

December 9, 2021

Report To: Travis Rob, P.Eng., Manager of Operations & Facilities

From: Craig Miller, P.Eng., Environmental Superintendent

**SUBJECT:** Municipal Drinking Water Licence Appeal to MECP

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In early May 2021, the Town of Fort Frances was issued a new Municipal Drinking Water Licence (MDWL) by the Ministry of Environment, Conservation and Parks (MECP).

The MECP added a new condition to the licence in this new revision. This condition centred around Water Treatment Plant's media filter backwash water. The backwash water (which goes directly to Rainy River from the plant) was to have a Total Chlorine Residual (TCR) of less than 0.02 ppm.

The current design of our plant prevents us from controlling and minimizing the TCR in the backwash water. The media filters are backwashed using treated, chlorinated water.

Realizing that the Town was unable to meet the TCR condition in the MDWL, the Town launched an appeal of the MDWL through the Ontario Land Tribunal (OLT) and retained the law firm Gowling WLG to represent the Town.

Over the past several months, the Town and the MECP have negotiated a settlement with respect to the MDWL. The MECP will be issuing a revised MDWL with the TCR condition removed. The MECP has also agreed that there will be no enforcement of the TCR condition for the time period between the licence issued in May and the new licence being issued once this appeal has concluded.

The Town and MECP agree that the TCR condition will be added to the next MDWL, expected to be renewed / issued in May 2026. The Town has agreed that engineering, design and capital works will be undertaken in the upcoming years to change the process such that the Town will be able to control the TCR in the backwash water. This will have to be completed in advance of the next MDWL.

Having the TCR condition removed from the MDWL is beneficial to the Town because it gives us the time required to modify the process to allow us to meet the TCR condition that will be added to the MDWL in 2026. We are also hopeful that the Town will qualify for Provincial and/or Federal funding opportunities to offset

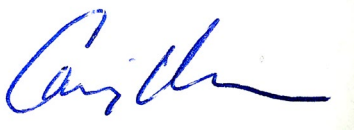
engineering and capital costs that will be incurred by the Town to complete these works.

Next steps in this for this appeal process are:

- Minutes of Settlement (MoS) signed by Town of Fort Frances
- Signed MoS presented to OLT
- MoS approved by OLT
- MECP will issue new MDWL
- Capital works to be included in 2022 budget for engineering and design works
- Source grant funding opportunities
- Capital works to be included in 2023, 2024 and/or 2025 for water treatment plant modifications
- New MDWL issued in 2026

It is my recommendation that the attached Minutes of Settlement between the Town of Fort Frances and Ministry of Environment, Conservation and Parks be presented to Mayor and Council for their review and approval, on behalf of the Town of Fort Frances.

Respectfully submitted,



Craig Miller, P.Eng.  
Environmental Superintendent

Attachments:

Minutes of Settlement  
Non-Enforcement Letter from MECP  
MDWL Issue #4 Draft

PROCEEDING COMMENCED UNDER section 127(1) of the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32, as amended (SDWA);

Appellant: The Corporation of the Town of Fort Frances  
Respondent: Ontario (Environment, Conservation and Parks)  
Subject of Appeal: Appeal of conditions on a municipal drinking water licence for the Town of Fort Frances drinking water system  
Reference No.: 224-101  
Upper Tier: Rainy River District  
OLT Case No.: 21-032  
OLT Case Name: Fort Frances (Town) v. Ontario (Environment, Conservation and Parks)

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## MINUTES OF SETTLEMENT

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**WHEREAS** the Director, Ministry of the Environment, Conservation and Parks (the “Director”) issued Municipal Drinking Water Licence #224-101, Issue #3, dated May 11, 2021 (hereafter the “Licence”) to the Corporation of the Town of Fort Frances (hereafter the “Town”);

**AND WHEREAS** Schedule C, Table 3 of the Licence limits the annual average concentration of Total Chlorine Residual (TCR) of Media Filter Backwash Effluent to 0.02 milligrams per litre (the “TCR Limit”);

**AND WHEREAS** the Town appealed the License to the Ontario Land Tribunal (the “Tribunal”) on May 11, 2021; specifically, the TCR Limit;

**AND WHEREAS** the License expires in May 2026 at which time the Town will be required to apply for and obtain a renewed licence;

**AND WHEREAS** the Town requires time to make the physical alterations to the Fort Frances Drinking Water System necessary to comply with the TCR Limit;

**NOW THEREFORE and WITHOUT PREJUDICE OR ADMISSION OF LIABILITY**, the Town and the Director hereby agree to the following terms and conditions to settle the appeal, should the Tribunal accept this agreement:

1. The Tribunal will order the Director to amend the Licence by removing the TCR Limit;
2. Once the Tribunal has issued its order, the Director will issue a new license, the draft of which is attached to these minutes of settlement as Appendix A (the “**New Licence**”);
3. The Town commits to making every reasonable effort, including obtaining and or providing appropriate funding, to complete the physical alterations to the Fort Frances Drinking Water System necessary to comply with the TCR Limit prior to May 2026 when the Town will be required to apply for and obtain a licence renewal;
4. The Town acknowledges that the TCR Limit may be reinstated into a licence when the Town applies to renew the New Licence prior to its expiration. Whether this occurs will be entirely at the Director’s discretion. If the TCR Limit is reinstated the parties agree that the Town will not appeal the renewed licence solely on the ground that it imposes a TCR limit, and that the Town’s appeal rights will not otherwise be restricted;
5. Should the Town complete alterations to the Fort Frances Drinking Water System prior to May 2026, such that it is able to comply with the TCR Limit, the Town will inform the Director and agree that the TCR Limit may be immediately reinstated into the Licence without waiting for the May 2026 license renewal;

