

Questions and Answers from Ian and the Ontario Soil Regulation Task Force

1. Are haul routes will trucks of excess soils experiencing very many accidents?
 - a. I don't have any data on that but when dozens of trucks line up on the road waiting to turn in you know it is not safe. When MTO did a safety blitz on trucks at one site, many were deficient in safety.



2. What are the effects on roads and homes along the haul routes from the trucks of excess soils?
 - a. The effects are similar to as when gravel comes out (but generally muddier), but at fill sites there is not a road levy to help cover costs.
3. What percentage of available prime farmlands are being impacted by the dumping of excess soils?
 - a. That would be an interesting statistic but we don't even know how many "reuse" sites there are. The upcoming registry should be able to help monitor that. The 25 million cubic meters per year estimate of excess soil volume is equivalent to an area 3 km X 4 km X 2 m deep or 700 m X 700 m X 50 m deep. An impossible choice – spread it thin over farmland or deep in old pits near groundwater.
4. If land is zoned for industrial uses, does that open it up to industrial waste (e.g., excess soil)?
 - a. Not necessarily. The municipality has some control over the type of industrial use. A waste site also requires approval from the Ministry of the Environment for an Environmental Compliance Approval for whatever the waste activity is to be.
5. What are the effects of inhaling dust particles from excess soils?

- a. The inhalation of contaminated dust and vapours is considered in the Soil Tables. There was a dust expert on the call who could provide a good answer on the health impacts.
6. Given Quebec's more stringent laws on excess soil, how much is being trucked into Ontario?
 - a. That was happening but then the Quebec police arrested some people so it has probably slowed down.
7. When should municipalities put fill by-laws in place? What would a good fill by-law look like? What would it include?
 - a. A good fill by-law usually comes in after an operating fill site gets residents clamoring at council meetings. The OSRTF website osrtf.ca has a model by-law and www.excesssoils.com has guidelines and examples. The most important thing is a political desire to enforce a by-law.
8. How effective is a Federal Environmental Easement in preventing the dumping of excess soil on lands?
 - a. Probably not. In the past 10 years the only Federal impact has been with the Aeronautics Act.
9. Is aeration an effective way to clean excess soils?
 - a. It makes it less stinky but does nothing for things like arsenic or lead.
10. Do aeration processes to clean excess soils result in air pollution?
 - a. To some degree it would have to.
11. Can fungus be used to clean excess soil?
 - a. Biological processes can be used to breakdown complex chemicals into their constituent elements but it is expensive to maintain the conditions they need. The hope is that the stricter monitoring of soil dumping will lead to innovative treatments.
12. Can bacteria or other biological processes be used to clean excess soil?
 - a. See above.
13. What process can clean metals, petrochemicals and other synthetics from soil?
 - a. There are processes that cost up to \$6000 per truckload.
14. Will the implementation of Ontario's new regulations on excess soils result in a frenzy of soil dumping in advance of the deadline?

- a. Not really because the amount to dump depends upon how much gets dug up from development projects. Many of the enlightened operators have been working to the draft versions of the rules for 2 or 3 years already.
15. Will the new regulations be retroactive, requiring previously dumped excess soils to be cleaned? If so, whose responsibility will it be?
- a. For past sites the provincial government could use the Environmental Protection Act which depends upon there being some evidence of an adverse impact on surrounding properties.
16. How important are new reports to moving legislation, regulation, monitoring and enforcement of excess soil regulation?
- a. Assuming that this is about the media, the rural weekly papers are very important in getting the municipal government motivated. They have the ability to move quickly (compared to the province) and to issue stop-work orders. Getting into the Toronto papers is much harder.
17. Once an owner of a soil dump has made their millions, what is stopping them from bankrupting that division, walking away with their money and leaving the municipality to fix the mess?
- a. Not much. The government could go after the directors. But with the new soil regulations the government might be able go after the people who filled the paperwork along the way.

Thank you for all the positive comments.

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