

Ministry of the Environment, Conservation and Parks

## Restriction on the Landfilling of Excess Soil

In 2019, Ontario finalized [Ontario Regulation 406/19: On-Site and Excess Soil Management Regulation](#) (Excess Soil Regulation), supported by a document entitled [Rules for Soil Management and Excess Soil Quality Standards](#) (Soil Rules), to provide clear rules to support the reuse of excess soil and to help stop illegal dumping of excess soil. Section 22 of the Excess Soil Regulation takes effect on **January 1, 2027**. It generally restricts the landfilling of excess soil if it meets Table 2.1 of the generic excess soil quality standards for residential, parkland or institutional (RPI) uses (e.g., schools and residences) or is of higher quality. Excess soil that is suitable for reuse should be viewed as a resource and not disposed of as a waste. It should not take up landfill space needed for waste.

This resource sheet provides:

- An overview about when excess soil cannot be accepted at a landfill or dump, including exemptions from the restriction.
- A more detailed overview of related requirements that may apply.
- A decision tree and chart to help the owner or operator of the landfill or dump take steps to meet requirements.
- A form giving suggested components of a qualified person (QP) declaration.

### Overview: When Excess Soil Cannot be Deposited at a Landfill or Dump

- **Restriction:** Excess soil shall not be deposited at a landfill or dump if that excess soil meets [Table 2.1 \(full depth potable\)](#) of the generic excess soil quality standards for residential, parkland or institutional uses, or is of better quality than that.
- **Exemption – ancillary uses:** This restriction does not apply (i.e., excess soil that meets Table 2.1 for RPI use or is of better quality can be deposited at a landfill or dump) if the excess soil will be used for daily cover, final cover, the construction of roads or berms or to support any other type of ancillary use that supports the operation of the landfill or dump.
- **Exemption based on declaration:** This restriction also does not apply (i.e., excess soil that meets Table 2.1 RPI or is of better quality can be deposited at a landfill or dump) if a QP determines that the excess soil is inappropriate for reuse because one of the following reasons applies, prepares a written declaration setting out required

information, and provides the declaration to the owner or operator of the landfill or dump:

- The excess soil contains a parameter for which there is no applicable excess soil quality standard and there are reasonable grounds to believe that the final placement of the excess soil at a reuse site may result in an adverse effect;
- The excess soil contains invasive species that should not be relocated; or
- The excess soil is not suitable for reuse as structural fill due to its physicochemical characteristics, and after reasonable efforts were made, another reuse site where the soil could be used for another beneficial purpose was not identified.

The QP must retain the declaration for at least seven years after the date the declaration is prepared. This declaration must also be retained by the owner or operator of the landfill or dump and any other person who acquires the QP declaration, including the owner and operator of the site where excess soil is loaded for transportation, for a minimum of two years from the date the excess soil is deposited at the landfill or dump.

Under the Excess Soil Regulation, for the purposes of this landfilling restriction in section 22, a QP is generally defined as a professional engineer or professional geoscientist in Ontario.

## Detailed Overview of Requirements

### Restriction on the Landfilling of Excess Soil – subsection 22(1)

Excess soil is defined in the regulation as soil, crushed rock or soil mixed with rock or crushed rock, that has been excavated as part of a project and removed from the project area for the project.

The Excess Soil Regulation restricts cleaner (i.e., better quality) excess soil from being deposited at landfills and dumps, as of **January 1, 2027**. Specifically, excess soil may not be deposited at a landfill or dump if that excess soil meets [Table 2.1 \(full depth potable\) of the generic excess soil quality standards for residential, parkland or institutional uses](#) (Table 2.1 RPI), or is of better quality than that (i.e., even lower concentrations of contaminants). These standards are found in Part II of the Soil Rules.

