

# Ensuring a High Level of Environmental Protection

## Water Wells Sector

The Sector Compliance Branch (SCB) conducted a province-wide inspection sweep of well contractors and private well owners in the summer of 2006.

The branch gathered information on the awareness and understanding of the legislation and other legal requirements related to wells, and gauged compliance with these requirements. These inspections support the government's commitment to protect well water quality.

The inspections focused on educating and assisting the well contracting industry. Provincial Officers examined contractors' compliance with the operational and administrative practices of Ontario Regulation 903 of the Ontario Water Resources Act (OWRA).

The inspections also helped to educate well owners on the importance of proper well maintenance. The ministry's Well Information Package, including a video and fact sheets as well as the 'Well Aware' booklet, were distributed to all well owners.

In July and August 2006, 136 inspections were completed across the province. The overall compliance rate in this sector was considered high at 87 per cent in comparison to other sectors inspected.

The overall results of the inspection sweep indicated that well contractors understand the requirements of the legislation and that their practices generally comply. They also showed that private well owners are properly maintaining their wells.



*Properly Tagged and Secured Well*

## Identifying Well Contractors for Inspection

The branch used the water wells database maintained by the ministry's Environmental Monitoring and Reporting Branch (EMRB) to select licensed well contractors and potential unlicensed contractors for inspections.

The branch examined well contractor water well records to randomly select well owners' sites.

Well contractors who had not renewed their 2006 licenses were randomly selected for inspection from the EMRB well contractor list to assess their current license status.

## Well Inspection Sweep Scope

Inspections were conducted across the province covering 15 ministry districts. Inspectors assessed compliance with operational and administrative practices of the Regulation under the OWRA.

Inspections concentrated on the following:

### Well Contractors:

- Ensuring that contractor and technician licenses are valid and are up-to-date
- Reviewing well records for completeness
- Ensuring that copies of well records have been forwarded to the ministry and to the well owner, as required
- Ensuring that well information packages have been given and water samples have been offered to the home owners
- Inspecting well heads (post-construction sites) for proper contractor completion, proper tagging, grading and well location

### Well Owners:

- Ensuring the wells are properly maintained by the well owners; e.g.:
  - Well caps and tags are not removed from wells
  - Well heads are properly sealed
- Confirming well information kits and well records are received from contractors
- Confirming water sample test/depth from the well is offered by the contractors

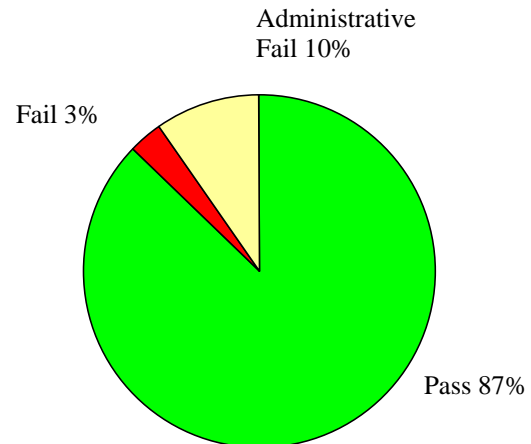
Inspection of active well drilling and well construction activities was not included in this inspection sweep.

## Summary of Inspection Findings:

The branch found an 87 per cent compliance rate with the Regulation, which is considered high. Out of 136 inspections there were 116 Passes, 13 Administrative Fails, and four Fails. Two well contractors are retired and one inspection of a well contractor is ongoing.

See page 5 for definitions of compliance status (Pass, Administrative Fail, and Fail).

### Water Wells Sector Inspection Results, July 2006 to August 2006



### Well Contractors:

Inspections of 44 licensed well contractors revealed an 82 per cent, or high, rate of compliance. Non-compliance issues were administrative in nature, and included problems such as failure to provide well information packages to well owners, failure to submit well records to the ministry within 30 days, missing well tags and incomplete well records.

