

PW 5-2022

Appendix 1

Policy: Excess Soils Management Policy

Policy Category	Name of Policy
Administrative	Excess Soil Management Policy

Policy Owner Chief Administrative Officer

Approval Body Regional Council

Approval Date

Effective Date

Review by Date

1. Policy

That Niagara Region staff, and consultants or contractors retained by Niagara Region, manage excess soil generated by construction activities in compliance with the requirements of O.Reg.406/19 - On-Site And Excess Soil Management (The Regulation) made under the *Environmental Protection Act*, R.S.O, 1990, c. E.19.

2. Purpose

The Regulation sets out a regulatory framework aimed at (i) clarifying the responsibility of those projects that generate excess soil; (ii) establishing clear requirements governing the sampling and analysis of excess soil; and (iii) tracking of excess soil from the time of excavation to the time it is deposited at a receiving site. The goal behind the regulatory framework is to promote sustainable excess soil management by reducing the volume of reusable excess soils disposal at landfills, reducing the truck traffic associated with hauling excess soils to these landfills, and instead to identify sites required for excess soil for the ultimate beneficial reuse.

To ensure a consistent approach to applying the requirements of The Regulation, by all departments responsible for the generation of excess soil, Niagara Region will develop, maintain, and update a corresponding procedure outlining Niagara Region’s approach for the implementation of The Regulation.

An Excess Soils Steering Committee will be created, and shall comprise of representatives from Construction Energy & Facilities Management, Legal Services, and Public Works (Transportation, Waste management, and Water and Wastewater).

3. Scope

This Policy applies to all Niagara Region staff, consulting firms, and contractors who are working on projects where excess soil is generated and unable to be managed on-site, as well as projects accepting fill material.

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3.1. Roles and Responsibilities

3.1.1. Project Managers

Project Managers shall be responsible for ensuring that any construction project for which he/she has responsibility complies with this Policy and accompanying procedures.

3.1.2. Chief Administrative Officer

The Chief Administrative Officer will ensure that new, or updated, procedures related to this Policy are approved as required.

3.1.3. Legal Services

Legal Services shall provide guidance, as required, on the applicability of O.Reg 406/19 to a particular project.

3.1.4. Excess Soils Steering Committee

The Excess Soils Steering Committee shall meet on an as needed basis to review and recommend updates, and or changes to this Policy or corresponding Procedure(s).

4. References and Related Documents.

4.1. Legislation, By-Laws and/or Directives

- Environmental Protection Act, R.S.O. 1990, c. E.19
- O.Reg.406/19: On-Site and Excess Soil Management
- MECP document Rules for On-site and Excess Soil Management

4.2. Procedures

- C-A-000 Excess Soil Management Procedure

5. Related Policies

6. Document Control

The electronic version of this document is recognized as the only valid version.

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7. Approval History

Approver(s)	Approved Date	Effective Date

Revision History

Revision No.	Date	Summary of Change(s)	Changed by