This restriction does not apply to the deposit of such excess soil at Class 1 soil management sites, most of which also hold an Environmental Compliance Approval (ECA) for waste and are used to temporarily store and process excess soil to help facilitate beneficial reuse. It also does not apply to Class 2 soil management sites, which are meant for temporary

storage of dry soil and do not require an ECA for waste if key conditions are met. These types of sites are not for long-term disposal.

If an ECA allows the owner or operator of a landfill or dump to accept excess soil that meets Table 2.1 RPI standards or better, the owner or operator must still comply with section 22 of the Excess Soil Regulation.

This restriction does not affect the deposit or use of excess soil at a landfill or dump where concentrations of contaminants in that excess soil exceed Table 2.1 RPI of the generic excess soil quality standards. The acceptance of such material may be addressed by the facility's ECA. As well, if excess soil is mixed with other waste (e.g., construction and demolition waste) and there is no requirement to separate it out, it can be treated as waste in accordance Regulation 347 and other applicable requirements and would not be affected by this restriction.

#### Exemption – Ancillary Uses - subsection 22(2)

Despite the restriction, it is recognized that excess soil that meets Table 2.1 RPI (or better quality) may be required by a landfill or dump for daily or final cover, or for other types of "ancillary uses" to support the operational needs of the landfill or dump. As such, excess soil that meets that quality standard and that will be used for such purposes is not subject to the restriction. "Ancillary uses" are beneficial uses that support the functioning of the landfill or dump. These include, but are not limited to, grading, interim cover, and the use of excess soil for the creation of landfill liners, berms, roads, visual screens, land restoration in closed landfill portions, noise barriers, and planting beds for trees.

For the owners or operators of sites generating excess soil (project areas or other sites) or QPs working on their behalf seeking to rely on this exception, it is important to reach out to the owner or operator of the landfill or dump in advance to confirm the landfill or dump needs the excess soil for one of those uses. The owner or operator of the landfill or dump may also proactively reach out, as they seek excess soil for ancillary uses.

Excess soil that is deposited at a landfill or dump for uses that support the operation of the site other than for daily or final cover (such as construction of roads or berms) in accordance with the site's ECA would not be designated as waste.

Note that the regulation is silent on the quality of excess soil that can be used for daily or final cover, or ancillary uses. In these circumstances, any related provisions in the ECA would apply.

### Exemption based on a Qualified Person Declaration – subsection 22(3)

Subsection 22(3) is another exemption from the restriction on depositing excess soil that meets Table 2.1 RPI (or better) at a landfill or dump. Such excess soil can be deposited at a landfill or dump as waste if the QP has:

- (a) determined that, because one of the criteria set out in subsection 22(4) applies (see below), it would be inappropriate to deposit the excess soil for final placement at a reuse site;
- (b) completed a declaration in accordance with subsection 22(5), stating the determination; and
- (c) given the declaration to the owner or operator of the landfilling site or dump at which the excess soil is deposited.

### Criteria forming the basis of the QP's determination – subsection 22(4)

In order for a QP to make a determination that it would be inappropriate to deposit the excess soil that meets Table 2.1 RPI (or better quality) for final placement at a reuse site, as described above, one of the following must apply:

1. The excess soil contains a parameter (i.e., contaminant) for which there is no applicable excess soil quality standard and there are reasonable grounds to believe the final placement of the excess soil at a reuse site may cause an adverse effect.
  - "Reasonable grounds" could mean that it is known or could reasonably be suspected that the parameter may cause adverse effects to human health and/or the environment if the excess soil is finally placed at a reuse site.
2. The excess soil contains invasive species that should not be relocated to a location other than a landfilling site or dump.
  - The QP is not expected to have expertise in invasive species, but if the QP is relying on this criterion, the QP should have received documentation from a person with adequate expertise that the soil contains an invasive species that should not be relocated to a reuse site and should instead be landfilled as waste. The expert who provided the information should be identified.

