

# Non-Municipal Year-Round Residential Drinking Water Systems: Eligibility for Full or Partial Treatment Exemption

This fact sheet provides information about obtaining an exemption for your drinking water system from the treatment requirements set out by the Drinking Water Systems Regulation, Ontario Regulation 170/03 (O.Reg.170/03), made under the Safe Drinking Water Act, 2002. This option is available to owners of Non-Municipal Year-Round Residential (NMYRR) drinking water systems who do not serve designated facilities (facilities that serve people who may be more susceptible to illness from drinking water of poor quality, e.g. schools, nurseries, and health care facilities) and who meet the eligibility criteria set out in O. Reg. 170/03.

## REMEMBER, THIS FACT SHEET IS ONLY A SUMMARY.

To be clear about your specific legal requirements, you must refer to the text of the Drinking Water Systems Regulation (O. Reg. 170/03) and the Safe Drinking Water Act, 2002. You can access these at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca) or by calling our Public Information Centre at **1-800-565-4923**.

The Ministry of the Environment (MOE) is committed to a regulatory framework that will safeguard public health and maintain confidence in Ontario's drinking water.

As an owner or operating authority of a drinking water system, you also have a responsibility to ensure that safe, clean water is supplied to users.

## Background

In June 2006, the Ministry of the Environment amended Ontario Regulation 170/03 to update, clarify, and add flexibility to the regulatory requirements and, in some cases, to address affordability concerns of stakeholders and owners of drinking water systems covered by the regulation.

This treatment exemption option is one of the new provisions of the amended regulation.

## Non-Municipal Year-Round Residential drinking water systems include privately owned systems that serve:

- apartment buildings with 6 or more residential units
- private subdivisions with 6 or more houses
- condominium or townhouse complexes with 6 or more residential units
- mobile home parks with 6 or more homes
- trailer parks supplying water year-round to 6 or more sites with water service hook-up.

**Important Note:** if your drinking water system serves a designated facility such as a day care centre, nursing home, or school, you are not eligible for this treatment exemption.

## Treatment exemptions for secure ground water systems

If you have a system that uses secure ground water from a drilled well and not under the direct influence of surface water (GUDI), you are normally required to install treatment equipment that provides at least for the disinfection of the water.

However, if your secure ground water system does not serve a designated facility, your system is exempt from installing any treatment as long as you complete and submit the notices as described on pages 2 - 3.

## Partial treatment exemptions for GUDI systems

Your system may have a raw water supply that is ground water under the influence of surface water (GUDI) as deemed by the regulation. In other words, the well is located or constructed such that surface water may contaminate the raw water supply. In this circumstance, you are normally required to install treatment appropriate for a surface water system (i.e. filtration and disinfection).

Certain types of drilled wells are only required to install treatment for a ground water system (i.e. disinfection only), rather than the treatment for a surface water system. This applies to systems that do not serve designated facilities and are deemed to have a GUDI supply that obtains water from:

- an overburden well (a well that obtains water from unconsolidated geologic material, e.g. gravel, sand or silt that lies above bedrock) within 100 metres of surface water, or
- a bedrock well (a well that obtains water from an unweathered rock formation e.g. limestone, granite or sandstone) within 500 metres of surface water.

For this exemption, you must complete and submit the notices described on pages 2 - 3.

## How can you obtain a treatment exemption for your system?

Owners of ground water based private year-round residential drinking water systems that do not serve designated facilities and use drilled wells as a water source may qualify for a full or partial exemption from having to provide treatment. Such exemptions require that the owner have the system undergo an assessment by a qualified well technician or other professional with ground water supply experience. The owner must also be able to demonstrate a record of microbiologically safe drinking water test results according to the regulation for the past 12 months.

To obtain an exemption, a *Well Technician's Notice* and the owner's *Notice of Exemption from Treatment Equipment* must be submitted to the Ministry of the Environment. The *Well Technician's Notice* is written confirmation that a qualified expert has assessed your well, and that in the opinion of that person, the regulated well location and construction criteria for the treatment exemption have been met (see pages 3 - 4 for the list of criteria).

The *Notice of Exemption from Treatment Equipment* is written confirmation that you have complied with the microbiological testing requirements of the regulation for

the past 12 months and that no raw water samples and no re-samples of drinking water from the distribution system or plumbing indicated the presence of *E. coli* or total coliforms during that period.

For a new system, the *Well Technician's Notice* can be submitted prior to start-up. *The Notice of Exemption from Treatment Equipment* for microbiological test results would not be required until the end of the month following the first anniversary of the day the system commenced operation. Installation of treatment equipment would not be required during that time, but sampling must be carried out as prescribed in the regulation. The exemption will cease to apply to the system if there are adverse microbiological test results (see the explanation on page 3).

The *Well Technician's Notice* form and the *Notice of Exemption from Treatment Equipment* form can be found under Forms at the ministry's Drinking Water Ontario website at [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater) or are available by calling the Ministry of Environment's Public Information Centre at **1-800-565-4923**. For questions about these forms, please contact the ministry's registration Help Desk at **1-866-793-2588**.

The completed *Well Technician's Notice* form and the *Notice of Exemption from Treatment Equipment* form can be submitted to the ministry either via email to the Ontario Regulation 170/03 email address: **Reg170\_formsubmission.moe@ontario.ca**.

