

June 14, 2021

**Subject: Source Protection Plan Pre-Consultation, Section 36 Plan Amendments**

On behalf of the Source Protection Committee for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region, it is my pleasure to provide **Preliminary Source Protection Plan Policies** as part of the Source Protection Plan Pre-Consultation process under Section 36 of Regulation 287/07 of the *Clean Water Act, 2006*.

Regulation 287/07 requires that the Source Protection Committee consult with bodies responsible for the implementation of Source Protection Plan policies before the publication of draft policies. Comments received as part of the Pre-Consultation process will be reviewed by the Source Protection Committee and possible changes made to policies prior to public consultation. **The deadline for comments concerning the Preliminary Source Protection Plan policies is July 30, 2021.**

Attached to this letter are details of proposed Source Protection Plan amendments as follows:

1. New/amended Wellhead Protection Areas (Blairs Grove, Durham, and Dundalk),
2. New East Linton Intake Protection Zone 3/Events-Based Area for large fuel storage threats,
3. Policy changes for salt application and storage threats,
4. Policy changes for fuel storage and handling threats, and
5. Policy direction for Risk Management Officials regarding Sec.59 land use screenings.

Drinking Water Source Protection staff are available for individual meetings throughout the Pre-Consultation process if necessary. Please contact the Drinking Water Source Protection office if such a meeting is required.

The Source Protection Committee looks forward to your involvement in the Pre-Consultation process. Should questions arise, please do not hesitate to contact Carl Seider, Project Manager of the Drinking Water Source Protection program via email at [c.seider@waterprotection.ca](mailto:c.seider@waterprotection.ca); or tel: (519) 470-3000 Ext. 201.

Sincerely,



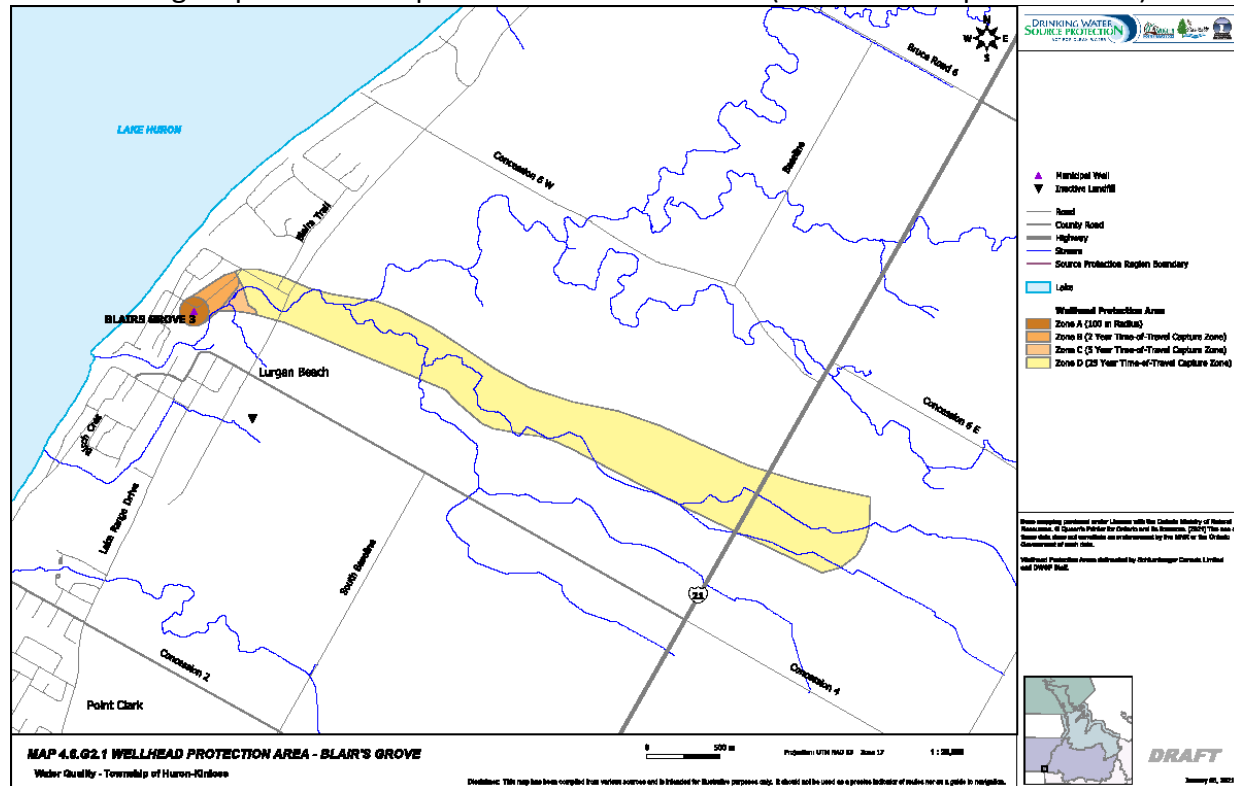
Bill Twaddle, Chair  
Source Protection Committee  
Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region