- Provincial resources related to invasive species should be referred to; some key resources are on the [province's webpage for invasive species in Ontario](#).
3. Both of the following criteria apply:
- i. Due to the physicochemical characteristics of the excess soil, the excess soil is not suitable for reuse as structural fill at a potential reuse site.
    - To make a determination about whether the excess soil may be unsuitable as structural fill, it is important that the QP's qualifications relate to geotechnical matters, or that the QP's determination is supported by an opinion provided by a geotechnical engineer or geoscientist with such expertise.
    - Soil compressibility and bearing capacity are key examples of physicochemical characteristics that could affect whether the excess soil is suitable for reuse as structural fill at any site. For example, some types of soils, such as leda clays, may not have load-bearing capacity when wet or saturated, risking property damage, and soils that have a high organic content may be prone to compression upon loading. Similarly, the instability of excess soil could be the result of substances such as oil being present in the soils.
  - ii. Despite reasonable efforts having been made by the owner or operator of the site at which the excess soil was loaded for transport to identify a reuse site at which the excess soil could be used for other beneficial purposes, no such reuse site has been identified.
    - Excess soil that meets Table 2.1 RPI (or is of better quality) that may be unsuitable for structural fill for reuse purposes (e.g., to provide a building foundation) may be suitable for other beneficial purposes (e.g., landscaping), and a reuse site may be willing to accept the excess soil for those other beneficial purposes.
    - Demonstrating that reasonable efforts have been made to locate a reuse site where the excess soil could be used for other beneficial purposes may include but not limited to:
      - Checking the [Resource Productivity and Recovery Authority Registry](#) and any available soil matching websites for reuse sites that may be able to accept the excess soil.
      - Contacting local municipalities to determine if they have or are aware of viable reuse sites that they own or operate, such as infrastructure projects and undertakings.

- Reviewing the Ministry of Natural Resources' (MNR) [public database on pits and quarries](#), and contacting local aggregate pits that may require excess soil for rehabilitation.
    - Once potential candidate reuse sites have been identified, including through the methods described above, contacting those reuse sites to inquire about whether they will accept the excess soil.
  - The level of effort required to constitute reasonable efforts to identify a reuse site will vary in each circumstance, based on various factors such as the location of the site where excess soil is loaded for transportation and potential reuse sites, transportation costs, and the quality and quantity of the excess soil.
    - Transportation costs and the distance between the site where excess soil is loaded for transportation and potential reuse sites are factors that may affect the level of effort required (i.e., it is generally not necessary to look for reuse sites that are located beyond what is normally a financially viable distance).
    - The volume of excess soil may affect the cost of transportation and the owner or operator of a potential reuse site's ability to accept the material, although a reuse site may be able to take some of the excess soil and multiple reuse sites may be available.
    - Alternatives to sending excess soil to a reuse site or a landfill or dump can also be considered as a best practice. For example, a Class 1 soil management site may be able to accept and manage excess soil that is not acceptable at a currently available reuse site, including geotechnically unsuitable excess soil that could be processed to eventually be reused elsewhere.
- The determination of whether reasonable efforts have been made by the owner or operator of the site where excess soil is loaded for transportation to identify a reuse site should be made on a case-by-case basis. Making reasonable efforts would typically involve identifying and inquiring with more than one potential reuse sites and being told by those reuse sites that they will not accept the excess soil.
- The owner or operator of the site at which the excess soil was loaded for transportation should document their efforts to find reuse sites, including documentation that reuse site owners or operator(s) declined to accept the excess soil, and the reason that excess soil was declined. If needed, this

documentation should be made available to the QP to support the QP in making their determination on this criterion.

### Information to include in a QP declaration – subsection 22(5)

The QP's declaration must include the following information:

1. The amount of excess soil to be deposited at the landfilling site or dump.
2. The location of the site at which the excess soil was loaded for transportation to the landfilling site or dump.
3. Which of the criteria set out in subsection 22(4) applies and an explanation of how it applies.
4. The name and contact information of the qualified person who is providing the declaration.

