

Municipal Services Committee – May 27, 2024

**Agenda Item #12.1**

Notice of Motion: Councillor Delaney – Well Water Testing

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Moved By: Councillor Delaney

Seconded By: \_\_\_\_\_

Be it resolved, that the Council of The Corporation of the Township of Rideau Lakes supports the Township of Elizabethtown-Kitley Resolution 109-24 regarding the proposed Phase-Out of Private Well Water Testing.



**Township of Elizabethtown-Kitley**  
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May 1, 2024

Minister of Health  
Honourable Sylvia Jones  
College Park 5<sup>th</sup> Floor  
777 Bay St., Toronto ON M7A 2J3

[sylvia.jones@ontario.ca](mailto:sylvia.jones@ontario.ca)

Public Health Ontario  
Michael Sherar, President and Chief Executive Officer  
661 University Avenue, Suite 1701  
Toronto, ON M5G 1M1

[president@oahpp.ca](mailto:president@oahpp.ca)

Dear Minister Jones and Mr. Sherar,

**RE: Proposed Phase-Out of Private Well Water Testing**

The Township of Elizabethtown-Kitley, located in Eastern Ontario, in the United Counties of Leeds and Grenville is a flourishing rural community with a close by urban setting. We are a beautiful, safe and diverse community of 10,000 residents, the majority of whom are on private drinking water systems. Access to safe drinking water and sanitation are internationally recognized human rights and are fundamental to everyone's health, dignity and prosperity. We firmly believe that residents, whether on a municipal water system or private system ought to have equal access to clean and safe drinking water.

Of concern to us, is the 2023 Auditor General Report "Value-for-Money Audit: Public Health Ontario" dated December 2023, which provides a recommendation that Public Health Ontario in conjunction with the Ministry of Health, update and implement a plan to streamline public health laboratory operations, including the gradual discontinuation of private drinking water testing and the closure of various laboratories.

For our residents, and many others in the province who rely on private wells as their water sources, phasing out the testing program through a transition to privatization and reduction of lab capacity could potentially mean the end of access and free testing for private well water.

With the Ontario Government having set an ambitious goal of adding 1.5 million homes to the province's housing stock by 2031, through streamlined approvals, cutting red tape and updating various provincial planning policies (PPS, etc.), this continues to encourage development in settlement areas. In many cases, these settlement areas do not have municipal water/wastewater services available. This ultimately encourages a higher concentration of potential ground contamination, as the density of private septic systems increases, highlighting the necessity for access to private well water testing now, more than ever.

We appreciate that the ministry has not made any decisions about changes to the provincial well water testing program, however the Township felt that it was important to proactively express our views, as such, at the regular meeting held on April 29, 2024, the Council of the Corporation of the Township of Elizabethtown-Kitley received Report No. A-24-31 Proposed Phase-Out of Private Well Water Testing, attached hereto, and subsequently adopted the following resolution.

**RES. NO. 109-24**

Moved by: R. Smith

Seconded by: E. Renaud

**THAT**, the Council of the Township of Elizabethtown-Kitley support a proactive approach to Public Health Ontario's (POH) Joint Modernization Plan with the Ministry of Health (MOH) by providing the province with feedback regarding the importance of the current private well water testing program and the potential numerous negative consequences of a program phase-out for our rural community;

**AND THAT**, the Township respectfully request that if there is any further consideration of implementing the Auditor General's recommendations, that community and public health unit engagement be considered a top priority in the process;

**AND THAT**, a copy of this report and feedback correspondence be forwarded to MPP Steve Clark, Leeds, Grenville and Lanark District Board of Health and all local municipalities in UCLG.

While we commend the ministry for continually seeking program and financial efficiencies, we find it difficult to comprehend how a value could ever be put to a human life through the potential discontinuation of access to free private well water testing. We respectfully urge the province to not proceed with the recommendation to implement a plan to streamline public health laboratory operations, including the gradual discontinuation of private drinking water testing and the closure of various laboratories.