cc: [olga.yudina@ontario.ca](mailto:olga.yudina@ontario.ca)

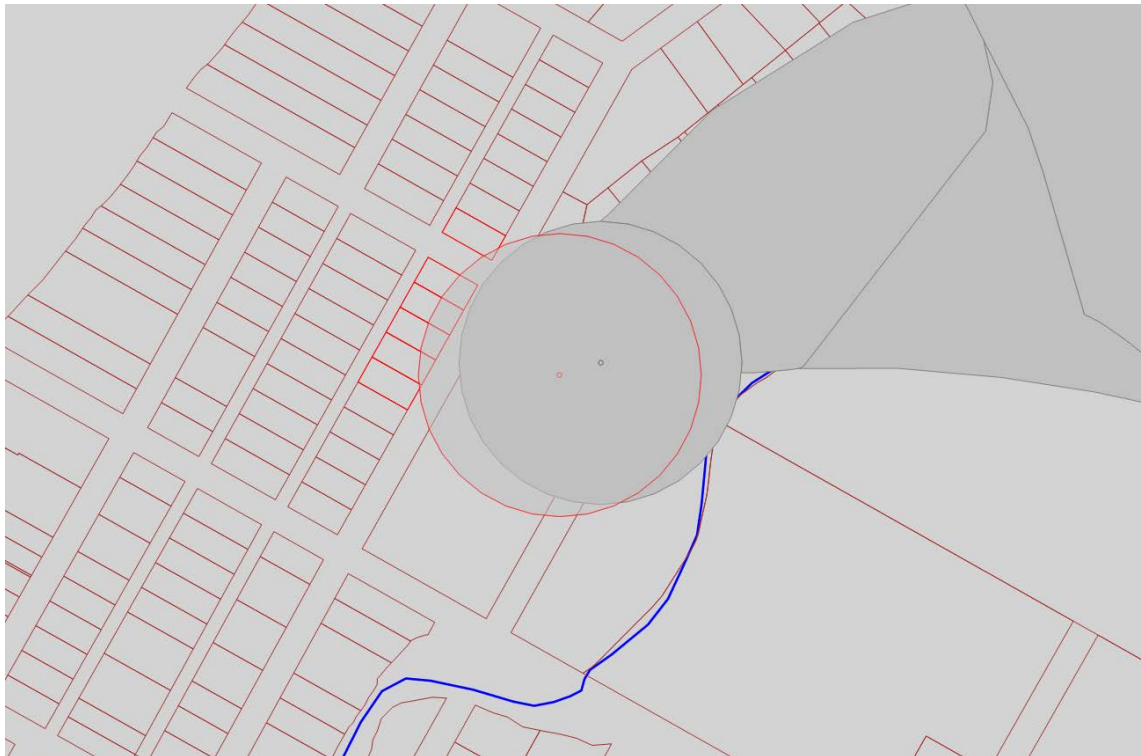
## Proposed Source Protection Plan Amendments

1. New/amended Wellhead Protection Area (WHPA) delineations to address new Blairs Grove (Well 3), new Well 2A in Durham, and new Well D5 in Dundalk

