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October 26, 2021

The Honourable David Piccini
Minister of Environment, Conservation & Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3

Subject: Request to Delay Implementation Dates of O. Reg. 406/19 for Onsite and Excess Soil Management

We are writing to request an extension of the next phase of O. Reg. 406/19 (On-Site and Excess Soil Management) under the Environmental Protection Act, R.S.O. 1990, c. E.19.

The Municipal Engineers Association represents nearly 1,000 professional engineers employed by Ontario municipalities. We are hearing our members have concerns with regard to the delay in the release of critical materials and tools from the Ministry of Environment, Conservation and Parks (the "MECP"). Guidance documents and fact sheets which would enable our members to interpret the Regulations have not yet been released and the Soil Registry is not in place. The delays are making it very challenging for municipalities, which our members represent, to develop and finalize their internal processes and tender documents and implementing the new excess soils regime by January 1, 2022.

We understand that the Regional Public Works Commissioners of Ontario (RPWCO) have expressed similar concerns. In order to ensure readiness by all stakeholders and to allow for the successful implementation of the requirements under sections 8 to 16 and section 19 of O. Reg. 406/19, the MEA requests the MECP extend the effective date of these sections of O. Reg. 406/19 by one year, from January 1, 2022, to January 1, 2023.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Salim Alibhai", with a horizontal line underneath.

Salim Alibhai, P. Eng., PMP
MEA President