

## Excess Soil Handling

### Implementing best practices for the construction industry.

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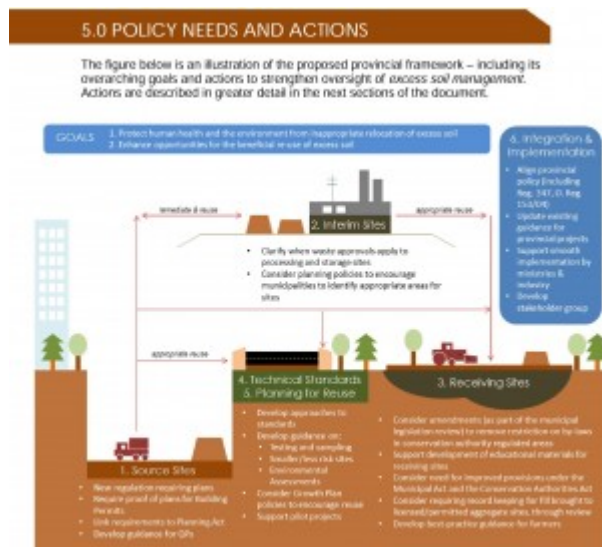
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Improvements to how excess construction soils are managed in Ontario will require coordinated efforts and the clarification of responsibilities by government and industry stakeholders.

After a two-year consultation process, Ontario's Ministry of the Environment and Climate Change (MOECC) appears to have heard this message based on 21 action items in its ["Proposed Excess Soil Management Policy Framework"](#), which reflect the input of many organizations. While there will be a review of comments received through the Environmental Bill of Rights process, the new direction envisions a number of requirements:

- Greater responsibility by owners of source sites to ensure that excess soil reaches the appropriate receiving sites. This will require better tracking and record keeping.
- Better oversight at receiving sites.
- More enforcement to address illegal activities (such as dumping contaminated fill on farmland).
- Clearer technical guidance for excess soil reuse standards and testing procedures.

For background, MOECC released its ["Management of Excess Soil – A Guide for Best](#)



[Management Practices](#)” (BMP Guide) in January 2014. What was missing at that time were the needed policy drivers and required government implementation mechanisms.

At the municipal level, there has not been much uptake on the BMP Guide to date due to either low awareness of the new approach or uncertainty about possible liability around soil contamination. Based on past experience with brownfield redevelopment policies, the Ministry of Municipal Affairs and Housing could be more involved with outreach and communication to municipalities and site owners on the benefits of taking a more up-front approach to planning for reuse of clean soils on infrastructure and development projects.

Municipal tender documents, as well as local by-laws, which make reference to the BMP Guide would result in more consistency across the province. In addition, the province could lead the way by adopting BMPs on its highway or transit projects and by supporting municipal pilot projects.

Implementing measures used in other jurisdictions such as the U.K. will facilitate a “smart regulation” regime whereby regulators and industry work cooperatively to advance excess soil handling approaches in a cost-effective manner. In the U.K., this has allowed the environment department to focus its resources in a more effective manner. One mechanism highlighted by MOECC is the establishment of interim sites where soils could be temporarily stored or processed, until a suitable receiving site is found. In the U.K., these sites are known as hubs.

A fundamental principle of the BMP approach is the recognition that clean excess soils be treated as a resource and not a waste. With the continued growth of our urban areas, this principle takes on more meaning and will require more coordinated planning.

There are a number of economic and environmental benefits that would occur from diverting soils from landfills. Where excess soils can be beneficially reused locally, for example, there will be reduced overall truck traffic (or vehicle kilometres travelled), with the following gains:

- **Economic** – less wear and tear on roads and highways represents infrastructure cost savings for both municipal and provincial governments.
- **Environmental** – less fuel usage will result in lower greenhouse gas emissions and will thus help to meet our climate-change targets. Other negative impacts such as noise and dust will also be minimized.
- **Enhanced safety** – lower probability of collisions or damage from flying debris from trucks.

It is time to get on with addressing both the issues and the opportunities surrounding excess soil handling. Perhaps the biggest opportunity from this situation is changing the perception of excess soil management so the public understands that these are mostly clean soils that can easily be reused in other areas without causing harm to the environment. An aggressive action plan is required now. Dumping or landfilling of excess construction soils or as is often referenced, clean dirt, should be viewed as unnecessary and inappropriate.

Fortunately, the proposed soil management policy framework sets out the key requirements to

formalize and improve soil handling. It lays the foundation to pursue a progressive, risk-based approach which will achieve a number of key objectives.

**RCCAO and SOiL** have recommended that there be an immediate focus on the following activities:

- Establish, as quickly as possible, the proposed multi-ministry Excess Soil Stakeholder and Engagement Group (ESSEG) and prepare a prioritized implementation action plan complete with a timetable and identification of accountable parties.
- Set up a smaller, dedicated oversight group to execute the ESSEG implementation plan, including municipal / industry outreach and training associated with the 2014 MOECC BMP Guide.
- Incorporate excess soil management best practices on a fast-track basis using proven approaches from other jurisdictions, with the objective of establishing a smart regulatory regime that will become market driven and self-sustaining.
- Form a MOECC Qualified Persons working group, including existing QP practitioners and other relevant stakeholders, to finalize training and excess soil technical standards in support of existing BMPs.

The public, industry players and government can work together to reform how excess soil – clean soil – is handled and perceived, and prevent the ongoing efforts to move them unnecessarily.

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