6. This Agreement does not in any way limit the authority of the Ministry of the Environment, Conservation and Parks (the MECP), the Minister of the MECP, MECP Directors or provincial officers to issue orders to the Town or any other person or entity in respect of the Licence or the New Licence including but not limited to orders related to issues covered by this Agreement, or orders in response to a breach of this Agreement by the Appellant, to address a change in facts or circumstances that may arise in the future; and
7. These Minutes may be executed in several counterparts by the solicitors acting on behalf of the Town and the Director and by original facsimile or electronic signature, each of which when so executed shall be deemed to be an original and such counterparts together shall constitute but one and the same agreement.

Dated:



Digitally signed by Aziz Ahmed  
DN: cn=Aziz Ahmed, o=EPB,  
ou=MWWPS,  
email=azizahmed@ontario.ca,  
c=CA  
Date: 2021.12.06 16:30:15  
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Aziz Ahmed  
Appointed Director, Section 44, SDWA  
Manager, Municipal Water & Wastewater Permissions  
Ministry of the Environment, Conservation and Parks

Dated:

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Town of Fort Frances

**Ministry of the Environment,  
Conservation and Parks**

Drinking Water and Environmental  
Compliance Division, Northern Region  
Thunder Bay District, Kenora Office  
808 Robertson Street  
Kenora, ON P9N 1X9  
Tel.: 807 468-2718  
Fax: 807 468-2735

**Ministère de l'Environnement, de la Protection de  
la nature et des Parcs**

Division de la conformité en matière d'eau potable  
et d'environnement, Direction régionale du Nord  
District de Thunder Bay, Bureau de Kenora  
808 rue Robertson  
Kenora, ON P9N 1X9  
Tel. : 807 468-2718  
Téléc.: 807 468-2735

December 2, 2021

**Sent by E-mail: [cmiller@fortfrances.ca](mailto:cmiller@fortfrances.ca)**

The Corporation of the Town of Fort Frances  
320 Portage Avenue  
Fort Frances, Ontario, CA, P9A 3P9

Attn: Craig Miller, P.Eng., Environmental Superintendent

RE: Fort Frances Appeal - Media Filter Backwash Total Chlorine Residual Effluent  
Limit

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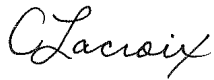
Dear Mr. Miller,

I am writing in respect of Municipal Drinking Water Licence #224-101, Issue #3, dated May 11, 2021 issued to the Town of Fort Frances. The Licence contained a condition limiting the annual average concentration of Total Chlorine Residual (TCR) of Media Filter Backwash Effluent to 0.02 milligrams per litre (the "TCR Limit"). I have been informed by the Director who issued the Licence that the Town filed an appeal of this condition to the Ontario Land Tribunal and that a settlement has been reached to resolve the appeal. The settlement involves the Director removing the TCR limit on the basis that the Town will make every reasonable effort, including obtaining and or providing appropriate funding, to complete the physical alterations to the Fort Frances Drinking Water System necessary to comply with the TCR Limit prior to May 2026 when the Town will be required to apply for and obtain a licence renewal.

Under these circumstances and if the Tribunal accepts settlement as proposed, when the Ministry conducts the next inspection of the Fort Frances Drinking Water system, the inspection will focus on the Licence condition as amended. The Ministry will not consider the Town of Fort Frances as being out of compliance during the time in which

the TCR limit was in effect, from May 11, 2021 until the amendment date. No enforcement action will be taken for this period of time with respect to the TCR limit given that the TCR limit was subsequently removed further to the settlement that was reached.

Regards,

A handwritten signature in black ink, appearing to read 'CLacroix'.

Carolyn Lacroix  
Water Inspector, Drinking Water and Environmental Compliance Division  
Ministry of Environment, Conservation and Parks

## MUNICIPAL DRINKING WATER LICENCE

**Licence Number: 224-101**

**Issue Number: 4**

Pursuant to the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32, and the regulations made thereunder and subject to the limitations thereof, I hereby issue this municipal drinking water licence under Part V of the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32 to:

### **The Corporation of the Town of Fort Frances**

**320 Portage Avenue  
Fort Frances, ON  
P9A 3P9**

For the following municipal residential drinking water system:

### **Fort Frances Drinking Water System**

This municipal drinking water licence includes the following:

#### **Schedule**

#### **Description**

Schedule A	Drinking Water System Information
Schedule B	General Conditions
Schedule C	System-Specific Conditions
Schedule D	Conditions for Relief from Regulatory Requirements
Schedule E	Pathogen Log Removal/Inactivation Credits

Upon the effective date of this drinking water licence #224-101, all previously issued versions of licence #224-101 are revoked and replaced by this licence.