Respectfully,



Leslie Drynan  
Administrator (CAO)/Clerk

Encl. Report No. A-24-31 Proposed Phase-Out of Private Well Water Testing

cc: Honourable Minister Andrea Khanjin, Ministry of the Environment, Conservation and Parks  
Shelley Spence, Auditor General of Ontario  
Leeds-Grenville-Thousand Islands and Rideau Lakes MPP, Steve Clark  
Leeds, Grenville and Lanark District Board of Health  
All municipalities in United Counties of Leeds and Grenville



TOWNSHIP OF  
**Elizabethtown-  
Kitley**

**STAFF REPORT**  
Department: Administration

Report Number: A-24-31  
Date: 2024-04-29

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**To:** Mayor Burrow and Members of Council  
**From:** Leslie Drynan, Administrator

**Subject:** Proposed Phase-Out of Private Well Water Testing

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### RECOMMENDATION

**THAT**, Report A-24-31 Proposed Phase-Out of Private Well Water Testing be received.

**AND THAT**, the Council of the Township of Elizabethtown-Kitley support a proactive approach to Public Health Ontario's (POH) Joint Modernization Plan with the Ministry of Health (MOH) by providing the province with feedback regarding the importance of the current private well water testing program and the potential numerous negative consequences of a program phase-out for our rural community;

**AND THAT**, the Township respectfully request that if there is any further consideration of implementing the Auditor General's recommendations, that community and public health unit engagement be considered a top priority in the process;

**AND THAT**, a copy of this report and feedback correspondence be forwarded to MPP Steve Clark, Leeds, Grenville and Lanark District Board of Health and all local municipalities in UCLG.

### BACKGROUND

The Mississippi-Rideau Source Water Protection Committee, at their meeting held in early April, received correspondence from the Ausable Bayfield Maitland Valley Source Protection Committee, attached hereto regarding the province's proposal to end free private well testing.

### DISCUSSION/OPTIONS

Public Health Ontario (PHO) is planning to phase out free provincial testing for private drinking water. PHO originally proposed a joint "modernization plan" in conjunction with the provincial Ministry of Health (MHO) in 2017 to reduce public health labs' services.

They proposed shuttering six out of 11 provincial health labs and to scale down the types of tests publicly offered, including gradually phasing out private well water testing.

The most recent mention of the above noted plan was in the Ontario auditor general's annual report on public health from December 2023. The report recommended that the PHO and MHO move to implement a similar modernization plan within the next year.

The PHO tests for coliforms—bacteria that are often found in animal waste and sewage—as well as *E. coli*. Currently, the PHO provides free test kits for Ontarians to test their well water themselves, they can then drop off their sample at their local public health unit.

For Ontarians who rely on private wells as their water sources, phasing out the PHO program through a transition to privatization of this service could potentially mean the end of free testing for private well water, which will ultimately discourage people from getting their water tested.

Of particular concern is the fact that various provincial planning policies (PPS, etc.) continue to encourage development in settlement areas. In many cases, these settlement areas do not have municipal water/wastewater services available. This ultimately encourages a higher concentration of potential ground contamination, as the density of private septic systems increases. Counterintuitively, instead of promoting mitigation of the increased health risks resulting from these planning policies, the Auditor General's report does the opposite - encouraging the removal of free testing of well water and the reduction of lab capacity to do so across the Province.

A potential lack of free testing, alongside the consolidation of several Ontario labs, could make access to water testing even more difficult. In addition, it could impact those who may be unaware that they should be testing their water—such as newcomers to Canada or ex-city-dwellers who are used to municipal water being tested by the city—as well as individuals who may not be able to afford private testing.

During Question Period at Queen's Park on April 16, 2024, the Ontario Minister of Health confirmed that the Province of Ontario will continue to provide free well water testing for rural households. The ministry has not made any decisions about changes to the provincial well water testing program, including which laboratories conduct testing of water samples.

**OPTION ONE (Recommended)**

THAT the Council of the Township of Elizabethtown-Kitley support a proactive approach to Public Health Ontario's (POH) Joint Modernization Plan with the Ministry of Health (MOH) by providing the province with feedback regarding the importance of the current private well water testing program and the potential numerous negative consequences of a program phase-out for our rural community;

AND THAT the Township respectfully request that if there is any further consideration of implementing the Auditor General's recommendations, that community and public health unit engagement be considered a top priority in the process;

AND THAT a copy of this report and feedback correspondence be forwarded to MPP Steve Clark, Leeds, Grenville and Lanark District Board of Health and all local municipalities in UCLG.

