

Blasting Activities in the City of Greater Sudbury

Presented by:

Guido Mazza, P. Eng.

Director of Building Services/Chief Building Official



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Background

- Initial Council Presentation
- Mayor's letter to Minister of Environment
- Response by Minister and subsequent local staff meeting
- Regulatory control – other municipalities' Noise By-laws
- Reactive vs. proactive
- No current enforced by-law in Ontario
- Legal powers under Ontario Municipal Act unclear

Current Industry Practice

- Industry self-regulated through insurance industry that underwrites activity
- Construction process competitive bidding
- OPSS 120 “General Specification for Use Of Explosives”
 - Blasting consultant retention
 - Design overview
 - Pre-blast survey – limiting distance
 - Trial test blast
 - Continuous seismic monitoring & peak sound pressure volumes

Current Industry Practice – Cont'd

Complaints

- Initial review by Blasting Consultant
- Review of Blast records – pre-blast survey
- Minor repair by Blasting Contractor
- Major damage investigation Insurance Adjuster
- Disputes handled through home insurance and construction company's insurance
- Motivation to perform – higher insurance premiums

Industry Perspective

- Relative to amount of activity, few problems occur/exist
- Industry regulated by contract administration (engineers/architects) design professionals as well as their operating insurance underwriters
- Provides sufficient protection for general public

Developers' Perspective

- Additional regulation will increase development costs
- Curtail development of certain existing properties
- Extra cost passed on to ultimate consumer - public and end users of commercial and residential structures
- Extra regulation will delay development process

Public's Perspective

- Industry not well regulated
- Infill development insensitive to existing neighbourhoods
- Self-regulation lacks transparency and independent oversight

Potential Solutions

OPTION ONE

- Status Quo
- Staff develop a clearer process to direct complaints from general public with insurance industry and Blasting Contractors

Potential Solutions - Cont'd

OPTION TWO

- Stringent regulatory control through a Blasting By-law
- Permitting/certification – hiring staff with expertise
- Liabilities to City – legislative implications – industry/developer impact

Potential Solutions - Cont'd

OPTION THREE

- Less stringent control through modification of existing by-laws – Subdivision/Site plan & Building By-laws
- Modification of OPSS 120 Standard to address Industry/public input through DLAC Subcommittee
- Build in accountability

RECOMMENDATIONS

OPTION THREE

- Cost effective approach
- Minimizes staffing cost
- Proactive yet flexible approach to addressing concerns raised by general public

NEXT STEPS

All options would involve:

- Public input sessions
- Development industry consultation
- Industry stake holder/blasting contractors and general public participation in Steering Committee