An example declaration form is provided for illustrative purposes at the end of this document. This example format does not have to be used by the QP.

### **Records retention**

The Excess Soil Regulation requires that the QP must retain the declaration for at least seven years after the day the declaration is prepared. Any person listed in subsection 28(1) that acquires the QP declaration must retain the declaration for at least two years from the day that the excess soil is deposited at the landfill or dump. This includes the owner or operator of the landfill or dump,

### **Availability of information on excess soil quality**

Excess soil brought to a landfill or dump may be accompanied by information on the quality of the excess soil. It may also come without any such information, in situations which may be justifiable and should not prevent acceptance. In order to determine whether excess soil can be disposed of as waste or used for an ancillary purpose in compliance with section 22 of the regulation, below are some considerations for the owners or operators of landfills or dumps when receiving excess soil.

**Where reports are available on soil quality:**

Project leaders for project areas where excess soil is originally excavated may be required by the Excess Soil Regulation to complete sampling and analysis to assess soil quality with respect to the Excess Soil Quality Standards as part of satisfying reuse planning requirements (outlined in sections 8-16 of the regulation). Other sites may have completed sampling and analysis of their excess soil for other reasons, including due diligence.

If these sampling and analysis reports are provided to the landfill or dump, the owner or operator of the landfill or dump should ensure that the reports have been reviewed or confirmation is provided by the person sending the excess soil to landfill or dump, to determine whether the excess soil meets the excess soil quality standards set out in Table 2.1 RPI or is of even better quality.

- If the excess soil does not meet Table 2.1 RPI (i.e., is of worse quality than Table 2.1 RPI), there is no restriction set out in the Excess Soil Regulation on the deposit of the excess soil at the landfill or dump. However, the owner or operator of the landfill or dump should still ensure that the deposit of the excess soil would not contravene any terms or conditions of their ECA.
- If the excess soil meets Table 2.1 RPI, the excess soil must not be deposited at the landfill or dump, as of January 1, 2027, unless it will be used for an ancillary use at the landfill or dump or is accompanied by a declaration prepared by a QP under subsection 22(3).

**Where reports are not available on soil quality:**

It is not the intent of the Excess Soil Regulation to require sampling of excess soil solely for the purpose of demonstrating it can be deposited as waste in a landfill or dump.

With input from the sites seeking to send excess soil and/or the QPs retained by those sites, the owner or operator of the landfill or dump may consider and identify circumstances in which it is reasonable to conclude that the excess soil does not meet Table 2.1 RPI and should be landfilled, such as:

- a. When excess soil is coming from a spill of pollutants that is part of a clean up under subsection 93(1) of the *Environmental Protection Act*.
- b. When excess soil is generated in response to an emergency that is not a spill but involves a contaminant risk which creates an immediate danger to human life, the health of any persons, the natural environment, or to property.

The owner or operator of the landfill or dump may also consider and identify circumstances in which it is reasonable to conclude that the excess soil is of better quality (i.e., that it could meet Table 2.1 RPI) and on that basis should not be accepted as waste without sampling results that indicate that the excess soil does not meet Table 2.1 RPI.

If there are no sampling results available but it is anticipated that the excess soil meets Table 2.1 RPI and could therefore be subject to the prohibition in subsection 22(1), the owner or operator of the landfill or dump may still be able to accept the excess soil if it will be used for ancillary uses that support the operation of the landfill or dump, or if it is accompanied by a QP declaration, and is in accordance with any applicable terms and conditions in the ECA for the landfilling site or dump. The owner or operator of the landfill or dump may want to consider information such as the sites where excess soil came from, to conclude whether the excess soil is of better quality for the purposes of compliance with subsection 22(1). This can include situations such as the following:

- a. Small volumes of excess soil from residential properties undertaking landscaping projects that do not have a known history of contamination
- b. Excess soil from agricultural properties that do not have a known history of contamination

Ultimately, if there is inadequate information related to the quality of the excess soil, and the excess soil is not intended to be used for an ancillary use at the landfill or dump, and it is not accompanied by a QP declaration, the owner or operator of the landfill or dump that accepts the excess soil and any other person who causes, permits, or arranges for the deposit of the excess soil may be at risk of contravening the prohibition in subsection 22(1).

