

Notice – Updated Fuel policies for the Essex Region Source Protection Plan

This notice is to provide information on minor changes made to all policies in the Essex Region Source Protection Plan related to the handling and storage of fuel. These changes were made under S. 51(1)(6) of Ontario Regulation 287/07 and were approved by the Source Protection Committee on March 9, 2016 and by the Source Protection Authority on April 14, 2016. Amendments made under s.51(1) must be published with a notice describing the amendment on the Internet as soon as reasonably possible after the amendment is made as per s.51(2). The following policies are affected:

- 16 – SLWA123-handlestorefuel-1 (Prescribed Instrument)
- 17 – SLWA123-handlestorefuel-5 (Prescribed Instrument)
- 31 – SLWA123-handlestorefuel-1 (Clean Water Act)
- 32 – All123-handlestorefuel-1 (Clean Water Act)
- 41 – SLWA123-handlestorefuel-1 (Specify Action)
- 45 – SLWA123-handlestorefuel-1 (Stewardship/Incentive)

Fuel is considered to be a significant drinking water threat because it contains benzene which is a known carcinogenic to humans and as such is subject to an Ontario Drinking Water Quality Standard (ODWQS) of .005mg/L. The Essex Region SPC accepted that an exceedance of the ODWQS as a result of a fuel spill constituted deterioration of the water source. Event based modelling was performed using an assumed concentration of 2% benzene in 34,000L of fuel. The modelled scenarios showed that spills of this nature would result in exceedance of the ODWQS and the Essex Region SPC considered and wrote appropriate policies to address this significant drinking water threat.

The specific risk circumstance in all of the fuel policies in the Essex Region Source Protection Plan refer to a given volume of fuel (**containing 2% benzene or more**). While this is accurate, it is also misleading and has resulted in some confusion for implementation. As written, only fuels containing 2% benzene or more would be considered a SDWT and this is not the intent of the policies. In order to clarify the intent of the fuel policies, the phrase ‘containing 2% benzene or more’ has been changed to ‘containing benzene’ and an example of the interpretation of the significant risk circumstances has been added to the rationale section of the policy.