DATED at TORONTO this {day} day of {month}, 2021

Signature

Aziz Ahmed, P.Eng.  
Director  
Part V, *Safe Drinking Water Act*, 2002



## Schedule A: Drinking Water System Information

System Owner	The Corporation of the Town of Fort Frances
Licence Number	224-101
Drinking Water System Name	Fort Frances Drinking Water System
Licence Effective Date	{day, month, year}

### 1.0 Licence Information

Licence Issue Date	{day, month, year}
Licence Effective Date	{day, month, year}
Licence Expiry Date	May 11, 2026
Application for Licence Renewal Date	November 10, 2025

### 2.0 Incorporated Documents

The following documents are applicable to the above drinking water system and form part of this licence:

#### 2.1 Drinking Water Works Permit

Drinking Water System Name	Permit Number	Issue Date
Fort Frances Drinking Water System	224-201	May 11, 2021

#### 2.2 Permits to Take Water

Water Taking Location	Permit Number	Issue Date
Rainy River	3528-AE6PEM	September 27, 2016

#### 2.1 Other Documents

Document Title	Version Number	Version Date
Not Applicable	Not Applicable	Not Applicable

### 3.0 Financial Plans

The Financial Plan Number for the Financial Plan required to be developed for this drinking water system in accordance with O. Reg. 453/07 shall be:	224-301
Alternately, if one Financial Plan is developed for all drinking water systems owned by the owner, the Financial Plan Number shall be:	224-301A

### 4.0 Accredited Operating Authority

Drinking Water System or Operational Subsystems	Accredited Operating Authority	Operational Plan No.	Operating Authority No.
Fort Frances Drinking Water System	The Corporation of the Town of Fort Frances	224-401	224-OA1

## Schedule B: General Conditions

System Owner	The Corporation of the Town of Fort Frances
Licence Number	224-101
Drinking Water System Name	Fort Frances Drinking Water System
Licence Effective Date	{day, month, year}

### 1.0 Definitions

**1.1** Words and phrases not defined in this licence and the associated drinking water works permit shall be given the same meaning as those set out in the SDWA and any regulations made in accordance with that act, unless the context requires otherwise.

**1.2** In this licence and the associated drinking water works permit:

**“adverse effect”, “contaminant” and “natural environment”** shall have the same meanings as in the EPA;

**“alteration”** may include the following in respect of this drinking water system:

- (a) An addition to the system,
- (b) A modification of the system,
- (c) A replacement of part of the system, and
- (d) An extension of the system;

**“compound of concern”** means a contaminant described in paragraph 4 subsection 26 (1) of O. Reg. 419/05, namely, a contaminant that is discharged to the air from a component of the drinking water system in an amount that is not negligible;

**“CT”** means the CT Disinfection Concept, as described in subsection 3.1.1 of the Ministry’s Procedure for Disinfection of Drinking Water in Ontario, dated July 29 2016.

**“Director”** means a Director appointed pursuant to section 6 of the SDWA for the purposes of Part V of the SDWA;

**“drinking water works permit”** means the drinking water works permit for the drinking water system, as identified in Schedule A of this licence and as amended from time to time;

**“emission summary table”** means a table described in paragraph 14 of subsection 26 (1) of O. Reg. 419/05;

**“EPA”** means the *Environmental Protection Act*, R.S.O. 1990, c. E.19;

**“financial plan”** means the financial plan required by O. Reg. 453/07;

**“Harmful Algal Bloom (HAB)”** means an overgrowth of aquatic algal bacteria that produce or have the potential to produce toxins in the surrounding water, when the algal

cells are damaged or die. Such bacteria are harmful to people and animals and include microcystins produced by cyanobacterial blooms.

**“licence”** means this municipal drinking water licence for the municipal drinking water system identified in Schedule A of this licence;

**“licensed engineering practitioner”** means a person who holds a licence, limited licence or temporary licence under the Professional Engineers Act;

**“Ministry”** means the Ontario Ministry of the Environment, Conservation and Parks;

**“operational plan”** means an operational plan developed in accordance with the Director’s Directions – Minimum Requirements for Operational Plans made under the authority of subsection 15(1) of the SDWA;

**“owner”** means the owner of the drinking water system as identified in Schedule A of this licence;

**“OWRA”** means the *Ontario Water Resources Act*, R.S.O. 1990, c. 0.40;

**“permit to take water”** means the permit to take water that is associated with the taking of water for purposes of the operation of the drinking water system, as identified in Schedule A of this licence and as amended from time to time;

**“point of impingement”** has the same meaning as in section 2 of O. Reg. 419/05 under the EPA;

**“point of impingement limit”** means the appropriate standard from Schedule 2 or 3 of O. Reg. 419/05 under the EPA and if a standard is not provided for a compound of concern, the concentration set out for the compound of concern in the document titled “Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants”, as amended from time to time and published by the Ministry and available on a government of Ontario website;

**“provincial officer”** means a provincial officer designated pursuant to section 8 of the SDWA;

**“publication NPC-300”** means the Ministry publication titled “Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning” dated August 2013, as amended;

**“SCADA system”** means a supervisory control and data acquisition system used for process monitoring, automation, recording and/or reporting within the drinking water system;

**“SDWA”** means the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32;

**“sensitive receptor”** means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from a discharge to air from an emergency generator that is a component of the drinking water system, including one or a combination of:

- (a) private residences or public facilities where people sleep (e.g.: single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.),
- (b) institutional facilities (e.g.: schools, churches, community centres, day care centres, recreational centres, etc.),
- (c) outdoor public recreational areas (e.g.: trailer parks, play grounds, picnic areas, etc.), and
- (d) other outdoor public areas where there are continuous human activities (e.g.: commercial plazas and office buildings).

