Residential Development Soil Depot Site Notice Filings Guide

RPRA Resource Productivity & Recovery Authority

Table of Contents

Introduction

The three Portals of the Excess Soils Registry

There are **three (3) portals** that can be used to access the Excess Soils Registry, each is designed to accommodate different users.

Registry Portal

The Registry Portal allows industry users to complete and view their Excess Soil Filings

Users:
- Industry Users (Owners, Operators, Project Leaders, Authorized Persons, Transporters)
- Delegated Users

Used for:
- Initiating, completing, and submitting Excess Soils Filings

What Users See:
- Filings their company has initiated
- Filings their company has been provided notice access to

How to Access: registry.rpra.ca

Ministry Portal

The Ministry Portal provides ministry users in-depth access to Filing and Registry data.

Users:
- District Office Employees
- Compliance Office Employees
- Investigation & Enforcement Branch Employees

Used for:
- Searching for all Filings and related data
- Accessing and view all Filing data
- Viewing key metric charts
- Generating Reports/Dashboards

What Users See:
- All Filings, regardless of status, with the exception of fees and payment information

Public Portal

The Public Portal provides the general public read-only access to Filing summaries

Users:
- General Public

Used for:
- Viewing Filings in Initial, Updated, and Final status

What Users See:
- All Filings in initial, updated, and finalized status, and related pdfs
- They will not see in-progress Filings or any payment information

How to Access: excesssoilnotices.rpra.ca

What is the Excess Soil registry?

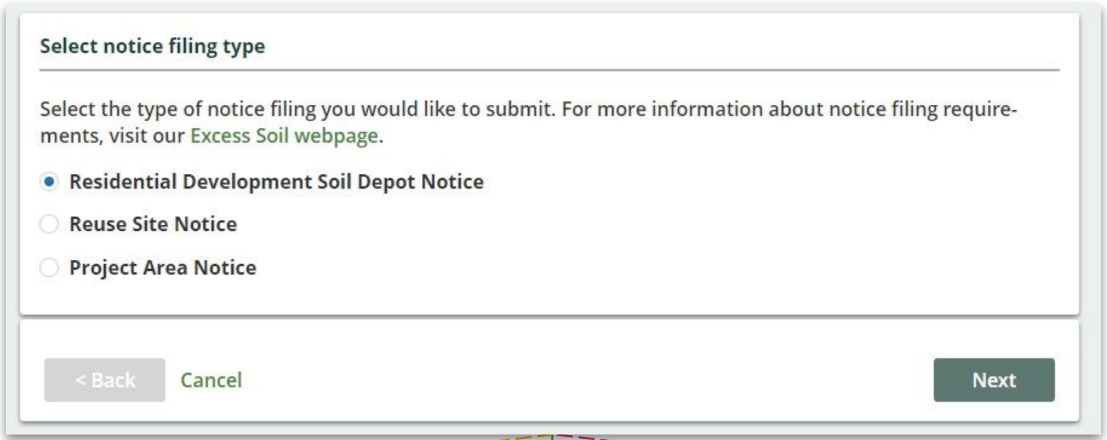
In March 2021, the Minister of the Environment, Conservation and Parks directed the Resource Productivity And Recovery Authority to establish and maintain the Excess Soil Registry to enable compliance with the On-Site and Excess Soil Management Regulation, O. Reg. 406/19 (Excess Soil Regulation).

Project Leaders, Owners and Site Operators are required to use the Registry to file notices for certain Project Areas, Reuse Sites, and Residential Development Soil Depot sites where Excess Soil is generated, transported, temporarily placed and deposited.

https://www.rpra.ca/excess-soil-registry/ is the home of the Excess Soil Registry, this is where you'll go to file a notice and search for a notice. For questions related to the Registry, please contact RPRA via registry@rpra.ca

The ministry is responsible for policy and programs related to Excess Soil and will conduct compliance and enforcement activities under the regulation. More information about the regulation is available here: https://www.ontario.ca/page/handling-excess-soil. For questions related to the regulation, please contact the ministry via MECP.LandPolicy@ontario.ca

Types of Filings


Select notice filing type

Select the type of notice filing you would like to submit. For more information about notice filing requirements, visit our Excess Soil webpage.

- Residential Development Soil Depot Notice
- Reuse Site Notice
- Project Area Notice

< Back Cancel Next

These are the options Registry portal users are given when they begin to initiate a notice filing

Residential Development Soil Depot

Reuse

Project Area

Residential Development Soil Depot

RDSD

An RDSD is a soil bank storage site that is temporarily operated for the purpose of managing Excess Soil that will ultimately be transported to a reuse site.

Reuse Site

RS

A Reuse Site is a site at which Excess Soil is used for an identifiable beneficial purpose (and does not include a waste disposal site).

Project Area

PA

The Project Area refers to a single property or adjoining properties on which a project is carried out. That project being any that involves the excavation of soil for any form of development, or site alteration, construction or removal of liquid soil or sediment from a surface water body.

The Lifecycle of a Filing

Filings are expected to open for a long time, most will be open for months, if not years. Below is a summary of the statuses that each Filing moves through:

In Progress

When a Filing is first initiated, this is the status the Filing is assigned. Filings which are In Progress can be considered **draft** Filings.

Initial Submission

Each type of Filing must have an **Initial Submission** completed within the parameters of the regulation (e.g., an RDSD generally should be submitted before it begins accepting soil).

Updated Submission

Filings can continue to be updated after the Initial Submission has been completed. This is an important part of keeping the data up to date. When a Filing is updated after the Initial Submission, it is updated to the status of **Updated Submission.**

Final Submission

A Final Submission must be completed when the RDSD or Reuse Site is closed, or when the Project is completed for Project Area Filings. In order to complete a **Final Submission** each Filing has different data requirements and the Filing becomes read only afterwards.

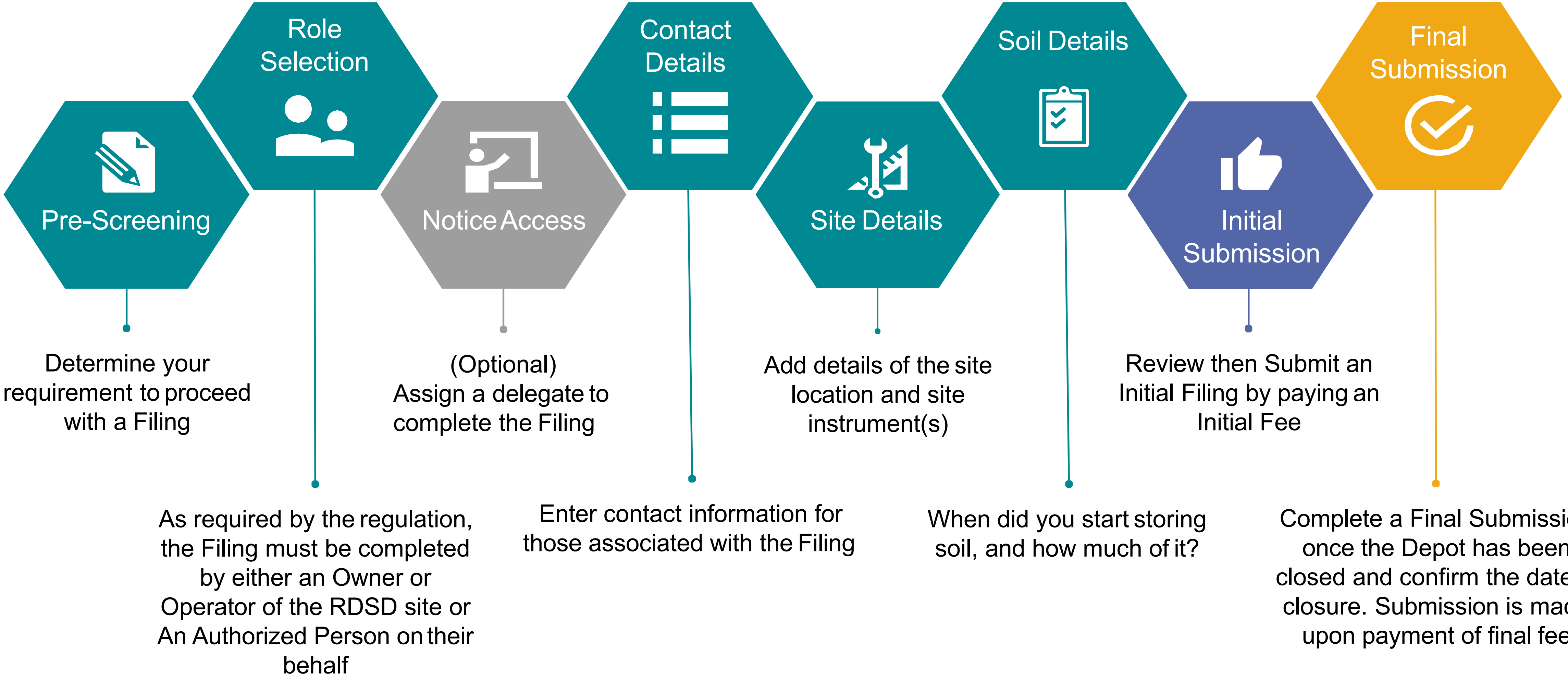
Important Facts about each Filing Status

	In Progress	Initial Submission	Updated Submission	Final Submission
All data must be provided	✗	✓	✗	✓
Available on Public Registry	✗	✓	✓	✓
Available on Ministry Portal	✓	✓	✓	✓
Filing may be updated	✓	✓	✓	✗
Declaration required	✗	✓	✗	✓
Fee Payment required	✗	✓	✗	✓

Note: The data which is visible between each of the three portals varies, additional detail on that will be provided on subsequent slides.

The RDSD Notice Filing process

Here is an overview of how the Soils program participants will journey through an RDSD Filing Submission.



RDSD Notice Filing Details

Each section of a Filing is specially designed to capture all of the requirements for the On-Site and Excess Soil Management regulation. The user(s) working on the Filing will not be able to proceed to making a submission until all of the required information has been captured. Each chevron below represents a section of the Filing which must be completed:

Notice Access

For a given Filing, there is an ability to share access with another company, enabling that company to complete sections of the Filing.

Sharing access to the Filing allows another Account (i.e., company) to complete:

- Contact Details
- Site Details
- Soil Details

Contact Details

RDSD Filings should be initiated by the **Owner** or **Operator** of the site or an **Authorized Person**.

This step makes it easy for the user initiating the Filing to self-identify and select the role that they play.

Optionally, users can add additional **Owner(s) or Operator(s)**

Site Details

It is mandatory to identify where the RDSD is located. To make sure that the most accurate information is provided, locations can be provided as:

- Municipal Address
- Legal Land Description

We require geographic coordinates to make sure that it's clear where to go when an inspection needs to be done for a given site.

Each Site uses a variety of instruments and they need to identify each one, including other key data, as part of the Filing.

Soil Details

Residential Soil Depots are only allowed to store up to 10,000 m^3 on site. As part of the Filing, the following key data points are required:

- When did you start storing soil?
- Amount of soil as of Jan 1, 2022
- Maximum amount of Excess Soil

Review

After completing all of the required information in the Filing, users are presented with a Review screen which allows them to see everything they've entered and validate the accuracy before they move on to complete their Initial Filing Submission and submit their payment.

What is required for Residential Development Soil Depot sites notice filings?

Notice filings for Residential Development soil depots can be made by an Owner, Operator, or Authorized Person.

This notice will be required before Excess Soil is deposited on a Residential Development Soil Depot site if the depot commences operation on or after **January 1, 2022**, or if the depot was already in operation when the requirement to file a notice comes into effect, the notice should be filed ahead of **January 1, 2022**.

The Owner or Operator of the Residential Development Soil Depot must ensure that the quality of the Excess Soil accepted and managed at the depot meets the applicable Excess Soil quality standards set out in the regulation.

There will be two filings for each notice:

A. An initial filing before the soil is received which will require the following information to be provided:

   i. the site location

   ii. the contact information of the site Owner and Operator

   iii. the project commencement date

What is required for Residential Development Depot Sites notice filings? (continued)

iv. the estimated amount of soil (including inventory on-site)

v. the site instrument identification

vi. and a declaration by the Owner or Operator.

B. A final filling within 90 days of the depot closing indicating the date when the depot ceased operations, and a declaration by the Owner or Operator.

How to log in to the Registry

How to log into the Registry

Residential Development Soil Depot notice filings are completed online through the Authority's Registry which you can access here: https://registry.rpra.ca/s/login/?language=en_US

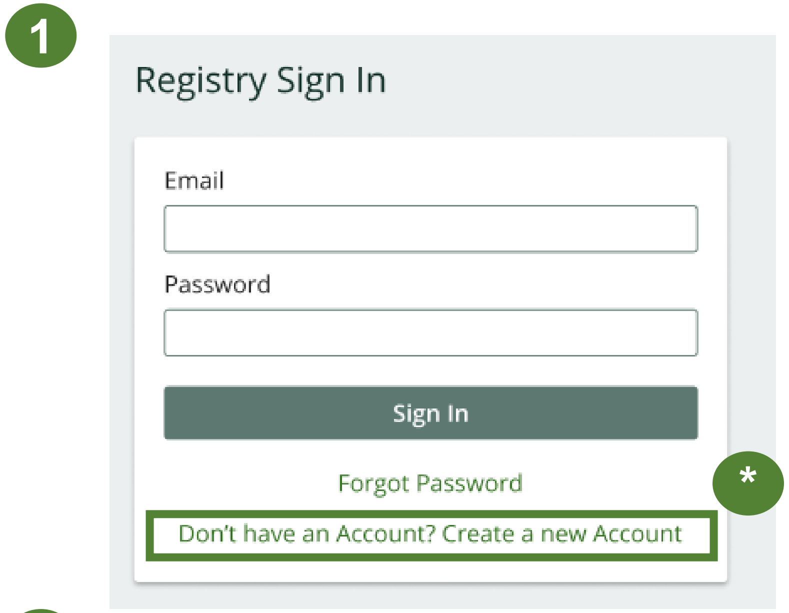
1. Tips for logging into the Registry for the first time:

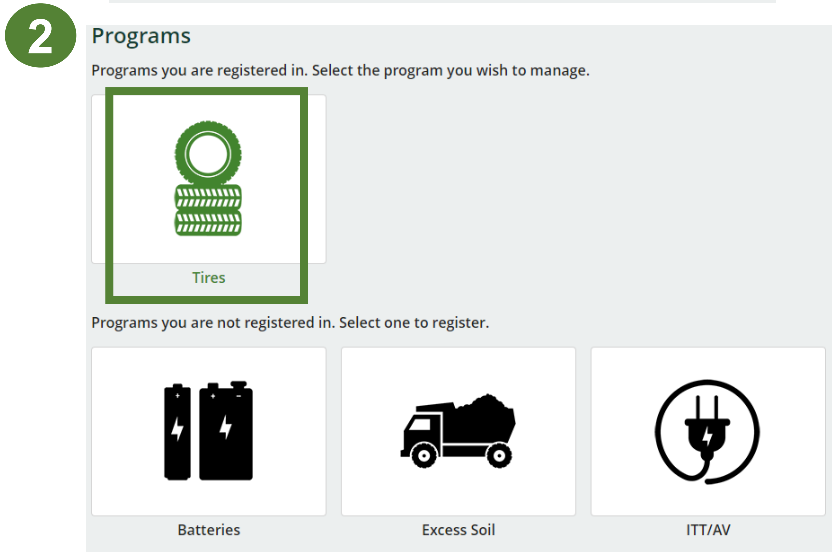
* If you don't have an account, click "Don't have an Account? Create a new Account".

- The Registry **will not work** with the Internet Explorer web browser. The following web browsers are recommended:
    - Google Chrome
    - Microsoft Edge
    - Safari
    - Firefox

2. Tips for logging into an existing Registry account:

- If you already have an existing Tires or Batteries account, you do not need to create a new one.
    - Simply log into your existing account, which will bring you to the homepage where you will see all programs you are enrolled in.
    - If you have forgotten your password, click "Forgot Password" on the login screen and follow the instructions provided.





