



## **W2RO Submission:**

Proposed Regulatory Amendments to  
Encourage Greater Reuse of Excess Soil

**ERO 019-9196**

21 November 2024

Land Use Policy, Environmental Policy Branch  
Ontario Ministry of the Environment, Conservation and Parks

**RE: Proposed regulatory amendments to encourage greater reuse of excess soil**

Waste to Resource Ontario (W2RO) welcomes the opportunity to comment on the proposed amendments to O. Reg. 406/19 regarding the management of excess soil. We commend the Ministry's initiative in encouraging the reuse of excess soil, which aligns with our commitment to sustainable waste management practices.

As Ontario continues to work to preserve its limited landfill capacity, these proposed amendments showcase the Ministry's commitment to broad action to improve the province's circular economy.

**1. Support for Proposed Amendments**

W2RO supports the amendments proposed by the Ministry, particularly the efforts to:

- Clarify parameters for determining the safety of excess soil at a reuse site.
- Exempt specified excess soil management sites from waste environmental compliance approval, subject to specific rules.
- Enhance coordination and reuse of soil between similar infrastructure projects.
- Reduce reuse planning requirements between infrastructure projects, subject to specific requirements.
- Enable mapping to avoid site-by-site excess soil assessment.
- Clarify temporary off-site storage and relocation.

These amendments demonstrate a forward-thinking approach to managing excess soils, promoting sustainability while addressing practical concerns in the industry.

**2. Support for Continued Collaboration and Knowledge Building**

We echo the Ministry's emphasis on collaborative efforts and urge continuous engagement with industry stakeholders, including W2RO and our members, to ensure the effective implementation of these regulations.

We also support ongoing knowledge building for associated regulation change to ensure readiness and success for the 2027 implementation.

As the Ministry considers use of mapping to enable greater reuse of excess soil, we encourage continued engagement of associated stakeholders and welcome additional discussion to support timely implementation of this vital tool.

### **3. Opportunities for enhanced implementation**

While we endorse the proposed amendments, we wish to highlight opportunities for enhanced implementation to help preserve Ontario's limited landfill capacity:

- Amendments should consider increased and more visible enforcement of Resource Productivity and Recovery Authority registration to support uptake and compliance. Compliant, good-faith actors should not be penalized while free riders persist in the system.
- Municipalities should be engaged for improved reuse capabilities and approvals.
- Mapping will be a critical tool for associated stakeholders, easing the administrative burden of site-by-site assessment of excess soil. We welcome ongoing, direct engagement with W2RO and its members to support co-design of this new tool.

W2RO appreciates the Ministry's proactive approach in revising soil management regulations and looks forward to continued collaboration. The proposed amendments have the potential to significantly benefit the waste management sector by promoting the responsible and efficient reuse of excess soil.

As the Ministry looks to implementation, we ask for continued, direct engagement with W2RO and its members.

We thank you for considering our feedback and remain committed to supporting sustainable waste management practices in Ontario.

If you require any further information or clarification, please do not hesitate to contact:

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