

# Excess Soil Management Bulletin

September 2021

## Soil Tracking System Requirements (O.Reg. 406/19, s.16, Rules, s.B(5))

Where a soil tracking system is required, it must be capable of tracking the following information for each load of soil that is removed from a project area.

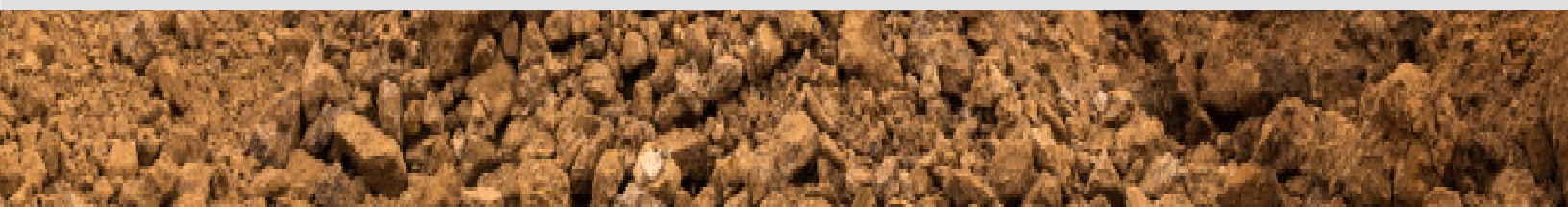
- The locations of the project area where the soil was excavated and stockpiled.
- The quality and quantity of the excess soil being removed from the project area.
- The location of the site at which the excess soil is to be deposited as communicated to the driver of the vehicle.
- The date and time the excess soil left the project area.
- The person responsible for overseeing the loading of the excess soil for transportation.
- The name of the corporation, partnership or firm transporting the excess soil, the name of the driver of the vehicle and the number plates issued for the vehicle under the Highway Traffic Act.
- The date and time the excess soil was received at the site where the excess soil was been deposited.
- The contact information of the person who acknowledged receipt of the load of excess soil on behalf of the site where the excess soil was deposited.
- That the vehicle that deposited the excess soil and the volume of soil received at the site where the excess soil was deposited is the same as that which left the project area.

### The tracking system must also be able to:

- Track that the total number of trucks and total volume of excess soil that has left a project area is the same as the number of trucks and volume of excess soil received at the deposit site.
- Produce reports with information about each load of excess soil.
- Verify the accuracy of the information for each load of excess soil.
- Include procedures to prevent fraud or other wrongdoing in the management and transportation of excess soil.

### Notes:

1. Additional Rules apply where excess soil is to be managed temporarily at a Class 2 soil management site or a local waste transfer facility.
2. **It is not necessary to invest in soil tracking software. Some companies are using google docs or excel spreadsheets.**
3. **Project leaders and the receiving site must keep soil tracking records for seven years.**
4. **Commencing January 1, 2022, haulers must implement tracking systems and retain Hauling Records for two years from the date of delivery.**
5. **The date to enter into a contract in order to be grandfathered (exempt) from soil reuse is January 1, 2022.**



# 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