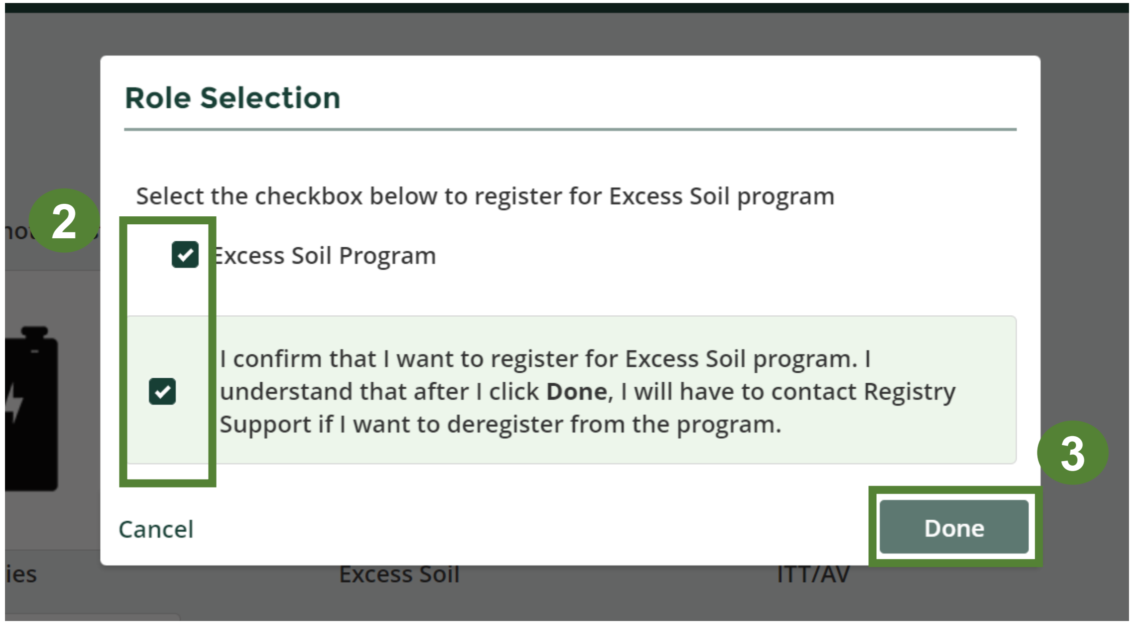
How to log into the Registry 2

After you log into the **Registry**, you will land on the **Programs** screen. This screen will show all programs available to register in.

1. Select '**Excess Soil**'

2. Click on the check boxes to confirm that you want to register for the Excess Soil program

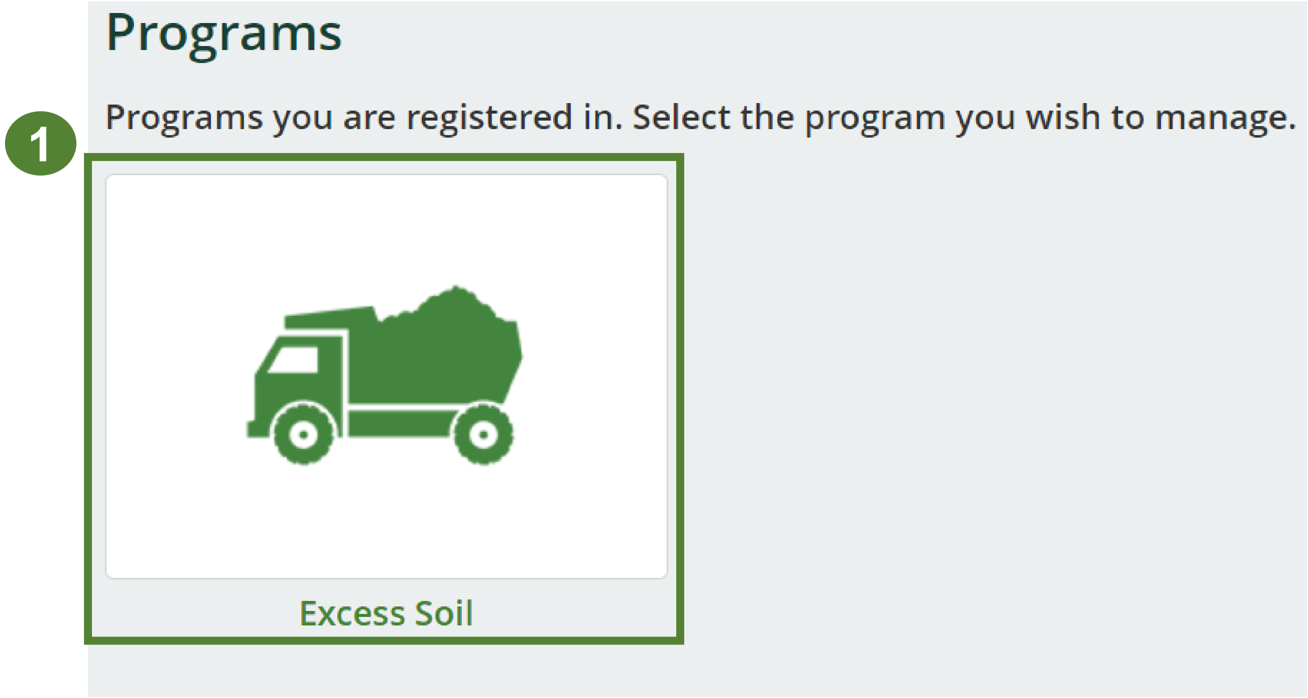
3. Click '**Done**' to proceed



How to log into the Registry 3

Once you have confirmed your registration, the **Excess Soil** program will appear in the list of programs you are registered in in the Registry dashboard.

1. Click on the ‘**Excess Soil**’ icon to access the Registry



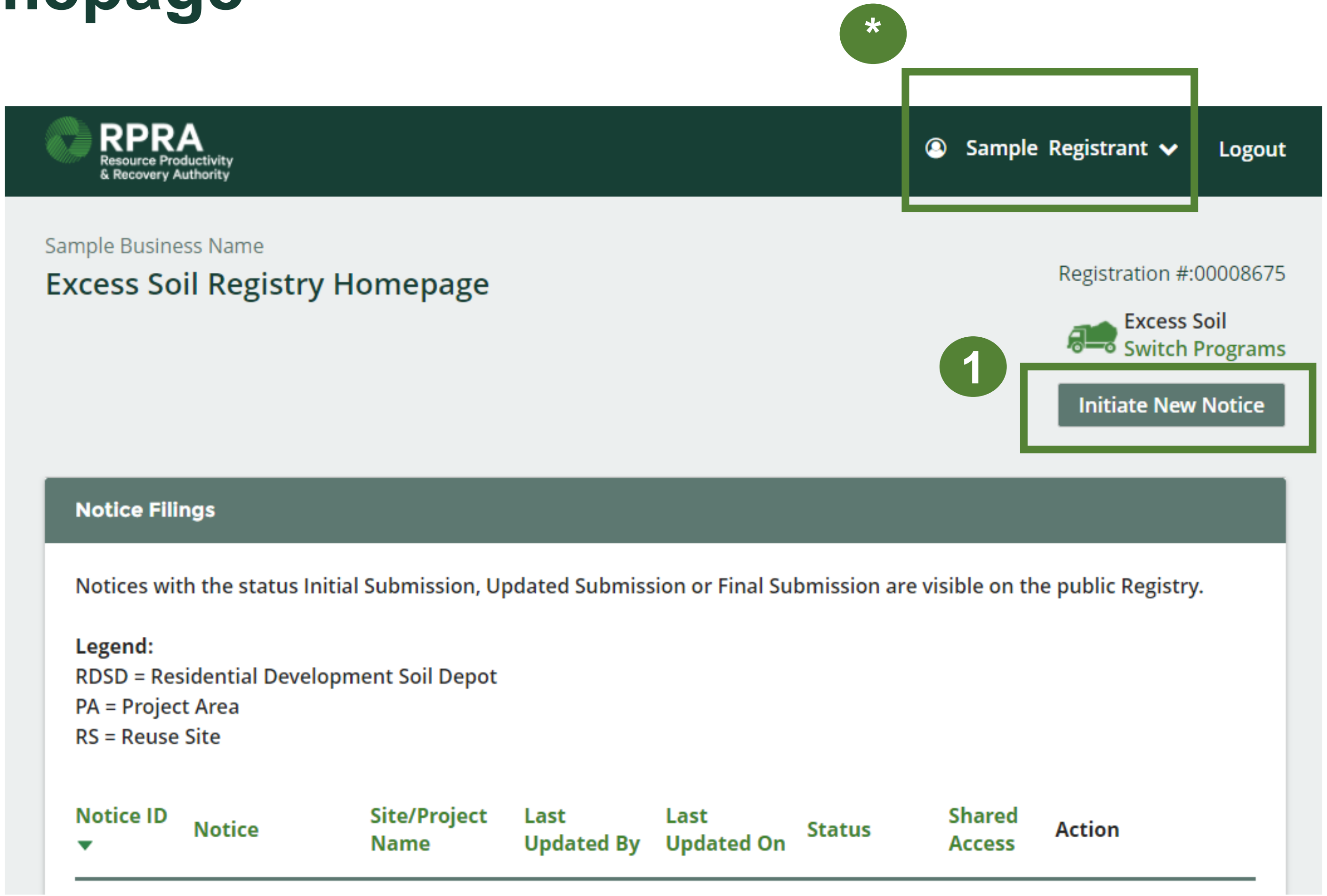
Excess Soil Registry Homepage

After clicking on the **Excess Soil** icon, you will land on the **Homepage** screen. This screen will show all notice filings that have been made using your account.

1. Click ‘**Initiate New Notice**’ to file a notice**.**

* Click on the drop-down arrow next to your name to:

    - View and edit your profile
    - Change your password
    - View and edit your business profile
    - To manager the users who have access to your account



How to Initiate a Notice Filing

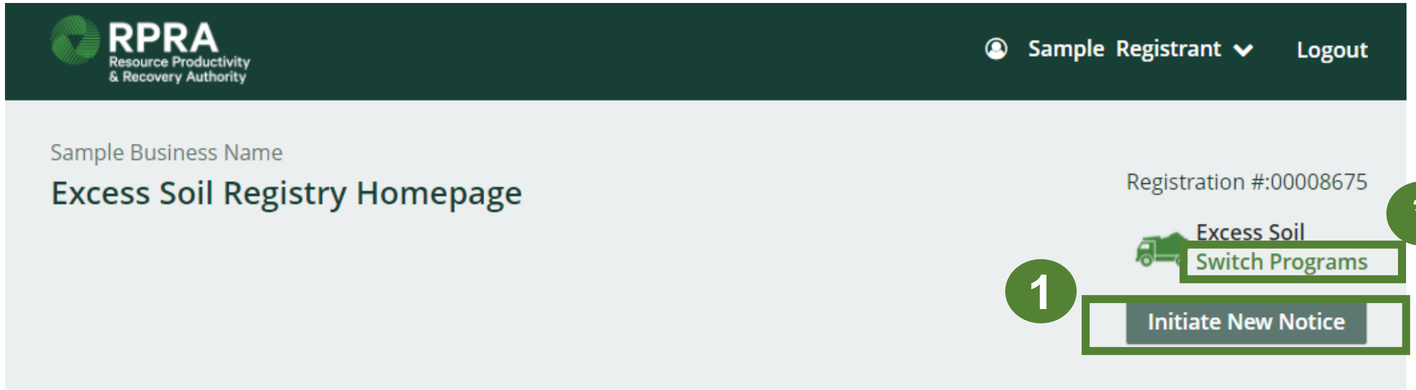
Initiate a New Notice

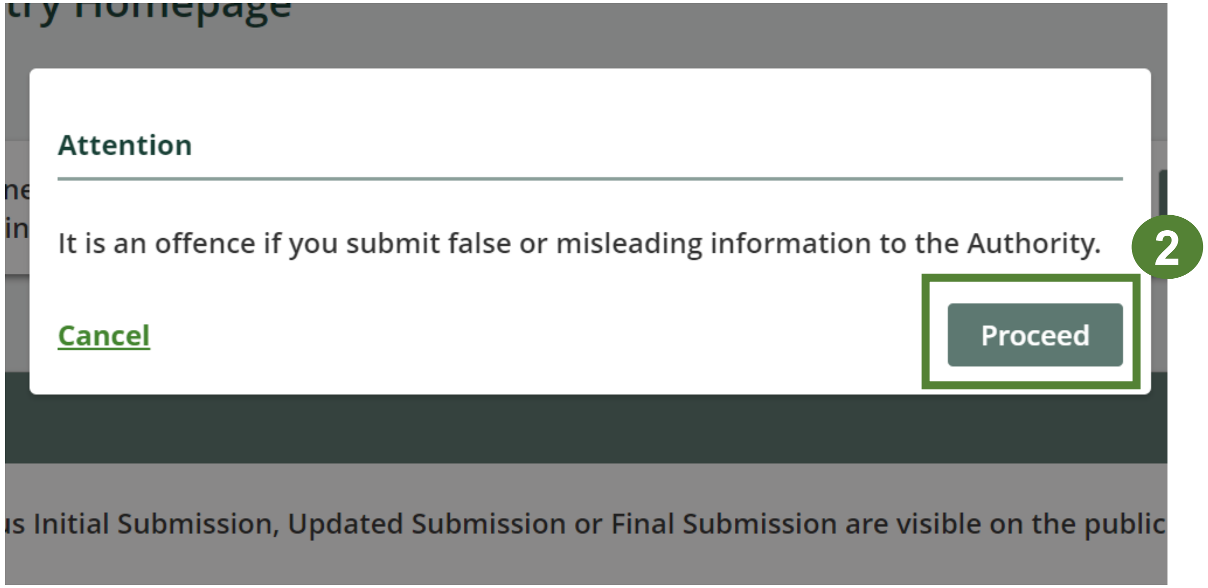
To file a new notice:

1. Click ‘**Initiate New Notice**’

2. Click ‘**Proceed**’ to indicate that you have read and understood the message in the prompt and wish to continue to initiate a new notice.

* Click ‘**Switch Programs**’ if you want to access a different registry program



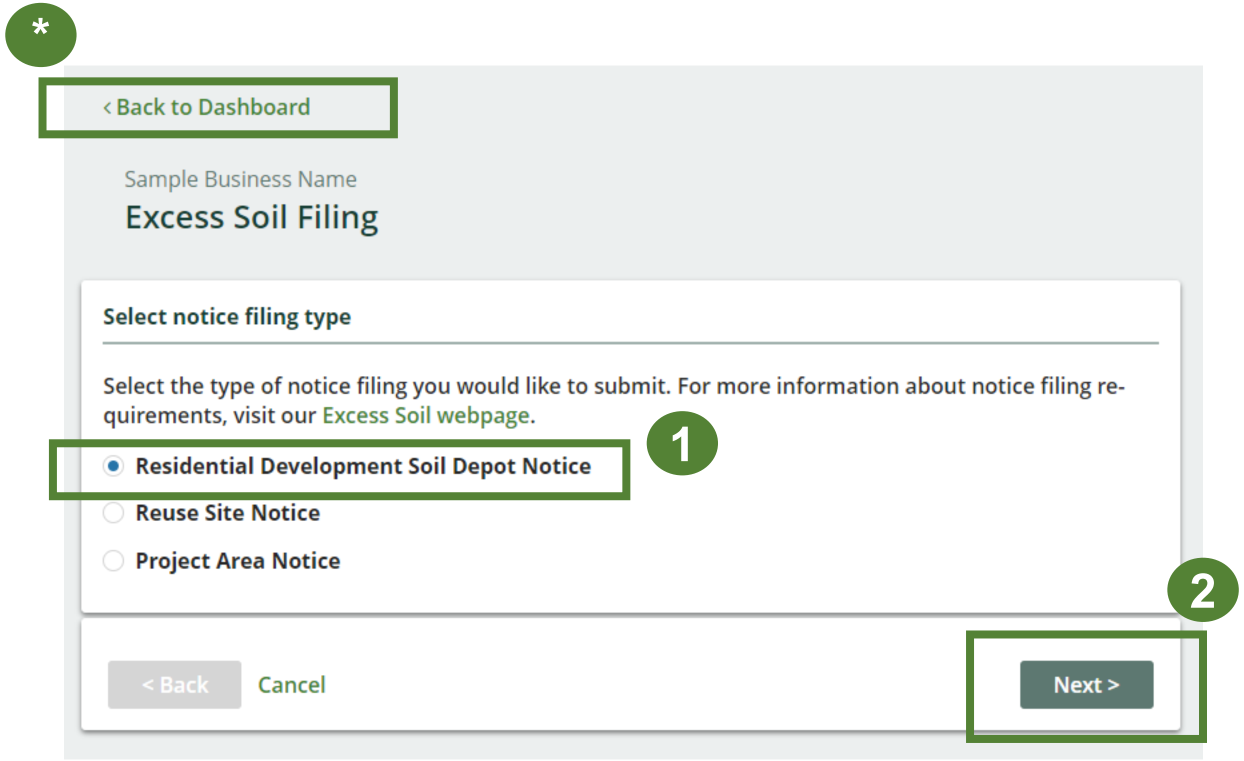


Initiate a Residential Development Soil Depot Notice

To initiate a Residential Development Soil Depot Notice:

1. Select **Residential Development Soil Depot Notice** and click **‘Next’** to begin filing your notice. *Please note only one notice filling type can be selected at a time.*
2. Click ‘**Next**’ to proceed

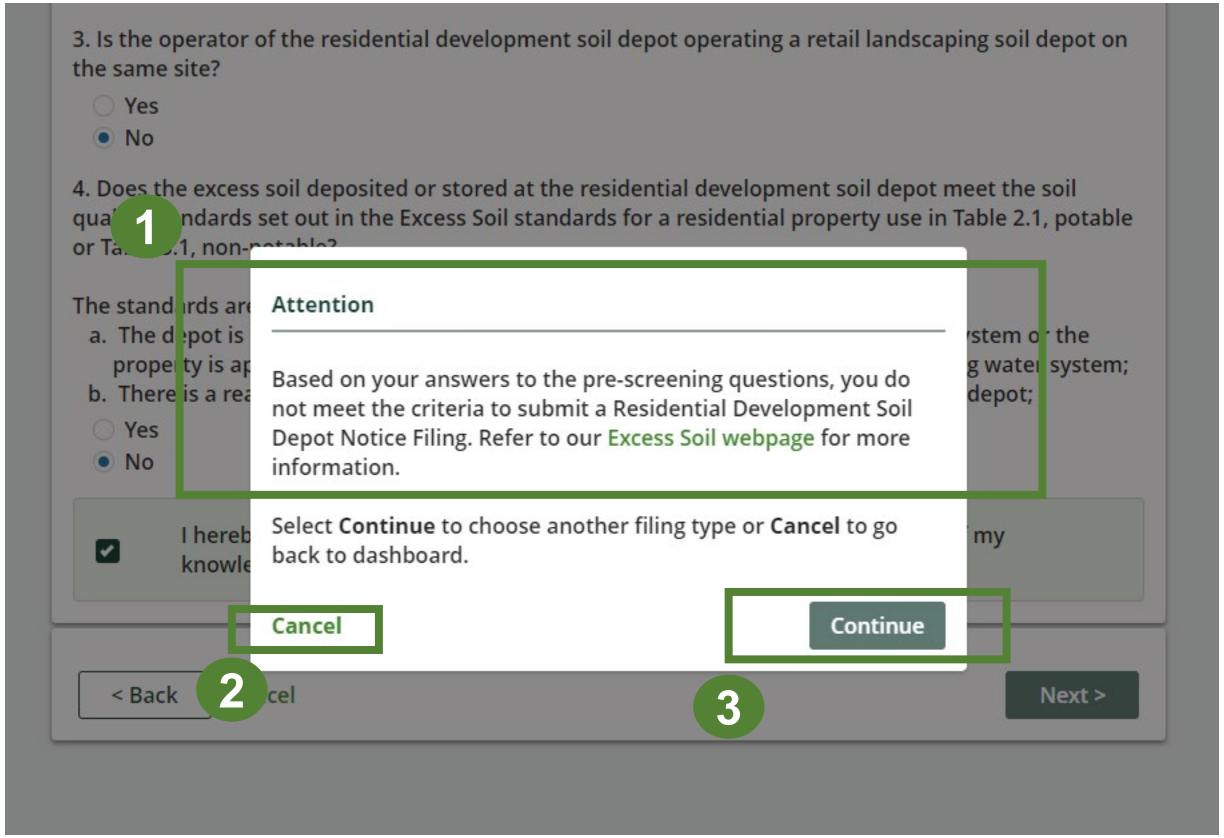
* You can click **‘Back to Dashboard’** at any point to return to the Excess Soil Registry Homepage. You progress will automatically be saved.



Complete Pre-screening

Before proceeding with initiating your notice filing you must meet all the conditions detailed in the ‘Pre-screening’.

1. If you do not satisfy all the conditions for submitting a Residential Development Soil Depot notice filing, when you click ‘**Next**’, the following error message will appear
2. Click ‘**Cancel**’ to return to the Excess Soil Registry Homepage and restart the ‘Initiate Notice Filing’ process to resubmit your answers to the ‘Pre-screening Questions’
3. If you would like to complete a different type of notice filing, click ‘**Continue**’ to choose another filing type



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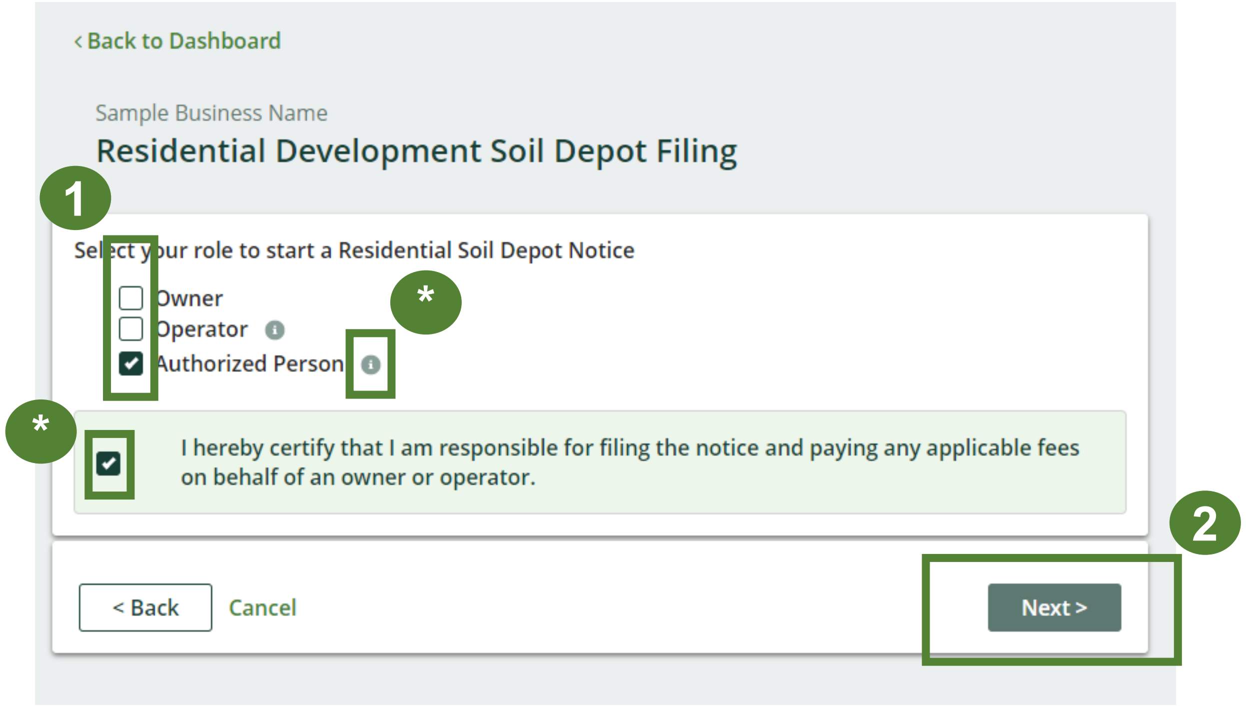
Select a role

To proceed with filing a Residential Soil Depot Notice Filing:

1. Select your role. You can be both an '**Owner**' and '**Operator'.** If this applies to you, tick both boxes. *Please note that selecting '**Authorized Person'** will override the other two choices.*
2. Click '**Next**' to proceed

* Click on the '**i**' icons for definitions of the roles

* If you select '**Authorized Person**' you will need to confirm that you will be responsible for filing out the notice and paying any applicable fees



How to share access to a Notice Filing

Share access to a Notice Filing with another company

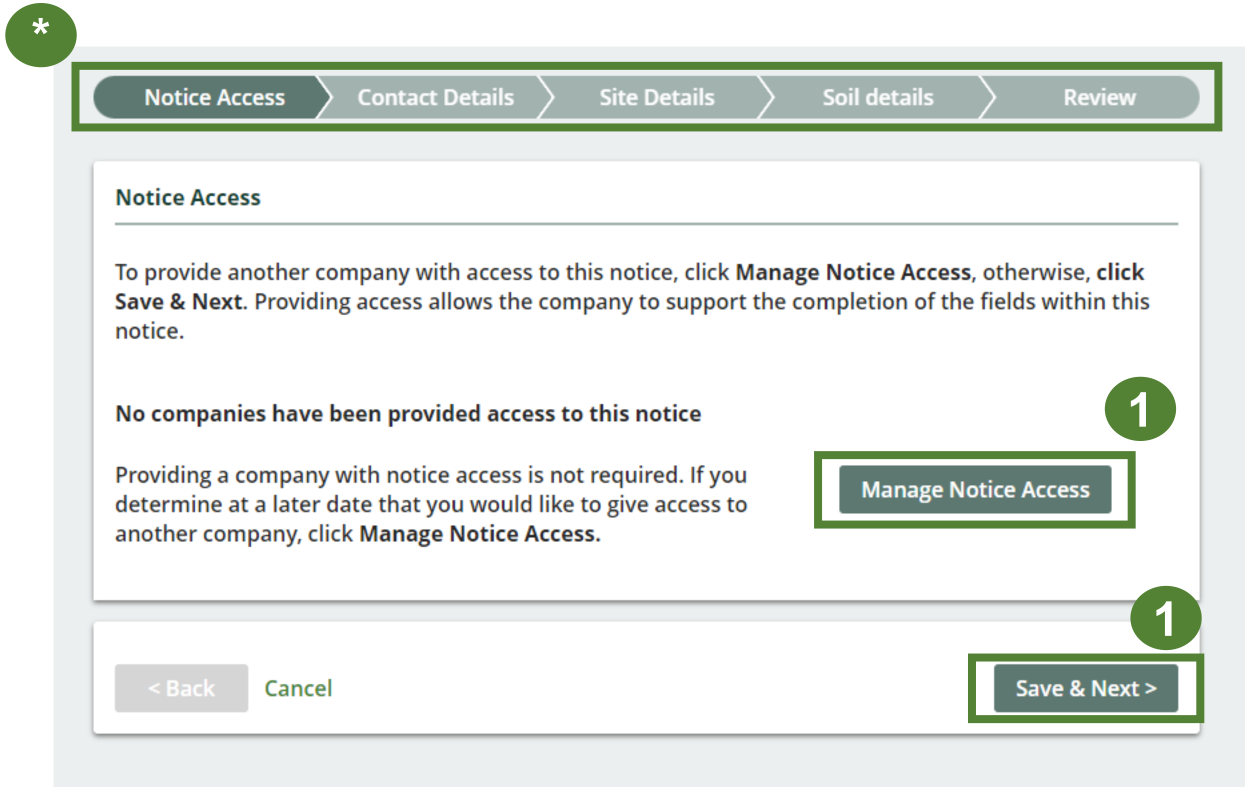
Before proceeding with filing the notice, you will have the opportunity to share access to the Notice Filing with a contact from another company should you need their input with completing the filing.

* The progress bar indicates your progress as you move through the different sections of the Notice Filing

1. Click ‘**Manage Notice Access’** to share access to the filing with a contact from another company

OR

1. If you do not need to share access to the Notice Filing, click ‘**Save & Next**’ to proceed



Please note that notice access is shared between companies and not individuals, and the company you select to share notice access with must also have registered to use the Excess Soil Registry.

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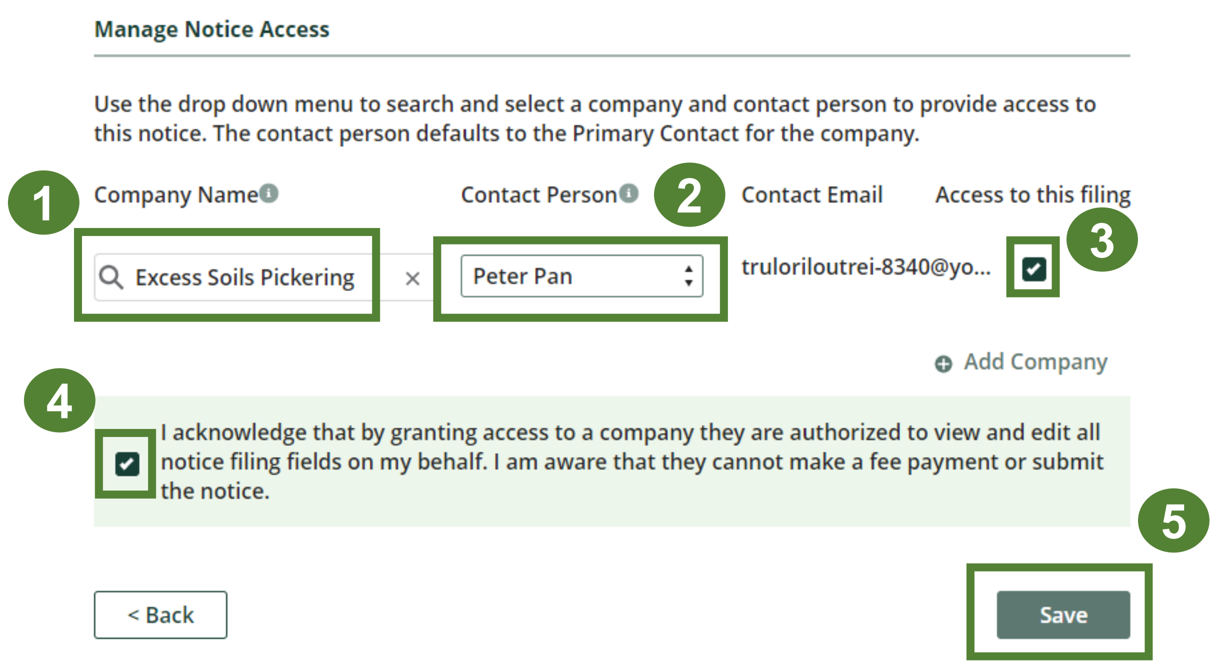
Share access to a Notice Filing with another company 2

Ignore this slide if you do not need to share access to the Notice Filing.

Please note that in order to share access to the Notice Filing with a company, they need to register their details in the Registry.

1. Search for the company name. It should appear if the company has registered their details on the Registry.
2. A list of contacts will be auto populated once a company is selected. Select the contact you would like notified that you have shared access to the filing with them.
3. The contact's email address will be auto populated. Tick '**Access to this filing**'
4. **Tick** to confirm authorization for the contact to have access to the filing
5. Click '**Save**' to proceed



Once added the contact will receive a notification email with details on how to proceed.

Share access to a Notice Filing with another company 3

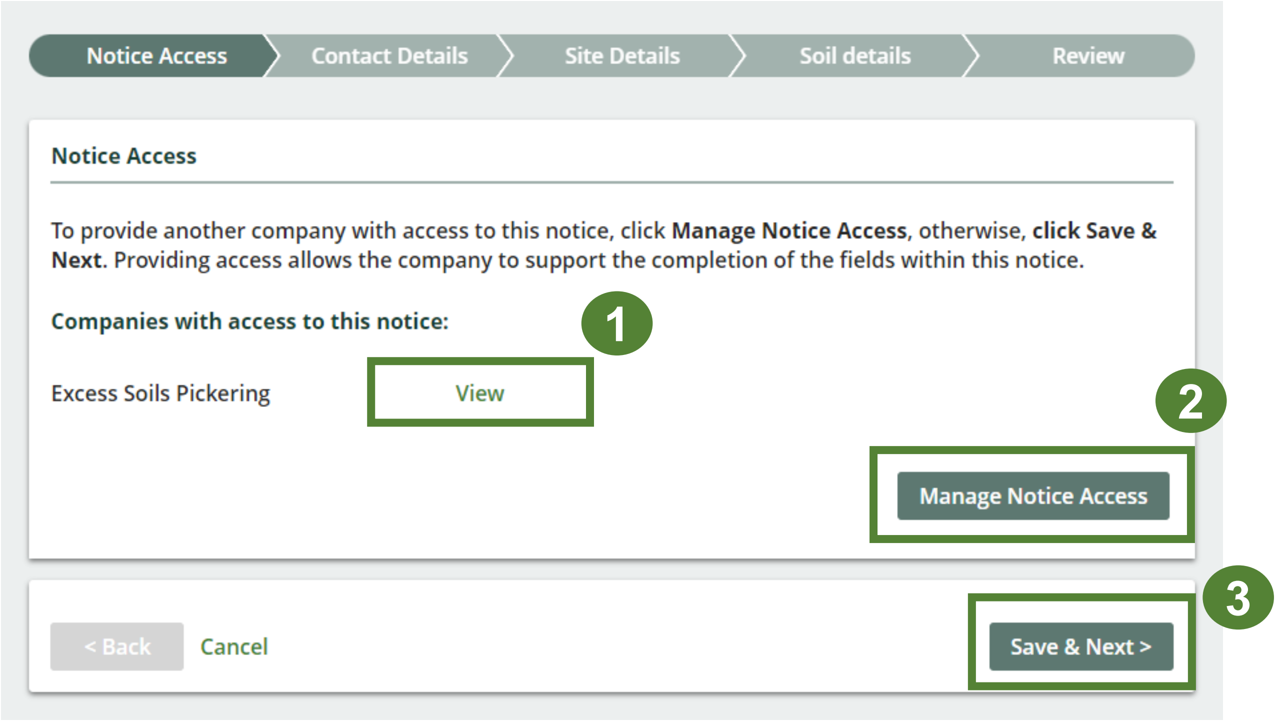
Ignore this slide if you do not need to share access to the Notice Filing.

