

SPC MEETING MINUTES
JUNE 3, 2022
Meeting #80

The Source Protection Committee Chair, Dean Edwardson called the meeting to order at 10:00 a.m. on JUNE 3, 2022 via ZOOM. The following members and staff were in attendance;

Members

Dean Edwardson
Johnny Bowes
Brent Clutterbuck
Jarrod Craven
Pat Feryn
Vince Gagner
Carl Kennes

Gary Martin
Valerie M'Garry
Earl Morwood
Christa Sawyer
Karleen Sirna
John Van Dorp
Catherine Eby (MECP Liaison)

Regrets:

Gary Eagleson
Joe Salter (Liaison)
Matthew Jauernig
George Marr
Andrew Powell (HU Liaison)

Staff:

Julie Welker
Deb Kirk
Steve Clark
Katie Ebel
Ken Phillips
Mark Peacock

1) Chair's Welcome

Dean Edwardson welcomed the committee. After the roll call, he acknowledged a quorum was achieved.

2) Adoption of the Agenda

The June 3, 2022 agenda was approved.

Moved by Earl Morwood -seconded by Johnny Bowes

“RESOLVED that the June 3, 2022 agenda was approved.”

CARRIED.

3) Approval of March 25, 2022 SPC minutes

The March 25, 2022 previous meeting minutes be approved.

Moved by Carl Kennes -seconded by Earl Johnny Bowes

“RESOLVED that the March 25, 2022 meeting minutes were approved.”

CARRIED.

4) Delegations

None.

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business Arising from the minutes

None.

7) Business

a) Confirmation of Acting SPC Chair

All of the SPC Chairs appointment terms across the province end in August 2022. The Minister will be appointing/re-appointing and until this is completed, an interim Acting SPC Chair was elected. Earl Morwood expressed interest via email. During the SPC meeting members voted to approve this appointment.

Moved by John Van Dorp-seconded by Vince Gagner

“RESOLVED That the Source Protection Committee approved Earl Morwood as the interim Acting SPC Chair until the new appointments are completed by the Minister”.

CARRIED.

b) Section 36 Early Engagement

Julie Welker gave an update for pre-consultation for amendments to the Thames-Sydenham and Region Assessment Reports (ARs) and Source Protection Plan (SPP) as part of the order from the Minister of the Environment, Conservation and Parks under s.36 of the Clean Water Act.

At the March 13th, 2020 meeting the committee reviewed some of the proposed amendments to be included in the Section 36 update to the SPP and AR's. We have now moved into the consultation phase of the proposed amendments. A chart was included in the discussion paper outlining the comments received as part of the s.36 pre-consultation phase and the timelines of moving into the next phase with public consultation.

The section 36 Order issued by the Minister in 2018 required a workplan be developed outlining the steps for the comprehensive review and update to the Assessment Reports and Source Protection Plan.

3 Stages of consultation involve: Early Engagement with MECP, Pre-Consultation with implementing bodies and businesses/persons engaged in significant drinking water threat and Public Consultation with the public. Julie provided a table outlining the details of what was completed. John Van Dorp noted that some of the agricultural landowners who

received letters voiced concerns and may need further discussion/clarification. Most of the letters were distributed in Oxford County and Matthew Jauernig is the contact.

Submission of all the supporting documentation to MECP is scheduled for August and must be within 6 months of completion of consultation.

7ci) Salt Policies

Julie gave a presentation on the Implementation of the 2021 Amendments to the Technical Rules under the Clean Water Act, 2006. *Application of Road Salt, Storage of Road Salt, Storage of Snow and Handling and Storage of Fuel* were reviewed.

Application of Road Salt:

Application of road salt circumstances changed from:

- (2017) Circumstance: The road salt is applied in an area where the percentage of total impervious surface area, as set out on a total impervious surface area map, is 80 percent or more to
- (2021) Circumstance: The road salt is applied in an area where the percentage of total impervious surface area, as set out on a total impervious surface area map, is 30 percent or more in a WHPA (score 10).

The MECP guidance for road salt application notes that the amended rules provide the flexibility to the local authority to determine the grid or area size where road salt poses a risk to the quality of water. The term '*impervious areas*' used in the circumstances refers only to the areas where road salt is applied, i.e. does not include roofs or backyards.