**“sub-system”** has the same meaning as in Ontario Regulation 128/04 (Certification of Drinking Water System Operators and Water Quality Analysts) under the SDWA;

**“surface water”** means water bodies (lakes, wetlands, ponds - including dug-outs), water courses (rivers, streams, water-filled drainage ditches), infiltration trenches, and areas of seasonal wetlands;

**“UV”** means ultraviolet, as in ultraviolet light produced from an ultraviolet reactor.

## 2.0 Applicability

- 2.1 In addition to any other applicable legal requirements, the drinking water system identified above shall be established, altered and operated in accordance with the conditions of the drinking water works permit and this licence.

## 3.0 Licence Expiry

- 3.1 This licence expires on the date identified as the licence expiry date in Schedule A of this licence.

## 4.0 Licence Renewal

- 4.1 Any application to renew this licence shall be made on or before the date identified as the application for licence renewal date set out in Schedule A of this licence.

## 5.0 Compliance

- 5.1 The owner and operating authority shall ensure that any person authorized to carry out work on or to operate any aspect of the drinking water system has been informed of the SDWA, all applicable regulations made in accordance with that act, the drinking water works permit and this licence and shall take all reasonable measures to ensure any such person complies with the same.

## 6.0 Licence and Drinking Water Works Permit Availability

- 6.1 At least one copy of this licence and the drinking water works permit shall be stored in such a manner that they are readily viewable by all persons involved in the operation of the drinking water system.

## 7.0 Permit to Take Water and Drinking Water Works Permit

- 7.1 A permit to take water identified in Schedule A of this licence is the applicable permit on the date identified as the Effective Date of this licence.
- 7.2 A drinking water works permit identified in Schedule A of this licence is the applicable permit on the date identified as the Effective Date of this licence.

## 8.0 Financial Plan

- 8.1 For every financial plan prepared in accordance with subsections 2(1) and 3(1) of O. Reg. 453/07, the owner of the drinking water system shall:
- 8.1.1 Ensure that the financial plan contains on the front page of the financial plan, the appropriate financial plan number as set out in Schedule A of this licence; and
- 8.1.2 Submit a copy of the financial plan to the Ministry of Municipal Affairs and Housing within three (3) months of receiving approval by a resolution of municipal council or the governing body of the owner.

## 9.0 Interpretation

- 9.1 Where there is a conflict between the provisions of this licence and any other document, the following hierarchy shall be used to determine the provision that takes precedence:
- 9.1.1 The SDWA;
- 9.1.2 A condition imposed in this licence that explicitly overrides a prescribed regulatory requirement;
- 9.1.3 A condition imposed in the drinking water works permit that explicitly overrides a prescribed regulatory requirement;
- 9.1.4 Any regulation made under the SDWA;
- 9.1.5 Any provision of this licence that does not explicitly override a prescribed regulatory requirement;
- 9.1.6 Any provision of the drinking water works permit that does not explicitly override a prescribed regulatory requirement;
- 9.1.7 Any application documents listed in this licence, or the drinking water works permit from the most recent to the earliest; and

- 9.1.8 All other documents listed in this licence, or the drinking water works permit from the most recent to the earliest.
- 9.1.9 Any other technical bulletin or procedure issued by the Ministry from the most recent to the earliest.
- 9.2 If any requirement of this licence or the drinking water works permit is found to be invalid by a court of competent jurisdiction, the remaining requirements of this licence and the drinking water works permit shall continue to apply.
- 9.3 The issuance of and compliance with the conditions of this licence and the drinking water works permit does not:
  - 9.3.1 Relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including the *Environmental Assessment Act*, R.S.O. 1990, c. E.18; and
  - 9.3.2 Limit in any way the authority of the appointed Directors and provincial officers of the Ministry to require certain steps be taken or to require the owner to furnish any further information related to compliance with the conditions of this licence or the drinking water works permit.
- 9.4 For greater certainty, nothing in this licence or the drinking water works permit shall be read to provide relief from regulatory requirements in accordance with section 46 of the SDWA, except as expressly provided in the licence or the drinking water works permit.

## 10.0 Adverse Effects

- 10.1 Nothing in this licence or the drinking water works permit shall be read as to permit:
  - 10.1.1 The discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect; or
  - 10.1.2 The discharge of any material of any kind into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters.
- 10.2 All reasonable steps shall be taken to minimize and ameliorate any adverse effect on the natural environment or impairment of the quality of water of any waters resulting from the operation of the drinking water system including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
- 10.3 Fulfillment of one or more conditions imposed by this licence or the drinking water works permit does not eliminate the requirement to fulfill any other condition of this licence or the drinking water works permit.

## 11.0 Change of Owner or Operating Authority

- 11.1 This licence is not transferable without the prior written consent of the Director.
- 11.2 The owner shall notify the Director in writing at least 30 days prior to a change of any operating authority identified in Schedule A of this licence.
- 11.2.1 Where the change of operating authority is the result of an emergency situation, the owner shall notify the Director in writing of the change as soon as practicable.

## 12.0 Information to be Provided

- 12.1 Any information requested by a Director or a provincial officer concerning the drinking water system and its operation, including but not limited to any records required to be kept by this licence or the drinking water works permit, shall be provided upon request.

## 13.0 Records Retention

- 13.1 Except as otherwise required in this licence or the drinking water works permit, any records required by or created in accordance with this licence or the drinking water works permit, other than the records specifically referenced in section 12 or section 13 of O. Reg. 170/03, shall be retained for at least 5 years and made available for inspection by a provincial officer, upon request.