Next you will see a list of '**Companies with access to this notice**'

1. Hold your mouse over '**View**' to see the delegate's details

2. Click '**Manage Notice Access**' to add another delegate or to revoke a delegate's access to a Notice Filing

3. Click '**Save & Next**' to proceed

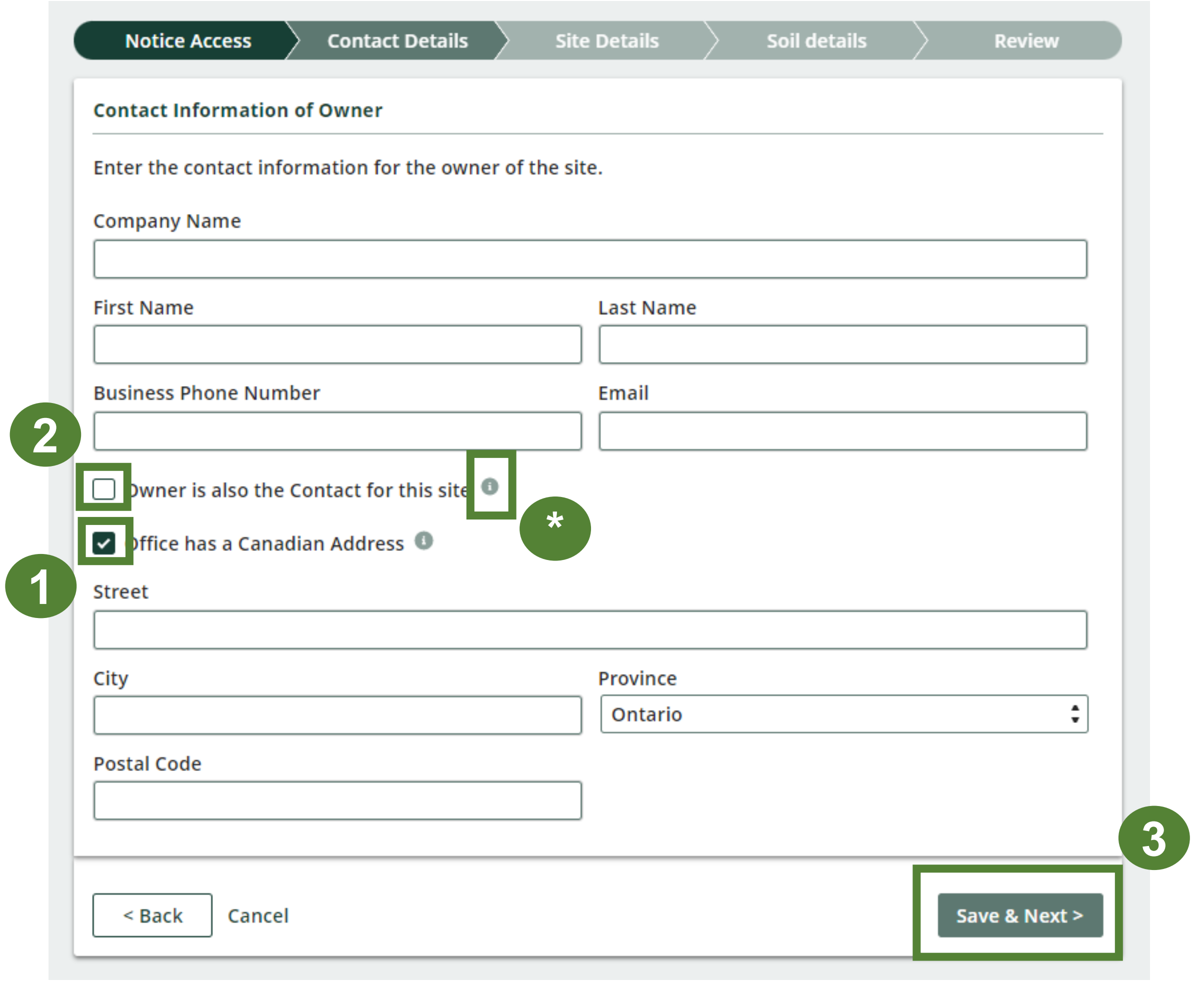


How to add contact information

Add contact information for the owner of the site

If you choose **Owner** when selecting roles, all fields for the ‘**Contact Information of Owner**’ will be prepopulated with the information provided when the notice was initiated. Verify that the information is correct.

If you are not the Owner, fill in their contact information and be sure to * Click on the ‘**i’** icons for more information



1. Untick the box ‘**Office has a Canadian Address**” if your office is based outside Canada

2. Tick the box ‘**Owner is also the contact for this site’** if the owner is also the site contact

3. Click ‘**Save & Next**’ to proceed

Add contact information for the operator of the site

If you choose **Operator** when selecting roles, all fields for the '**Contact Information of Operator**' will be prepopulated with the information provided when the notice was initiated. Verify that the information is correct.

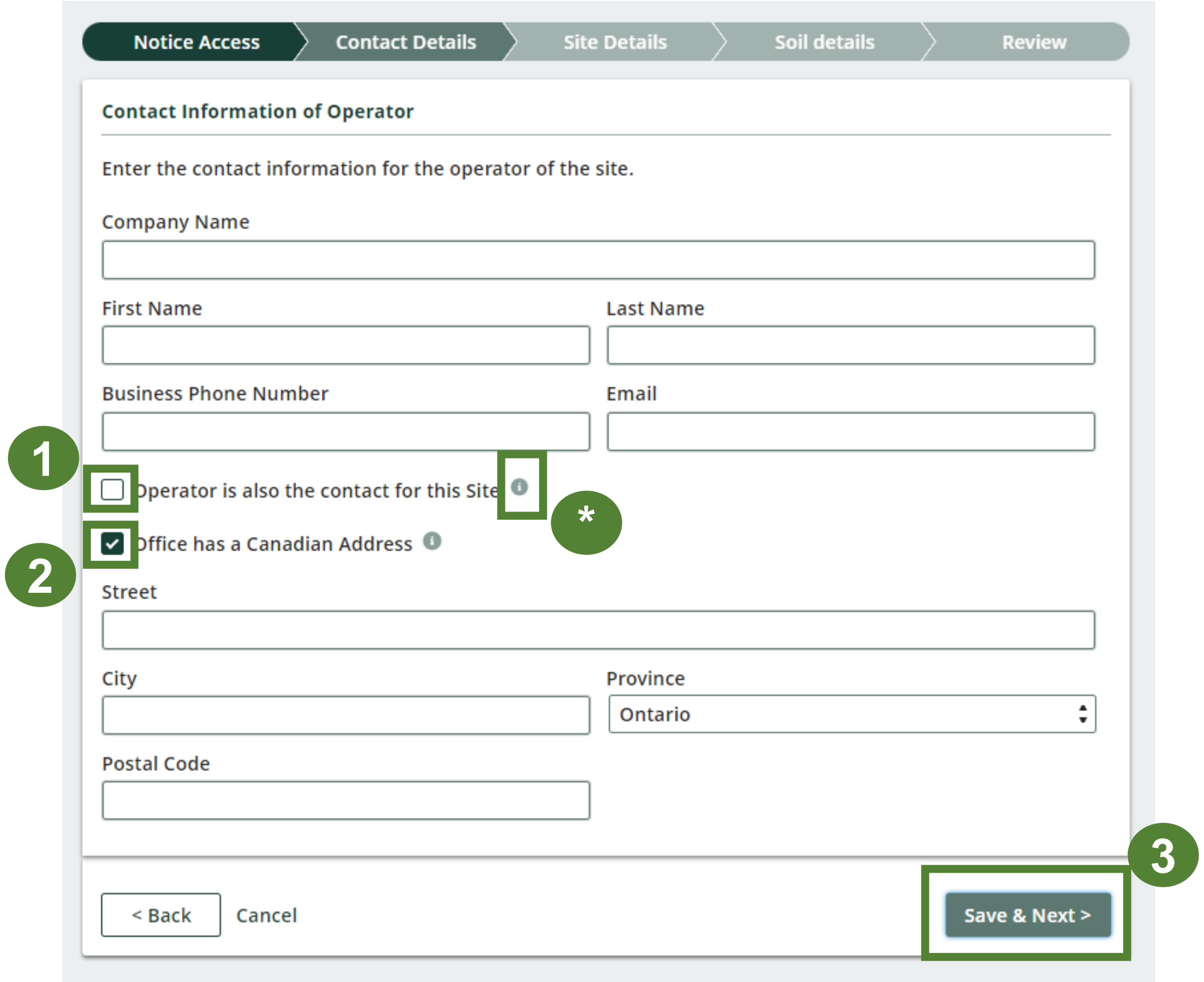
If you are not the Operator, fill in their contact information and be sure to

* Click on the '**i**' icons for more information

1. Tick the box '**Operator is also the contact for this site'** if the operator is also the site contact

2. Untick the box '**Office has a Canadian Address**" if your office is based outside Canada

3. Click '**Save & Next**' to proceed



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Add contact information for the contact of the site

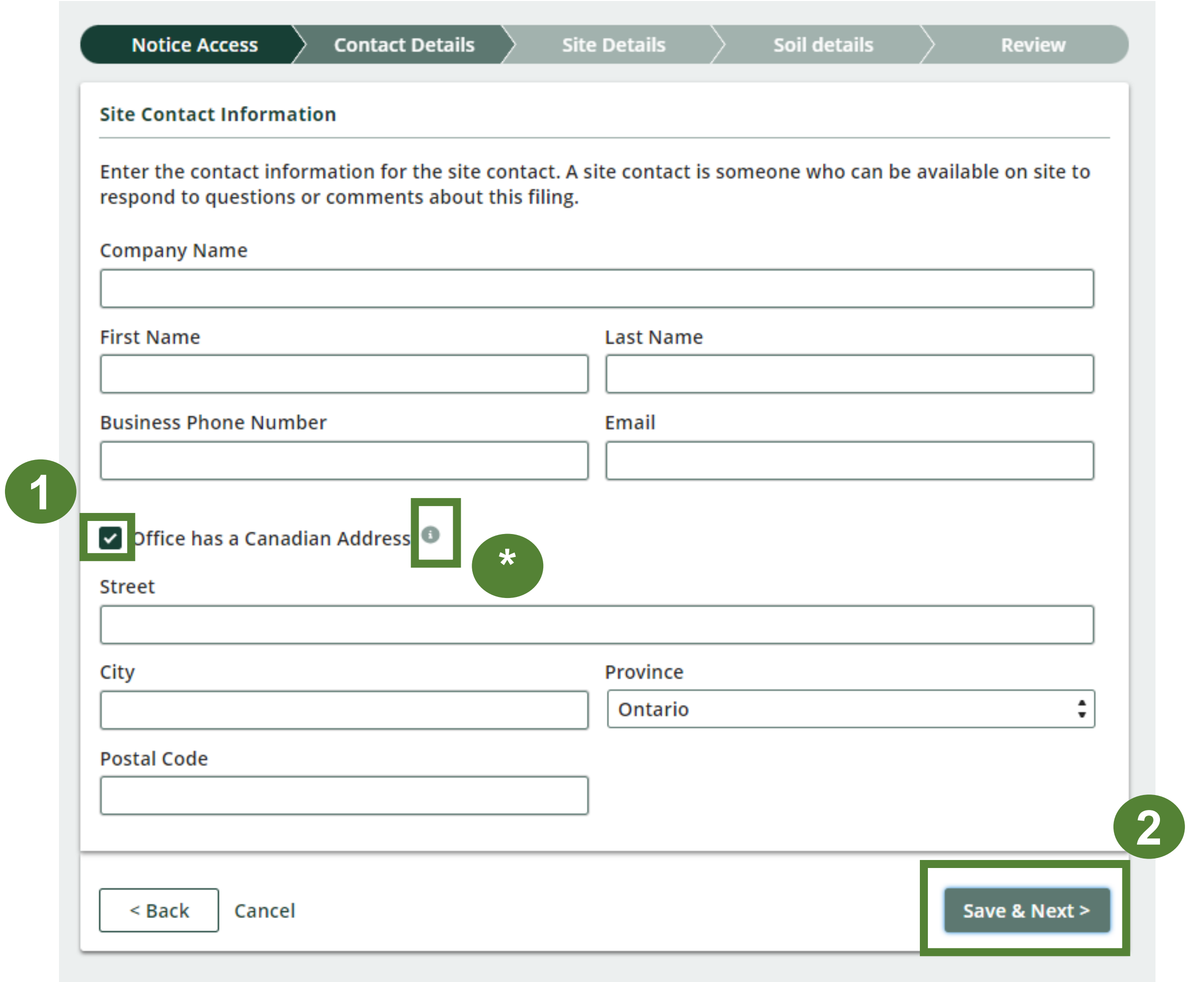
Ignore this slide if you have specified that the owner or operator is also the site contact

If the Owner or Operator is not the contact for the site, add the site contact's information and be sure to:

* Click on the 'i' icon for more information

1. Untick the box '**Office has a Canadian Address**" if your office is based outside Canada

2. Click '**Save & Next**' to proceed



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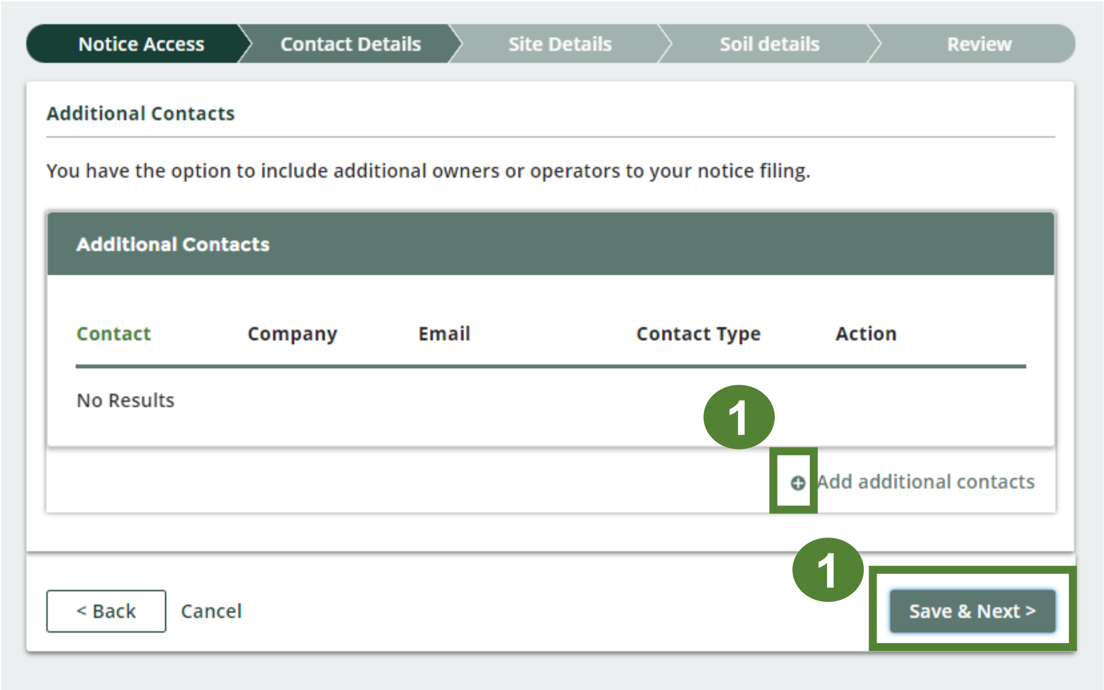
Add additional Owners or Operators

