

Out-of-Province Permission Letter for List of Out-of-Province Eligible Laboratories

Safe Drinking Water Act 2002
Drinking Water Testing Services Regulation (O.Reg. 248/03)

Instructions for Completing Form

- For use in the **Province of Ontario** only.
- This form **must** accompany the **Application for a Licence to Perform Drinking Water Testing**.
- The accompanying document **Appendix A** should be read carefully.
- This document **must** be completed in full including all necessary information and required signatures.
- Questions regarding completing this application can be directed to the Laboratory Licensing Coordinator at 416 235-6370.
- This document is a permanent legal document and must be completed using blue or black ink only.
- Incomplete applications will be returned to the Applicant.

Completed documents must be sent to: Ontario Ministry of the Environment
Director, Laboratory Services Branch
125 Resources Road
Etobicoke ON M9P 3V6
Attention: Laboratory Licensing

Out-of-Province Laboratory Owner Acknowledgement and Permission

1. Signing this form constitutes agreement in writing that the out-of-province laboratory owner (s) agrees to comply with the legislative and regulatory requirements set out in Appendix A.
2. Signing this form constitutes written permission from the out-of-province laboratory owner (s) for a provincial officer to inspect the laboratory before the laboratory is added to the list, if permission is requested by the Director.
3. Signing this form constitutes written permission from the out-of-province laboratory owner(s) for a provincial officer to inspect the laboratory, on 24 hours notice, at any time after the laboratory is added to the list.

*If a partnership, all partners must sign. If an incorporated company, the signatures of the corporation's President and Secretary are required.

Name of Laboratory		Legal Name of Laboratory			
Laboratory Address (Street Number and Name)			City/Town	Municipality	
Province	Postal Code	Telephone Number (include area code)		Fax Number (include area code)	
1 *Signature	Name (last, first)	Title		Date	YYYY MM DD
2 *Signature	Name (last, first)	Title		Date	YYYY MM DD
3 *Signature	Name (last, first)	Title		Date	YYYY MM DD

Personal information contained on this form is collected under the authority of the *Safe Drinking Water Act, 2002, s.72(1)* and *s.72(4)*. This information is being collected for the purposes of drinking water testing services licensing. Questions should be directed to the Licensing Coordinator, Laboratory Services Branch, Ontario Ministry of the Environment, 125 Resources Road, Toronto, ON M9P 3V6, telephone number 416 235-6370.

Relevant Ontario Legislation**Safe Drinking Water Act, 2002, S.O. 2002,
CHAPTER 32 ss. 11 (3), (4), (5)****Out-of-province drinking-water testing service**

- (3) No owner or operating authority of a municipal drinking-water system or regulated non-municipal drinking-water system shall obtain drinking-water testing service from a person who is not licensed under Part VII to offer or provide the service unless,
- (a) the laboratory at which the testing is to be conducted is located outside Ontario and is an eligible laboratory in respect of the particular tests to be conducted;
 - (b) the person agrees in writing to comply with section 18 and any prescribed requirements; and
 - (c) the owner or operating authority provides to the Director appointed for the purposes of Part VII,
 - (i) written notice of the use of the testing service,
 - (ii) a copy of the accreditation referred to in clause (4) (a), if applicable, and
 - (iii) a copy of the agreement referred to in clause (b). 2002, c. 32, s. 11 (3).

Eligible laboratory

- (4) For the purposes of this section, a laboratory located outside Ontario is an eligible laboratory in respect of a particular test if the laboratory is on a list maintained by the Director appointed for the purposes of Part VII and,
- (a) the laboratory is accredited for the conduct of the test and, in the Director's opinion, the accreditation is equivalent to the accreditation standard of an accreditation body for drinking-water testing under Part VII; or
 - (b) in the Director's opinion,
 - (i) it is desirable for the purposes of this Act that the test be available,
 - (ii) there is no laboratory, or there are insufficient laboratories, in the area for the conduct of the test under a licence issued under Part VII, and
 - (iii) the person who is to provide the drinking-water testing service will be capable of conducting the test at the laboratory, or causing the test to be conducted there. 2002, c. 32, s. 11 (4).

List of out-of-province laboratories

- (5) For the purposes of subsection (4), a laboratory may be added to the list maintained by the Director, and may be retained on the list, only if,
- (a) any fee required under this Act has been paid in respect of the laboratory; and
 - (b) the laboratory complies with the prescribed requirements. 2002, c. 32, s. 11 (5).

Drinking Water Testing Services Regulation (O.Reg. 248/03)**List of out-of-province eligible laboratories**

- (6) The following requirements are prescribed for the purpose of clause 11 (5) (b) of the Act:
1. Written permission has been given for a provincial officer to inspect the laboratory before the laboratory is added to the list, if the permission is requested by the Director.
 2. Written permission has been given for provincial officers to inspect the laboratory, on 24 hours notice, at any time after the laboratory is added to the list.
 3. The person who will provide drinking-water testing services at the laboratory has agreed in writing,
 - (i) not to sub-contract with another person to perform a drinking-water testing service at another laboratory in relation to a sample submitted for testing,
 - (ii) to comply with,
 - A. sections 18, 18.1, 67 and 69 of the Act,
 - B. sections 9 to 13 of this Regulation, and
 - C. Schedules 15.1 and 16 to Ontario Regulation 170/03 (Drinking Water Systems), and
 - D. Revoked: O. Reg. 322/08, s. 1 (2).
 - E. Section 6 of Ontario Regulation 243/07 (Schools, Private Schools and Day Nurseries), and
 - (iii) to comply with the conditions in paragraphs 3 and 4 of section 8 of this Regulation as if the person held a drinking-water testing licence.
 4. The Director is satisfied that,
 - (i) drinking-water testing services will be provided at the laboratory in accordance with the agreement referred to in paragraph 3, and, for that purpose, the laboratory has suitable resources, including facilities, staff, technical resources and records management systems, and
 - (ii) drinking-water testing services will be provided at the laboratory with competence, honesty and integrity. O. Reg. 248/03, s. 6.