

UNITED SOILS MANAGEMENT LTD

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November 21, 2024

Reema Kureishy

Environmental Policy Branch

Ministry of the Environment, Conservation and Parks

40 St. Clair Avenue West, 10th Floor

Toronto, ON M4V 1M2

Dear Reema Kureishy:

**Subject: Comments on the Proposal for Enabling Greater Beneficial Reuse of Excess Soil,
Environmental Registry of Ontario Notice 019-9196**

United Soils is a proponent of the excess soil regulation and the growth in urban development that is supported by this regulation. We appreciate the efforts at improvement through changes to the regulation but request that the nearly annual tweaks be avoided going forward. Frequent small changes make it hard to ensure compliance.

For the most part, we acknowledge that the changes are beneficial and don't have extensive comments on the proposal. However, we do provide the following comments:

1. The proposed revision for aggregate reuse depots includes a requirement to maintain information about the quality of incoming material. As the material may not be soil or crushed rock, how should quality be assessed and documented? Would non-quantitative assessment of quality be sufficient? Must there be a written record of the quality assessment, even if not quantitative? Guidance should be provided on this.
2. Notice procedures for depots are to the Director and not a public registry. There should be a transparent mechanism for the public to confirm that operations are following a verifiable notification process.
3. The aggregate reuse and small liquid soil depots do lay the ground to reuse more material and thereby divert useable resources from landfill. However, there is a ready opportunity that questionable or marginal material will be accepted and will make its way into marketable products. If caught after acceptance but while still at the depot, the depot operator may need to manage waste at considerable expense. It is important

that compliance with the regulation be enforced diligently and that regulators exert their authority to stop operations that are not adhering to the intent of the regulation.

4. For stormwater management pond sediments, if there will continue to be a requirement for post-dredging sampling as indicated in the proposal, what advantage is there for *in situ* sampling of ponds? What would be the required action if initial sampling indicates that the sediment meets a certain standard, but post-dredging sampling contradicts this?

Otherwise, the proposed changes appear to be well thought out and will improve the regulation related to managing excess soil.

We look forward to regulation wording that takes these concerns into account.

Sincerely,

UNITED SOILS Management Ltd.



Carolyn Adams, P.Eng.
Environmental Director

cc. Alec Cloke, Owner