You have the option to include additional Owners or Operators to the Notice Filing. To do this:

1. Click on ‘**+ Add additional contacts**’ if you would like to add additional Owners or Operators to your notice filing

OR

1. If you do not need to add additional Owners or Operators, click ‘**Save & Next**’ to proceed

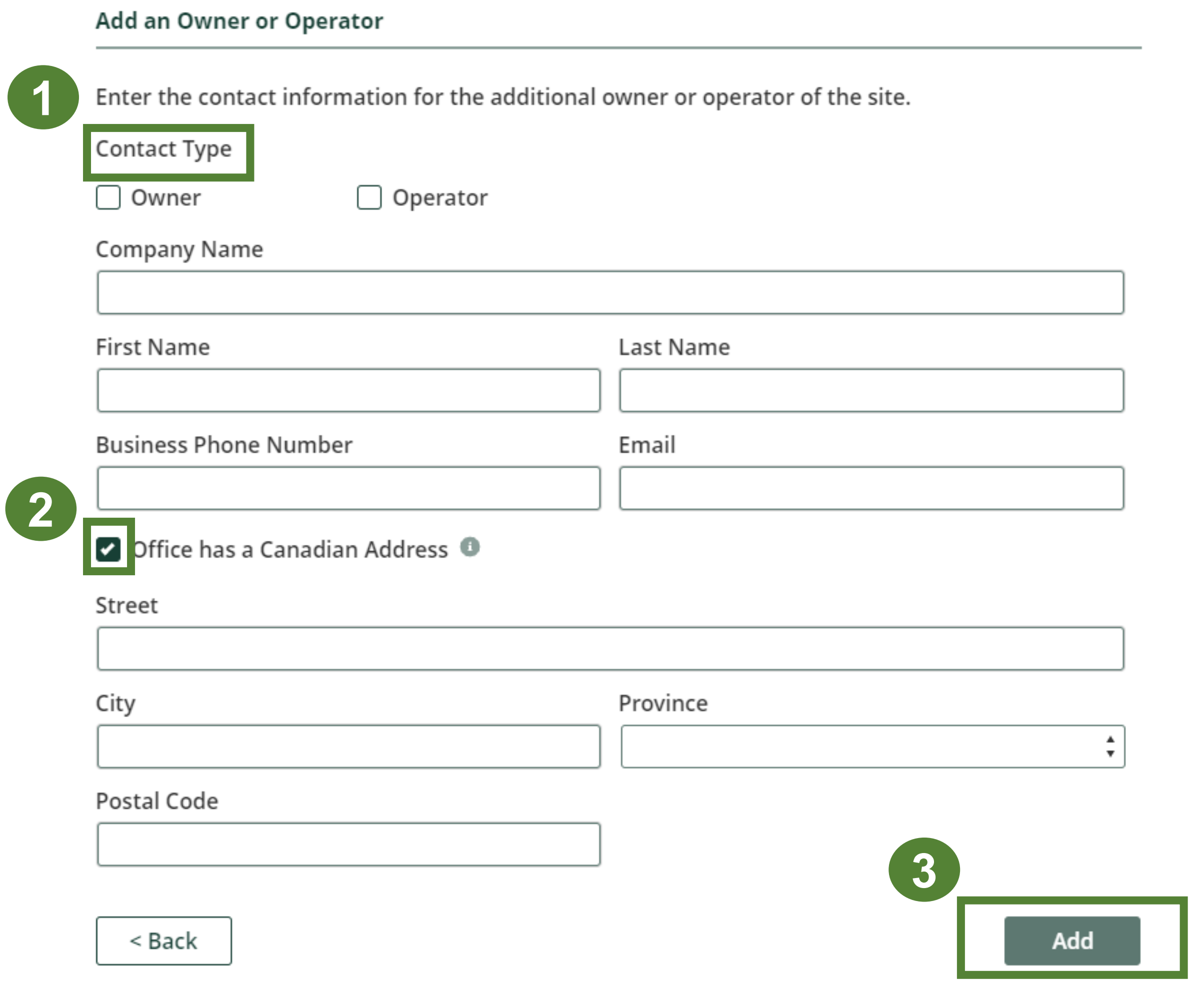


Add additional Owners or Operators 2

Ignore this slide if you do not need to add additional Owners or Operators

When adding an additional Owner or Operator be sure to:

1. Tick either ‘**Owner**’ or ‘**Operator**’ to specify the contact type
2. Untick the box ‘**Office has a Canadian Address**’ if your office is based outside Canada
3. Click ‘**Add**’ to complete adding the contact information



How to add site details

Add Site Details

When adding site details be sure to:

1. Enter the '**Site location description**' *There is a 250-character limit so keep this brief*
2. Enter the '**Street Address**' of the site location

   * Follow the format written in the box in grey when filing out the site **postal code**

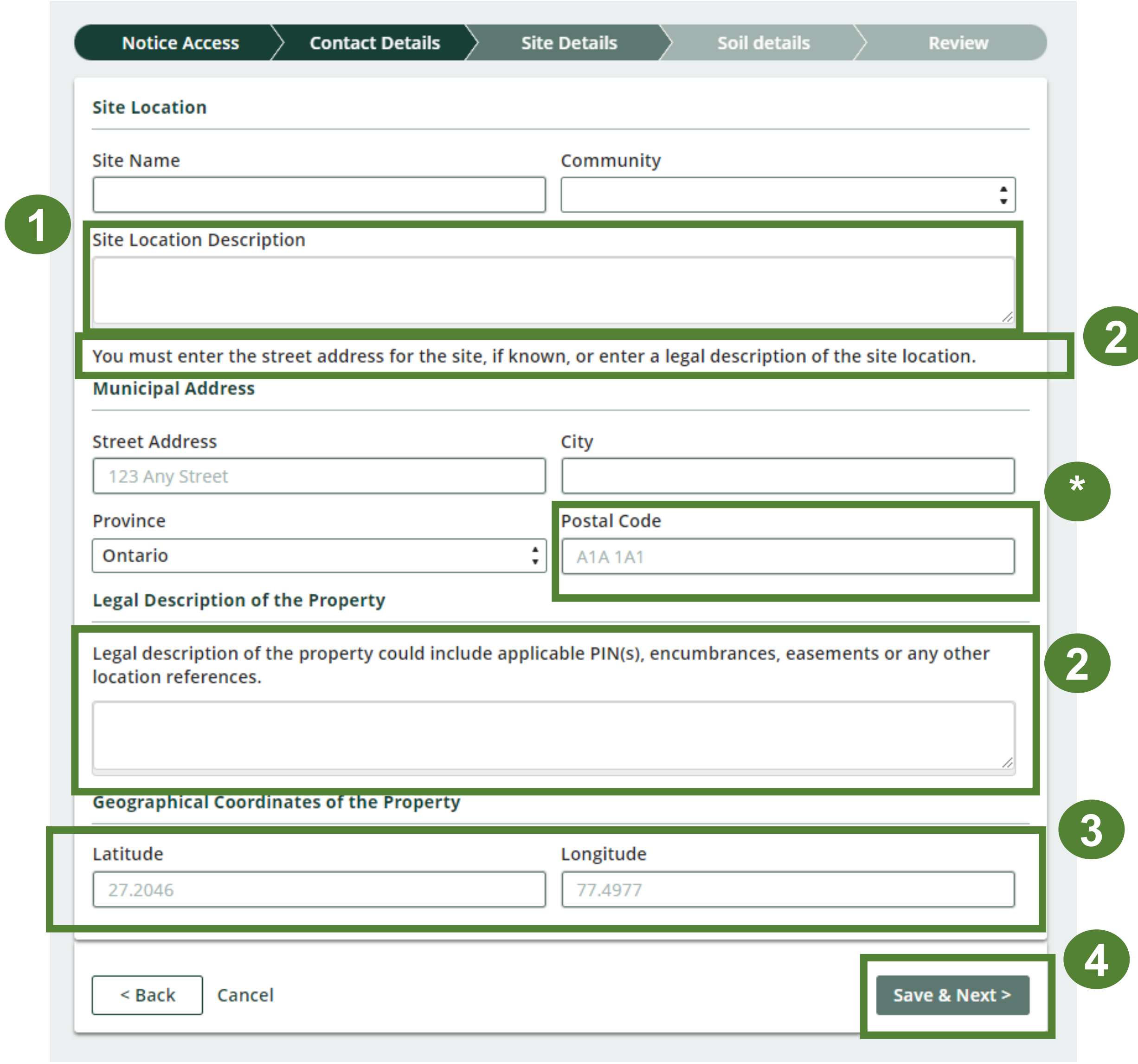
OR

2. Enter the '**Legal Description**' of the property. *There is a 250-character limit so keep this brief*

3. Enter the '**Geographical Coordinates of the Property**'.

* Follow the format written in the box in grey when filing out the **latitude** and **longitude** of the site. Values must be a decimal number in the range [-180, 180].

4. Click '**Save & Next**' to proceed



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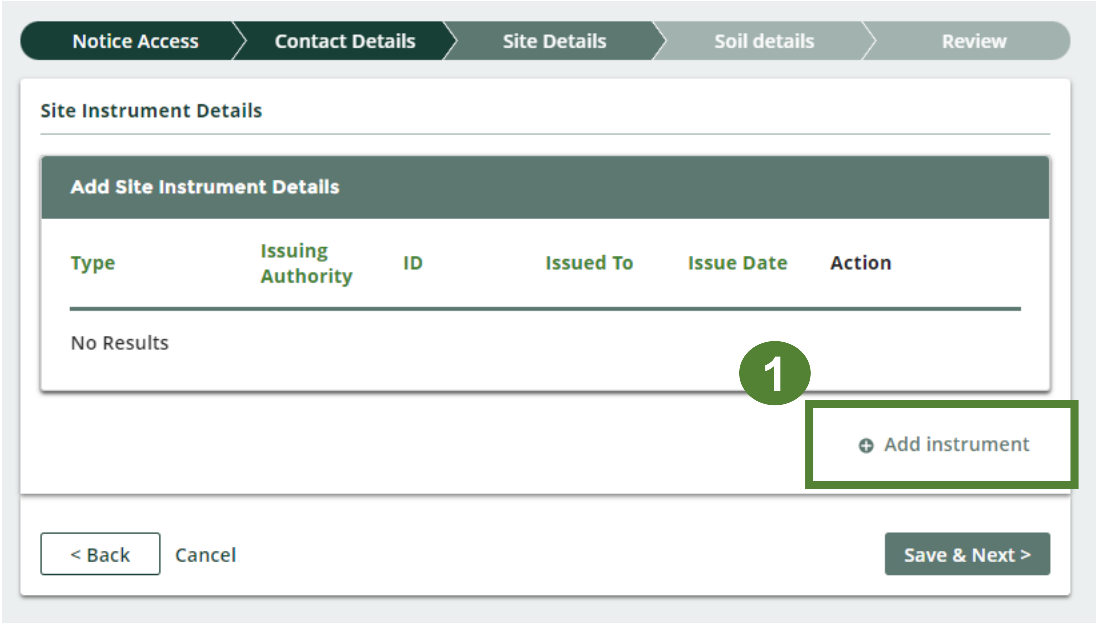
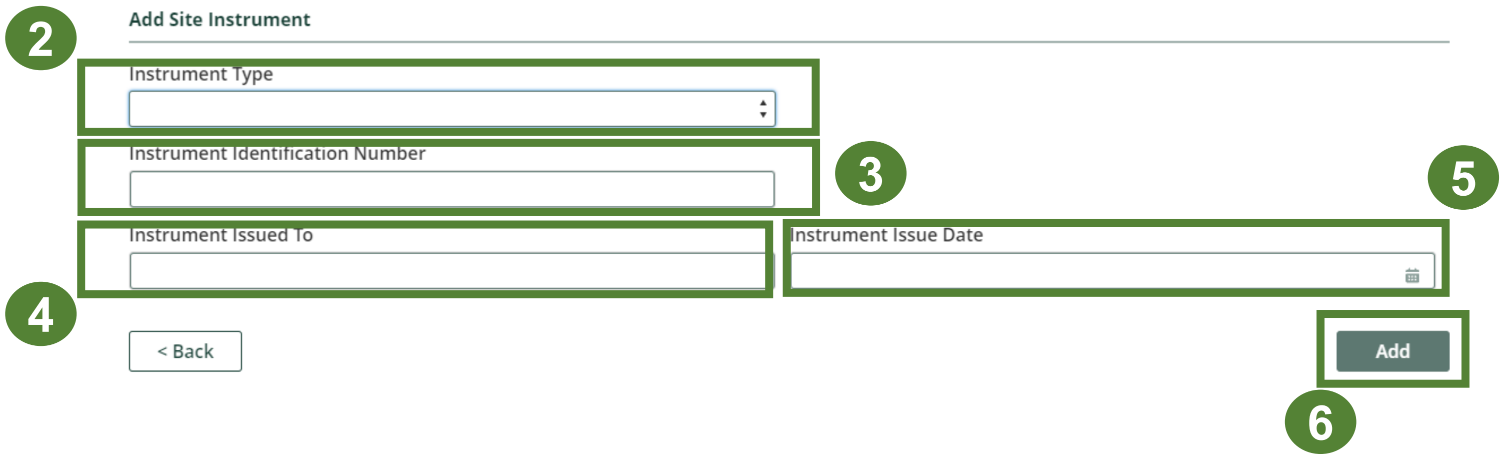
Add Site Instrument Details

To add a site instrument:

1. Click on '**+ Add instrument**'
2. Click '**Instrument Type**' and select the relevant instrument from the drop-down list. Once the instrument type is selected another drop-down box will appear to the right with a list of applicable **issuing authorities** for you to select from
3. Enter the '**Instrument Identification Number**'
4. Enter who the '**Instrument** was **issued to**'
5. Enter the '**Date**' the instrument was issued
6. Click '**Add**'





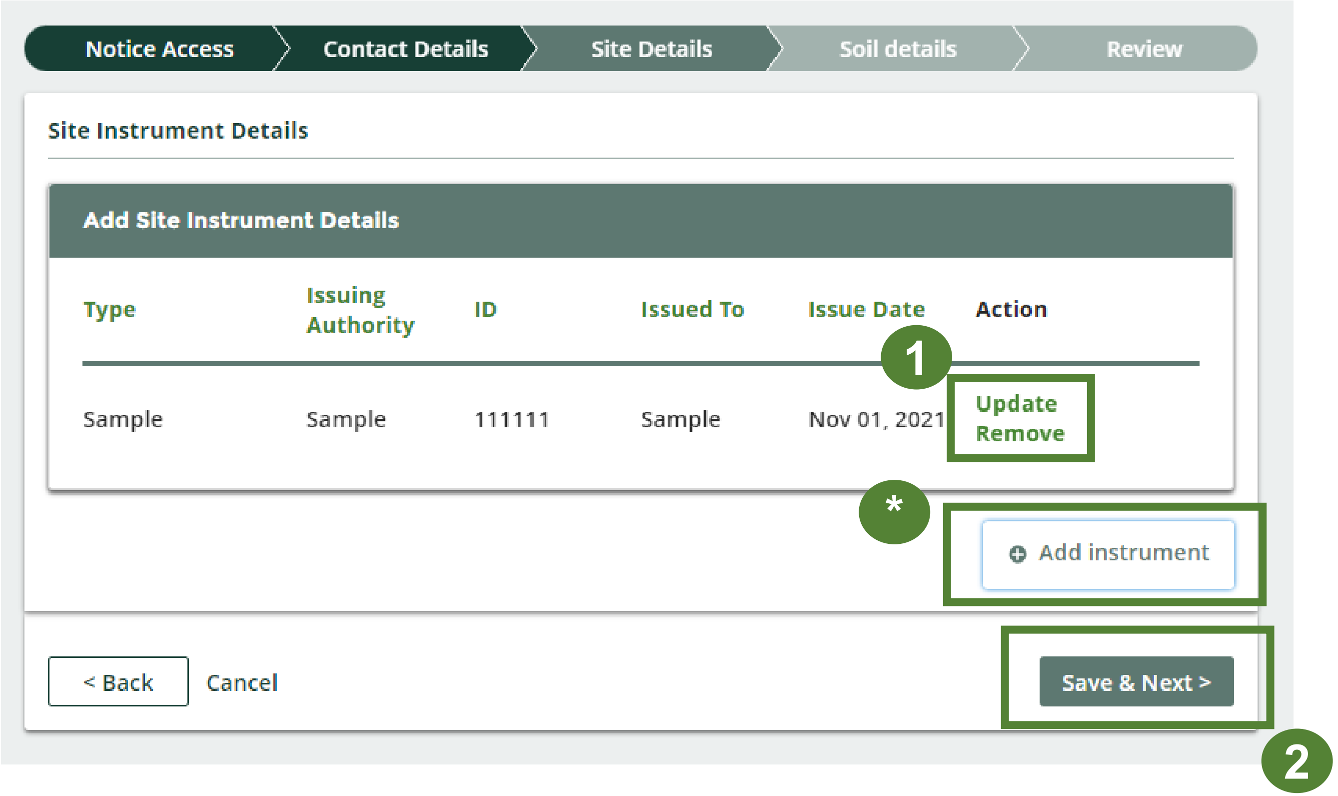
Add Site Instrument Details 2

Once you have added the site instrument details:

1. You can click '**Update/Remove**' if you would like to edit or delete the site instrument details

* If you would like to add another site instrument, click '**+ Add Instrument**'

2. Click '**Save & Next**' to proceed



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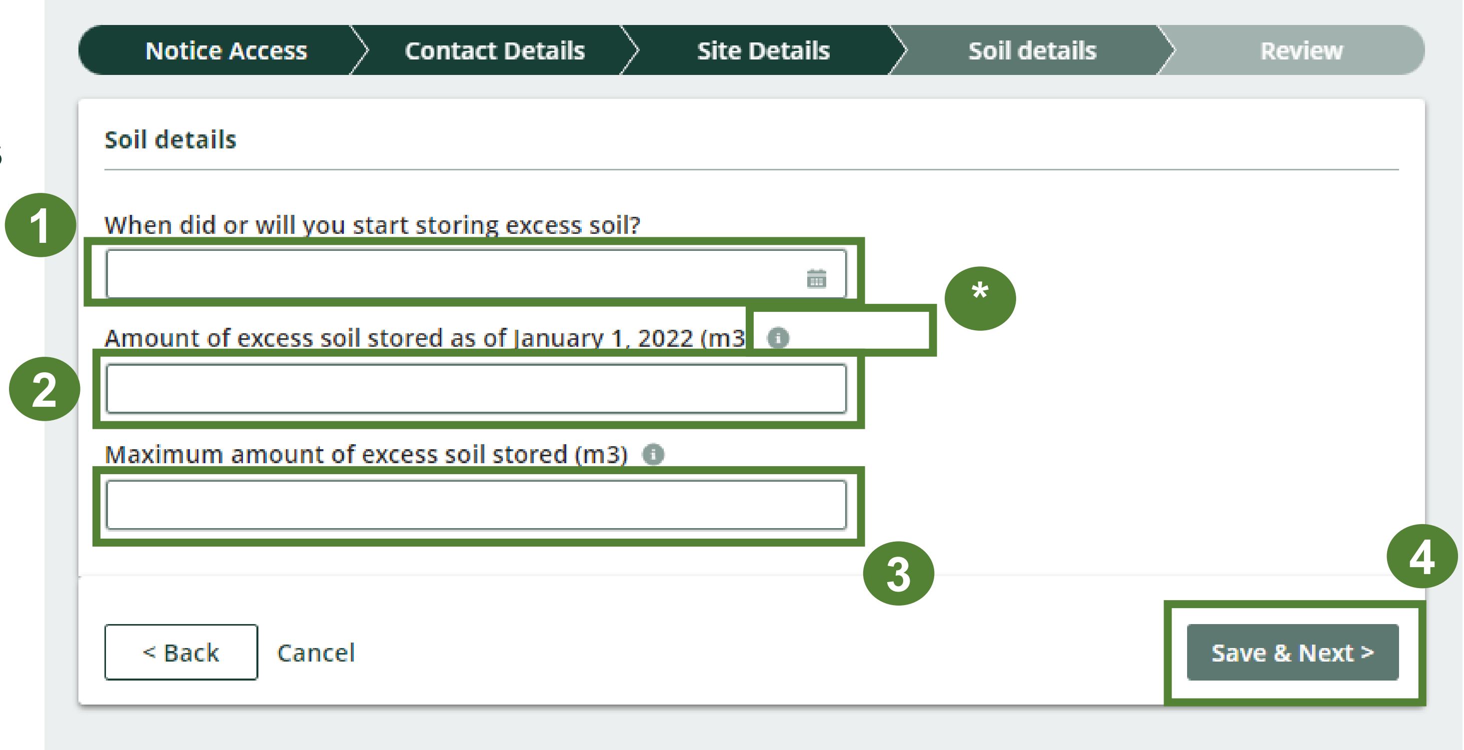
Add Soil Details

To add soil details:

* Click on the 'i' icons for the explanations

1. Enter the approximate date that Excess Soil will be deposited at the site
2. Enter the amount of Excess Soil deposited on site before January 1, 2022
3. Enter the maximum amount of Excess Soil stored on site at any one time
4. Click '**Save & Next**' to proceed



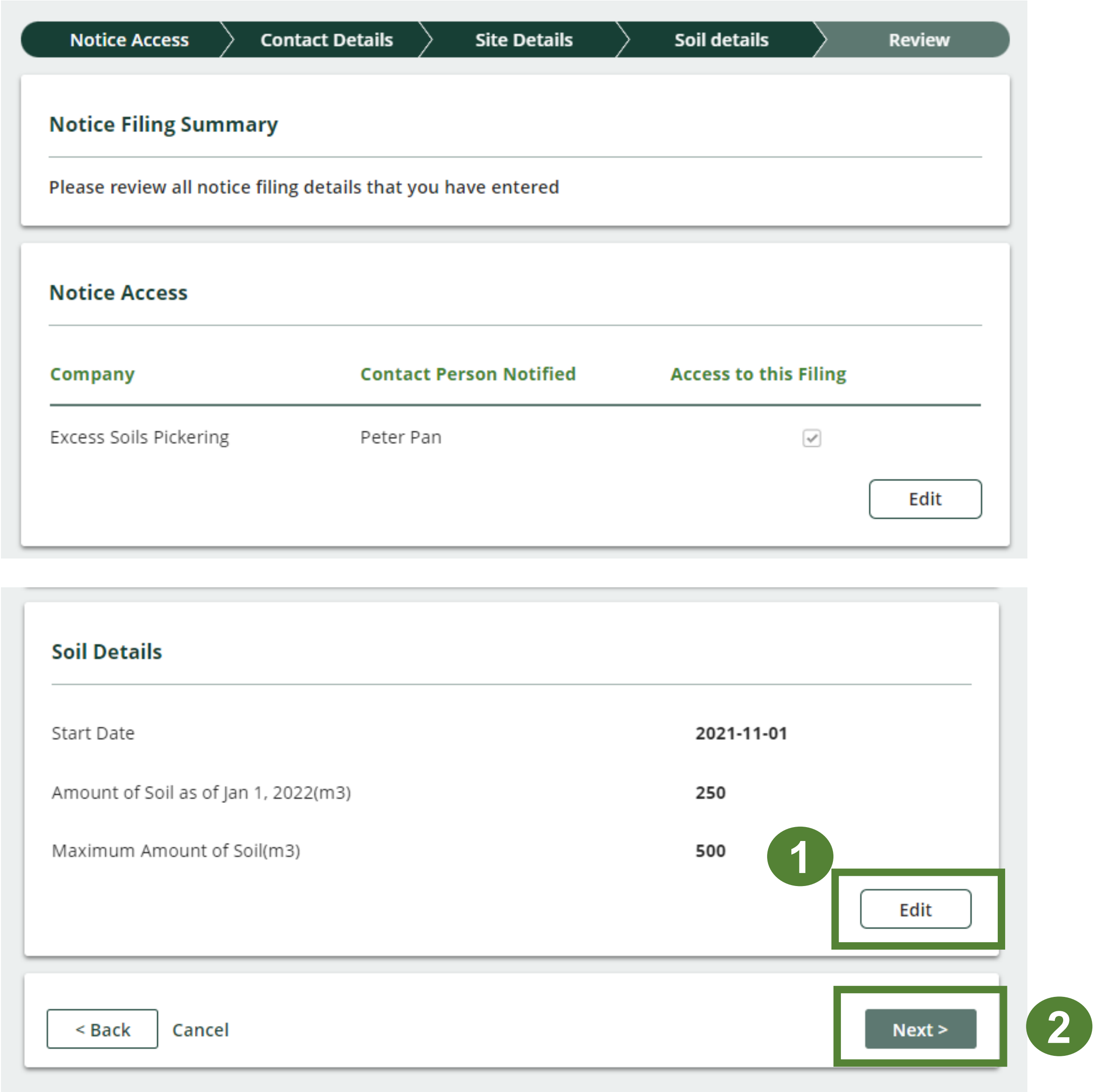
How to review and submit a Notice Filing

Review initial submission of notice filing

In the **Review** tab, you can look over all the information you submitted.

1. Click ‘**Edit**’ under each section to change any of the information you submitted

2. Click ‘**Next**’ to proceed



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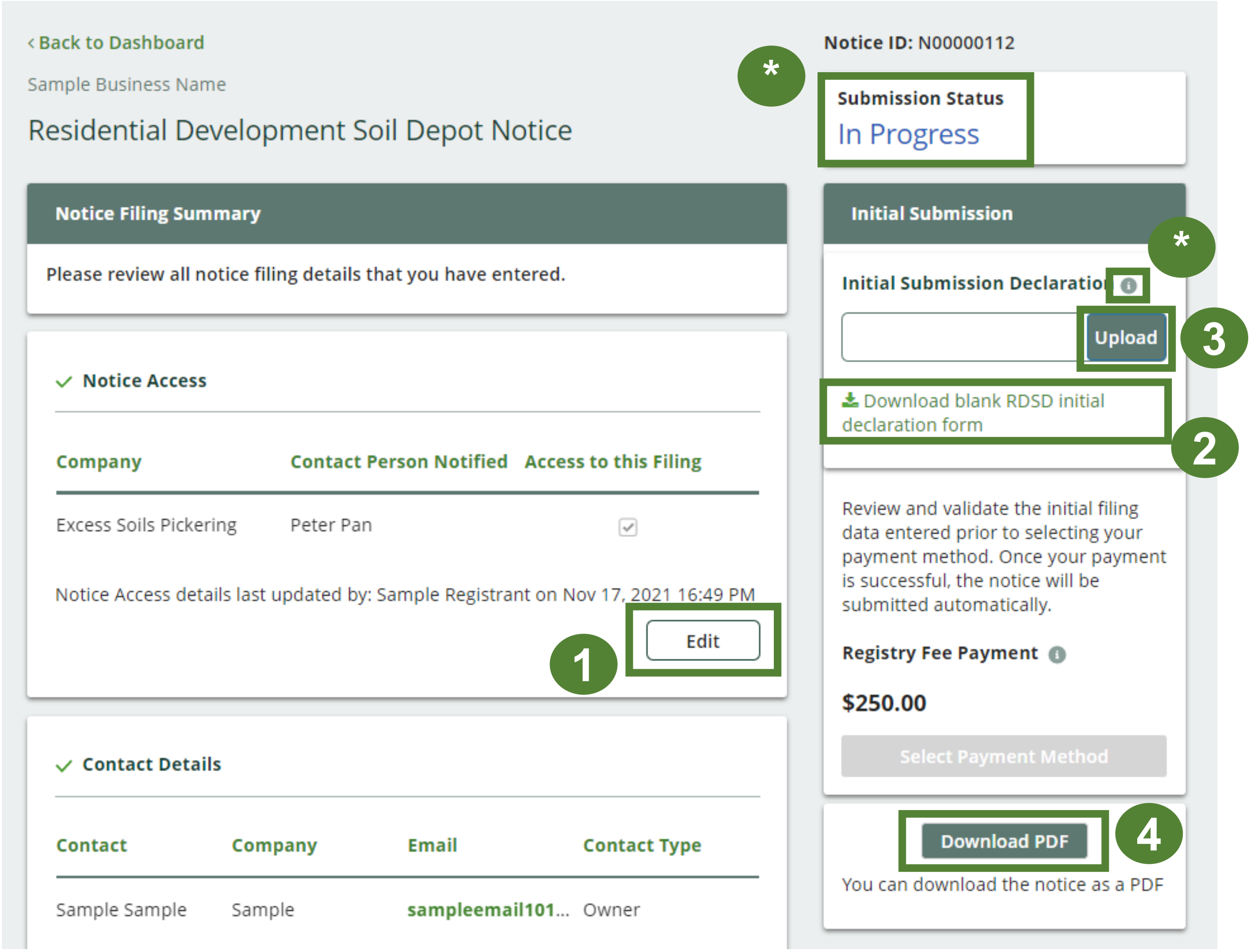
Review initial submission of notice filing 2

* After reviewing the initial submission, the **submission status** will state ‘**In Progress**’.

* Click on the ‘**i**’ icons for explanations

At this stage you can:

1. Click ‘**Edit**’ under each section to change any of the information you submitted
2. Click ‘**Download blank RDSD Initial declaration form**’ to download and fill out the mandatory Initial Submission Declaration.
3. Click ‘**Upload**’ to upload the Declaration form
4. Click ‘**Download PDF**’ to download the notice as a PDF.

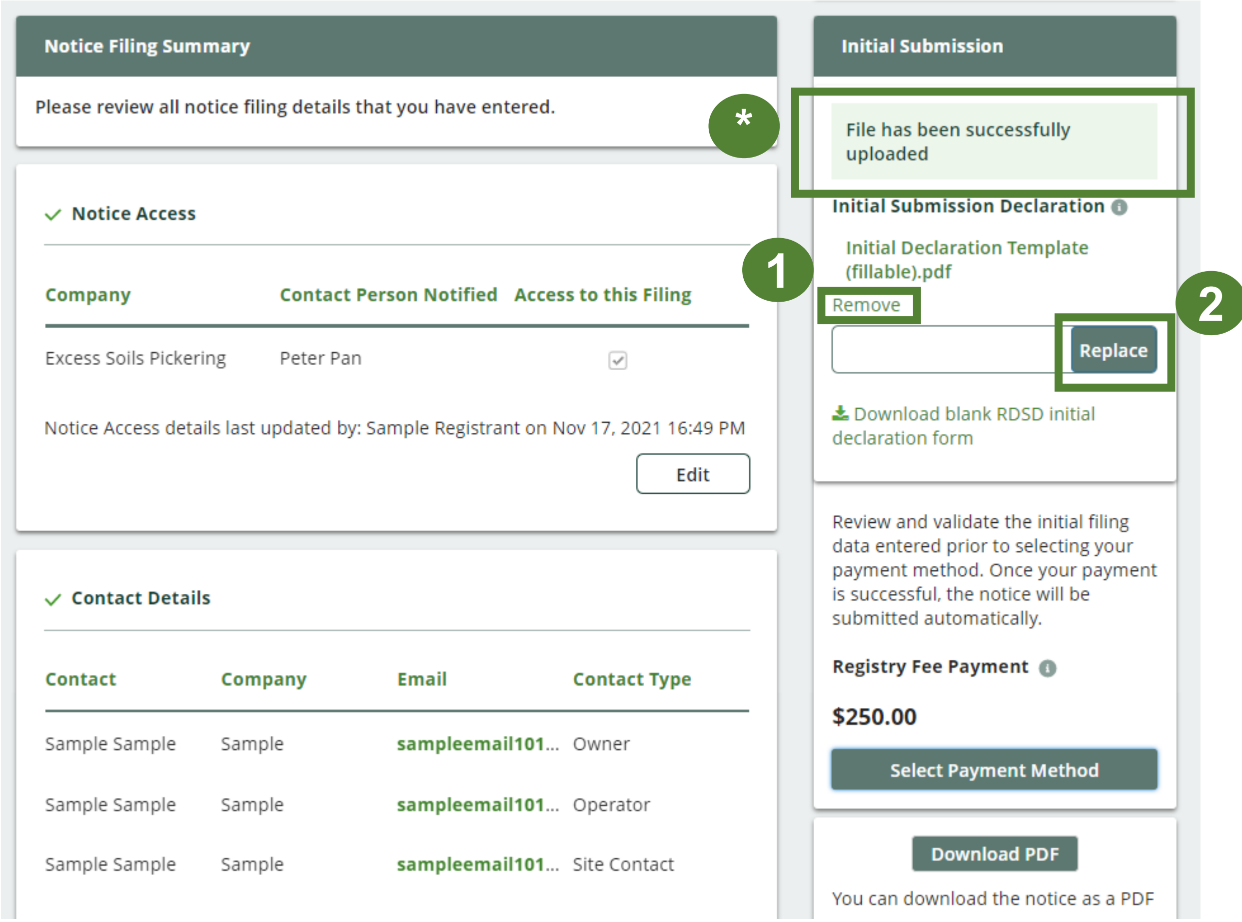


Review initial submission of Notice Filing 3

* Confirmation will appear once the declaration form has been uploaded.

