



## STAFF REPORT ACTION REQUIRED

### Designating the General Manager of Toronto Water as Owner Representative for Implementation of the Drinking Water Quality Management Standard

<b>Date:</b>	June 13, 2007
<b>To:</b>	Public Works and Infrastructure Committee
<b>From:</b>	Lou Di Gironimo, General Manager, Toronto Water
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2007\Cluster B\TW\pw07024 (AFS #4173)

#### SUMMARY

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The purpose of this report is to recommend designating the General Manager of Toronto Water as the Owner Representative for the Division's Quality Management System. As Owner Representative, the General Manager would communicate relevant information to the Public Works and Infrastructure Committee and provide written endorsement of Toronto Water's Operational Plan to the Ministry of the Environment.

Implementing a Drinking Water Quality Management System is necessary to comply with the requirements of the *Safe Drinking Water Act*. The City's drinking-water system must be accredited to the Ministry of the Environment's Drinking Water Quality Management Standard (DWQMS). The DWQMS includes specific requirements for Owners of municipal residential drinking-water systems and it is necessary to identify who will represent the Owner in relation to the implementation of Toronto Water's Quality Management System.

Designating the General Manager of Toronto Water as the Owner Representative would delegate the transactional authority to staff and allow for a more practical and efficient development of the Toronto Water Quality Management System.

## RECOMMENDATIONS

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### **The General Manager of Toronto Water recommends that the Public Works and Infrastructure Committee:**

1. Designate the General Manager of Toronto Water as the Owner Representative for the Toronto Water Quality Management System.

### **Implementation Points**

Upon designating the General Manager of Toronto Water as the Owner Representative, a protocol will be developed and documented in the Quality Management System requiring the preparation and endorsement of an Operational Plan by the General Manager of Toronto Water for submission to the Ministry of the Environment for accreditation purposes and requiring the communication of relevant information to the Public Works and Infrastructure Committee.

### **Financial Impact**

Council adoption of the recommendation will have no additional financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

There are no previous reports on this matter. This report is submitted as part of Toronto Water's response to the Ministry of the Environment's new requirement for accreditation of municipal residential drinking-water system Operating Authorities.

## **ISSUE BACKGROUND**

The Ministry of the Environment's (MOE's) *Safe Drinking Water Act* requires municipal residential drinking-water system Operating Authorities<sup>1</sup> to be accredited<sup>2</sup>. One requirement for accreditation is developing and maintaining a Quality Management System<sup>3</sup> (QMS) that complies with the MOE's Drinking Water Quality Management Standard (DWQMS). The QMS must be documented in an Operational Plan.

The DWQMS includes specific requirements for the Owner of the drinking-water system. The only active role for the Owner as required by the DWQMS is to provide written endorsement of the contents of the Operational Plan. Written endorsement of the Operational Plan must be obtained within one month<sup>4</sup> of any change in the QMS.

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<sup>1</sup> An Operating Authority is the person or entity that is given responsibility by the owner for the operation, management, maintenance or alteration of the municipal residential drinking-water system.

<sup>2</sup> The applicable sections of the Act will come into force on a day to be named by proclamation of the Lieutenant Governor.

<sup>3</sup> A Quality Management System is a system to establish policy and objectives, and to achieve those objectives, and direct and control an organization with regard to quality.

<sup>4</sup> The requirement to amend the Operational Plan within one month is included in the Ontario Ministry of the Environment's October 2006 proposed Director's Direction for Operational Plan Submission. This document has not yet been issued in final form.

Other references to the Owner in the DWQMS are as follows:

- The Owner of the subject system must be identified in the Operational Plan.
- The description of the organizational structure of the Operating Authority including respective roles, responsibilities and authorities must be kept current and communicated to the Owner.
- The findings of the annual review of the adequacy of the infrastructure necessary to operate and maintain the drinking water system must be communicated to the Owner.
- Infrastructure maintenance, rehabilitation and renewal programs for the drinking water system must be communicated to the Owner.
- The sharing of sampling, testing and monitoring results between the Operating Authority and the Owner, where applicable, must be described in a procedure.
- Owner responsibilities during emergency situations must be documented in a procedure to maintain a state of emergency preparedness.
- Top Management<sup>5</sup> within the Operating Authority must report the results of management review (a review conducted by Top Management to evaluate the continuing suitability, adequacy and effectiveness of the QMS), the identified deficiencies, decisions and actions items to the Owner.

By definition, the Owner includes every person who is a legal or beneficial owner of all or part of the drinking-water system. While the City of Toronto is both Owner and Operating Authority for our municipal drinking-water system, it is necessary to identify who will represent the Owner for the City of Toronto in order to address the requirements of the DWQMS in Toronto Water's Quality Management System.

## **COMMENTS**

As endorsement of the Operational Plan is the only active role for the Owner in the DWQMS, arguments for designating the General Manager of Toronto Water as the Owner Representative are focused on this role.

Toronto Water requires a practical, efficient mechanism for obtaining endorsement of its Operational Plan to meet the requirements of the MOE's DWQMS on an ongoing basis. Seeking endorsement from Council for the Operational Plan and future amendments to the Plan would be neither timely nor efficient. In addition, the report would be primarily an administrative document and transactional in nature.

The General Manager of Toronto Water, if designated as Owner Representative, would be responsible for communicating relevant information regarding the QMS and its performance to the Public Works and Infrastructure Committee and providing written endorsement of the Operational Plan to the Ministry of the Environment.

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<sup>5</sup> Top Management is a person, persons or a group of people at the highest management level within an Operating Authority that makes decisions respecting the QMS and recommendations to the Owner respecting the drinking-water system.

### **Use of City Council and Staff Time**

Toronto Water's Operational Plan will represent the current state of the City's drinking-water system and its management structure. Any changes to the drinking-water system or its operation which currently require approval by City Council would continue to receive approval through the existing decision making process prior to being reflected in the Operational Plan. Presenting these changes to Council a second time in the context of an Operational Plan amendment for Owner endorsement would be redundant. Endorsement by the General Manager as the Owner Representative would avoid this duplication.

Many changes to the Operational Plan will be minor, of a technical nature, or otherwise inappropriate for review and debate by Council members. Such changes are part of the day to day running of the drinking-water system. The General Manager of Toronto Water, if designated as the Owner Representative, would only report a summary of the changes to the QMS and Operational Plan to the Public Works and Infrastructure Committee at a level of detail that is more appropriate for Council consideration.

### **Access to Timely Endorsement**

The Operational Plan will require continual updating to reflect regulatory amendments, operational changes and system improvements. The proposed Director's Direction for Operational Plan Submission released by the MOE in October 2006 requires that any changes to the ownership, management, use or operation of the drinking water system, or any alterations that require an amendment to the QMS be reflected in the Plan within one month. It would be impractical to draft, review and finalize changes and have them endorsed by Top Management and the Owner within the one month timeframe if Owner endorsement involves presenting recommendations to Council for ratification. Failure to achieve endorsement in a timely manner could result in non-compliance with provincial regulatory requirements. Endorsement by the General Manager of Toronto Water as the Owner Representative would allow a more flexible and efficient process.

### **CONTACT**

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### **SIGNATURE**

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