



March 3, 2014 - Summary Management of Excess Soil Workshop

Management of Excess Soil Workshop

Monday, March 3, 2014 the Residential and Civil Construction Alliance of Ontario (RCCAO) and Supporting Ontario Infrastructure Investments and Lands (SOiil) sponsored a half day workshop in Vaughan Ontario on excess soil handling developments in Ontario. Over 50 representatives from provincial and municipal government, industry and professional associations, environmental groups, development and construction industry and soil handling activities were in attendance. A copy of workshop agenda and key points presented follows. Attachment 1

MOE BMP Guide Overview

The primary focus of workshop was the recently released final version of the Ontario MOE's recently released Management of Excess Soil-A Guide for Best Management Practices. MOE representatives provided an overview of the new BMP as well as provided responses to questions' previously submitted on the Guide by workshop participants as well as questions provided by those in attendance. A copy of MOE Overview Presentation follows. Attachment 2

A summary of workshop Guide comments, questions and answer over the course of the workshop are as follows:

- (1) Comment- The BMP implementation must be consistent, compatible and practical with RSC regulations including additional details on adverse effect triggers and include municipal and industry concerns

MOE – Jonathan Fernandes and Dolly Goyette - The MOE will outreach to facilitate implementation and any technical interpretation required on how BMP will work.

- (2) Comment - some operators don't care about BMP's or Regs.

MOE – This is a first step, MOE will monitor results

- (3) Question - Temporary storage sites are not a one size fits all. How will MOE handle?

MOE – Approval process will have to take into account municipal zoning conditions and approvals, two year approval similar to waste management activity. Options to get more formalized with experience in terms of environmental compliance approval through District Office by issuing an Order with compliance conditions.

- (4) Question – Is MOE ready for handling of ECA's to expedite temporary soil storage sites and what are timing expectations?

MOE – Yes, similar to Part 5 final assurance. There are ECA's today that do not involve waste. The current approval timing which can be up to a year but plan is to develop a more streamlined process to speed things up in this area.

- (5) Question - On municipalities being stuck with legacy sites and role of QP's.

MOE – Reg. 153/04 dictates where soil goes based on tables and only applies to RSC or change in land use sites. MOE advises to date that typically problem sites have no QP involved. Comments made regarding QP's (APGO/PEO) use of "professional judgement" and requirement for guidelines and training on how to apply BMP Guide.

- (6) Comment – For general contractors need to have BMP requirements incorporated into by-laws for them to follow. Also need sound procurement practices in absence of by-laws and QP's involved in operational aspects changing dynamics.

MOE – MMAH will seek additional guidance through municipal model by-laws, outreach through AMO with a needed emphasis on more upfront planning. Also municipalities must do own due diligence in terms of effectiveness, costs, landfill diversion.

- (7) Question – New invasive species reference pg. 17. Need rationale for inclusion and what about common minor SAR and EC exceedances ?

MOE – The MNR has lead on invasive species and will produce management plans and further direction. MOE will continue to work with MMAH, MTO, MOI and federal contacts on innovative approaches to deal with common concerns.

Planned MOE Review of Fill Disposal Policies

MOE (Atif Durrani) announced planned review on fill practices under the EBR. Will be a very broad review working with municipalities and others and should take approximately 18 months. Items to be covered include is there a need for a comprehensive soil policy, a gap analysis of issues and potential policy options.

Case Study Region of Peel Temporary Storage Site

Meggen Janes of CH2M Hill provided a presentation on lessons learned regarding creation of a temporary soil storage site in Peel Region. Copy of presentation Attachment 3.

City of Toronto Management of Excess Soil Requirements

Sam Badawi of City of Toronto briefly outlined plans for implementing MMP reporting requirements including role of QP's for a consistent approach. Based on adopting 8 council recommendations, City staff plan on implementing for (1) city projects and (2) private sector projects by third quarter 2014.