Once you have uploaded the declaration form, you can:

1. Click ‘**Remove**’ to delete the declaration form on your notice filing
2. Click ‘**Replace**’ to upload a different version of the declaration form



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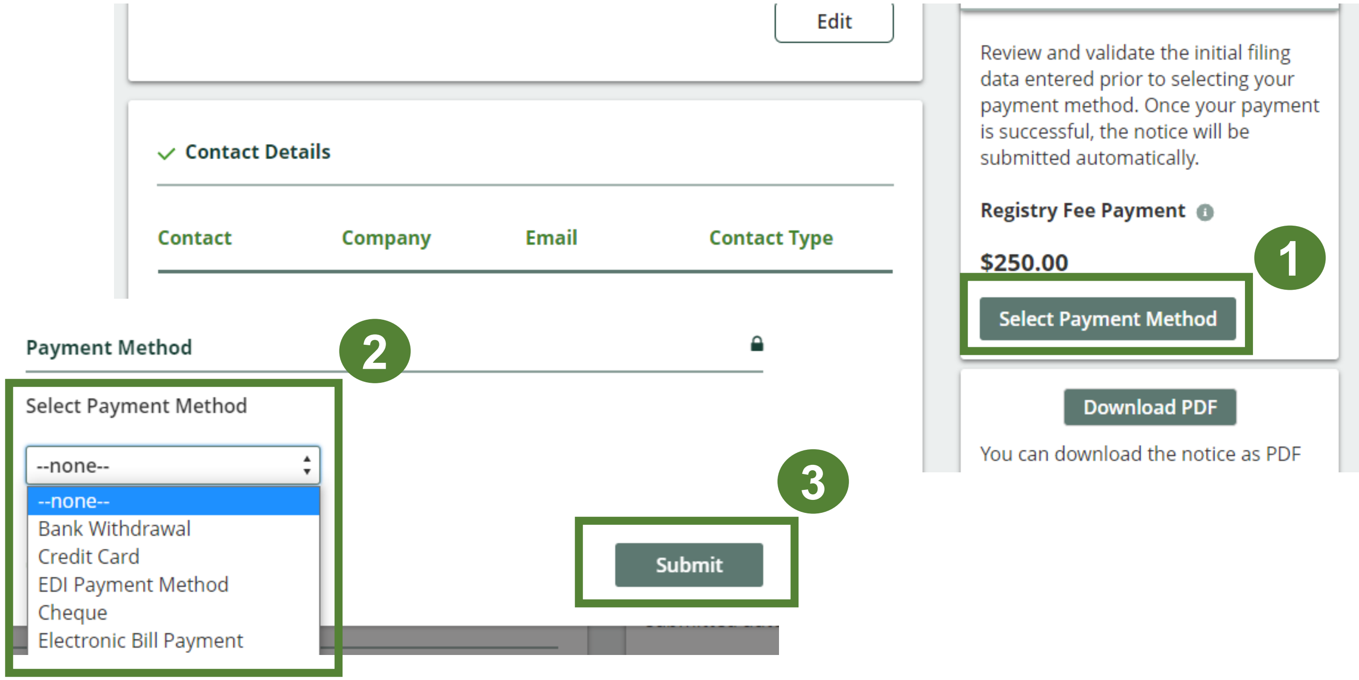
How to submit a Notice Filing

Add payment details

This step can not be completed by a delegate who has been granted access to the notice filing.

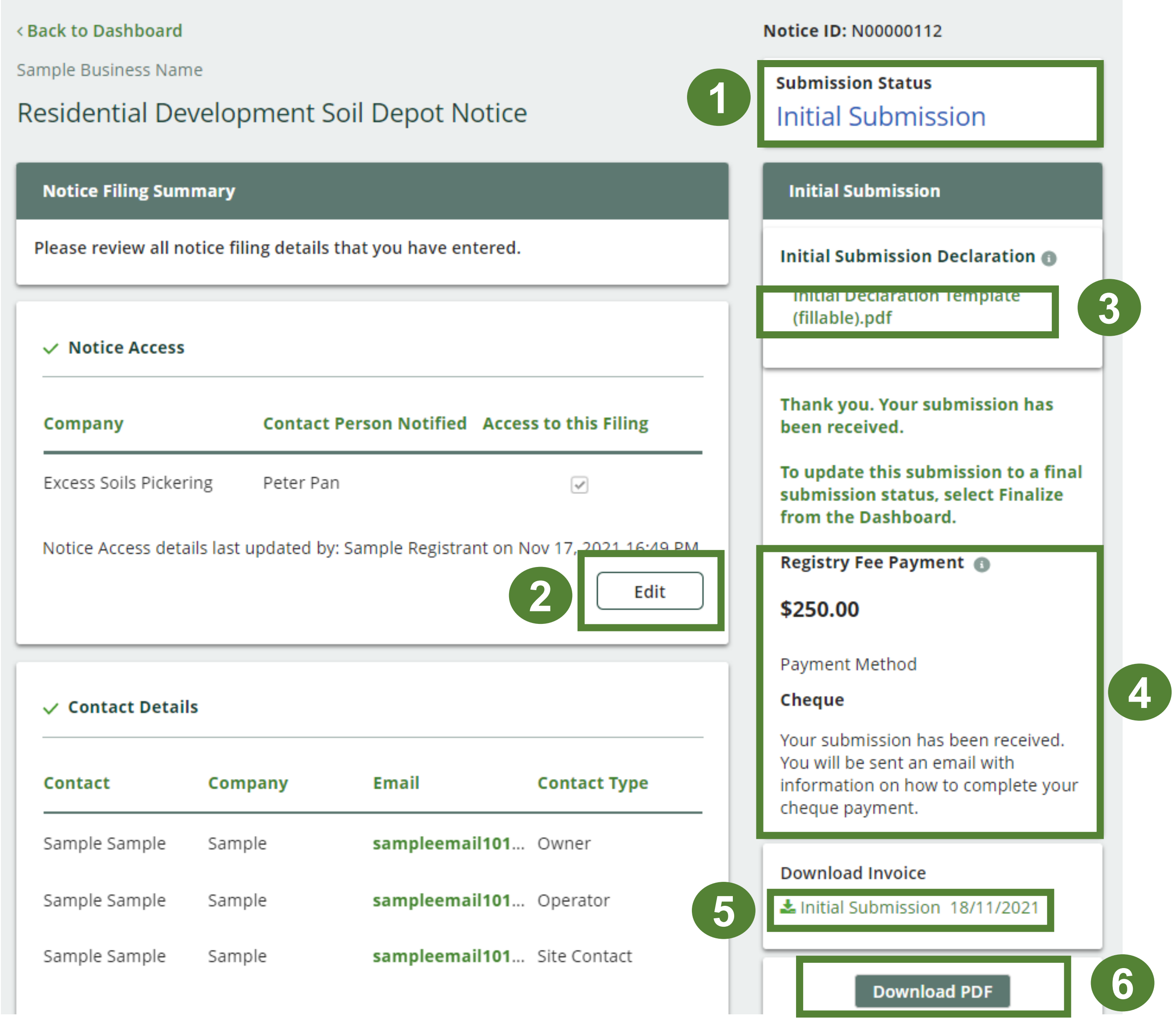
1. Click '**Select Payment Method**' to submit how you will complete the payment.
2. In the pop-up 'Payment Method' screen. Click the arrows, select the relevant payment method and enter the requested details. *You can change your payment method after entering your details should you want to*
3. Click '**Submit**'



Submit initial Notice Filing

Once you have chosen the payment method:

1. The submission status will change to '**Initial Submission**'
2. Click '**Edit**' under each section to change any of the information you submitted
3. Click on the declaration form submitted to download and view it
4. See confirmation of your payment or more details about how to complete your payment
5. Click on '**Initial Submission**' to download the invoice for your notice filing
6. Click '**Download PDF**' to download your notice filing as a PDF



RPRA Resource Productivity & Recovery Authority

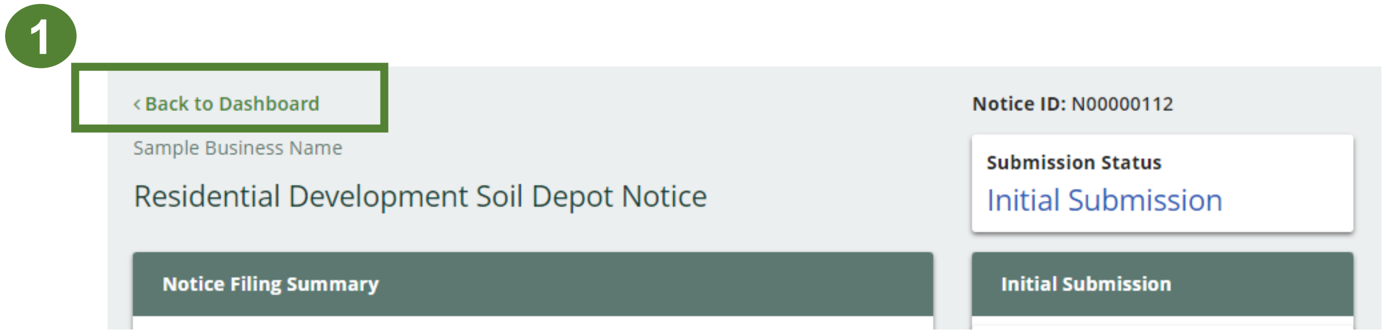
Update a Notice Filing

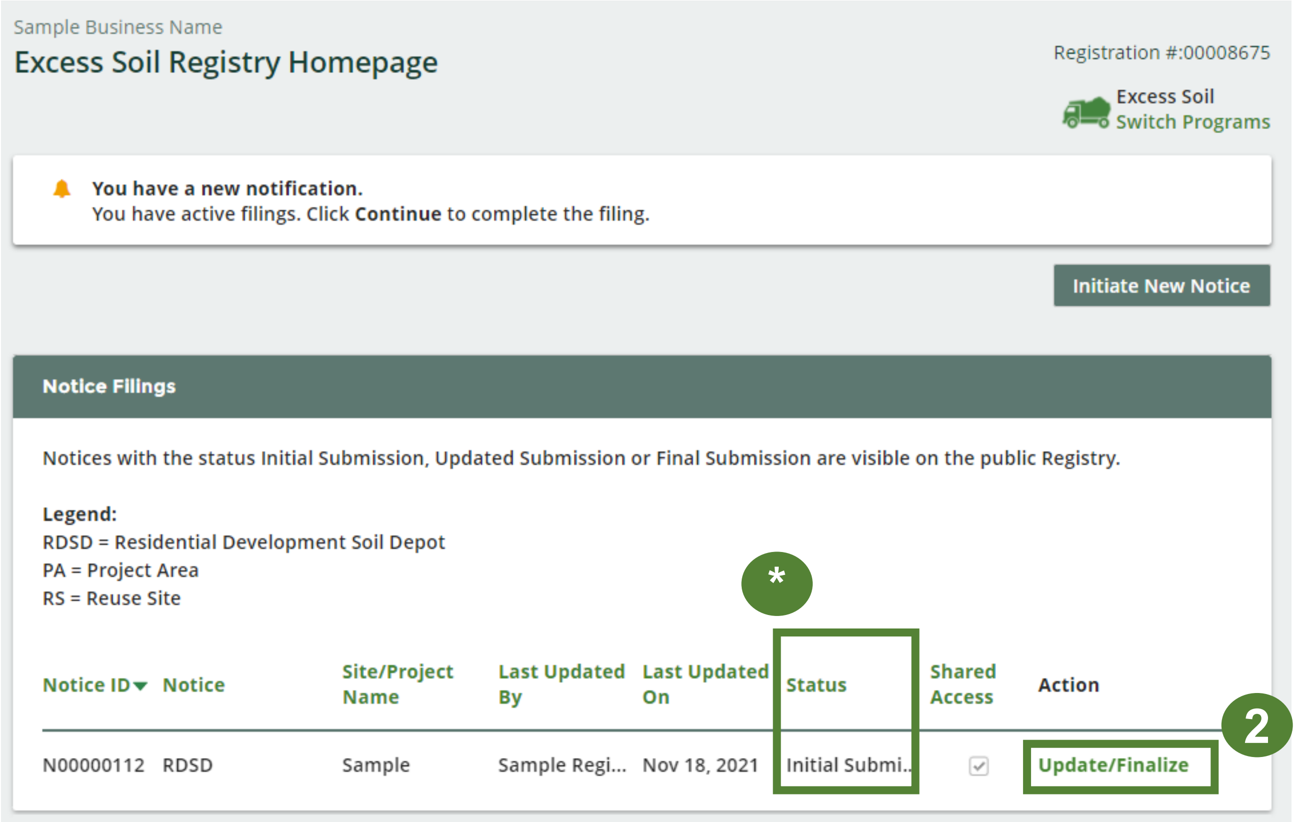
To update a notice filing:

1. Navigate back to the Dashboard from the notice filing

*In the Excess Soils dashboard in the portal, you will see all your notice filings and their status: either as ‘**In Progress**’, ‘**Initial Submission**’, ‘**Updated Submission**’, or ‘**Final Submission**’

2. To update a notice filing that is not yet final, click ‘**Update/Finalize**’



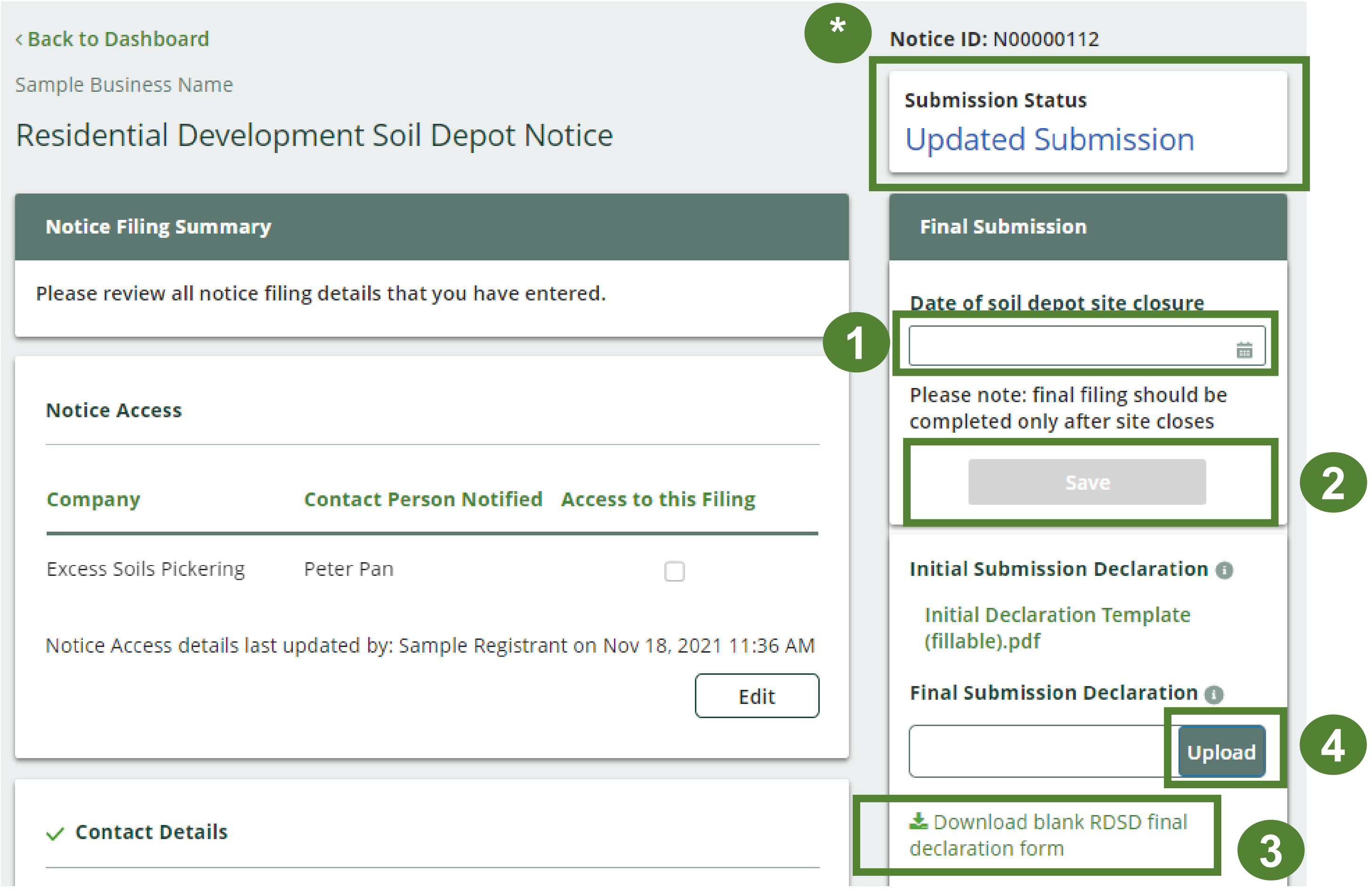


RPRA Resource Productivity & Recovery Authority

Finalize a Notice Filing

* After editing the information in the Initial Submission, the submission status of the notice will change to ‘**Updated Submission**’