### **Well Owners:**

Inspections of 82 wells were conducted, and resulted in a compliance rate of 94 per cent. There were very few compliance issues. Four inspections were rated as Fail because of the removal of the well cap or the annular seal had been compromised. This could allow for the potential of foreign material to enter the well.

### **Unlicensed Well Contractors:**

Inspections of 10 potentially unlicensed water well contractors were conducted and inspectors found a compliance rate of 43 percent. Compliance issues included operating a business without a valid license, failure to provide information packages to well owners and failure to submit records to the ministry within 30 days. Two of the 10 contractors are retired and four contractors have licenses to operate their businesses. Of the remaining four, three were not licensed, now in various stages of licensing and the inspection process is ongoing for one contractor.

### **Contractors / Well Owners - Action Taken**

Provincial Officers have a number of abatement tools that can be used to address non-compliance. For this inspection sweep, inspectors addressed non-compliance issues by verbally advising the contractors and well owners of the legislative requirements. The inspectors then followed up with letters to ensure the contractors and well owners were formally advised of what was required to become compliant.

A letter is used primarily for administrative or less serious issues. It specifies the corrective action that must be taken for the company or individual to comply with Ontario's environmental laws.

### **Inspection Sweep Conclusions**

The branch inspection sweep found high compliance in its inspections of well maintenance, contractor licensing and administrative regulatory requirements.

Overall, contractors were found to be knowledgeable about regulatory requirements and their responsibilities. They were professional and supportive about the ministry inspections.

Well owners were generally knowledgeable of their responsibilities to ensure that their wells are properly maintained and compliant with the regulatory requirements.

These inspection results and intelligence gathered may provide opportunities to assist the ministry in shaping future inspections and/or initiatives in this sector.

## Overview of the Inspection Results

<i>Category</i>	<i>Licensed Well Contractors</i>	<i>Unlicensed Well Contractors</i>	<i>Well Owners</i>	<i>Total</i>
<b>Number of Inspections</b>	44	7 (3)*	82	133 (3)*
<b>Pass</b>	36	3	77	116
<b>Administrative Fail</b>	8	4	1	13
<b>Fail</b>	0	0	4	4
<b>Overall Compliance</b>	<b>82%</b>	<b>43%</b>	<b>94%</b>	<b>n/a</b>

Of the 136 inspections, 39 contractors and 77 well owners passed the inspection. All of the remaining contractors and well owners received an administrative fail or a fail on the inspection and required some abatement action to achieve compliance.

\*Two well contractors are retired and one inspection remains outstanding

**NOTE: Inspection results are subject to change based on final compliance outcome**

### Well Inspections in the Ministry District Offices

The SCB inspection sweep complements the work of the Operations Division District Offices in responding to water wells complaints. From January 2006 to September 2006, district staff responded to water wells and other complaints related to the Regulation. This includes 53 incidents where staff response activities were required in the following categories:

- 62 per cent of responses were related to well construction and abandonment complaints
- 25 per cent of responses were related to well maintenance complaints and
- 13 per cent of responses were related to licensing and administrative complaints.

Of the 53 responses in 2006, 19 files are still active and at various stages of the inspection process. Two files have been referred to the ministry's Investigation and Enforcement Branch for investigation.

