

FROM THE DESK OF **ALEC CLOKE**

UNITED SOILS MANAGEMENT LTD

February 21, 2022

Cathy Curlew
MNDMNRF – RPDPB, Resources Development Section
300 Water Street
Second Floor, South Tower
Peterborough, ON K9J 3C7

Dear Cathy Curlew:

Subject: Proposed Regulatory Changes for the Beneficial Reuse of Excess Soil at Pits and Quarries in Ontario – Environmental Registry of Ontario Notice 019-4801

It is the opinion of the writer that this proposal as written will do much more harm than good in respect to forwarding its intent of supporting infrastructure growth.

After waiting for years to tighten protocols along with tracking of excess soils this proposed document will undo all the time and effort put towards protecting our environment. In one hand we have Reg 406 but with no enforcement or street cred the regulation is worthless. Like any other topic in our society, like traffic laws, banking laws, sports rules, if there isn't a referee or a police department to enforce rules, you have nothing. And with this proposal you have nothing.

The province of Ontario has no knowledge or staffing levels to administer this document. The enforcement for this industry and all that goes with it has to be acute. And there is nothing resembling acute when dealing with the province. If a complaint from the public regarding any of the myriad of issues that goes along with having a fill site in a town is called in to the province, there is very little chance that the issue will ever be addressed.

History has proven this, time and time again. That's precisely why you see the existing horror shows around the GTA with illegal dumping. You don't see the sites being cleaned up. What you see is the issue languishing in the court system while the surrounding neighbors buy bottled water and watch their land values diminish to nothing. The province didn't help them then and they won't get help in the future.

The province should develop policies and leave the administration and enforcement to the municipalities. To the point that some municipalities refuse to have fill sites within their borders; it is only because the province didn't help them with past contamination problems when they needed help. Now, the towns have just said no to any filling.

Most people think that the gravel industry is made up of large vertically integrated conglomerates with management layers and codes of conduct and it's safe to hand this topic over to them. Not so. This province has hundreds and hundreds of small pits and quarries that because they exist in rural areas do

not have the financial wherewithal to afford the cost of professionals to operate properly and safely as fill sites. And it is those properties and those surrounding them that are at risk with this proposal.

The dollar figures that I read in this proposal to hire a QP and have them watch over your property are completely inaccurate. It's because of this that I submit that there should be no small fill sites. Small fill sites cannot support the environmental costs of protecting the property, namely professional expertise. Neither can they support the infrastructure costs of operating responsibly C/W monitoring wells, truck washes, environmental insurance, etc.

The gravel industry and the fill industry have only one thing in common. Property. After that they have very little commonality so it's a mistake to have them operating without strict oversight and it's definitely a mistake to have them operate under the authority proposed in this proposal.

Municipalities should administer all fill sites. Their bylaws should be supported by provincial legislation and the Ministry of the Environment should be more proactive in helping the towns close down errant operations.

No gravel pit or any other property should allow off site material be imported to fill in ponds made up of exposed groundwater. Ever.

All fill operations should be issued with annual permits.

No fill operation should be smaller than 2,000,000 cubic meters.

No fill site should operate without test wells.

No fill site should operate without \$10,000,000.00 worth of contamination insurance.

No fill site should operate on Saturdays and Sundays.

No fill site should receive material from a source site further than 100 km away

Municipalities need fees to support enforcement. This document doesn't address this.

Regarding acute. Municipalities are closer to the public than the province and they operate with politicians whose sole goal in life (right after protecting the constituents) is to get reelected.

That is why municipalities should control this whole subject.

For those situations where past experience has poisoned their taste for dealing with this issue then the province should sit with them and ensure them that they will back them up when it comes to dealing with rule breakers. Because we all know that it's the provinces lack of involvement that put them there in the first place.

No one cares more than I that this issue be handled properly.

The need is there, no argument. We need more spaces. The delivery to accomplish same is not within this document.

All my comments are forwarded with pure intentions and with the highest of respect for all involved.

We live in the best province in the best country in the world. Let's keep it that way.

ALEC CLOKE, Principal