

Excess Soil Management Bulletin

June 2021

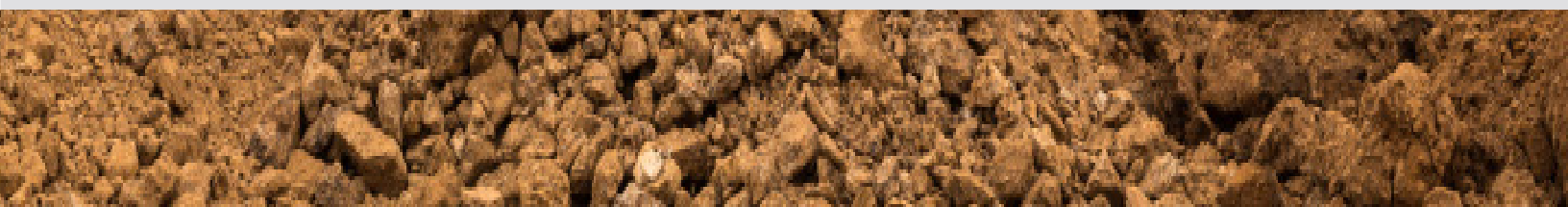
What to Consider - Generators of Excess Soil

- Factor in the appropriate amount of time to complete the new requirements for excess soil.
- It could take up to 16 weeks to complete the mandatory assessments before a re-use site will accept the soil.
- It is the responsibility of the Project Leader/Contractor/Qualified Person to determine an appropriate receiving location and to arrange for a contingency site location.

	Consideration	Estimated Time to Complete
>	Does your project fall under the provisions of the Excess Soil Regulations?	
>	Are any exemptions of the Regulation applicable?	
>	Has an <u>assessment of past uses (APU)</u> been completed?	2 to 6 weeks
>	Did the consultant <u>prepare a sampling and analysis plan (SAP)</u> and was the soil sampled?	2 to 4 weeks
>	Did the consultant prepare an <u>excess soil characterization report</u> to document the results of the sampling?	2 to 4 weeks
>	Are the potential re-use sites identified in the <u>excess soil destination assessment report (ESDAR)</u> ? The re-use sites can change, but the information has to be updated in the registry.	1 to 2 weeks
>	Do you have a <u>soil tracking system</u> in place?	
>	Has your QP completed the declaration and filing of a Notice in the MECP Registry site?	

References

1. **Assessment of Past Uses (APU):** O.Reg. 406/19, s.11, O.Reg. 153/04, s.27&29, Rules, s.B(1)
2. **Sampling and Analysis Plan (SAP):** O.Reg. 406/19, s.12(1-4), O.Reg. 153/04, s.2, Rules s.B(2)
3. **Excess Soil Characterization Report (ESCR):** O.Reg. 406/19, s.12(5), Rules s.B(3)
4. **Excess Soil Destination Assessment Report (ESDAR):** O.Reg. 406/19, s.13, Rules s.B(4)
5. **Soil Tracking System Requirements:** O.Reg. 406/19, s.16, Rules, s.B(5)



Excess Soil Management Key Information

Excess soil management regulations are being phased in by the provincial government over the next six years.

Excess Soil means soil, or soil mixed with rock, that has been excavated as part of a project and removed from the project area because it cannot or will not be reused at the site.

Regulations & Rules

- O.Reg. 406/19: On-Site and Excess Soil Management
- O.Reg. 153/04: Record of Site Condition
- Rules for Soil Management and Excess Soil Quality Standards

Implementation Timeline

The Regulation will be phased-in over six years

- January 1, 2021: new risk-based soil and leachate quality standards, waste designation and approvals.
- January 1, 2022: testing, tracking, hauling records and registration.
- January 1, 2025: restrictions on landfilling of clean soils.
- Grandfathering provisions: applicable from January 1, 2021 to January 1, 2026.

Key Elements of the Regulation

- Clarifies when excess soil can be reused or is considered waste
- Replaces or simplifies waste-related approvals
- Reuse planning
- Ensures reuse sites are not receiving contaminated soil
- Requires larger reuse sites to register and develop procedures to track and inspect soil
- Restrictions on landfilling clean soil that is suitable for reuse

Key Elements of the Rules

- Assessment of past use
- Sampling and analysis plans
- Excess soil characterization reports
- Excess soil destination assessment reports
- Soil storage and processing
- Excess soil tracking systems
- Soil quality standards and reuse rules
- Hauling records and record retention requirements