A Desk Top analysis for Impervious Surface Area at 30% resulted in 5 systems being identified, ground truthing was done and paved vs dirt roads were considered. The RMOs completed a Threat Verification and examined size of lot and use. Compared approaches used by other Source Protection Regions/Areas - # of parking spaces and size of lot; exempt residential due to complexities of risk managing each dwelling were also looked at.

To reduce the risk to municipal drinking water sources from road salt application, where this activity is, or would be, a significant drinking water threat, municipalities, in collaboration with the Conservation Authority, the Ministry of Environment, Conservation and Parks and/or wherever possible other bodies, shall develop and implement an education and outreach program directed at the owners and/or occupants of such properties.

The program may include, but not necessarily be limited to, the provision of education material and information about the nature of the threat, how road salt can be handled in a manner so the activity cease to be or never becomes a significant drinking water threat.

Recommended Approach:

Education and Outreach was suggested for developing policies for Road Salt Application. It is a local decision with no provincial guidance. Upon review of the sites that met the 30% impervious surface criteria and accepting dirt lots and residential lots only 1 well (Stratford) was highlighted. The SPC agreed that Education and Outreach would make most sense as our region's policy tool.

Discussion: Johnny Bowes reported that in Stratford they have had discussions about using a salt/sand mix to apply on parking lots. Education and Outreach will provide help provide awareness and may encourage the use of alternatives to salt.

Storage of Road Salt

Storage of Road Salt circumstances changed from:

- (2017) Circumstances: Where salt is stored in an area where it is impacted by precipitation or surface runoff. The quantity stored is > 5,000 tonnes to
- (2021) Circumstances: Storage (exposed): 1) The quantity stored is more than 20 kg in IPZ (score of 9-10) and WHPA (score of 10) (storage in residential, small retail plazas, parking lots and small yards) Storage (Potentially exposed): 2) The quantity stored is more than 100 kg in IPZ (score of 10) and WHPA (score of 10) (storage at mall parking lots or other large parking lots or yards).

The MECP guidance on storage outlined that: The quantity thresholds were not suitable to identify significant risks in all situations. The past thresholds didn't account for many areas (parking lots, commercial plazas etc.) storing smaller quantities of road salt where road salt had been identified as a water quality concern/issue. The circumstances were amended for this threat to account for three types of road salt storage based on their exposure to precipitation.

- For exposed to precipitation or runoff, minimum quantity is 20 kg.
- For potentially exposed to precipitation or runoff, the minimum is 100 kg.
- For not exposed to precipitation, no changes.

It was left to the local authority to choose to address these using the same or different policy approaches/tools previously used to manage these threats using RMPs, specify action, and E&O. The current policy: 2.35 Prohibition is based on old rules of 5,000 Tonnes.

The suggested new policies are as follows:

1. Storage: Exposed (20kg) – *Education and Outreach.*

The quantity stored is more than 20 kg and less than 100 kg. IPZ (9-10) and WHPA (10). It was thought that it would be far too complicated to attempt to write RMPs for

every residential property or small business that depend on salt application to ensure members of a household or clients remain safe from falls on ice.

2. Storage: Partially exposed (100kg) – *Risk Management Plans*.
The quantity is more than 100 kg. IPZ (10) and WHPA (10) (storage at mall parking lots or other large parking lots or yards). The past thresholds didn't account for many areas (parking lots, commercial plazas etc.) storing smaller quantities of road salt where road salt had been identified as a water quality concern/issue.
3. Remove existing Prohibition policy, based on old thresholds that no longer exist.

Moved by Carl Kennes-seconded by Earl Morwood

“RESOLVED That the Source Protection Committee approves the recommendation policy change as outlined above for Storage of Salt.”

CARRIED.

Discussion: Broken salt storage bins were discussed and whether to use *prohibition* or a *RMP (Risk Management Plan)*. The SPC agreed it would be difficult and time consuming for the RMOs to monitor where there are broken salt bins and prohibiting these would be a less effective tool. Having a RMP will allow the RMO to work with the landowner to ensure containers are fixed or replaced and training the staff in using Best Management Practices can occur. Municipalities also communicates that containers are required to be maintained and replaced if there are issues. It is a fine balance of protecting the safety of people and liability concerns and water.

