

Jennifer Beer

To: Debbie Leroux
Subject: Excess Soil Regulation and Amendments to Record of Site Condition (Brownfields) Regulation

From: MECP Land Policy (MECP) [<mailto:MECP.LandPolicy@ontario.ca>]

Sent: Wednesday, December 04, 2019 5:05 PM

To: MECP Land Policy (MECP)

Cc: Lompart, Chris (MECP); Coelho, Sanjay (MECP); Lee, Erinn (MECP); Blease, Laura (MECP); Kurtes, Robyn (MECP)

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The Ministry of the Environment, Conservation and Parks (MECP) is pleased to inform you that we have finalized and are implementing regulatory changes that will make it safer and easier for industry to reuse more excess soil locally and to redevelop brownfield properties.

We have clarified rules that will reduce construction costs associated with managing and transporting excess soil, limiting the amount of soil being sent to landfill and lowering greenhouse gas emissions from the sector, while continuing to ensure strong protection of human health and the environment.

This regulation supports delivery of actions in Ontario's "Made-In-Ontario" Environment Plan including reduced barriers to redevelop brownfields, clear soil reuse rules and improved enforcement of illegal dumping of excess soil. It will:

- recognize excess soil as a resource;
- set clear rules to increase reuse opportunities and reduce soil relocation costs, including reuse standards;
- reduce clean excess soil going to landfill as waste;
- lower greenhouse gas emissions associated with excess soil movement;
- protect human health and the environment;
- ensure compliance related to soil management and reuse; and
- remove specific brownfields redevelopment barriers.

This regulatory package will come into effect on the following timing:

- Brownfields redevelopment amendments: upon filing
- Excess soil provisions related to more flexible reuse rules, waste designation and approvals and the new excess soil standards would come into effect in July 2020
- Aspects of the excess soil regulation related to sound soil management planning (e.g. sampling, tracking and registration) and the requirement related to carrying a hauling record, would come into in January 2022
- Restrictions on landfilling would come into effect in January 2025 allowing time to ensure alternate reuse approaches are available, as needed

The ministry appreciates all of the interest and input we have received on this regulatory package. For the final Decision Notice, please visit the Environmental Registry, [EBR# 013-5000](#). For additional information on the finalized regulations and associated materials, including educational materials as they are developed, please also see MECP's [Excess Soil](#) and [Brownfields](#) web-pages.

Please pass this along to colleagues, members of your organization, and other organizations that may be interested.

If you have any questions or would like to discuss this proposal, please contact Laura Blease, Senior Policy Advisor, Environmental Policy Branch at (416) 722-9194 or laura.blease@ontario.ca.

Original Signed by:

Robyn Kurtes
Director, Environmental Policy Branch