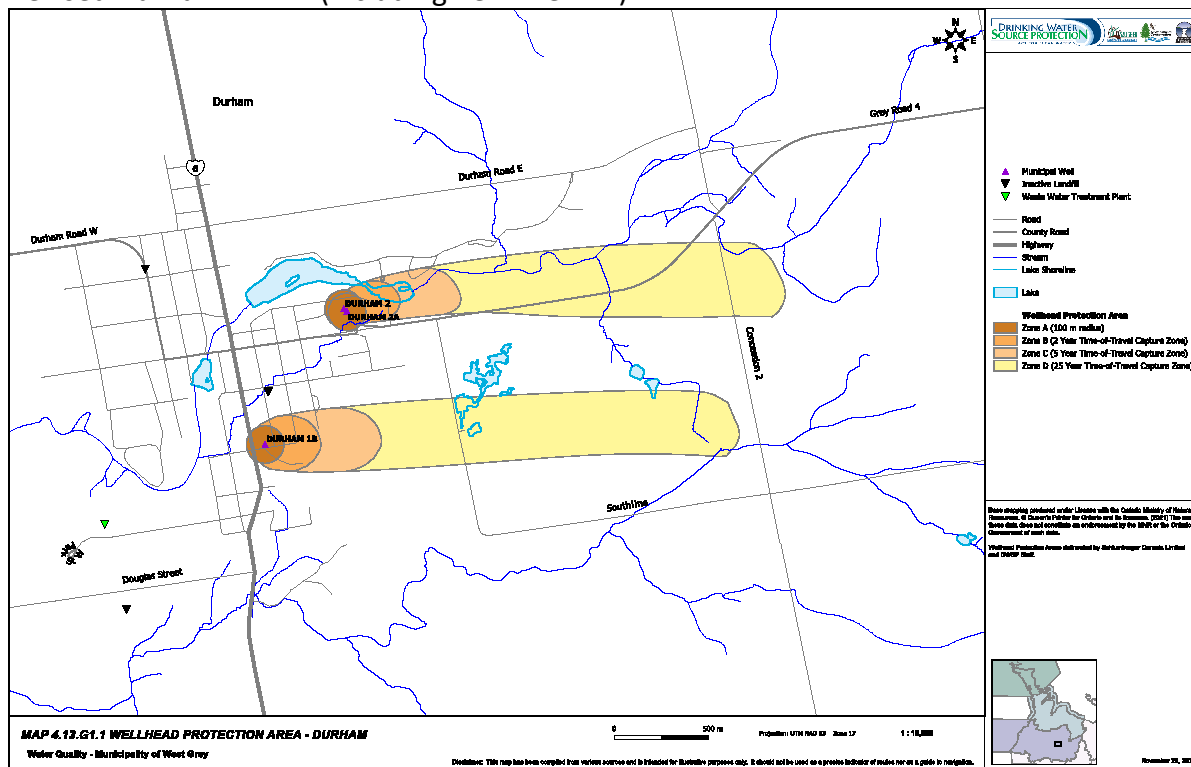
The following maps show the updated Blairs Grove WHPA (New Well 3 replaced Well 2).



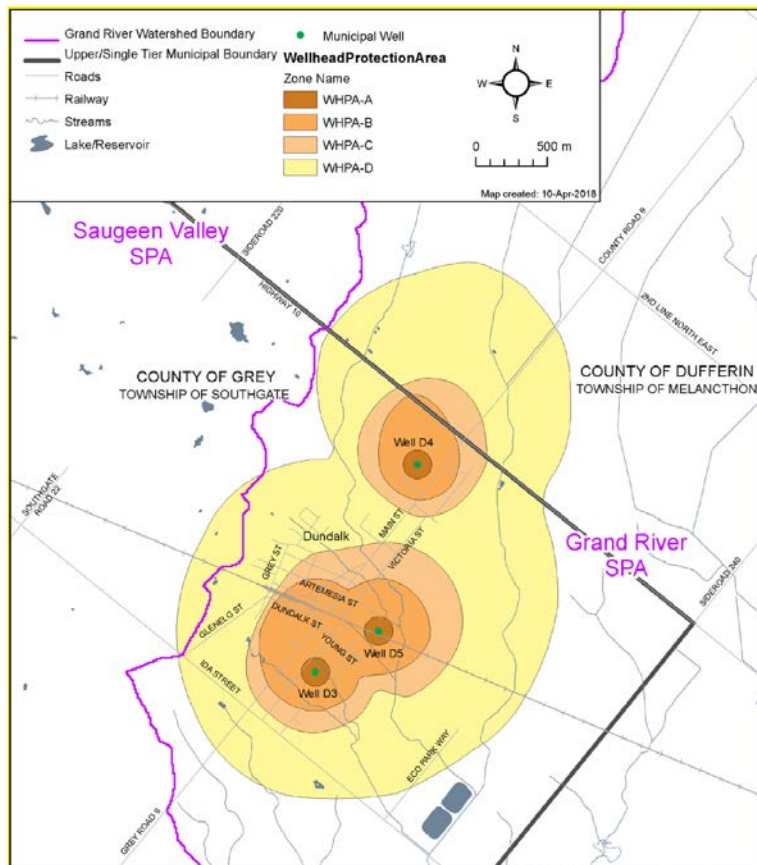
Close-up of WHPA-A for new Blairs Grove Well 3 (6 new properties affected by WHPA change)