## 14.0 Chemicals and Materials

- 14.1 All chemicals and materials used in the alteration or operation of the drinking water system that come into contact with water within the system shall meet all applicable standards set by both the American Water Works Association ("AWWA") and the American National Standards Institute ("ANSI") safety criteria standards NSF/60, NSF/61 and NSF/372.
- 14.1.1 In the event that the standards are updated, the owner may request authorization from the Director to use any on hand chemicals and materials that previously met the applicable standards.
- 14.2 The most current chemical and material product registration documentation from a testing institution accredited by either the Standards Council of Canada or by the American National Standards Institution ("ANSI") shall be available at all times for each chemical and material used in the operation of the drinking water system that comes into contact with water within the system.
- 14.3 Conditions 14.1 and 14.2 do not apply in the case of the following:
- 14.3.1 Water pipe and pipe fittings meeting AWWA specifications made from ductile iron, cast iron, PVC, fibre and/or steel wire reinforced cement pipe or high density polyethylene (HDPE);
- 14.3.2 Articles made from stainless steel, glass, HDPE or Teflon®;

- 14.3.3 Cement mortar for watermain lining and for water contacting surfaces of concrete structures made from washed aggregates and Portland cement;
- 14.3.4 Gaskets that are made from NSF approved materials;
- 14.3.5 Food grade oils and lubricants, food grade anti-freeze, and other food grade chemicals and materials that are compatible for drinking water use that may come into contact with drinking water, but are not added directly to the drinking water; or
- 14.3.6 Any particular chemical or material where the owner has written documentation signed by the Director that indicates that the Ministry is satisfied that the chemical or material is acceptable for use within the drinking water system and the chemical or material is only used as permitted by the documentation.

## 15.0 Drawings

- 15.1 All drawings and diagrams in the possession of the owner that show any treatment subsystem as constructed shall be retained by the owner unless the drawings and diagrams are replaced by a revised or updated version showing the subsystem as constructed subsequent to the alteration.
- 15.2 Any alteration to any treatment subsystem shall be incorporated into process flow diagrams, process and instrumentation diagrams, and record drawings and diagrams within one year of the alteration being completed or placed into service.
- 15.3 Process flow diagrams and process and instrumentation diagrams for any treatment subsystem shall be kept in a place, or made available in such a manner, that they may be readily viewed by all persons responsible for all or part of the operation of the drinking water system.

## 16.0 Operations and Maintenance Manual

- 16.1 An up-to-date operations and maintenance manual or manuals shall be maintained and applicable parts of the manual or manuals shall be made available for reference to all persons responsible for all or part of the operation or maintenance of the drinking water system.
- 16.2 The operations and maintenance manual or manuals, shall include at a minimum:
  - 16.2.1 The requirements of this licence and associated procedures;
  - 16.2.2 The requirements of the drinking water works permit for the drinking water system;
  - 16.2.3 A description of the processes used to achieve primary and secondary disinfection within the drinking water system including where applicable:
    - a) A copy of the CT calculations that were used as the basis for primary disinfection under worst case operating conditions and other operating conditions, if applicable; and



- b) The validated operating conditions for UV disinfection equipment, including a copy of the validation certificate;
- 16.2.4 Procedures for monitoring and recording the in-process parameters necessary for the control of any treatment subsystem and for assessing the performance of the drinking water system;
- 16.2.5 Procedures for the operation and maintenance of monitoring equipment;
- 16.2.6 Contingency plans and procedures for the provision of adequate equipment and material to deal with emergencies, upset conditions and equipment breakdown;
- 16.2.7 Procedures for dealing with complaints related to the drinking water system, including the recording of the nature of the complaint and any investigation and corrective action taken in respect of the complaint;
- 16.3** Procedures necessary for the operation and maintenance of any alterations to the drinking water system shall be incorporated into the operations and maintenance manual or manuals prior to those alterations coming into operation.
- 16.4** All of the procedures included or referenced within the operations and maintenance manual must be implemented.

## Schedule C: System-Specific Conditions

System Owner	The Corporation of the Town of Fort Frances
Licence Number	224-101
Drinking Water System Name	Fort Frances Drinking Water System
Licence Effective Date	{day, month, year}

### 1.0 System Performance

#### Rated Capacity

- 1.1** For each treatment subsystem listed in column 1 of Table 1, the maximum daily volume of treated water that flows from the treatment subsystem to the distribution system shall not exceed the value identified as the rated capacity in column 2 of the same row.

Table 1: Rated Capacity	
Column 1 Treatment Subsystem Name	Column 2 Rated Capacity (m <sup>3</sup> /day)
Fort Frances Water Treatment Plant	17,000

#### Maximum Flow Rates

- 1.2** For each treatment subsystem listed in column 1 of Table 2, the maximum flow rate of water that flows into a treatment subsystem component listed in column 2 shall not exceed the value listed in column 3 of the same row.

Table 2: Maximum Flow Rates		
Column 1 Treatment Subsystem Name	Column 2 Treatment Subsystem Component	Column 3 Maximum Flow Rate (L/s)
Not Applicable	Not Applicable	Not Applicable

- 1.3** Despite conditions 1.1 and 1.2, a treatment subsystem may be operated temporarily at a maximum daily volume and/or a maximum flow rate above the values set out in column 2 of Table 1 and column 3 of Table 2 respectively for the purposes of fighting a large fire or for the maintenance of the drinking water system.
- 1.4** Condition 1.3 does not authorize the discharge into the distribution system of any water that does not meet all of the requirements of this licence and all other regulatory requirements, including compliance with the Ontario Drinking Water Quality Standards.

