If you have any questions following this webinar, please contact the ministry:

By email: [waterforms@ontario.ca](mailto:waterforms@ontario.ca) or  
[R243leadself-report@ontario.ca](mailto:R243leadself-report@ontario.ca)

# Ecole Polytechnique Study



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