Revised Durham WHPA (including new Well 2A)



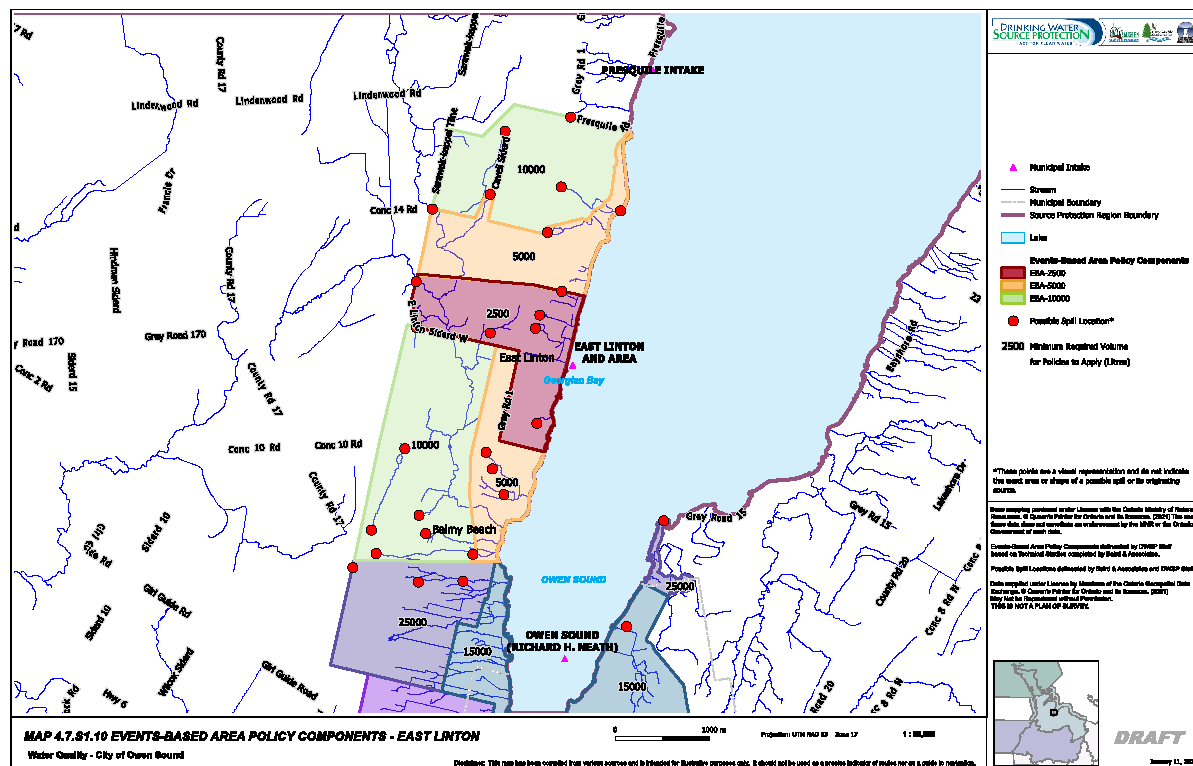
Dundalk New Well D5 (small portion of WHPA crosses into SVCA Watershed)



## 2. New East Linton Events-based Area (EBA) for fuel handling and storage threats

The Source Protection Committee requested a review of the Intake Protection Zone 3/EBA through desktop spill model analysis for the East Linton intake. As the Ontario Drinking Water Standard was recently changed from 0.005 mg/L to 0.001 mg/L for Benzene, the modeled impacts to the East Linton intake would now be designated a Significant Drinking Water Threat.