**OPTION TWO**

Receive as information; take no action at this time.

**FINANCIAL IMPLICATIONS**

None currently.

**LINK TO STRATEGIC PLAN**

This initiative aligns with the Mission, to provide excellent services fostering a safe, inclusive and resilient community through responsible government. It also speaks to positive, forward-thinking leadership and our continual strive for excellence and accountability.

**ATTACHMENTS**

Ausable Bayfield Maitland Valley Source Protection Committee Resolution

February 26th, 2023

Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs

Re: Recommended Phase Out of Free Well Water Testing in the 2023 Auditor General's Report

Dear Minister Thompson,

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites

About 50% of the Ausable Bayfield Maitland Valley Region population is serviced by private wells. The proposed removal of PHO's free private drinking water testing is of concern to our Ausable Bayfield Source Protection Committee, particularly when Source Protection Regions have been directed by the Ministry of Environment, Conservation and Parks, Source Protection Branch, to deliver education and outreach to private well owners under the new Best Practices initiative.

In our region, we have been working with service and community organizations such as the Lions, Optimists and Lakeshore Residents Associations to co-host very successful Best Practices 'Water Wise' events that encourage private well owners to sample their drinking water using the free microbial testing provided by the province. By distributing water sample bottles ahead of the event and delivering the samples to Huron Perth Public Health for lab analysis, most of the barriers to water sampling are removed. At these events 25% to 50% of a community well water will be sampled in one day or night.

Well owners understand the importance of testing their well water; it is the inconvenience of doing so that is the barrier. One of the goals of the 'Water Wise' events is to encourage well owners to get in the habit of testing their water regularly as part of Best Practices for protecting their drinking water. The hope is that the community groups and service clubs that Source Protection staff work with will make Water Wise water sampling events part of their regular activities.

Private drinking water systems in Ontario do not have the legislated safeguards that are required for municipal/communal/public systems under the Safe Drinking Water Act, 2002. Only municipal water supply systems fall under the Clean Water Act, 2006 and the Source Water Protection program. Health Canada's guidance on waterborne pathogens references three studies that determine that private systems are vulnerable and there is evidence that demonstrates they are more likely to contribute to gastrointestinal illness than public drinking water systems.

If the free water testing phase out recommendation is approved, well owners would have to use a commercial lab for a fee, which disincentivizes testing. When water is not monitored regularly, there is no way to know the true quality of the water, which puts people at increased risk of becoming ill. With private systems being stand-alone systems, any associated illnesses are isolated sporadic events and do not come to public attention like those seen during the Walkerton outbreak.

The private drinking water test data maintained by PHO has been used by researchers to publish evidence that helps support public health policy. Source Protection Committees can access data associated with their area, as was presented at our March 2023 meeting. The data can be used to inform well owners of regional water quality concerns and associated health risks. If PHO stops testing, this data and affiliated research will no longer be available.

In the Walkerton Inquiry Report Part 2, Justice O'Connor concluded the privatization of laboratory testing of drinking water samples connected directly to the E. coli O157:H7 outbreak in Walkerton Ontario in May 2000. Twenty-four years later, there is a proposal to privatize water testing once again.

At the January 31st meeting of the Ausable Bayfield Maitland Valley Source Protection Committee the following resolution was unanimously approved:

MOTION #SPC: 2024-02-04 Moved by Philip Keightley

Seconded by Mary Ellen Foran

“THAT the Source Protection Committee direct a letter to Minister Thompson requesting that the province not proceed with the recommended phase out of free private well testing in Ontario, and

“FURTHER, THAT area municipalities, the Minister of Environment Conservation and Parks, the Minister of Health and Long-Term Care, other Source Protection Committees, and local health units be forwarded the letter and asked for their support. “

Carried.

Thank you for your consideration of this request.

Sincerely

Matthew Pearson, Chair  
Ausable Bayfield Maitland Valley Source Protection Committee

Cc Honourable Sylvia Jones, Minister of Health and Long-Term Care

Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks