

MIDDLESEX-LONDON BOARD OF HEALTH

REPORT NO. 27-24

TO: Chair and Members of the Board of Health
FROM: Emily Williams, Chief Executive Officer
Dr. Alexander Summers, Medical Officer of Health
DATE: 2024 April 18

OAGO PERFORMANCE AUDIT – NON-MUNICIPAL WATER

Recommendation

It is recommended that the Board of Health receive Report No. 27-24 re: “OAGO Performance Audit – Non-Municipal Water” for information.

Report Highlights

- Under the *Health Promotion and Protection Act* (HPPA) the Middlesex-London Health Unit is responsible for upholding and enforcing Regulation 319 – Small Drinking Water Systems.
- On March 25, 2024 the Medical Officer of Health received notice that the Office of the Auditor General of Ontario (OAGO) is conducting a performance audit related to Non-Municipal Drinking Water (including small drinking water systems and private well water regulated under the HPPA and the *Safe Drinking Water Act*). Each local public health agency in the province received this notice.
- The MLHU submitted a response letter and corresponding documentation on April 8, 2024 – the deadline set by the OAGO.

Background

The Small Drinking Water Systems – Regulation 319 under the *Health Protection and Promotion Act* sets out requirements that must be followed by owners and operators of each small drinking water system (SDWS), such as minimum water testing for *Escherichia coli* and total coliforms. Owners and operators of SDWS are responsible for keeping drinking water safe and meeting their regulatory requirements (such as within the *Safe Drinking Water Act*).

Public Health Inspectors (PHIs) are responsible for conducting site-specific risk assessments of every SDWS in the province. Based on the assessment, PHIs determine what owners and operators must do to keep their drinking water safe, and issue a directive for each system, which may include requirements such as water testing, treatment, and training. This reflects the

use of a customized approach for each SDWS depending on the level of risk, rather than a 'broad brush' approach.

OAGO Request

The Auditor General requested the past five (5) years of data/documentation on the following:

1. Inventory of all drinking water systems in the health unit that are regulated under the HPPA and *Safe Drinking Water Act (SDWA)*;
2. Small drinking water system notifications of intent to provide water or stop providing water and permission to operate the system;
3. Small drinking water system directives, their contents, and revisions to them;
4. Adverse drinking water incident responses to system operators (not limited to small drinking water systems);
5. Compliance (e.g., inspections, warnings, orders, fines) activities related to safe drinking water (not limited to small drinking water systems);
6. Public health inspector credentials/training.

Additional information regarding private well water drop off locations, local performance indicators related to safe drinking water, epidemiological analysis, educational material, and local assessments related to increasing public awareness of water-borne illnesses and safe drinking water was also requested.

Of note, the MLHU performance indicators related to safe drinking water are as follows:

- With regards to the number and/or percentage of adverse water quality incidents (AWQI) that had an initial response within 24 hours over the last 5 years, **the MLHU has responded to 100% of the AWQIs received within 24 hours.**
- With regards to the percentage of Small Drinking Water Systems (SDWS) inspected within the prescribed timeline set out by the Ministry of Health over the last 5 years, **100% of all SDWS were inspected by the MLHU within the prescribed timelines.**

Next Steps

The MLHU submitted a response letter and corresponding documentation on April 8, 2024, the deadline set by the OAGO. Staff will await further requests or need for clarification.

This report was co-written by the Manager of Privacy, Risk and Client Relations and the Manager of Safe Water, Tobacco Enforcement and Vector Borne Disease.



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Chief Executive Officer



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Medical Officer of Health

This report refers to the following principle(s) set out in Policy G-490, Appendix A:

- The Safe Water standard as outlined in the [Ontario Public Health Standards: Requirements for Programs, Services and Accountability](#).
- The Health Promotion and Protection Act – Regulation 319 Small Drinking Water System
- The following goal or direction from the [Middlesex-London Health Unit's Strategic Plan](#):
 - Program Excellence – our public health programs are effective, grounded in evidence and equity.

This topic has been reviewed to be in alignment with goals under the Middlesex-London Health Unit's [Anti-Black Racism Plan](#) and [Taking Action for Reconciliation](#), specifically recommendation Governance.