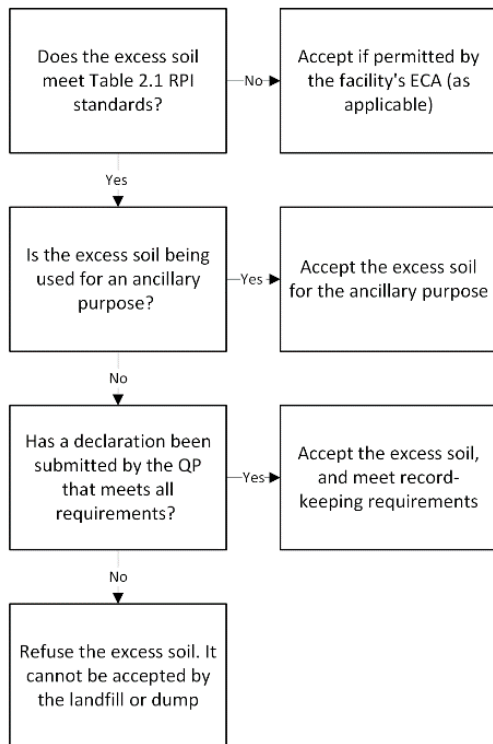
## **Summary of Roles and Responsibilities**

The general roles and responsibilities of the owners or operators of landfills or dumps, sites loading excess soil for transportation, and QPs are summarized in this section.

### **1) Owners or Operators of Landfills or Dumps**

The key steps and considerations for the owner or operator of the landfill or dump to take to meet the requirements are reflected in the decision tree and chart below, which are not exhaustive of all situations and questions that may arise.

## Decision Tree: Key Steps for the Owner or Operator of the Landfill or Dump



The following chart is intended to support the owner or operator of the landfill or dump to take into account key considerations in complying with requirements.

### Key Considerations for the Owner or Operator of the Landfill or Dump

<b>1.</b>	<b>If landfill or dump is receiving excess soil for beneficial/ancillary uses:</b>
	<ul style="list-style-type: none"> <li>Confirm which ancillary use the incoming excess soil will be used for (e.g., daily cover, final cover, or other), and that excess soil is needed for that use.</li> </ul>
	<ul style="list-style-type: none"> <li>Confirm the deposit and this intended use of the excess soil is allowed by the facility's ECA.</li> </ul>
	<ul style="list-style-type: none"> <li>Ensure that the excess soil is used for the intended ancillary use in accordance with the ECA, after it is accepted. Segregation of soils for these uses and records of soil use for these purposes would help demonstrate use of soils for these uses, if asked.</li> </ul>
<b>2.</b>	<b>If landfill or dump receives a request to accept excess soil as waste for disposal:</b>
	<ul style="list-style-type: none"> <li>Confirm with reasonable certainty that the quality of incoming excess soil does not meet Table 2.1 RPI, by:             <ul style="list-style-type: none"> <li>If sampling results for the excess soil are available, ensuring that the reports have been reviewed or confirmation is provided by the person sending the soil to landfill or dump (which may be added to the declaration form) that the</li> </ul> </li> </ul>

