

New Tecumseth council urged to better regulate Tottenham airfield project

By Eric Penkala

New Tecumseth has come under scrutiny by an environmental group who says the Town has not been enforcing its site plan agreement with the Tottenham Airfield Corporation (TAC) strongly enough.

But Town lawyer Jay Feehely said the municipality has been working closely with TAC to make sure the rules and regulations are being met.

Carmela Marshall, of the Ontario Soil Regulation Task Force, raised a number of concerns about the fill project on Highway 9, between Tottenham Road and 10th Sideroad, to council during the March 20 meeting. The biggest concern was that the site, located on the Oak Ridges Moraine, has been using soil from a management facility that accepts soil with PCBs, a toxic chemical that is proven to have harmful environmental effects. Marshall said this presents a very clear and potentially dangerous oversight of the site plan agreement, which was signed in May of 2016.

"In your agreement, it is very clear that soils will not be accepted at TAC from certified soil treatment facilities that permits acceptance of PCBs in any amount," Marshall told council. "I'm asking council if they are comfortable with not having that part of the agreement enforced which seems extremely enforceable."

Feehely, who was also present at the meeting, admitted that there had been one reported "serious exceedance" of PCBs in the soil at TAC, but that part of the soil was being dug up and corrected. Feehely also acknowledged other findings of PCBs that he called "minor," and were below the standard set by the Ministry of the Environment.

He also stated that the Town had received a letter from TAC, which stated that it would no longer be sending any soil to the fill site that accepts PCBs at its source.

"Our pattern in this municipality is that when we're dealing with a development, we identify issues and we give the owner an opportunity to correct them," said Feehely. "If they don't correct them, then we use the heavy hand of enforcement."

Marshall was visibly displeased with Feehely's response, and called the reports of PCBs at the site "extremely, extremely alarming." Marshall also criticized the Town for not pressuring TAC to provide more reports on the project, including weekly truck load counts and soil tests.

Feehely noted that TAC is not required to submit information to the Town at any specific deadline, but said that staff members regularly meet with the property owner to receive updates on the fill operation.

"We're doing what the agreement requires us to do," said Feehely. "We're monitoring monthly, we're meeting regularly, we're doing everything that needs to be done. We can't impose standards that are beyond the agreement."

Marshall urged council to keep a closer watch on the operation moving forward, citing the need for the Town to "instill confidence" in its residents that the project is following the rules.

"Enforce the terms of the agreement. Do your due diligence. Do your testing. Ensure reports are done on time," said Marshall. "And ask your staff why very basic conditions in the agreement are not being followed."

In response, Councillor Shira Harrison McIntyre, calling the fill operation an "enormous issue," requested that council be given regular updates from staff on the goings-on at the site.