

**Appendix I  
Regulatory Changes for Reuse of Excess Soil in Pits and Quarries**



**Ministry of Northern Development,  
Mines, Natural Resources and  
Forestry**

Resources Planning and Development  
Policy Branch  
Policy Division  
300 Water Street  
Peterborough, ON K9J 3C7

**Ministère du Développement du Nord,  
des Mines, des Richesses Naturelles et  
des Forêts**

Direction des politiques de planification et  
d'exploitation des ressources  
Division de l'élaboration des politiques  
300, rue Water  
Peterborough (Ontario) K9J 3C7

**RECEIVED**

April 29, 2022

REGION OF PEEL  
OFFICE OF THE REGIONAL CLERK

**Subject: Decision Notice - Proposed Regulation Changes under the Aggregate Resources Act**

Greetings,

Further to my letter dated January 11<sup>th</sup>, I am writing to inform you that a decision notice has been posted regarding the Proposed regulatory changes for the beneficial reuse of excess soil at pits and quarries in Ontario ([ERO #019-4801](#)). The Ministry of Northern Development, Mines, Natural Resources and Forestry made changes so that requirements in [Ontario Regulation 244/97](#) under the *Aggregate Resources Act* are consistent with provincial requirements that exist under the *Environmental Protection Act* for excess soil. The proposal was posted for 45 days and during that time we received over 390 comments from key stakeholders including industry, municipalities, Indigenous communities, community groups and individuals. Most comments received were supportive of consistency with the [Rules for Soil Management and Excess Soil Quality Standards](#) referenced in the [On-site and Excess Soil Management Regulation](#) under the *Environmental Protection Act*.

The amendments to *Ontario Regulation 244/97*, which take effect July 1, 2022, include:

- Alignment with the Soil Rules and Excess Soil Standards referenced in *Ontario Regulation 406/19 On-site and Excess Soil Management*
- Requirements for importation, storage, and placement of excess soil
- Specific quality standards for excess soil placed below the water table, or on Crown land
- Record-keeping requirements to document soil quality, quantity, source site(s), and final placement
- Requirements for licensees and permittees to retain a Qualified Person (i.e., professional engineer or geoscientist) for large sites that import more than 10,000 m<sup>3</sup> of excess soil, or sites where excess soil will be placed below the water table
- Self-filing – for licences/permits approved before July 1, 2022, rules have been added that, when followed, enable some conditions to be removed from a site plan when filed with the ministry; and
- Other policy changes to support the beneficial reuse of excess soil at pits and quarries in Ontario

REFERRAL TO \_\_\_\_\_

RECOMMENDED

DIRECTION REQUIRED \_\_\_\_\_

RECEIPT RECOMMENDED  \_\_\_\_\_

**Appendix I**  
**Regulatory Changes for Reuse of Excess Soil in Pits and Quarries**

For complete details of these changes please refer to the decision notice posted on the Environmental Registry at the following address: [www.ero.ontario.ca](http://www.ero.ontario.ca); then search for notice: **019-4801**.

If you have any questions about the new requirements, or should you require a French version of this letter, please contact us by email at [aggregates@ontario.ca](mailto:aggregates@ontario.ca).

Sincerely



Jennifer Keyes,  
Director, Resources Planning and Development Policy Branch