

Caution:

This draft regulation is provided solely to facilitate public consultation under the Environmental Bill of Rights, 1993. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

ONTARIO WATER RESOURCES ACT

TAKING GROUND WATER TO PRODUCE BOTTLED WATER

Definition

1. In this Regulation,

“bottled water” means potable water that is intended for human consumption and that is packaged in bottles or other portable containers.

Taking ground water to produce bottled water

2. A person shall not use ground water for the purpose of producing bottled water, in circumstances where section 34 of the Act prohibits the person from taking the ground water without a permit issued under section 34.1 of the Act, unless the person uses the ground water in accordance with a permit that is in force, that authorizes the person to take the water for the purpose of producing bottled water and,

- (a) that was issued under section 34.1 of the Act before **[insert the date this regulation is filed]**; or
- (b) that was renewed or amended under section 34.1 of the Act before, on or after **[insert the date this regulation is filed]**.

Taking ground water to conduct pumping tests

3. A person shall not use ground water for the purpose of conducting pumping tests in order to determine the feasibility of using the ground water supply as a source of water for a facility that produces bottled water, in circumstances where section 34 of the Act prohibits the person from taking the ground water without a permit issued under section 34.1 of the Act, unless the

person uses the ground water in accordance with a permit that is in force, that authorizes the person to take the water for such purpose and,

- (a) that was issued under section 34.1 of the Act before **[insert the date this regulation is filed]**; or
- (b) that was renewed or amended under section 34.1 of the Act before, on or after **[insert the date this regulation is filed]**.

Permit authorizing the production of bottled water

4. (1) The Director shall not issue a permit under section 34.1 of the Act if it would authorize the taking of ground water for the purpose of producing bottled water.

(2) The Director shall not renew or amend a permit under section 34.1 of the Act if the new permit would authorize the taking of ground water for the purpose of producing bottled water, unless the old permit already authorized the taking of the same or a greater amount of ground water from the same location and for the same purpose.

Permit authorizing pumping tests

5. (1) The Director shall not issue a permit under section 34.1 of the Act if it would authorize the taking of ground water for the purpose of conducting pumping tests in order to determine the feasibility of using the ground water supply as a source of water for a facility that produces bottled water.

(2) The Director shall not renew or amend a permit under section 34.1 of the Act if the new permit would authorize the taking of ground water for the purpose of conducting pumping tests in order to determine the feasibility of using the ground water supply as a source of water for a facility that produces bottled water, unless the old permit already authorized the taking of the same or a greater amount of ground water from the same location and for the same purpose.

Application of ss. 4 and 5

6. In addition to applying to applications for the issuance, renewal or amendment of a permit that are made on or after **[insert the date this regulation is filed]**, sections 4 and 5 apply to applications for the issuance, renewal or amendment of a permit that were made before **[insert the date this regulation is filed]** if the Director has not, before that date, issued the permit, the renewed permit or the amended permit, as the case may be, or refused the application.

Revocation

7. This Regulation is revoked on January 1, 2019.

Commencement

8. [Commencement].