

Local activists fight 'tsunami of soil' at Tottenham Airfield

By Wendy Gabrek

On July 15 the group New Tecumseth, Caledon, King Citizens for Clean Water (or NTCK?CCW) held its first general meeting at the Tecumseth Pines Community Centre.

The event was well attended - with standing room only - and focused on the quality of fill being dumped at the site of the Tottenham Airfield Corporation (or TAC), owned by John Bailey of Brownfield Developments of Toronto, on Highway 9 just east of Tottenham Road, adjacent to Tecumseth Pines on protected Oak Ridges Moraine.

The goals of the evening, hosted by NTCK?CCW officers Kathleen Wilson, Amy De Ruyte and Sandra Boland, and core committee members David Francis, Geoff Fromow, Tony Guevara and Alex Steimle, were to promote awareness, grow membership and seek financial sponsorship for the newly incorporated not-for-profit agency.

Although the group has always protested the leveling of the airfield since fill began at the site in 2010, they have recently increased efforts by hosting 'flash protests' along Highway 9 (to slow truck traffic entering the site and garner media attention - from this publication, and the CBC who used footage from the site to create an exposé on dirt). The group also recently retained a lawyer with a specialty in environmental law to represent them.

The main concerns of NTCK?CCW is the quality of the fill being dumped at the site at a rate of 'hundreds of trucks a day, six days a week; figuring out who is responsible for testing the soil to ensure that there will be no long term repercussions if the soil is, in fact, 'contaminated;' and who will be responsible for the clean-up, should unclean fill contaminate local wells and aquifers.

The TAC is situated in New Tecumseth, however, NTCK?CCW representatives hail from all three bordering municipalities: New Tec, King and Caledon. The group claims New Tecumseth is responsible for enforcing its 'No Fill Bylaw' (in which the Tottenham Airfield is not listed as an exception) and halting dumping at the site until soil quality can be assured.

At the height of fill operations, the site was receiving upwards of 1,500 truck loads of soil. Today, that number has decreased to around 150 trucks per day (as limited by the MTO) but truck sizes have increased, as larger, 41-cubic-metre trucks come and go from the site daily from 7 a.m. onward.

'We called this meeting tonight because not everybody realizes what has been going on at this site - and for years now,' said organizer Kathleen Wilson. 'We have a long, tough battle in front of us and that's why we've brought in a lawyer. Although we've paid the retainer out of pocket, we are looking for community support to fund the balance of this fight.'

The group has retained David Donnelly, one of Canada's top environmental lawyers (he was also involved in the Burlington case - between the Burlington Airport and City of Burlington), to represent them.

NTCK?CCW representatives met with Town of New Tecumseth Mayor Mike MacEachern, CAO Terri Caron, Deputy CAO/Director of Technical Services Brendan Holly, and town lawyer Jay Feehely behind closed doors June 20 to discuss the recent Supreme Court of Canada ruling in the Burlington case. A letter from Donnelly was also sent to the town's lawyer.

According to the NTCK?CCW the town has agreed to reopen the file on the site based on the new information, although to date, New Tecumseth maintains that the activities on the site, as it is an existing airfield, should be regulated by the federal government.

Representing Simcoe?Grey MP Dr. Kellie Leitch at the meeting was Shauneen Mackay, who said, 'This is wrong!' referring to activities at the site and the lack of involvement from the Town of New Tecumseth.

'This is a municipal issue. The municipality (of New Tecumseth) has the control. Municipalities can be sued if they don't do what they're supposed to do - uphold their bylaws!' she said.

'The federal government regulates airports and the safety and security of airplanes, not fill. New Tecumseth is hiding under the umbrella of the federal government,' Mackay added.

With regard to the soil already dumped at the site, NTCK?CCW representatives showed photographs of unclean soil, containing tires and plastic debris. They also claimed that the Ministry of the Environment (MOE) has done no testing of their own, but instead testing has been conducted by the fill operator on his own accord through Cole Engineering.

In a report from Cole Engineering to the TAC, soil testing was completed on three separate occasions, the latest being January 2104. 'During one audit, lead exceedances were identified ... in response, a subsequent excavation and verification sampling program was conducted (and the fill provider was notified),' reads the report from Cole.

'This is Table Two soil that is being placed there. Do you know what that means? There is nine tables of soil. Table Two soil can't even be used to build industrial units on - but it's okay to dump it on the Oak Ridges Moraine?' Amy De Ruyte asked meeting participants.

Currently, each truckload of soil shipped to the site has a corresponding ticket to validate its origin and certify its cleanliness. The

soil is then to be placed at a certain spot on the airfield for accountability purposes.

According to NTCK-CCW representatives, there is no monitoring that the airport only accepts soil from companies which provide the required ticket, if at all. Does every truck meet the provincial standard? Or just some?

NTCK-CCW representatives further claim that although all soil should be coming from Green Soils Inc., in conversation with truck drivers they have learned that the soil is coming from various sites within the GTA (not owned by Green Soils).

The NTCK-CCW is also concerned that since one in four samples came back showing lead in the soil, the "Designated Person" at the site entrance has been retrained by Cole Engineering (again, hired by the property owner) to check the Certificate of Analysis as trucks entered the site. NTCK-CCW says, "This honour-system method is unacceptable."

With no ongoing soil testing taking place, thus no base levels having been established, the NTCK-CCW is concerned that the full extent of the damage at the site, should the soil be contaminated, may never be fully understood.

Residents at Tecumseth Pines, the bordering seniors community, have been doing well testing on an annual basis, and there has been no contamination of their water so far.

The NTCK-CCW plans to reach a larger audience later this summer.

"We will request to make a deputation on August 25, if the Town of New Tecumseth does not step up and enforce their by-law," said Amy De Ruyte. "We will continue to hold events to bring awareness and help fundraise within the community to support the legal costs, incurred by the group, to force the municipality to do its job!"