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Sweeper gets the brush-off

Collision on 401 stalled entire city

Cleanup hinges on a phone call

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Transportation reporter

It was the day we all sat in our cars. And idled. And fumed. A transport truck loaded with garbage collided with another semi, loaded with paint, creating a fiery toxic mess on Highway 401 just before the morning rush hour on Wednesday, Sept. 29.

Traffic in both directions came to a standstill within an hour. Commuters felt the repercussions from Major Mackenzie Rd. in the south, Pickering in the east, and Mississauga and Brampton in the west.

The spillover from the snarled highway clogged major arteries into the downtown. Commuters looking for an escape valve were spotted slamming steering wheels and throwing their arms into the air as they sat on what turned into a parking lot on Wilson Ave, east of Keele. Some missed flights, others missed key meetings.

Fortunately, no one was killed. Trucker Mario Donelle, 44, of Joliette Que, broke both legs. The other driver, garbage hauler Kenneth Dyer, needed 50 stitches to close a head wound. Dyer has an April 14 court date to face a careless driving charge.

The accident was cleared up by the afternoon because of Bob Chabot and the crew at Centennial Sweeping.

"As soon as the police investigation was over, we attacked," said Chabot, owner of the company. "We brought a lot of machinery, eight or nine people. Each man on a machine. We had dump trucks, sweepers, water trucks, loaders."

And they had a guarantee that they would get paid. Twenty four hours later a different scenario unfolded. It was a much clumsier affair. Taken together, the two accidents provide a window on the byzantine process of accident management in Ontario.

On Thursday, Sept. 30, there was a gravel spill on the Queen Elizabeth Way overnight, but bureaucratic indecision on the part of the transportation ministry over who would pay to clean up the spill kept Chabot's crew on the sidelines. Centennial could have had it cleared before the morning rush hour. They didn't. The morning was more of a crawl.

"If I would have gone there and done it without other authorization, nobody would have paid me," said Chabot. It took the ministry three hours to guarantee payment. "Do you believe this society, with the amount they pay in tax, ought to be punished three hours on the highway for a \$5000 bill?" Chabot asked.



An accident on Highway 401 was cleared up in time for the afternoon rush because of Bob Chabot and the crew at Centennial Sweeping.

While the OPP has sped up its investigation, and the private sector has developed and build machines designed specifically for the 401 mishaps, many cleanups take longer than necessary because contractors are reluctant to do anything until payment is guaranteed.

Three times last year, Chabot's crews answered the call on our 400-series highways and didn't get paid, costing him \$15,000.

Transportation ministry spokesperson Bob Nichols said the ministry didn't pay Chabot in those three instances because the ministry didn't call him. "In the Sept. 29 instance, we, the MTO, did call out Centennial because we wanted as much help out there as possible to get the highway open and we paid that bill within three weeks."

If the Ministry of Transportation calls, the ministry pays. But if the OPP calls, or if one contractor calls another for help, the ministry tells the towing company and cleanup crews to get their money from the company that caused the accident, or their insurers, by holding on to the truck and the goods it's carrying.

"In cases where a truck is involved, the carrier should be paying because that's why the collision was there," Nichols said. "Payment should be made by them or their insurance companies."

But sometimes insurance is minimal, or nonexistent. Sometimes the truck is wrecked and no one is willing to pay to retrieve it. Sometimes the shipment is worthless, like garbage or landfill.

It all amounts to a huge headache for the contractors who clear the debris, and by extension the motorists and commuters who rely on the highway to get them to work on time, to make a sales pitch, to deliver auto parts, to catch a plane, to make our economy hum.

Sergeant Cam Wooley, part of the OPP's "time team" that investigates crashes on the 400-series highways in Greater Toronto, said the province ought to introduce legislation to help police clear serious accidents faster. Wooley dubs it "rapid clearance" legislation after similar programs in the U.S.

"What we need in legislation is not just authority for the police to do the job right, but also protection for the cleanup people that we have out there ... whereby the cleanup people would be guaranteed to be paid."

Wooley said insurance companies must be consulted and treated as partners so they understand what needs to happen to clear a site and how important it is to have people on call 24 hours a day. Sometimes insurers say they're getting billed because cleanup crews bring more machines and people than needed. But the cleanup crews bring pretty much everything because they never know how bad it might get.

Trucking companies, insurance companies, all interested parties, could create a fund to pay the people who cleanup highway messes, Wooley said.

And there's another insurance problem, which can add to the delays. "If a truck hauling Royal Daulton jackknives across the 401, we could have an insurance guy there demanding he bring in people with velvet gloves to unload it and leave the highway blocked. The rapid clearance would allow us to push everything to the side, even though it might incur some additional damage." Nichols said the ministry is devoted to keeping the roads opened.

"We work very closely with our partners," said Nichols. "We want to get highways cleaned up and reopened as quickly as possible. If Centennial or anyone else has concerns about how the process works or how they're being paid, we're quite happy to sit down with them and discuss their concerns."