	<p>excess soil does not meet the Table 2.1 RPI standards (this may be accompanied by the sampling results)</p> <ul style="list-style-type: none"> <li>○ If the excess soil is received without sampling results, the owner or operator of the landfill or dump may identify situations where they are reasonably confident that excess soil is contaminated and does need to be sampled in advance of being landfilled as waste. <ul style="list-style-type: none"> <li>○ This may apply in situations including if the excess soil was from a spill site, a site generating less than 100m<sup>3</sup> excess soil that is directly transported to the landfill or dump, or the site was used as an industrial use, gas station, garage or dry cleaner.</li> </ul> </li> <li>● If the excess soil is confirmed to not meet Table 2.1 RPI, the excess soil <b>may be deposited at the landfill or dump as waste or for a beneficial/ancillary purpose (in accordance with the ECA) and Regulation 347.</b></li> </ul>
	<ul style="list-style-type: none"> <li>● If the excess soil is not confirmed to exceed Table 2.1 RPI and as such there remains a risk that the excess soil meets Table 2.1 RPI, one of the following options can be taken to ensure compliance with section 22 as appropriate given the circumstances: <ul style="list-style-type: none"> <li>○ Do not allow the excess soil to be deposited at the landfill or dump, pursuant to subsection 22(1).</li> <li>○ Allow the excess soil to be deposited at the landfill or dump, but only for ancillary uses that support the operation of the landfill or dump, pursuant to subsection 22(2), and in accordance with the ECA.</li> <li>○ Allow the excess soil to be deposited at the landfill or dump for disposal as waste, but only if a declaration by a QP prepared pursuant to 22(3) is received by the owner or operator of the landfill or dump from the QP and the declaration was made in respect of that excess soil.</li> </ul> </li> </ul>
3.	<b>Record keeping</b>
	<p>If a QP declaration prepared under subsection 22(3) was provided, retain the declaration for a minimum of two years from the date the excess soil was deposited at the landfill or dump. It is advisable to retain documentation supporting the declaration as well.</p>

## **2) Owners and operators of sites loading excess soil for transportation**

- Liaise with the owner or operator of the landfill and dump in advance of transporting the excess soil, for any of the possible exceptions by which excess soil that would be restricted may be accepted under subsection 22(2) or subsection 22(3) of the regulation.
- Provide sampling results (if available) for the site and be able to provide assessments or answer questions about site use and history.
- If a QP declaration is received from the QP, retain it for at least two years from the date the excess soil was deposited at the landfill or dump. It is advisable to retain documentation supporting the declaration as well.

## **3) Qualified Persons**

- On behalf of the owner or operator of the generating site, a QP may liaise with the owner or operator of the landfill or dump in advance of transporting the excess soil, for any of the possible exceptions by which excess soil that would be restricted may be accepted under subsection 22(2) or subsection 22(3) of the regulation.
- Prepare the declaration if seeking to landfill excess soil under subsection 22(3) of the regulation and provide it to the owner or operator of the landfill or dump.
- Retain the declaration for a minimum of seven years after the day the declaration is prepared. It is advisable to retain documentation supporting the declaration as well.

## **Suggested template for a QP Declaration under Subsection 22(3)**

Note: This form is provided as an example template to support QPs in making a declaration under subsection 22(3) of Ontario Regulation 406/19 (On-Site and Excess Soil Management) under the *Environmental Protection Act*. This is done when the restriction in subsection 22(1) on depositing excess soil that meets a certain quality standard (Table 2.1 RPI) applies and a QP has determined that, because one of the criteria set out in subsection 22(4) applies, it would be inappropriate to deposit the excess soil for final placement at a reuse site. This form can be modified.

This is not a form required to be used under section 27 of the Excess Soil Regulation. This form is an example only and should not be construed as legal advice or substitute for seeking independent legal advice on any issues related to the Regulation, including the required contents of a QP's declaration prepared pursuant to subsections 22(3), (4), and (5). In the event of any inconsistency between the Regulation and this document, the Regulation will always take precedence.

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### **Disposal of Excess Soil as Waste:**

#### **Qualified Person Declaration under Subsection 22(3) of O. Reg. 406/19**

This document may be completed as part of completing a declaration under subsection 22(3) of O. Reg. 406/19 (On-Site and Excess Soil Management) by a qualified person for the site(s) listed below, where excess soil is loaded for transportation to and disposal as waste within the landfill or dump. For the purposes of this declaration, a qualified person is a professional engineer or professional geoscientist in Ontario.

