



Français

Safe Drinking Water Act, 2002

ONTARIO REGULATION 205/18

MUNICIPAL RESIDENTIAL DRINKING WATER SYSTEMS IN SOURCE PROTECTION AREAS

Consolidation Period: From July 1, 2018 to the e-Laws currency date.

No amendments.

This is the English version of a bilingual regulation.

Definitions

1. In this Regulation,

“assessment report” means an assessment report required under section 15 of the *Clean Water Act, 2006*; (“rapport d'évaluation”)

“source protection area” has the same meaning as in the *Clean Water Act, 2006*; (“zone de protection des sources”)

“source protection authority” has the same meaning as in the *Clean Water Act, 2006*; (“office de protection des sources”)

“source protection plan” has the same meaning as in the *Clean Water Act, 2006*; (“plan de protection des sources”)

“surface water intake protection zone” has the same meaning as in the *Clean Water Act, 2006*; (“zone de protection des prises d'eau de surface”)

“wellhead protection area” has the same meaning as in the *Clean Water Act, 2006*. (“zone de protection des têtes de puits”)

New municipal residential drinking water systems

2. (1) A person who applies to the Director under clause 32 (1) (b) of the Act for a drinking water works permit and a municipal drinking water licence to establish a new municipal residential drinking water system in a source protection area shall ensure that the application complies with subsection (2) of this section if, in the assessment report portion of the source protection plan for the source protection area, a vulnerable area has not been identified where the system's raw water supply is located.

(2) An application for a drinking water works permit referred to in subsection (1) must be accompanied by a copy of a notice described in clause 48 (1.1) (b) of Ontario Regulation 287/07 (General) made under the *Clean Water Act, 2006* that was given to the owner of the system by the source protection authority for the area in which the system is located.

Existing municipal residential drinking water systems

3. (1) An owner of a municipal residential drinking water system that is located in a source protection area who applies to the Director under clause 32 (2) (b) of the Act for an amendment to the drinking water works permit for the system in order to carry out one of the following alterations to the system, shall ensure that the application complies with subsection (2) of this section:

1. The establishment of a new well or intake that will supply raw water to the drinking water system, if the assessment report portion of the source protection plan for the source protection area does not identify a wellhead protection area or surface water intake protection zone for the new well or intake.
2. An alteration to an existing well or intake that supplies raw water to the drinking water system if the alteration would require changes to be made to the mapping of the related wellhead protection area or surface water intake protection zone identified in the assessment report portion of the source protection plan.

(2) An application for an amendment to a drinking water works permit referred to in subsection (1) must be accompanied by a copy of a notice described in clause 48 (1.1) (b) of Ontario Regulation 287/07 that was given to the owner of the system by the source protection authority for the area in which the system is located.

Conditions

4. (1) If a drinking water works permit or municipal drinking water licence referred to in subsection 2 (1) is granted for a new municipal residential drinking water system, the permit or licence must include a condition that prohibits the supply of drinking water to users of the system until any amendments set out in the notice referred in subsection 2 (2) in respect of the source protection plan for the area in which the system is located have been,

(a) proposed and approved pursuant to section 34 of the *Clean Water Act, 2006*; or

(b) implemented as an update under section 36 of that Act.

(2) If a drinking water works permit referred to in subsection 3 (1) is granted for a municipal residential drinking water system, the permit must include a condition that prohibits the supply of drinking water from a new or altered well or intake to users of the system until any amendments set out in the notice referred to in subsection 3 (2) in respect of the source protection plan for the area in which the system is located have been,

(a) proposed and approved pursuant to section 34 of the *Clean Water Act, 2006*; or

(b) implemented as an update under section 36 of that Act.

Drinking water health hazards

5. This Regulation does not apply to an application made under clause 32 (1) (b) or 32 (2) (b) of the *Act* if the application,

(a) is being made for the purpose of alleviating an existing drinking water health hazard; or

(b) relates to an undertaking that has been exempted from the application of the *Environmental Assessment Act*, pursuant to an order made under section 3.2 of that Act.

6. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

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