### Residuals Management

- 1.5** In respect of an effluent discharged into the natural environment from a treatment subsystem or treatment subsystem component listed in column 1 of Table 3:
- 1.5.1 The annual average concentration of a test parameter identified in column 2 shall:
- a) not exceed the value in column 3 of the same row; and
  - b) be calculated at least once monthly as the running annual average based on the previous twelve months of results;
- 1.5.2 Where the average concentration of a test parameter identified in column 2 exceeds the value in column 3, the concentration shall be reported to the local Ministry district office within 72 hours of receipt of the last lab result used in the calculation;
- 1.5.3 The maximum concentration of a test parameter identified in column 2 shall not exceed the value in column 4 of the same row;
- 1.5.4 Where the maximum concentration of a test parameter identified in column 2 exceeds the value in column 4, the discharge shall be reported in accordance with s.13.2 of O. Reg. 675.98 and recorded in accordance with s.12.2 of O. Reg. 675.98 within 24 hours of receipt of the lab result; and,
- 1.5.5 The test parameters listed in column 2 of Table 3 shall be sampled in accordance with conditions 5.2, 5.3 and 5.4 of Schedule C in this Licence.

Table 3: Residuals Management			
Column 1 Treatment Subsystem or Treatment Subsystem Component Name	Column 2 Test Parameter	Column 3 Annual Average Concentration (mg/L)	Column 4 Maximum Concentration (mg/L)
Media filter backwash effluent	Total Suspended Solids	25	Not Applicable

### UV Disinfection Equipment Performance

- 1.6** For each treatment subsystem or treatment subsystem component listed in column 1 of Table 4, and while directing water to the distribution system and being used to meet pathogen log removal/inactivation credits specified in Schedule E:
- 1.6.1 The UV disinfection equipment shall be operated within the validated limits for the equipment at all times such that a continuous pass-through UV dose is maintained throughout the life time of the UV lamp(s) that is at least the minimum continuous pass-through UV dose set out in column 2 of the same row
- 1.6.2 In addition to any other sampling, analysis and recording that may be required, the ultraviolet light disinfection equipment shall test for the test parameters set

out in column 4 of the same row at a testing frequency of once every five (5) minutes or less and record the test data at a recording frequency of once every four (4) hours or less;

- 1.6.3 If there is a UV disinfection equipment alarm signaling that the disinfection equipment is malfunctioning, has lost power, or is not providing the appropriate level of disinfection the test parameters set out in column 4 of the same row shall be recorded at a recording frequency of once every five minutes or less until the alarm condition has been corrected;
- 1.6.4 A monthly summary report shall be prepared at the end of each calendar month which sets out the time, date and duration of each UV equipment alarm described in condition 1.6.3, the volume of water treated during each alarm period and the actions taken by the operating authority to correct the alarm situation;

**Table 4: UV Disinfection Equipment**

Column 1 Treatment Subsystem or Treatment Subsystem Component Name	Column 2 Minimum Continuous Pass-Through UV Dose (mJ/cm <sup>2</sup> )	Column 3 Control Strategy	Column 4 Test Parameter
Not Applicable	Not Applicable	Not Applicable	Not Applicable

## 2.0 Flow Measurement and Recording Requirements

- 2.1 For each treatment subsystem identified in column 1 of Table 1 and in addition to any other flow measurement and recording that may be required, continuous flow measurement and recording shall be undertaken for:
- 2.1.1 The flow rate (L/s) and daily volume (m<sup>3</sup>/day) of treated water that flows from the treatment subsystem to the distribution system.
- 2.1.2 The flow rate (L/s) and daily volume (m<sup>3</sup>/day) of water that flows into the treatment subsystem.
- 2.2 For each treatment subsystem component identified in column 2 of Table 2 and in addition to any other flow measurement and recording that may be required, continuous flow measurement and recording shall be undertaken for the flow rate and daily volume of water that flows into the treatment subsystem component.
- 2.3 Where a rated capacity from Table 1 or a maximum flow rate from Table 2 is exceeded, the following shall be recorded:
- 2.3.1 The difference between the measured amount and the applicable rated capacity or maximum flow rate specified in Table 1 or Table 2;
- 2.3.2 The time and date of the measurement;

2.3.3 The reason for the exceedance; and

2.3.4 The duration of time that lapses between the applicable rated capacity or maximum flow rate first being exceeded and the next measurement where the applicable rated capacity or maximum flow rate is no longer exceeded.

### 3.0 Calibration of Flow Measuring Devices

3.1 All flow measuring devices that are required by regulation, by a condition in the drinking water works permit 224-201, or by a condition otherwise imposed by the Ministry, shall be checked and where necessary calibrated in accordance with the manufacturer's instructions.

3.2 If the manufacturer's instructions do not indicate how often to check and calibrate a flow measuring device, the equipment shall be checked and where necessary calibrated at least once every 12 months during which the drinking water system is in operation.

3.2.1 For greater certainty, if condition 3.2 applies, the equipment shall be checked and where necessary calibrated not more than 30 days after the first anniversary of the day the equipment was checked and calibrated in the previous 12-month period.

### 4.0 Calibration of CT Monitoring System

4.1 Any measuring instrumentation that forms part of the monitoring system for CT shall be checked and where necessary calibrated at least once every 12 months during which the drinking water system is in operation, or more frequently in accordance with the manufacturer's instructions.

