
Sent via email: MOECC.LandPolicy@ontario.ca

May 24, 2018

Ministry of Environment and Climate Change
Ferguson Block, 11th Floor
77 Wellesley Street West
Toronto, Ontario M7A 2T5

To Whom This May Concern:

Re: Excess Soil Management Regulatory Proposal (ERO #013-2774)

On behalf of AMO and our members, I would like to provide comments on the proposed regulation on excess soil management.

First, AMO is pleased to see the changes in this framework that have evolved from earlier comments. The process and requirements are clearer and the administrative requirements less burdensome. The removal of the building official from the process is appropriate given their responsibilities. Harmonizing the requirements in other related files, such as brownfields, is also a welcomed modification. For some time this framework has been a municipal request and we are gratified to see it nearing the implementation phase.

Despite these improvements, municipal governments continue to be concerned about monitoring and compliance. A voluntary process will work well for those who choose to abide by the requirements. However, there will be a number of operators who do not comply. As it stands, the process to measure compliance is either on a complaint basis or perhaps a random audit by MOECC. AMO recommends that for the first number of years a more proactive audit process be put in place by MOECC. Once the new regime is running well, then a voluntary approach could be employed.

Additionally, there is a new unfunded role as municipal staff hire Qualified Persons. These additional responsibilities will pose human resource and financial issues for municipal governments. To help defray this pressure, an appropriate municipal fee charged to source site owners is needed to help cover the cost of these new tasks.

Thank you for the opportunity to provide input on this consultation. This is an important issue for municipal governments, and I hope that you will give due consideration to our comments to ensure we achieve a good outcome.

Yours sincerely,



Lynn Dollin
AMO President