**Type of site where**

**excess soil was loaded:**

- Project area
- Class 1 soil management site
- Class 2 soil management site
- Other (local waste transfer facility, depot, other) \_\_\_\_\_

**Address of site where**

**excess soil was loaded:**

**Name and address of landfill or dump:**

**Name and employer of Qualified Person:**

**Credential of Qualified Person**

- Professional Engineer in Ontario
- Professional Geoscientist in Ontario

**The amount of excess soil to be deposited at the landfilling site or dump (cubic metres)**

The amount of excess soil to be deposited at the landfilling site or dump is: \_\_\_\_\_ cubic metres

Soil Quality Declarations (check one):

Through sampling and analysis, I have determined that the excess soil to be disposed of at the specified landfill or dump does not meet the Table 2.1 residential, parkland and institutional standards for the following parameters \_\_\_\_\_.

Sampling and analysis of the excess soil was not undertaken because this excess soil is confirmed be associated with a contaminating activity including that the excess soil originated from a part of a project area that is likely to be contaminated at a level above the Table 2.1 residential, parkland, and institutional standards by virtue of the activities or incidents known to have taken place in that part of the

project area (e.g., use as a gas station, spill clean-up). Please specify the activity that likely caused the contamination: \_\_\_\_\_.

Nature of determination that it would be inappropriate the deposit the excess soil for final placement at a reuse site (check one of the following criteria, or more than one if applicable):

- The excess soil contains a parameter for which there is no applicable excess soil quality standard and there are reasonable grounds to believe the final placement of the excess soil at a reuse site may cause an adverse effect.

List parameter(s): \_\_\_\_\_

- The excess soil contains invasive species that should not be relocated to a location other than a landfilling site or dump.

List invasive specie(s): \_\_\_\_\_

- Both of the following criteria apply:

- i. Due to the physicochemical characteristics of the excess soil, the excess soil is not suitable for reuse as structural fill at a potential reuse site.
- ii. Despite reasonable efforts having been made by the owner or operator of the site at which the excess soil was loaded for transport to identify a reuse site at which the excess soil could be used for other beneficial purposes, no such reuse site has been identified.

**Provide an explanation of how the chosen criterion applies or criteria apply (note: attachments can be provided to elaborate on these findings as needed):**

**I understand that I am making this declaration under section 22 of Ontario Regulation 406/19 and that including any false or misleading information may result in penalties under the *Environmental Protection Act*.**

**Records retention:**

This declaration must be retained by the owner or operator of the landfill or dump for a minimum of two (2) years after the day the excess soil is deposited at the landfill or dump. This declaration must be retained by the qualified person making the declaration for a minimum of seven (7) years after the date it was prepared.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

[print qualified person's name below signature]

**Stamp of Professional Engineer (P. Eng.) or Professional Geoscientist (P. Geo.)**

**Disclaimer:**

*This document, including the template qualified person's declaration form, is intended to be a brief summary of some of the requirements of the Environmental Protection Act (EPA) and Ontario Regulation 406/19 (the Excess Soil Regulation) made under the EPA. This is for information purposes only and should not be construed as legal advice or substitute for seeking independent legal advice on any issues related to the regulation, including the required contents of a qualified person's declaration prepared under section 22. Any person seeking to fully understand how the regulation may apply to any of the activities they are engaged in must refer to the regulation. In the event of any inconsistency between the EPA or Excess Soil Regulation and this document, the EPA or regulation, as the case may be, will always take precedence.*

**For more information:**

- Visit the Handling Excess Soil webpage: [Handling excess soil | ontario.ca](https://www.ontario.ca/handling-excess-soil)
- Contact your local MECP district office: [Ministry of the Environment, Conservation and Parks district locator | ontario.ca](https://www.ontario.ca/ministry-of-the-environment-conservation-and-parks-district-locator)