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## RCCAO plays matchmaker

### UNEARTHING SOLUTIONS

By Julie Baldassi

As municipalities across the GTA continue to grow and intensify, disposal of excess construction soils has become an issue of some significance. In an effort to overcome regulatory barriers and manage both economic and environmental realities construction industry stakeholder **Residential and Civil Construction Alliance of Ontario** is digging down to unearth creative solutions.

[Best Management Practices for Handling Excess Construction Soils in Ontario](#), a document RCCAO commissioned from **AJ Consulting and Environmental Services** consultant **Al Durand**, contains a novel idea that executive director **Andy Manahan** jokingly refers to as “the soils dating service.”

RCCAO’s idea is based on an approach developed in the United Kingdom called CL:AIRE—Contaminated Land: Applications in Real Environments—which uses an internet bulletin board to match excess soils to projects in need of soil, such as municipal road works. CL: AIRE has been in operation for over a year, and has successfully matched London’s “highly desired” clay to sites across the U.K.

“The CL:AIRE solution was trying to find someone else who needed the type of soil [you had]. They have a program to match like to like—so in our nomenclature, if you had table one soils in Ontario, you could find another project that needed table one soils, like a municipal roadway,” Manahan told *NRU*.

The CL:AIRE website operates with minimal staff oversight. One staff member is required to verify projects and provide some logistical support. While the website contains a rough location and information about soil type and quantity, the exactly location is provided by the staff member so that haulers aren’t able to circumvent the process.

Manahan said that RCCAO could help to initiate a CL:AIRE-like organization in Ontario, but he stressed that that the idea is still in the very early stages. The next step will be to test the method as a pilot project.

“We’ve got one company in the sewer and water sector that has agreed that [it] would be able to pilot the [best management practice solution]. We’ll start with that and hopefully if it works we’ll see if it spreads,” he said.

Manahan said that RCCAO's solution would provide an economically viable alternative to the "dig and dump" approach, an unsustainable practice of dumping excess soil in landfills. However, he said that many in the construction industry have expressed a desire for the province to provide "regulatory clarity."

As the best management practices document points out, "an unintended consequence of the regulatory changes made in 2009 was confusion and negative project impacts regarding the movement and handling of "clean" excess construction soils, particularly from smaller municipal, residential and commercial projects."

**Kawartha Conservation CAO Rob Messervey**, who is moderating a panel discussion at the [Large Scale Fill Symposium](#) this Friday, said that a big question for the industry is whether "the province [should] be setting a new legislative or regulatory framework so that municipalities in turn can set fairly consistent by-laws and in turn conservation authorities and any other organizations that regulate this stuff."

While the province has said that it will not be making regulatory changes at this point, it too is working on a best management practices document.

"The intent of this document is to provide guidance and best management practices for the management of excess soils generated from large-scale construction projects, with a focus on soils generated from brownfield redevelopment activities," said environment ministry spokesperson **Cynthia Ulba**.

However, Messervey said that best management practices are also gradually emerging by consensus, as municipalities and stakeholders talk in forums like Friday's about methods that have worked or not.

One panelist at the symposium is **Township of Scugog CAO Bev Hendry**, who will talk about the municipality's experience with fill in a presentation entitled "A tale of two airports."

In 2011, a property owner obtained a permit to receive fill for an aerodrome, but it quickly became an issue for residents as truck traffic increased and concerns were expressed about contaminated soils. However, the property owner claimed that he was putting in an aerodrome, which falls under federal jurisdiction. Scugog took the property owner to divisional court and won an injunction.

"It was based on the understand that the aviation world is a federal jurisdiction but the land use associated with creating an area that could be used for an airport, if there were issues that impact the local area, that is of local interest," Hendry told *NRU*.

When the town got wind of the recently proposed Greenbank airport expansion, it took a different approach. As a result Hendry said the township has put in place a contractual agreement with the airport developers, which stipulates specific criteria for how the project is to be managed.

"We don't think that you should be able to say that there can't be fill, you just have to manage it," said Hendry.