See map below for new East Linton EBA protection zone, including associated fuel volumes where Risk Management Plans for fuel storage would be required.



Based on this analysis new content for Policy 15-05 has been drafted to address fuel storage threats within the new Events-based Area, as follows:

#### 15-05 - Risk Management Plan for Fuel near Great Lakes Intakes

Activity Status	Existing activity; Future activity
Policy Tool/Approach	s.58 Risk Management Plan
Policy Text	<p>The policy applies where the storage of fuel is a significant drinking water threat (existing and future activity) within the following areas:</p> <p>8. for Events-based Area for the East Linton Drinking Water System (as shown on Map) where fuel is stored in a quantity of 2,500L or more (EBA-2500), 5,000L or more (EBA-5000), and 10,000L or more (EBA-10000)</p> <p>Establishment of a Risk Management Plan is required. The storage of fuel may only occur in accordance with an approved Risk Management Plan. Therefore, the storage of fuel is designated for the purposes of s.58 of the <i>Clean Water Act</i>.</p> <p>As a minimum, the Risk Management Plan shall address: 1) product handling; 2) product storage; 3) record keeping and documentation, including any inspection reports; 4) disposal methods; 5) spills response plan; and 6) containment measures. The Risk Management Plan shall be renewed every five years or at the discretion of the Risk Management Official.</p>

### 3. Technical Rule changes to impervious surface area calculations for salt application threats and draft changes to salt storage threat circumstances

Phase 2 Technical Rules review identified the potential to change impervious surface area calculations where this activity could be considered a significant drinking water threat (e.g. from 80% to 30% impervious surface area).

Furthermore, draft changes to the Tables of Circumstances for storage of road salt require policy wording changes whereby a significant drinking water threat would be considered for:

- (1)  $\geq 10$  kg for IPZs scored 10 and  $\geq 20$  kg WHPAs scored 10 for uncovered storage;
- (2)  $\geq 100$  kg for covered storage;
- (3) designed facility with storage greater than 500 tonnes.

Based on these draft changes to the Technical Rules and Tables of Circumstances, the following policy amendments to salt application and storage threats are proposed:

#### Policy 12-01: Salt Application Threat - Risk Management Plan

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	s.58 Risk Management Plan / Implementing Body - RMO
Policy Text	<p>Establishment of a Risk Management Plan is required. The application of road salt may only occur in accordance with an approved Risk Management Plan and is therefore designated for the purposes of s.58 of the <i>Clean Water Act</i>, where the following applies:</p> <ul style="list-style-type: none"> <li>a) Where the activity is or would be a significant drinking water threat;</li> <li>b) Salt is or could be applied to the property;</li> <li>c) The salt application area is equal to or greater than 200 square metres or 8 parking spots; and</li> <li>d) The property is used for any land uses except residential consisting of four units or fewer.</li> </ul> <p>As a minimum, the Risk Management Plan shall:</p> <ul style="list-style-type: none"> <li>a. follow best management practices consistent with those used across Canada</li> <li>b. employ the latest winter maintenance technologies</li> <li>c. identify actions to improve practices in the general use of road salts.</li> </ul> <p>The Risk Management Plan shall be renewed every five years or at the discretion of the Risk Management Official.</p> <p>Notwithstanding the above, a Risk Management Plan will also be required for any municipal properties where the activity is or would be a significant drinking water threat.</p> <p>All locations for Risk Management Plans for existing activities shall be inventoried within three years and plans established within five years of the</p>

	amendment to the Source Protection Plan taking affect.
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### **Policy 12-02: Salt Management Plan**

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	Specify Action / Implementing Body - Municipality
Policy Text	<p>Where the application of road salt is or would be significant drinking water threat, the municipality shall review and, if necessary, revise or issue new Salt Management Plans for the application of salt on roadways in all Wellhead Protection Areas. The Salt Management Plan shall include, as a minimum, measures to ensure application rate, timing and location to reduce the potential for salt-related surface water run-off and groundwater infiltration and meet the objectives of Environment Canada's Code of Practice for Environmental Management of Road Salts including the salt vulnerable area mapping to include areas where significant threats can occur.</p> <p>All locations for Salt Management Plans for existing activities shall be inventoried within three years and plans established within five years of the amendment to the Source Protection Plan taking affect.</p>

