

Attn: Ministry of the Environment, Conservation and Parks

To Whom It May Concern:

Re: Excess soil regulatory proposal and amendments to Record of Site Condition (Brownfields) Regulation

It is promising to see that excess soils are starting to become viewed as a resource rather than a landfill item. The ongoing construction and development in the southern Ontario region are resulting in an excess of fill material with few alternatives to dump in close proximity to site, and far too many restrictions for reusing the soil. As development continues in Ontario, it's imperative to keep this natural resource out of the landfills.

Since 1998, we have owned and held extraction licenses for several aggregate pits across Southern Ontario. We manufacture granular materials for development projects throughout the GTA. We know firsthand how local close-to-market operations can reduce our carbon footprint. Allowing for closer to market operations to receive excess soil will reduce both emissions and wear-and-tear on roadways. In order to rehabilitate the depleted aggregate pits faster and more efficiently, and to reduce the amount of reusable soil sent to landfill, amendments to the existing regulations are imperative. The regulatory challenges faced by our business illuminate these opportunities for improvement. Allowing for excess soil to be imported into brownfields like depleted aggregate pits could have a profound, positive impact on the industry. As such, we are pleased to provide feedback regarding the proposed regulation amendments in regards to excess soils in Ontario.

Brownfields in Ontario, including aggregate pits, present the unique opportunity to re-use excess soil as a natural resource for reclamation and remediation of these post-industrial sites. Subsequently, if excess soils are reused locally as a resource rather than being transported to distant and/or illegal dump sites, the benefits are both economical and environmental.

Reducing the distance that trucks are forced to haul fill material will in turn reduce haulage costs, thereby improving developers' bottom line. Reduced costs for developers can be passed on to end-users which presents the opportunity to lower housing costs.

The environmental benefits of the excess soil regulatory proposal are significant. Reducing the distance between source material and dumping sites will equate to fewer trucks on the road, less wear-and-tear on Ontario's infrastructure, and reduced greenhouse gas emissions.

By reducing the time and costs associated with a remediation project, as proposed by this amendment, more remediation/reclamation projects may be undertaken. Remediation of aggregate pits has public benefits for the residents of Ontario. These reclaimed sites can be designed for recreational use or agricultural use – bringing greenspace and local farming to surrounding communities.

The balance of both environmental and economic concerns is often problematic; however, the proposed regulation change has the rare opportunity to appease both environmental and economic concerns simultaneously, potentially creating a paradigm shift in the framework surrounding excess soils in Ontario.

We are pleased to see the incorporation of qualified personnel within the tracking process for excess soils, especially in regards to brownfield redevelopment. We deem this as an essential part of the process as the quality and quantities of soil to be re-used or re-homed should be well monitored by a qualified person or overarching regulatory body. Excess soil is a natural resource which necessitates the implementation of stricter regulation of illegal dumping and disposal of excess soils. Furthermore, illegal dumping of excess soil should bear heavier penalties than currently enforced and be qualified as a criminal offence.

As the delineation between clean and contaminated soils is strict under current environmental guidelines, the easing of regulations in regards to uncontaminated to slightly contaminated soils would ensure none of this finite natural resource is wasted. We recommend that guidelines for highly contaminated soil also be created locally, as well as having specific receiving sites for such material to undergo remediation/storage. If possible, in-situ remediation should take priority to shipping contaminated soil materials to the appropriate receiving facility.

It is encouraging to see that steps are being taken to address an issue that has been affecting Ontario and reduce our overall environmental footprint.