

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Page 1 of 8

Responding to Requests to Groundwater Site Condition Standards (Ontario Regulation 153/04)

Policy Statement:

This policy outlines the approach that will be required to respond to all notices of intent or requests made in regards to Ontario Regulation 153/04 (O. Reg. 153/04) under the Environmental Protection Act (Act), to apply for Non-Potable Site Condition Standards, (Tables 1 through 9 of the Soil, Groundwater and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act), for remediation of contaminated sites within the City of Orillia.

Purpose:

To provide clear direction and equality to all proponents when responding to Requests for Site Condition Standards as required by O. Reg. 153/04 to ensure environmental and health related issues are addressed.

Definitions:

Area of High Groundwater Vulnerability:

Areas where contamination of aquifers is more likely to occur as a result of surface contamination.

Contaminated Site:

Lands on which industrial or commercial activity took place in the past and that may need to be remediated before these lands can be redeveloped.

Intake Protection Zones (IPZ):

It is the area around a surface water intake that is defined to protect the source water for a municipal drinking water system. In most cases the protection zone includes the water and the land that surrounds the intake and takes into account the influence of land use and water activities.

Non-Potable Standards:

The Generic Site Condition Standards prescribed under section 37 in O. Reg. 153/04 and as set out in Tables 3, 5, 7 and 9 of the Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Act.

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Notice of Intention:

A letter provided by the owner of a property to the Clerk of the local municipality in which the property is located, requesting to use one of the Non-Potable Ground Water Condition Standards (Non-Potable Std.) in preparing a Record of Site Condition (RSC) for the property.

Notice of Objection:

A letter of response provided from the Director of Environmental Services, objecting to a request to apply a Non-Potable Std. for site remediation.

Potable Standards:

The Generic Site Condition Standards prescribed under section 36 in O. Reg. 153/04 and as set out in Tables 2, 4, 6 and 8 of the Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Act, which set standards that ensure water is fit for human consumption.

Qualified Person (QP):

Generally “Qualified Persons” are licensed under the Professional Engineers Act, or are members of the Association of Professional Geoscientists of Ontario, and/or they meet the requirements as set out in O. Reg. 153/04.

Wellhead Protection Area (WHPA):

A wellhead is the physical structure of the well above the ground. A wellhead protection area is the area around a wellhead where land use activities have the potential to affect the quality and quantity of water that flows into the well.

Procedure:

1. Pursuant to Section 35 (3) (d) of O. Reg. 153/04, the owner has given the Clerk of the local municipality in which the property is located, a written “notice of intention” to apply the Non-Potable Std. in preparing a RSC for the property. The Clerk will forward this request to the Environmental Services Department for assessment and response.
2. A “notice of objection” response must be provided from the Director of Environmental Services within 30 days after receiving the written “notice of intention”. If a “notice of objection” response is not provided, the “notice of intention” for the use of the Non-Potable Std. is considered applicable as defined in the Act.
3. Should the owner wish to pursue the Non-Potable Std., a request of the City to re-evaluate their “notice of objection” may be provided, using a QP to rationalize and provide documentation pertinent to assess and re-evaluate the objection (see required information section).

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Page 3 of 8

4. A written letter providing intention to provide an RSC upon completion of the remediation must be provided as a requirement of acceptance of any Non-Potable Std.
5. Upon receipt of all required information including the processing fee, the City will complete the re-evaluation process.
6. Upon completion of the re-evaluation process, the Director of Environmental Services will provide a letter of acceptance or denial for the use of the Non-Potable Std.

Required Information:

The information submitted to the City of Orillia to assess a Non-Potable request must include the following:

1. A completed City of Orillia Environmental Site-Screening Questionnaire (Appendix 1);
2. Description of previous and proposed land use(s) for the site;
3. Site remediation description, pre and post-predicted remediation concentrations according to applicable standard;
4. The results of a well survey of the properties within a 250 m radius from the site boundaries, proving that there are no registered groundwater extraction wells and all properties within this area are supplied by the municipal water distribution system;
5. Any other documents that the City feels are pertinent to making the final assessment.

Processing Fee:

All re-evaluation requests to use the Non-Potable Std. will be charged a non-refundable processing fee of \$200 to recover costs for staff time to review the documents. A cheque must accompany the re-evaluation request to use the Non-Potable Std. and if it is not received will result in an automatic response from the City of Orillia recommending Potable Standards.

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Evaluation Criteria:

When determining applicable Site Condition Standards, it will be evaluated whether standards based on potable or non-potable groundwater conditions are the applicable Site Condition Standards for the subject property.

1. Potable Groundwater Site Condition Standards may be applied without permission of the City of Orillia.
2. A Non-Potable Std. will be acceptable if all of the below circumstances exist, or at a minimum, in accordance with the regulation:
 - The subject site, and all other properties located in whole or part, within 250 m of the site boundaries are supplied by City's drinking water system and have no wells installed for the extraction of groundwater;
 - The subject site is either,
 - not located in an area designated as a WHPA under the Clean Water Act (2006) for the protection of groundwater (Appendix 2), or
 - not located in an area designated as IPZ under the Clean Water Act (2006) for the protection of surface water (Appendix 3).
 - The subject site is not used for agricultural or "other use" as defined by O. Reg. 153/04.
 - The subject site is not in an area of high groundwater vulnerability.

All other requests to use the Non-Potable Std. in areas that municipal water services are available will be evaluated and assessed in accordance with the requirements of O. Reg. 153/04.

(R. 2013-246 13.08.15)

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Appendix 1 to Policy 2.7.3.1.

