

Improved soil practices need action now: expert

by Lindsey Cole Jan 7, 2015

It took years to get the best management practices (BMP) hashed out to deal with excess soils, and one stakeholder fears these practices will get buried if not implemented now by municipalities and encouraged by government.



Andy Manahan, **Residential and Civil Construction Alliance of Ontario (RCCAO)** executive director, says the concern stems from the Ontario Ministry of Environment and Climate Change's (MOECC) decision to review the Environmental Bill of Rights (EBR) with reference to soil policy in Ontario.

"We are very pleased that the MOECC is undertaking this 18-month EBR review on the need to examine provincial soil policy, but we wish to emphasize that there is an urgent need to implement the 'Guide for Best Management Practices' rather than wait for all the possible policy and regulatory gaps to be addressed following the review," reads an excerpt from an RCCAO letter to the MOECC in December.

"From time to time we hear of distressing situations where a BMP approach has not been followed. Public confidence is eroded when these bad examples are brought to light. Thus, we cannot afford to put on hold solutions pending the outcome of the current EBR soil policy review project."

While the RCCAO acknowledges that the MOECC hasn't stated it will put the BMPs on hold, it wanted to "underscore" their importance.

"Part of it is basically saying, don't use this EBR consultation as a way to slow down implementation of the BMP guide. We really need to push the BMP out there right now and work on that," Manahan explains. "For the BMP to work well it has to be implemented at the municipal level."

The RCCAO's letter to the MOECC outlines some follow-up recommendations that came out of a listening session in October and states that timely action is needed on the soil handling file. It could introduce positive change and "a move away from a 'dig and dump' approach to a beneficial reuse model," that will reduce overall truck hauling distances and emissions.

Ten recommendations were listed in the letter with the overarching goal of developing a functional framework in Ontario.

After four years of discussion and revision, the MOECC finalized the Management of Excess Soils — A Guide to Best Management Practices in January 2014. It suggests ways to deal with properly sampling, handling, storing and transporting "clean fill" and "dirty dirt" and encourages the re-use of excess soil.

"It took a lot of pushing just to get an acknowledgement from MOE that this was an issue that they needed to be involved with from an environmental and economic point of view," adds Manahan.

A previous Daily Commercial News article stated there had been barriers moving soil from one site to another in Ontario. There was also confusion when regulatory changes were made in 2009, causing negative impacts when it came to moving and handling clean excess construction soils from small municipal, residential and commercial projects.

To address some of these concerns, SOiL (Supporting Ontario Infrastructure Investments and Lands) was created under the auspices of the RCCAO. It's an online service that is geared towards supporting the "responsible movement of excess soils from construction projects in Ontario."

A soil matching registry was created to match registered participants with excess "clean" soils, with others who require soil of a similar quality and quantity, while supporting and encouraging the BMPs in this process.

"This soil matching approach is really good," explains Manahan, but there have been some challenges really getting it off the ground.

In September 2014, the Ontario Environment Industry Association (ONEIA) hosted a workshop where Al Durand, project manager for SOiL, stated it wasn't getting enough traction just yet.

"There was a lot of initial interest in the on-line soil matching service following its launch last fall," Durand said in a report by ONEIA.

"This was followed by a lull while we all waited for the Ministry to release its final guidelines and then for the construction season to begin."

About 40 companies have registered, the statement reads. Durand also stressed the importance implementing the BMPs at the municipal level "as quickly as possible."

"We knew that for it (SOiiL) to be effective...the MOE had to have their BMP document out, otherwise people would think there wasn't much weight," Manahan adds.

"That BMP guide could also suggest that you look at beneficial reuse, which means hopefully going to a soil matching service."

Overall, Manahan states that for this to get rolled out, the MOECC, as well as the Ministry of Municipal Affairs and Housing need to work together to educate and encourage municipalities to get on board.

"For this to be effective, it has to be multi-ministry approach," he says.