7cii Snow Policies

Snow Policy circumstances changed from:

- (2017) Circumstance: The snow is stored at or above grade. Total storage area is >1 hectare (10,000m²) to
- (2021) Circumstances: The infiltration or discharge of snowmelt from the storage of snow on a site where the predominant land use is commercial or industrial by any means other than a storm water drainage system outfall:
 1. The area upon which snow is stored <200m² (IPZ with score >9 and WHPA 10)
 2. The area upon which snow is stored >200m²<2000m² (IPZ with score >9 and WHPA 10)
 3. The area upon which snow is stored >2000m² (IPZ with score >8 and WHPA 10)
- A storm water drainage system outfall that serves a Snow Disposal Facility:
 1. The area upon which snow is stored >200m² (IPZ with score >9 and WHPA 10)
 2. The area upon which snow is stored >2000m² (IPZ with score >8 and WHPA 10)

Recommendation:

1. Editorial change to existing policy 2.36 On-Site Snow Storage – Management to include: where an ECA is not required and IPZ-1 (8). The current policy is solid but language needs to be added with amended Technical Rules and add the new IPZ-1 (8).
2. New policy – 2.35.1 On-site Snow Storage – Prohibition
The storm water drainage system outfall that serves as a snow disposal facility shall be prohibited so that it ceases to be or never becomes a significant drinking water threat.

Moved by Earl Morwood-seconded by Patrick Feryn

“RESOLVED That the Source Protection Committee approves the recommendation as outlined above for snow storage policies”.

CARRIED.

7cii. Fuel Policies

Fuel policies circumstances changed from:

- (2017) Circumstances: The storage of liquid fuel in a tank at, above or partially below grade. The fuel is stored in a quantity that is more than 2,500 Litres to,

- (2021) Circumstances: The storage of liquid fuel in a tank at, above or partially below grade. The fuel is stored or handled in a quantity that is more than 250 Litres, but not more than 2,500 Litres.

Recommendation:

No policy revisions necessary due to generic wording of policy

Moved by Valerie M’Garry -seconded by Carl Kennes

“RESOLVED That the Source Protection Committee approves that no revisions are required for the fuel policies.”

CARRIED.

Next Steps:

Once the policies are approved, the SPC can initiate a s.34 or wait until a s.34 is initiated for a new/expanded drinking water system. The SPAs are looking for more guidance on consultation process. Liquid Hydrocarbon pipeline policy requires a better harmonize policy across Ontario and editorial changes need to be done for: DNAPLS, the establishment, operation, maintenance of a system that collects, stores, transmits, treats or disposes of sewage (sub-threat categories) and the establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act (sub-threat categories).

The SPC agreed that the staff should begin the s.34 amendments when the policies are approved, starting sooner than later.

Moved by Valerie M’Garry -seconded by John Van Dorp

“RESOLVED That the Source Protection Committee agreed that staff initiate the s.34 amendments once the policies are approved.”

CARRIED.

Discussion: A list of items will be brought forward to the November SPC meeting that the SPC can start to review.

8) Information

8i. Oxford & Perth Children’s Water Festivals are taking place again.

Link: <https://www.childrenswaterfestival.ca/oxfordchildrenswaterfestival>

9) In Camera Session

None.

10) Other Business

None.

11) MOECP Liaison Report-

No report.

12) Members Report

Earl Morwood-Thanked Dean Edwardson for the great job he has done as SPC Chair to date.

Vince Gagner-noted the *Community Awareness Emergency Response (CAER) Code 5* program for spills in Sarnia is working well and did so during a recent ship spill. Details on the program can be found here: <https://lambtonbases.ca/emergency-preparedness/emergency-response/>

13) Adjournment

There being no further business, the meeting was adjourned **at 11:05 a.m.**

Moved by John Van Dorp -seconded by Vince Gagner

“RESOLVED that the meeting be adjourned.”

CARRIED.

PLEASE NOTE: Next SPC meeting will be scheduled in November 18, 2022.