4.1.1 For greater certainty, if condition 4.1 applies, the instrumentation shall be checked and where necessary calibrated not more than 30 days after the first anniversary of the day the equipment was checked and calibrated in the previous 12-month period.

### 5.0 Additional Sampling, Testing and Monitoring

#### Drinking Water Health and Non-Health Related Parameters

5.1 For each treatment subsystem or treatment subsystem component identified in column 1 of Tables 5 and 6 and in addition to any other sampling, testing and monitoring that may be required, sampling, testing and monitoring shall be undertaken for a test parameter listed in column 2 at the sampling frequency listed in column 3 and at the monitoring location listed in column 4 of the same row.

**Table 5: Drinking Water Health Related Parameters**

Column 1 Treatment Subsystem or Treatment Subsystem Component Name	Column 2 Test Parameter	Column 3 Sampling Frequency	Column 4 Monitoring Location
Not Applicable	Not Applicable	Not Applicable	Not Applicable

**Table 6: Drinking Water Non-Health Related Parameters**

Column 1 Treatment Subsystem or Treatment Subsystem Component Name	Column 2 Test Parameter	Column 3 Sampling Frequency	Column 4 Monitoring Location
Not Applicable	Not Applicable	Not Applicable	Not Applicable

**Environmental Discharge Parameters**

- 5.2** For each treatment subsystem or treatment subsystem component identified in column 1 of Table 7 and in addition to any other sampling, testing and monitoring that may be required, sampling, testing and monitoring shall be undertaken for a test parameter listed in column 2 using the sample type identified in column 3 at the sampling frequency listed in column 4 and at the monitoring location listed in column 5 of the same row.
- 5.3** For the purposes of Table 7:
- 5.3.1 Manual Composite means the mean of at least three grab samples taken during a discharge event, with one sample being taken immediately following the commencement of the discharge event, one sample being taken approximately at the mid-point of the discharge event and one sample being taken immediately before the end of the discharge event; and
- 5.3.2 Automated Composite means samples must be taken during a discharge event by an automated sampler at a minimum sampling frequency of once per hour.
- 5.4** Any sampling, testing and monitoring for the test parameter Total Suspended Solids shall be performed in accordance with the requirements set out in the publication "Standard Methods for the Examination of Water and Wastewater", 23<sup>rd</sup> Edition, 2017, or as amended from time to time by more recently published editions.

**Table 7: Environmental Discharge Parameters**

Column 1 Treatment Subsystem or Treatment Subsystem Component Name	Column 2 Test Parameter	Column 3 Sample Type	Column 4 Sampling Frequency	Column 5 Monitoring Location
Fort Frances Water Treatment Plant	Total Suspended Solids	Composite	Monthly	Top of filter (for point of discharge to Rainy River)

**5.5** Pursuant to Condition 10 of Schedule B of this licence, the owner may undertake the following environmental discharges associated with the maintenance and/or repair of the drinking water system:

5.5.1 The discharge of potable water from a watermain to a road or storm sewer;

5.5.2 The discharge of potable water from a water storage facility or pumping station:

- a) To a road or storm sewer; or
- b) To a watercourse where the discharge has been dechlorinated and if necessary, sediment and erosion control measures have been implemented.

5.5.3 The discharge of dechlorinated non-potable water from a watermain, water storage facility or pumping station to a road or storm sewer;

5.5.4 The discharge of raw water from a groundwater well to the environment where if necessary, sediment and erosion control measures have been implemented; and

5.5.5 The discharge of raw water, potable water or non-potable water from a treatment subsystem to the environment where if necessary, the discharge has been dechlorinated and sediment and erosion control measures have been implemented.

5.5.6 The discharge of any excess water to a road, storm sewer or the environment, associated with the management of materials excavated as part of watermain construction or repair, where necessary sediment, erosion and environmental control measures have been implemented.

## **6.0 Studies Required**

### **Harmful Algal Blooms**

**6.1** The owner shall develop and keep up to date a Harmful Algal Bloom monitoring, reporting and sampling plan, herein known as the "Plan", to be implemented when a potential harmful algal bloom is suspected or present. The owner shall have the Plan in place on or before October 28, 2021.

6.1.1 The owner must have a copy of the Plan available onsite at the drinking water system, for inspection upon request by Ministry staff.

6.1.2 The owner must implement the Plan annually during the harmful algal bloom season, during but not limited to the warm seasonal period between June 1 and October 31 each year, or as otherwise directed by the Ministry or the Medical Officer of Health.

6.1.3 The owner must train all relevant drinking water system staff on the Plan prior to the beginning of each warm season, as described in Condition 6.1.2.

**6.2** For clarity, a Harmful Algal Bloom is considered suspected or occurring when:

6.2.1 the owner or operating authority has observed an algal bloom:

- a) near the shoreline at or near the source water intake(s) described in drinking water works permit #224-201, or
- b) where the intake has an Intake Protection Zone in a source protection plan, within IPZ-1, or
- c) within a circle that has a radius, measured from the intake, equal to the distance from the intake to the farthest edge of IPZ-2.

6.2.2 microcystin has been detected in a raw or treated water sample; and/or,

6.2.3 the owner has received any form of notification related to an algal bloom from the Ministry, a Medical Officer of Health, or the public; or,

6.2.4 the presence of or identification of cyanobacteria has been determined through optical probes or other analytic techniques used by the drinking water system.