**The Corporation of the City of Orillia
50 Andrew Street South, Suite 300
Orillia
Ontario L3V 7T5**

Environmental Site - Screening Questionnaire

**City of Orillia
Environmental Services Department
Tel: 705-326-1502
Email: enviroservices@orillia.ca**

Environmental Site - Screening Questionnaire

Applicant: _____

Legal Municipal Address: _____

1. Was the subject property ever used for industrial purposes? yes no uncertain
2. Was the property ever used for commercial purposes that may have caused contamination (e.g. gasoline station, dry cleaners, etc.)? yes no uncertain
3. Has imported fill ever been placed on the subject property? yes no uncertain
4. Is there any reason to believe that the subject property is potentially contaminated based on historical information or any lot located within 100 m of the property? yes no uncertain
5. Are there or were there any waste disposal activities on the property? yes no uncertain
6. Have any of the buildings on the subject property been heated by fuel oil? yes no uncertain

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

7. For existing or previous buildings or structures on the property, do they contain designated substances that may be potentially hazardous to human health (asbestos, lead, etc.)? yes no uncertain
8. Is the land use changing to a more sensitive land use (e.g. Industrial/commercial to residential/institutional)? yes no uncertain

Certification

I, _____ certify that I am the *registered owner/authorized agent for the owner* of the land that is subject of this document and to the best of my knowledge, the information provided in this questionnaire is correct.

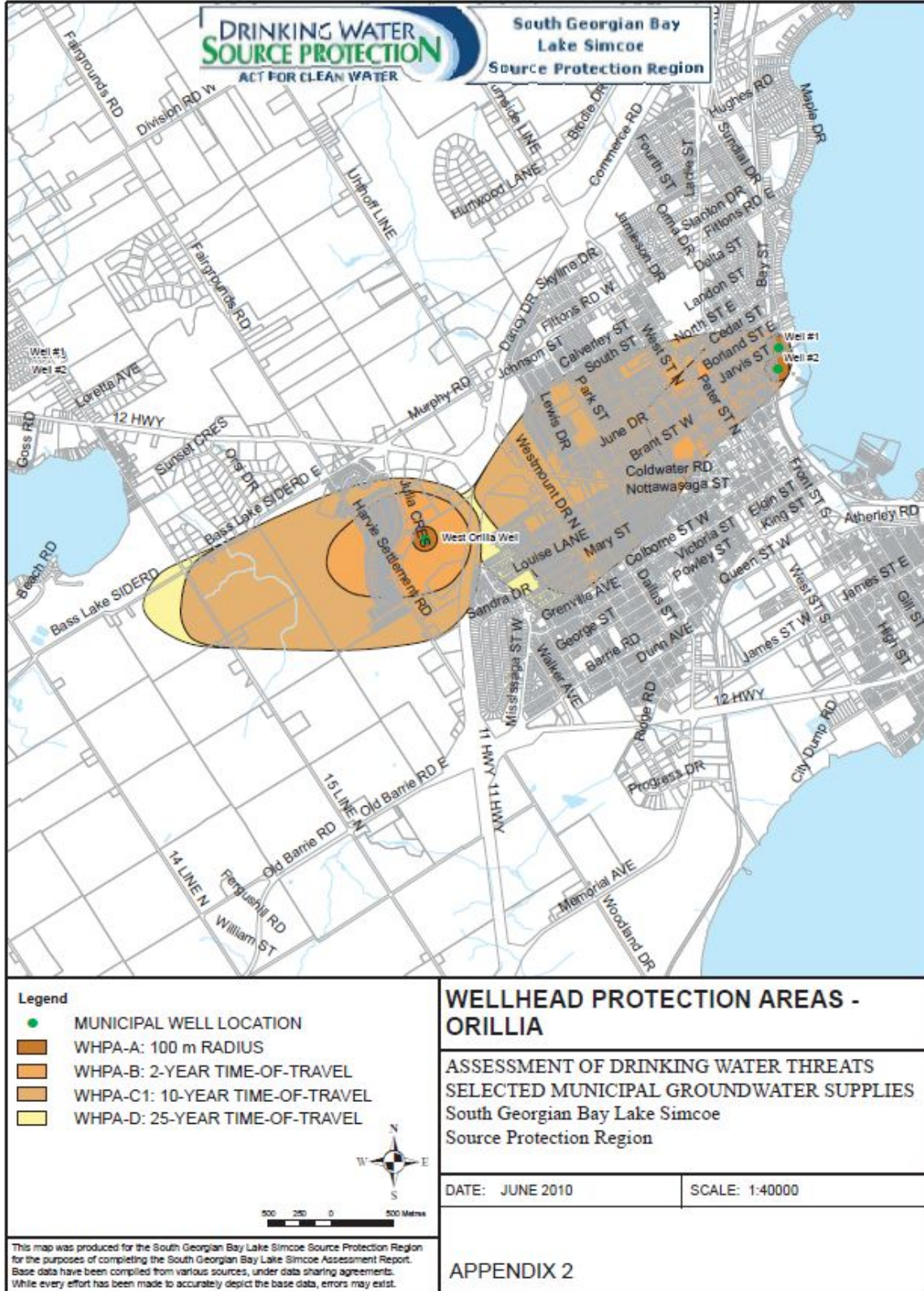
Signature of Registered Owner/Authorized Agent

Date

CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Appendix 2 to Policy 2.7.3.1.



CITY OF ORILLIA POLICY MANUAL

Part	2	Public Works	2.7.3.1.
Section	7	Environmental	
Sub-Section	3	Groundwater Site Conditions	
Policy	1	Potable or Non-Potable	

Appendix 3 to Policy 2.7.3.1.

