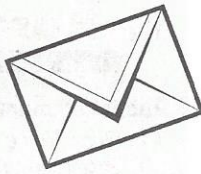


←..... Feedback→

Letters to the
Editor: The Rural
Voice, P.O. Box
429, Blyth, ON
NOM 1H0
or email to
mel@northhuron.on.ca



Rural well contamination

Dear Rural Voice,

As the resident you mentioned in your article who raised alarm on Karst geology and rural drinking water, I would like to thank *Rural Voice* for addressing this crucial issue of groundwater quality. Mel Luymes' quality article, along with the tips from the Grey County Federation of Agriculture on drinking water testing, are both very timely.

The article correctly explains how Ontario's Water Resources Act (Regulation 903) regulates private well construction and plumbing, but this regulation does not cover the

aquifer feeding the well. If the aquifer is like a cup of soda and the well is a straw, Regulation 903 addresses everything about the straw—its materials, how to insert it, how to protect the opening, and how to document it all. The Ministry of the Environment, Conservation, and Parks (MECP) oversees rural homeowners' compliance with this regulation. However, what happens if everything about the well and water treatment is done correctly, yet the water still contains over 10,000 coliforms or *E. coli* bacteria? What happens if the contamination is not due to the construction of the "straw" but because someone poured contaminants into the "cup"? In the cases brought to my attention, MECP ensured that the private well was constructed to code, and that contamination sources were stopped, but that's where MECP's involvement ended. Homeowners were left with tens of thousands in financial damage, significant property value losses, and without access to clean water.

If a private well owner seeks justice

for damages from a contaminated aquifer, Ontario currently requires the affected homeowner(s) pursue a private lawsuit. This process requires proving nuisance, negligence, or strict liability. Such lawsuits are daunting and costly, placing the burden of proof and all financial risks on the injured party, who must show that the aquifer contamination couldn't have originated from any other source. This is rarely possible in practice. Yet Ontario's laws do protect groundwater as a "public good" and assign liability for contamination through the Ontario Water Resources Act (OWRA) and the Environmental Protection Act (EPA). Ontario also guarantees all citizens access to clean water through its Environmental Bill of Rights (EBR), which applies to rural severances as well. Therefore, it is inaccurate to say that "groundwater quality is only regulated through Regulation 903." In fact, groundwater quality is indirectly regulated through a combination of case law, common law, and several other important acts. If government agencies fail to implement Justice O'Connor's recommendations for proactive, swift, transparent, and responsible action, rural residents may need to file a class-action lawsuit to establish the right to clean aquifers as a source of drinking water, beyond merely ensuring well construction and plumbing standards.

I would applaud if government agencies and farm organizations recognized that certain "bad apples" are causing considerable harm to their community. Currently, regulatory follow-up leaves homeowners with the brunt of financial losses. Several contamination cases are under investigation, showing that these issues are not "isolated examples." We face a systemic risk due to historic farm severances, which have created residential homes on private wells, combined with highly vulnerable Karst hydrogeology and intensified farming practices. Farmers originally applied for these rural severances, and government agencies approved them to increase the tax base. Yet, when contamination occurs, rural residents bear the consequences.

Sincerely,
Thorsten Arnold, PhD



- CSA Z240 Certified
- Manufacturing Homes (400 - 800 SQ FT)
- Custom Designs

*Choose your colours, roofing, siding, and interior
Choose your cupboards and design, flooring, door style and trims.*

**Units available up to 16' x 70' custom designs
to fit your needs.**

**Standard in floor heating, (for warm feet)
Exterior walls are R 27, Ceiling R 60 and floor R 31**



**5180 Buehler Line
RR#1 Wallenstein, ON**

**SALES - Marvin 519-492-0678
SHOW MODELS - Stanley 519-698-1145**