**6.3** The Plan described in condition 6.1 must include, at a minimum:

6.3.1 details relating to visual monitoring for harmful algal blooms at or near the drinking water system intake(s),

- a) as described in drinking water works permit #224-101, or
- b) where the intake has an Intake Protection Zone in a source protection plan, within IPZ-1, or
- c) within a circle that has a radius, measured from the intake, equal to the distance from the intake to the farthest edge of IPZ-2.

6.3.2 details relating to visual monitoring of shoreline; this is applicable to drinking water systems where the proximity of the intake(s) may be of concern.

6.3.3 details relating to reporting the observed or suspected harmful algal bloom, as described in section 6.2:

- a) to the Overall Responsible Operator(s) and/or Operator(s)-in-Charge if the blooms have been observed or suspected by a duty operator; the Plan shall include wording that directs relevant drinking water staff to follow the instructions provided by the Overall Responsible Operator(s) or the Operator(s)-in-Charge;



- b) to the medical officer of health; and
  - c) to the local MECP representative and the Ministry's Spills Action Centre.,
- 6.3.4 a sampling plan, including the identification of sample location(s) and frequencies that at a minimum match those described in condition 6.4.
- 6.3.5 triggers that may increase the required sampling frequency;
- 6.3.6 up-to-date records that document staff training on the harmful algal bloom monitoring, reporting, and sampling procedures.
- 6.4** Any water samples collected under Condition 6.3.4 must be:
  - 6.4.1 collected, at a minimum, once per week, or as otherwise directed by the Ministry or the medical officer of health;
  - 6.4.2 collected prior to any treatment, if the sample is taken from raw water;
  - 6.4.3 collected at the point of entry into the distribution system, if the sample is taken from treated water;
  - 6.4.4 collected from the shoreline by the drinking water system, if applicable based on Condition 6.3.1;
  - 6.4.5 submitted to a laboratory licensed to perform ELISA testing for total microcystin;
  - 6.4.6 repeatedly collected until 3 consecutive samples have shown non-detection of microcystin and the algal bloom is no longer suspected or visually observed.

## 7.0 Source Protection

- 7.1** The owner of the drinking water system shall implement risk management measures, as appropriate, to manage any potential threat to drinking water that results from the operation of the drinking water system.
- 7.2** The owner of the system shall notify the Director in writing within thirty (30) days of any approved changes to an applicable source protection plan that impact the assessed threat level of a fuel oil system identified in Schedule A of drinking water works permit.
- 7.3** The notification required in condition 7.2 shall include:
  - 7.3.1 A description of the changes and their impact on the assessed threat level of the fuel oil system(s); and,
  - 7.3.2 A timeline for re-assessing the threat level and providing the results of the assessment to the Director.

## **Schedule D: Conditions for Relief from Regulatory Requirements**

System Owner	<b>The Corporation of the Town of Fort Frances</b>
Licence Number	<b>224-101</b>
Drinking Water System Name	<b>Fort Frances Drinking Water System</b>
Licence Effective Date	<b>{day, month, year}</b>

As of the effective date of the Licence, no relief from regulatory requirements is authorized by the Director under section 46 of the SDWA in respect of the drinking water system.

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## Schedule E: Pathogen Log Removal/Inactivation Credits

System Owner	The Corporation of the Town of Fort Frances
Licence Number	224-101
Drinking Water System Name	Fort Frances Drinking Water System
Licence Effective Date	{day, month, year}

### 1.0 Primary Disinfection Pathogen Log Removal/Inactivation Credits

#### Fort Frances Water Treatment Plant

Rainy River [SURFACE WATER]

Minimum Log Removal/ Inactivation Required	Cryptosporidium Oocysts	Giardia Cysts <sup>a</sup>	Viruses <sup>b</sup>
Fort Frances Water Treatment Plant	2	3	4

<sup>a</sup> At least 0.5 log inactivation of Giardia shall be achieved by the disinfection portion of the overall water treatment process.

<sup>b</sup> At least 2 log inactivation of viruses shall be achieved by disinfection.

Log Removal/Inactivation Credits Assigned <sup>c</sup>	Cryptosporidium Oocysts	Giardia Cysts	Viruses
Conventional Filtration	2	2.5	2
Chlorination [CT: Contact chamber, clearwell/reservoir and high lift pump chamber]	-	0.5	2+

<sup>c</sup> Log removal/inactivation credit assignment is based on each treatment process being fully operational and the applicable log removal/inactivation credit assignment criteria being met.

Treatment Component	Log Removal/Inactivation Credit Assignment Criteria
Conventional Filtration	<ol style="list-style-type: none"> <li>1. A chemical coagulant shall be used at all times when the treatment plant is in operation;</li> <li>2. Chemical dosages shall be monitored and adjusted in response to variations in raw water quality;</li> <li>3. Effective backwash procedures shall be maintained including filter-to-waste or an equivalent procedure during filter ripening to ensure that effluent turbidity requirements are met at all times;</li> <li>4. Filtrate turbidity shall be continuously monitored from each filter; and</li> <li>5. Performance criterion for filtered water turbidity of less than or equal to 0.3 NTU in 95% of the measurements each month shall be met for each filter.</li> </ol>
Chlorination	<ol style="list-style-type: none"> <li>1. Sampling and testing for free chlorine residual shall be carried out by continuous monitoring equipment in the treatment process at or near a location where the intended contact time has just been completed in accordance with the Ministry's Procedure for Disinfection of Drinking Water in Ontario; and</li> <li>2. At all times, CT provided shall be greater than or equal to the CT required to achieve the log removal credits assigned.</li> </ol>
Primary Disinfection Notes	