Once the required notices are received, the ministry will review them and verify that the drinking water system has demonstrated 12 months of regulated microbiological drinking water test results. A letter will be sent to the drinking water system owner verifying that requirements have been met in accordance with O. Reg. 170/03 pertaining to the treatment exemption option. If there is missing or unacceptable information in the notices, or if the drinking water system has failed to meet the regulatory sampling requirements, the owner may resubmit the forms and verify the drinking water test results.

## Sampling requirements under treatment exemptions

Once exempted, please refer to O.Reg.170/03 or *A Guide for Owners and Operators of Non-Municipal Year-Round Residential Drinking-Water Systems* for your microbiological and chemical sampling requirements (found at [www.ontario.ca/drinkingwater/stel101\\_046948.pdf](http://www.ontario.ca/drinkingwater/stel101_046948.pdf) or contact the Public Information Centre at **1-800-565-4923**).

## When does the exemption cease to apply?

Once your system obtains a treatment exemption as described on pages 2 - 3, it remains in place indefinitely unless:

- *E. coli* is confirmed in any corrective action re-sample of drinking water from the distribution system or plumbing, or
- total coliforms are detected on any two separate occasions within a 12 month period in any corrective action re-samples of drinking water from the distribution system or plumbing.

If such adverse test results do occur, the treatment exemption ceases to apply to the system, and you will have 90 days to install the full treatment that is required by the regulation for the type of raw water supply that applies to your system (ground water or GUDI). You will not be eligible for any future treatment exemption for the same well supply.

In addition, if an inspection of your system by an MOE Inspector reveals any potential drinking water health hazards associated with the absence of full treatment, the MOE Inspector is authorized to order you to provide full treatment regardless of any treatment exemption that you may have already obtained.

## Who is authorized to prepare a Well Technician's Notice?

A person authorized to prepare and sign a *Well Technician's Notice* under O.Reg.170/03 is:

- a person who holds a well technician licence, described as a Well Drilling licence in paragraph 1 of subsection 5 (1) of Regulation 903 of the Revised Regulations of Ontario, 1990 (Wells) made under the Ontario Water Resources Act, or
- a licensed engineering practitioner as defined in the Professional Engineers Act who has experience in ground water supply, or
- a professional hydrogeologist who is a member of the Association of Professional Geoscientists of Ontario who has experience in ground water supply, or
- a person registered as a certified engineering technologist under the Ontario Association of Certified Engineering Technicians and Technologists Act, 1998 who has experience in ground water supply.

## What is required to be in a Well Technician's Notice?

In order to comply with Schedule 2-12, a *Well Technician's Notice* must be signed by an authorized person (see above), and provide their opinion that for each well used as a raw water supply for the system:

### The well:

- does not have a well pit
- does not penetrate through the bottom of a bored or dug well
- is accessible for cleaning, treatment, repair, testing, inspection and visual examination at all times.

### The site of the well:

- is at an elevation higher than the immediately surrounding area
- is separated by at least the clearance distance required by Ontario Regulation 403/97, made under the Building Code, 1992, from a leaching bed system or other sewage system as defined in that regulation – including a sewage system that has not yet been constructed but for which a building permit has been issued
- is at least 15 metres away from a source of pollution other than those mentioned above.

### The well is cased to:

- at least 15 centimetres above the floor, if a pump is installed directly over the well and a floor has been constructed around or adjacent to the casing, or
- at least 30 centimetres above the ground surface, in any other case, and
- the surface drainage is such that water will not collect or pond in the vicinity of the well, including the area above the annular space.

### The top of the well's casing:

- is sealed with a commercially manufactured vermin-proof well cap, if a pump is not located directly over the well, or
- is shielded in a manner sufficient to prevent entry of any material that may impair the quality of the water in the well, if a pump is installed directly over the well, and
- the well's casing does not impair the quality of water with which it comes in contact.

**The well's air vent:**

- extends above the ground surface a distance sufficient to prevent the entry of flood water from any anticipated flooding in the area
- the open end is shielded and screened in a manner sufficient to prevent the entry of any materials into the well.

**The portion of the well's casing that is visible without a down-hole camera:**

- is clean and free of contamination
- is watertight
- has no joints, except for joints that:
  - achieve a permanent, watertight bond, such as welded steel joints
  - are made so that the jointed casing does not impair the quality of water with which it comes in contact
- achieves a permanent watertight bond at the seams.

Lastly, the notice must state that a pitless adapter is used and the connection must be watertight, if a connection to the casing of the well is made below the ground surface.

**For More Information**

For more information related to drinking water, visit the Ministry of the Environment's Drinking Water Ontario website at [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater) or contact the Public Information Centre at **1-800-565-4923**.

Please refer to the following documents for related information:

***Providing Safe Drinking Water to the Public: A guide for owners and operators of non-municipal year-round residential drinking-water systems***  
[www.ontario.ca/drinkingwater/stel01\\_046948.pdf](http://www.ontario.ca/drinkingwater/stel01_046948.pdf)

***Treatment Options for Owners of Non-Municipal Year-Round Residential Drinking Water Systems***  
[www.ontario.ca/drinkingwater/stel01\\_046953.pdf](http://www.ontario.ca/drinkingwater/stel01_046953.pdf)