

---

## **Private waterworks systems in Québec For greater control**

**Québec City, February 24, 2015** – In an investigation report released today, the Québec Ombudsman exhorts the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques to exercise greater control of private waterworks systems and better management when non-compliance persists. In Québec, approximately 60,000 people are served by private waterworks systems. As Ombudsperson Raymonde Saint-Germain sees it, “the Department must ensure that the *Environment Quality Act* is respected and that the citizens served by private waterworks systems have access to water that is fit to drink at reasonable cost.”

### **Waterworks systems under boil-water or do-not-drink-water advisories for years**

Private waterworks systems remain under boil-water or do-not-drink-water advisories for years before action is taken to make the water safe to drink again. In August 2014, 97 private waterworks systems had been under a boil-water advisory and 27 under a water consumption ban for an average of more than three years.

The Québec Ombudsman is not faulting the Department's diligence in overseeing boil-water or do-not-drink-water advisories. However, the investigation shows that the Department has no guidelines for what it must do when these advisories persist. The upshot is a case-by-case approach that can vary depending on the region. As a result, the time it takes to resolve these situations varies widely.

According to the Institut national de santé publique du Québec, only 35% of those informed of boil-water advisories obey directions to the letter. Furthermore, as time goes on, people become more negligent about these instructions. The Québec Ombudsman therefore considers that this is a public health issue and that the Department must not tolerate the fact that private waterworks systems remain under boil-water or do-not-drink-water advisories for long periods.

### **Unlicensed waterworks system operators**

In Québec, 63% of the 526 private waterworks systems operate without a permit. For lack of the required data, the Department cannot separate the systems authorized not to have a

permit (in particular, co-owned systems) from those that, as operators, are required to have one. This means that the Department does not ensure that all operators do indeed have a permit. Consequently, operators without permits charge their subscribers rates and modify the rates without the Department's authorization, which contravenes the *Environment Quality Act*.

### **The Québec Ombudsman's recommendations**

Given the need to act when advisories have been in effect for long periods of time, and bearing in mind the importance of developing solutions that do not put undue strain on the public coffers, the Québec Ombudsman recommended that the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques:

- Produce an intervention framework so that all the Department's regional directorates work rigorously and consistently to identify solutions for restoring safe drinking water to citizens as soon as possible.
- Inform private waterworks system operators and users of their rights and responsibilities regarding water quality, particularly for systems that serve 20 people or less for which water sampling is not mandatory. Inform them of their rights and responsibilities regarding the distribution service, obtaining of an operating permit, and rate control.
- Inventory the waterworks systems that are obliged to obtain an operating permit, and produce an action plan for the compliance of private waterworks systems for which an operating permit is required.
- Ensure application of the legal framework with a view to the effective monitoring of rates.

The Québec Ombudsman also recommended that the Ministère de la Santé et des Services sociaux and the Ministère des Affaires municipales et de l'Occupation du territoire be involved in laying out and implementing the intervention framework.

All three government departments informed the Québec Ombudsman that they had approved the recommendations concerning them and intended to act on them. The Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, the main government department concerned by these recommendations, produced a detailed action plan, to the Québec Ombudsman's satisfaction.

– 30 –

### **Information and requests for interviews:**

Carole-Anne Huot (418) 646-7143/(418) 925-7994 [carole-anne.huot@protecteurducitoyen.qc.ca](mailto:carole-anne.huot@protecteurducitoyen.qc.ca)

Joanne Trudel (418) 644-0510/(418) 580-9259 [joanne.trudel@protecteurducitoyen.qc.ca](mailto:joanne.trudel@protecteurducitoyen.qc.ca)

[www.protecteurducitoyen.qc.ca](http://www.protecteurducitoyen.qc.ca)