



COMMENTS TO ONTARIO MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS EXCESS SOIL AMENDMENTS “Enabling greater beneficial reuse of excess soil”

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Enabling greater beneficial reuse of excess soil

ERO Number 019-9196

Proposal Comments

Thank you for communicating the proposed amendments.

The extension of landfilling excess soil to 2027 should alleviate challenges for now when excess soil is generated in northern remote areas of Ontario. The transport of excess soil to a nearby (instead of distant) reuse or disposal location greatly improves project planning, execution and cost for many industries. We are eager to see the number and distribution of reuse locations expand beyond the Greater Toronto Area.

We also support the exemption of small liquid soil depots from a waste environmental compliance approval (ECA).

Amendment 4 involves movement of excess soil between infrastructure projects of the same project leader. This scenario is exempt from sections 3 to 5 and 8. For improved clarity in the regulations, it would be helpful to indicate which sections do apply to coordinated infrastructure project areas (sections 17 to 18.1, 23, 24). This change could be executed in the updated regulation by creating a new definition for “excess soil generated and deposited at infrastructure projects”. New infrastructure project sections could be added to the Transportation of Soil and Excavation-General parts. Note that section 24 may be best placed in the Excavation-General part.

Amendment 5 requires that the soil movement be registered (planning and tracking does not apply) if the soil is moved between two coordinated infrastructure project areas with differing ownership/project leaders. This will create confusion since current exemptions apply to the Registration, Planning and Tracking requirements altogether. Understanding and implementation of the requirements could be simplified if Schedule 2 section 6 was updated to indicate “that is owned by the same or a different project leader or...”. It is our recommendation that this scenario be exempt from Section 8 (registration) as well.

TC Energy appreciates the opportunity to provide comment in support of improving the efficiency of the process for all parties. For questions about this submission, please contact Ann Roberts (ann_roberts@tcenergy.com).