### The Sector Compliance Branch

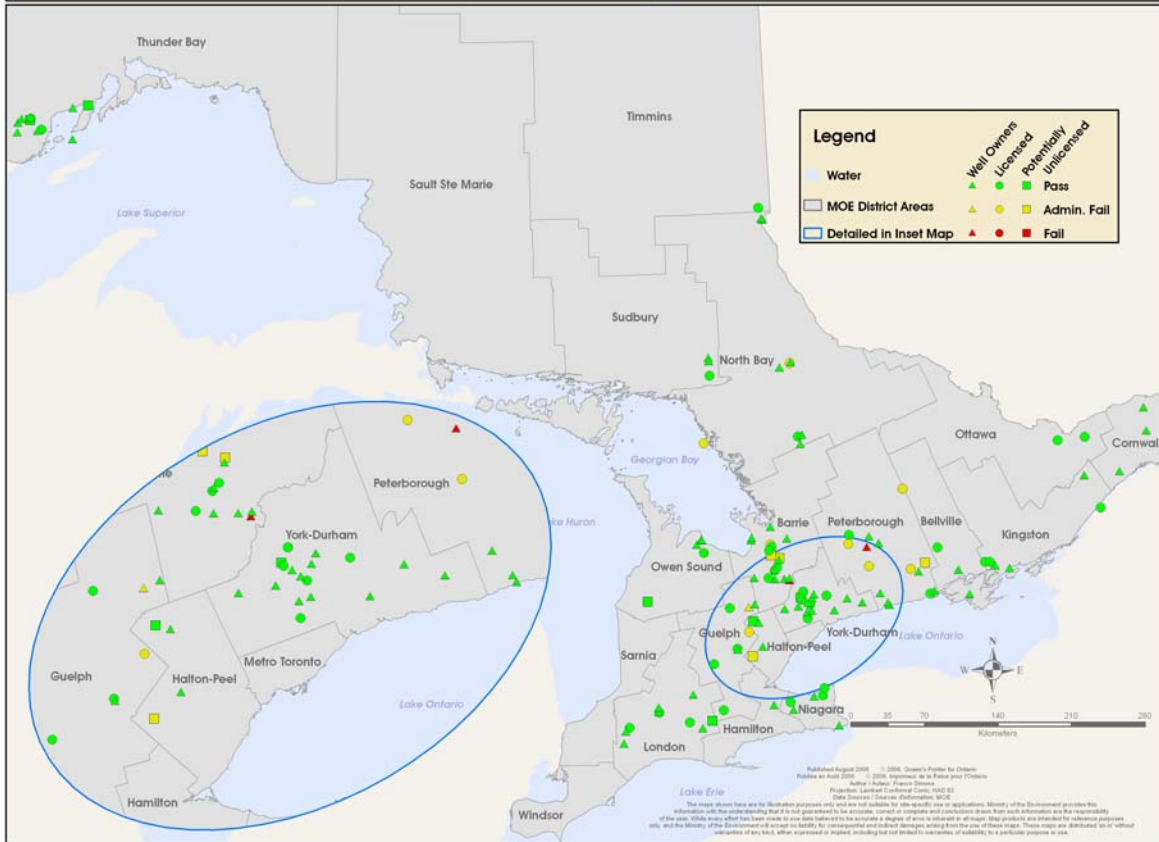
The Sector Compliance Branch of the Ministry of the Environment conducts inspections of companies and sites in business sectors that have been known to have high non-compliance rates and/or the potential to significantly affect human health and the environment.

Fair and effective enforcement across business sectors by the Sector Compliance Branch fosters a level playing field for all businesses and complements inspections conducted by the ministry's 22 area and district offices.

The branch undertakes education and outreach initiatives to help promote compliance with Ontario's environmental laws.

The branch uses leading-edge practices and technologies such as Geographic Information Systems (GIS) and mobile computing systems to gather and analyze information about inspections to determine existing and emerging trends in environmental compliance.

## Water Wells Inspections



**Pass**— An inspection where no legislative violations were identified. The company is considered to be in compliance.

**Administrative Fail**— An inspection where legislative violations of an administrative nature were identified. The company is not in compliance but there is no known or anticipated risk to human health or the environment.

**Fail**— An inspection where legislative violations were identified. The company is not in compliance **and** there is a known or anticipated risk to human health or the environment.

For more information about the Sector Compliance Branch, visit our website at:

<http://www.ene.gov.on.ca/envision/scb/>, or

call the branch toll free: 1-866-482-9967, or

the ministry's toll-free, 24-hour public hotline:

1-866-MOE-TIPS (1-866-663-8477)

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*Protecting our environment.*

