

Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, ON M7A 2J3
VIA ENVIRONMENTAL REGISTRY SUBMISSION

November 22, 2025

Subject: ERO number 025-0900 Proposal to amend the Ontario Water Resources Act to enable the regulation of additional sewage systems under the Building Code to support construction of on-farm worker housing

This letter provides comments from Professional Geoscientists Ontario (PGO) on ERO posting 025-0900.

PGO is a self-regulatory organization governing the practice of professional geoscience in Ontario and reporting to the Minister of Energy and Mines. PGO protects the public by regulating Ontario registered geoscientists and advancing professional practice. To support PGO in fulfilling its mandate, the PGO reviews and comments on proposed regulatory changes affecting environmental geoscience practice and professionals.

PGO understands that the government under the Fighting Delays, Building Faster Act (2025) is proposing an amendment to the Ontario Water Resources Act (OWRA) to change the existing sewage system regulatory framework. The proposed amendment to the OWRA would allow multiple septic systems, up to a cumulative design capacity of 50,000 L/day per property, to be regulated under the Building Code Act rather than requiring a sewage works Environmental Compliance Act (ECA) under the OWRA. The OWRA currently requires septic systems with a cumulative design threshold greater than 10,000 L/day to obtain an ECA through the OWRA.

PGO has reviewed the proposed changes to the OWRA and in accordance with our mandate, we request that the following areas be appropriately considered through the engagement of qualified professions, including Professional Geoscientists:

- Under the current regulatory framework a septic system is considered to be a Large Surface Disposal System (LDSS) when effluent rates are greater than 10,000 L/day and systems of this size are required to obtain an ECA. A hydrogeological assessment including a Reasonable Use Assessment is to be completed by a Professional Geoscientist (P.Geo.) and/or an appropriately qualified Professional Engineer (P.Eng.) to support an ECA of this nature. A Reasonable Use Assessment is completed to determine the potential concentration of nitrate and/or phosphorous at the down gradient property limit or receiver. These

assessments are paramount in assuring the downgradient receivers, including private water wells, surface water features and/or wetlands are not impacted by nitrate/nitrite and phosphorous introduced to the groundwater system as a result of the septic system(s). The potential impacts downgradient are site-specific and vary greatly depending on the hydrogeology, septic design, and/or volume of sewage effluent. PGO seeks assurances that site-specific conditions will continue to be assessed for the protection of the public and natural environment should such systems be regulated under the Ontario Building Code.

- LSSDS often require treatment and/or advance treatment to be incorporated into the septic system design to reduce the nitrate and/or phosphorous concentrations sufficiently. In most cases if treatment solutions are not incorporated into the septic system design the downgradient nitrate and/or phosphorous concentrations would not meet the applicable thresholds required to ensure no impacts to private water well users, surface water features, and/or wetlands. PGO seeks assurances that such considerations will continue to be regulated under the Ontario Building Code.
- ECAs for LSSDS typically stipulate the level of treatment required, set threshold limits to ensure no downgradient impacts, and outline life-time maintenance and monitoring requirements. The proposed OWRA amendments would negate the requirement to obtain an ECA for systems generating a cumulative effluent volume of 50,000 L/day per property, which is five times the current threshold of 10,000 L/day. PGO seeks assurances that regulation under the Ontario Building Code will still require that systems are designed, operated and maintained properly to ensure a continued protection of the downgradient water well users, surface water systems, and/or wetlands.
- Agricultural activities can also be a source of nitrite/nitrate and phosphorous. PGO seeks assurances that the potential cumulative impact to the shallow groundwater system as a result of further nitrate/nitrite and phosphorous loading to the system continue to be assessed under the proposed regulatory framework.

Thank you for the opportunity to consult on this proposed regulatory change.



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