### **Policy 12-03: Salt Management Plan – Ministry of Transportation Roads**

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	Specify Action / Implementing Body - MTO
Policy Text	<p>To ensure any existing or new application of road salt, where road salt application is or would be a significant drinking water threat, ceases to be or never becomes a significant drinking water threat, the Ministry of Transportation should review and, if necessary, revise or issue new Salt Management Plans for the application of salt on roadways in all Wellhead Protection Areas.</p> <p>The Salt Management Plan should include, as a minimum, measures to ensure application rate, timing and location reduce the potential for salt-related surface water run-off and groundwater infiltration and meet the objectives of Environment Canada's Code of Practice for Environmental Management of Road Salts including the salt vulnerable area mapping to include areas where significant threats can occur.</p> <p>All locations for Salt Management Plans for existing activities shall be inventoried within three years and plans established within five years of the amendment to the Source Protection Plan taking affect.</p>

**Policy 12-04: Salt Application - Education & Outreach**

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	Education & Outreach / Implementing Body - Municipality / Public Health Unit
Policy Text	To ensure any existing or new application of road salt, where this activity is or would be a significant drinking water threat, ceases to be or never becomes a significant threat, the municipality and / or the Public Health Unit shall develop and implement an education initiative addressing the application of road salt. The education program shall encourage the implementation of best management practices that form the core of the Smart About Salt or similar accreditation program to reduce the impact of winter de-icing activities.

**Policy 13-01: The Handling and Storage of Road Salt (Risk Management Plan)**

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	s.58 Risk Management Plan / Implementing Body - RMO
Policy Text	<p>Establishment of a Risk Management Plan is required. The handling and storage of road salt may only occur in accordance with an approved Risk Management Plan and is therefore designated for the purposes of s.58 of the <i>Clean Water Act</i>.</p> <p>For clarity, a Risk Management Plan is required where the following applies:</p> <ul style="list-style-type: none"><li>a) Where the activity is or would be a significant drinking water threat;</li><li>b) Salt is handled or stored on the property; and</li><li>c) The property is used for any land uses except residential consisting of four units or fewer.</li></ul> <p>The risk management plan, at a minimum, will include terms and conditions that mirror a salt management plan, and comply with contemporary standards to ensure the handling and storage of road salt ceases to be a significant drinking water threat.</p> <p>All locations for Risk Management Plans for existing activities shall be inventoried within three years and plans established within five years of the amendment to the Source Protection Plan taking affect.</p>

**Policy 13-02: Salt Handling and Storage - Education & Outreach**

Activity Status	Existing activity; Future activity
Policy Tool/ Approach	Education & Outreach / Implementing Body - Municipality / Public Health Unit
Policy Text	To ensure any existing or new handling and storage of road salt, where this activity is or would be a significant drinking water threat, ceases to be or never becomes a significant threat, the municipality and / or the Public Health Unit



	shall develop and implement an education initiative addressing the handling and storage of road salt. The education program shall encourage the implementation of best management practices that form the core of the Smart About Salt or similar accreditation program to reduce the impact of winter de-icing activities.
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#### **4. Policy 15-02 Risk Management Plan for small fuel facilities**

Draft changes to the Provincial Tables of Circumstances would result in a change to volume of above-grade fuel storage that would be considered a significant drinking water threat under Policy 15-02. While the wording of the policy would not change, the volume of fuel whereby a Risk Management Plan is required for above-grade storage of fuel would be reduced from the 2,500L to 250L.

#### **5. Written direction policy for Risk Management Officials (RMOs) under s.59 screenings.**

The following wording has been added to our General Restricted Land-Use screening policies (Policy G-01 & G-02) at the request of neighbouring municipal Risk Management staff.

Risk Management Official may issue written direction specifying the situations under which a planning authority or building official may be permitted to make the determination that a site-specific land use is not designated for the purposes of section 59. Where such direction has been issued, a site-specific land use that is the subject of an application for approval under the Planning Act or for a permit under the Building Code Act is not designated for the purposes of Section 59, provided that the planning authority or building official, as applicable, is satisfied that:

- a. The application complies with the written direction issued by the Risk Management Official; and
- b. The applicant has demonstrated that a significant drinking water threat activity designated for the purposes of section 57 or 58 will not be engaged in, or will not be affected by the application.