

# Enbridge Gas Feedback on Proposed regulatory changes for the beneficial reuse of excess soil at pits and quarries in Ontario

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## **About Enbridge Gas Inc.**

*Enbridge Gas is Canada's largest natural gas storage, transmission and distribution company based in Ontario, with more than 170 years of service to customers. The distribution business provides safe, affordable, reliable energy to about 3.8 million homes, businesses and industries and is leading the transition to a clean energy future through net-zero emissions targets and investments in innovative low-carbon energy solutions. The storage and transmission business offers a variety of storage and transportation services to customers at the Dawn Hub, the largest integrated underground storage facility in Canada and one of the largest in North America. Enbridge Gas is owned by Enbridge Inc., a Canadian-based leader in energy transportation and distribution. Learn more at [enbridgegas.com](http://enbridgegas.com).*

## Executive Summary

Enbridge Gas welcomes the opportunity to comment on the proposed regulatory changes for the beneficial reuse of excess soil at pits and quarries in Ontario posted by the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR). Comments below focus on the potential economic impacts and opportunities for liquid soil processing that may be considered in the application of the proposed regulatory changes.

## Economic Impacts

The MNDMNR Regulatory Impact Statement states “the anticipated environmental, social and economic consequences of the proposal are expected to be neutral to positive.” The same Regulatory Impact Statement also states “The cost for record keeping and oversight by a QP<sup>1</sup> (where importing more than 10,000 m<sup>3</sup> of excess soil) are beyond the requirements under the EPA<sup>2</sup> for a reuse site governed by an instrument (i.e. approval under ARA) but are necessary to support oversight under the ARA<sup>3</sup>. An estimated cost of approximately \$350,000 over a ten-year period is expected. This cost would apply to aggregate site approval holders who are authorized or seek authorization to import large quantities of excess soil to facilitate rehabilitation of the site.” Based on this statement, it could also be interpreted that the proposed changes are expected to produce a negative economic consequence by increasing the cost of soil management for ARA license holders; costs which would be passed on to generators of excess soils, thereby increasing their soil management costs. Alternatively, if costs are not passed on to generators, the increased costs for rehabilitation which would not have been considered in the original site economic analysis, might hinder or deter licensees from adequately rehabilitating sites, which would exacerbate the ongoing issue in Ontario.

## Opportunities for Liquids Soil Processing

Disallowing liquid soil processing within the licensed area of an aggregate site may unnecessarily restrict license holders from being able to offer this service to generators. Given the lack of liquid soil receiving facilities in Ontario (especially in less developed areas of the province), aggregate pits offer a solution to the current issue of finding suitable liquid soil receiving sites in close proximity to generator sites. Allowing liquid soil processing within licensed areas with appropriate oversight to mitigate adverse effects, would not exempt the license holder from obtaining the necessary instrument to permit such work, but would provide more flexibility and opportunity for a license holder to setup an appropriate facility. Some

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<sup>1</sup> Qualified person

<sup>2</sup> *Environmental Protection Act*

<sup>3</sup> *Aggregate Resources Act*

aggregate sites may not have sufficient unlicensed land within the property to allow for setup for such a facility otherwise. Removing or further limiting options for liquid soil management does not support the goal of beneficial reuse of excess soil; rather it contributes to increased transportation and generation of additional greenhouse gas emissions, increased costs, and greater potential for improper management.

## Conclusion

Enbridge Gas appreciates having the opportunity to comment on the government's proposed regulatory changes for the beneficial reuse of excess soil at pits and quarries in Ontario. If you have any questions or require additional information please do not hesitate to contact Nicole Gruythuyzen, Senior Advisor Government Affairs ([nicole.gruythuyzen@enbridge.com](mailto:nicole.gruythuyzen@enbridge.com)).