1. Click below ‘**Date of soil depot closure**’ to enter the date of the soil depot site closure
2. Click ‘**Save**’ after you enter the date
3. To begin finalizing an updated notice filing, click ‘**Download blank RDSD final declaration form**’ and complete the form
4. Click ‘**Upload**’ to add the completed form to the notice



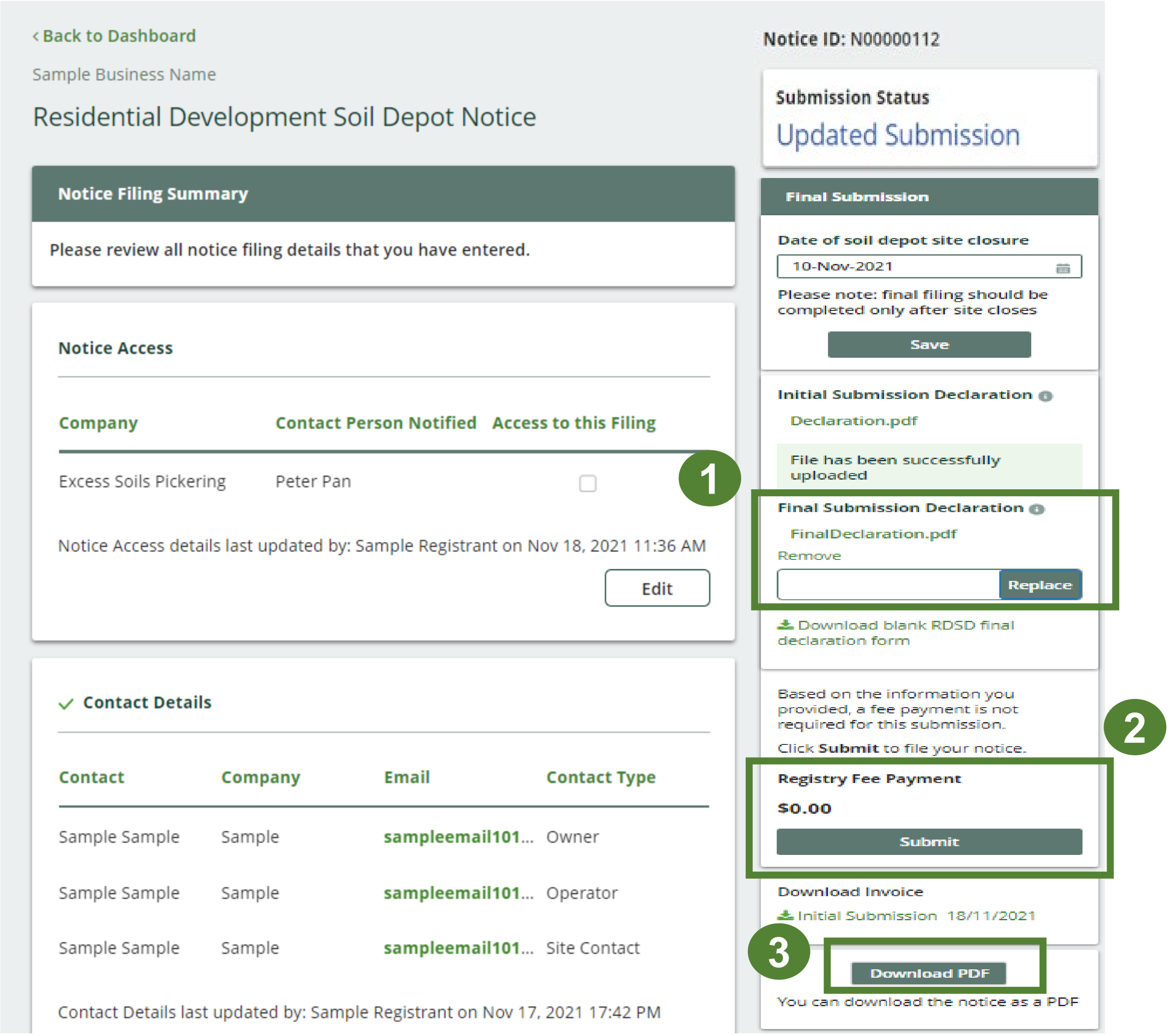
RPRA Resource Productivity & Recovery Authority

Finalize a Notice Filing 2

1. After uploading the Final Declaration form:
   * Click ‘**Replace**’ to replace the form
   * Click ‘**Remove**’ to remove the form

2. Click ‘**Submit**’ to complete submission. You will not be prompted to select a payment method if the registry fee payment is $0 for that step. You will only be able to ‘**Select Payment Method**’ once all the steps listed in this slide and the previous slide are complete. ***This step cannot be completed by a delegate who has been granted access to the notice filing.***

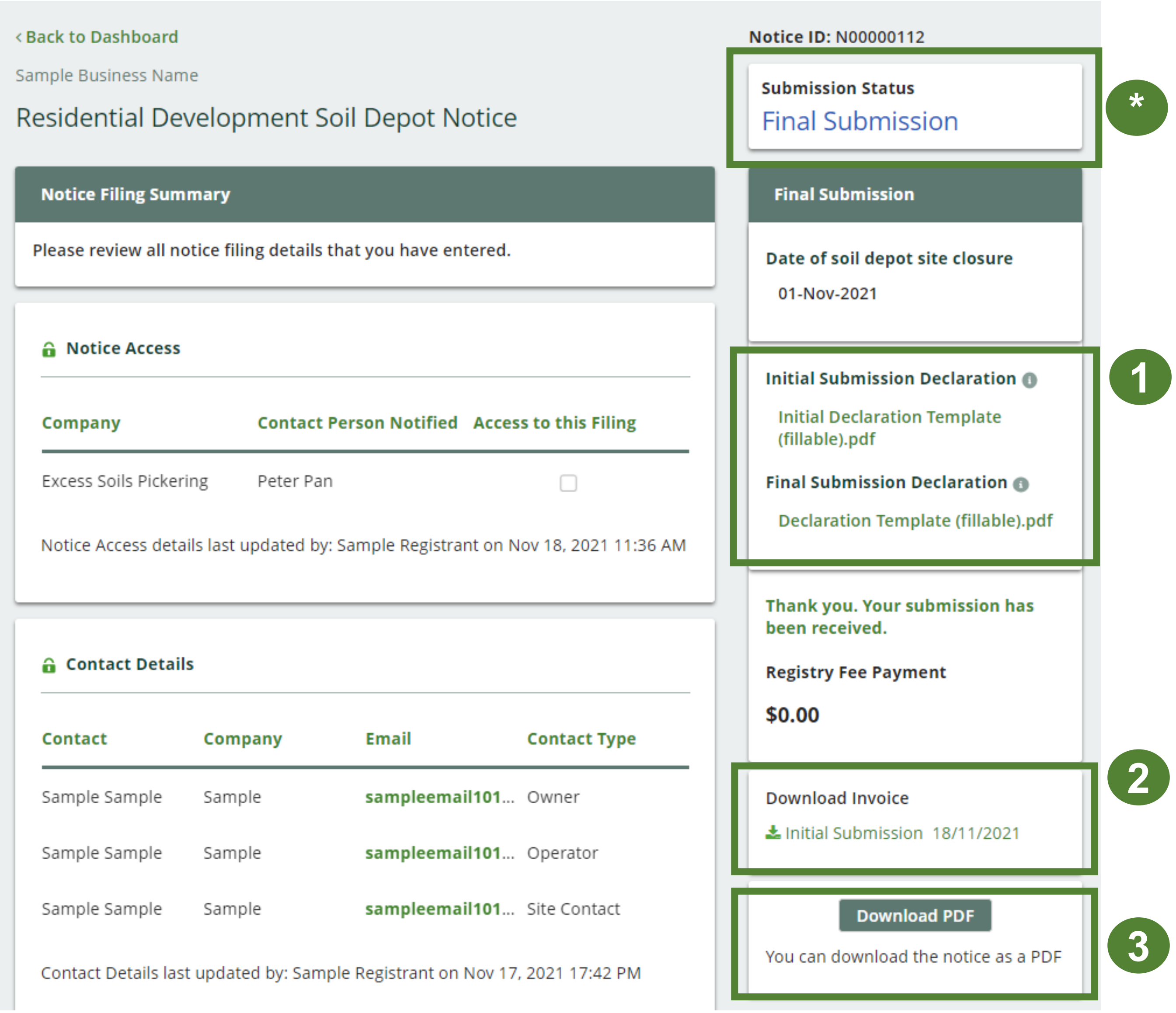
3. Click ‘**Download PDF**’ to download your notice filing as a PDF



Finalize a Notice Filing 3

*After final submission payment is complete, the submission status will change to ‘**Final Submission**’

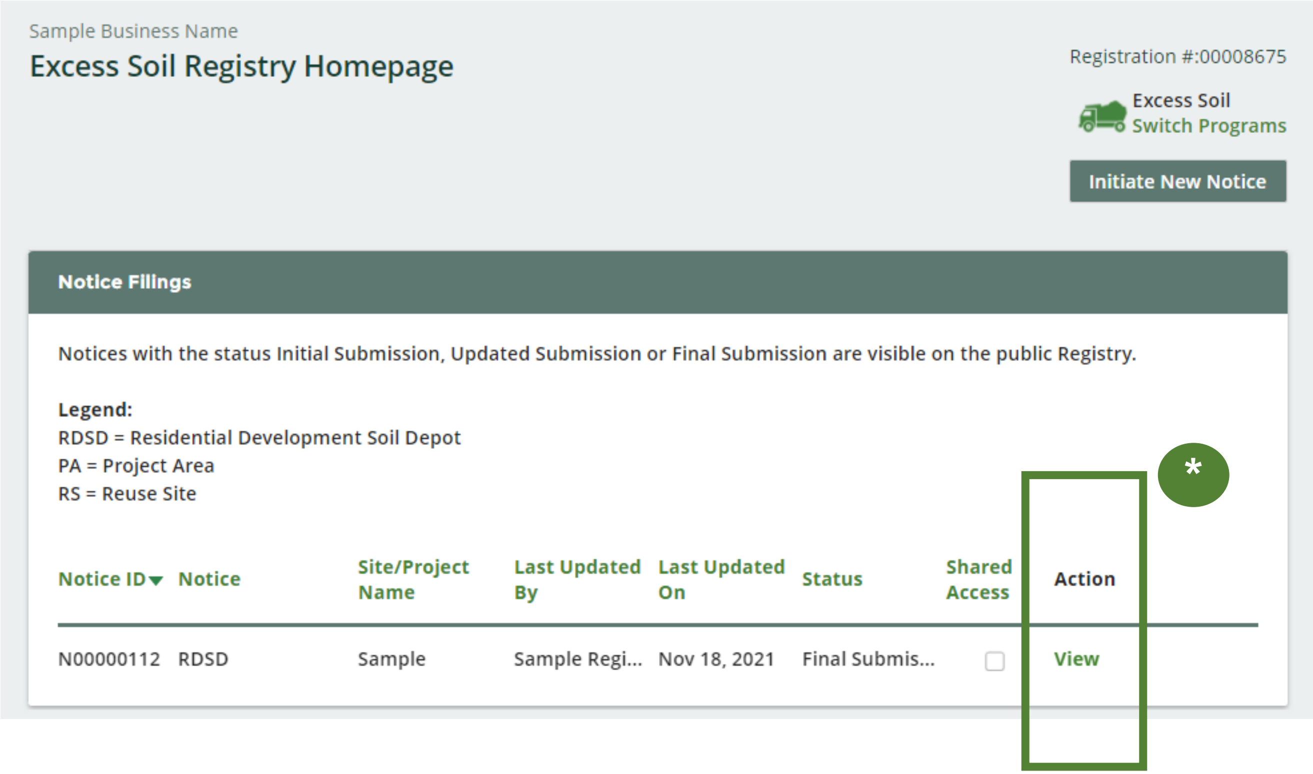
1. Click on the links ‘**Initial Declaration**’ and ‘**Final Declaration**’ to download a copy of both submitted declaration forms
2. Download the invoice by clicking on ‘**Initial Submission**’
3. Click ‘**Download PDF**’ to download a PDF copy of the final notice filling submission



Congratulations! You have successfully completed a Notice Filing!

* Once you have successfully completed all the previous steps and submitted a notice, in the Excess Soil Dashboard/Homepage the ‘**Action**’ for the notice you submitted will update to ‘**View**’

Click ‘**View**’ to see the details of the notice. *You will no longer be able to change the details*



Glossary of terms

Roles and definitions

Project Leader

Description:

- In O. Reg. 406/19, the project leader means, in respect of a project, the person or persons who are ultimately responsible for making decisions relating to the planning and implementation of the project.
- A project leader may, for example, be the owner of a property or a developer of a property that may own or lease the property for the purposes of development.
- In respect of infrastructure projects, often a municipality or other public body ultimately responsible for that infrastructure would be a project leader.
- A project leader may be an employee of a corporation that has the responsibility and authority to bind the corporation
- A contractor is not a project leader, but the person that issues a contract for a project to be undertaken would often be the project leader.

Role in the Registry:

- The project leader is responsible for ensuring that a Project Area Notice is filed, if required.
- The project leader must always complete the required declarations that are a component of the notice being filed.
- A project leader can designate an authorized person to commence, update and file a notice on their behalf, and pay associated fees. However, in this case, the declarations must still be completed by the project leader and the authorized person may facilitate receiving that completed declaration form.
- Within an organization that is the project leader, a person from the organization with signing authority may complete all information, pay fees, and sign any declarations. Alternatively, one person from the organization may fill in information into a notice and submit fees, while another person with signing authority would complete the declarations.

Roles and definitions 2

Owner

Description:

- A person who owns the land, with an interest upon whose credit, behalf, privity or direct benefit an improvement is made to the premises.

Role in the Registry:

- An owner may be a project leader, in which case they will have the same requirements outlined for the project leader.
- For a reuse site or a residential development soil depot, an owner may complete all aspects of the relevant notice.
- They may also authorize another person to complete the notice and submit fees, but the owner or operator will have to complete any declarations related to the notice

Roles and definitions 3

Operator

Description:

- A person who has the charge, management, or control of a site.
- An operator may be an owner of a property, lease a property or be contracted to operate a project area site, reuse site or residential development soil depot.

Role in the Registry:

- For a reuse site or a residential development soil depot, an operator may complete all aspects of the relevant notice.
- They may also authorize another person to complete the notice and submit fees, but the owner or operator will have to complete any declarations related to the notice

Roles and definitions 4

Authorized Person

Description:

- A person who is authorized by the project leader, owner, or operator of a site, to complete a notice filing and pay fees on their behalf.

Role in the Registry:

- The authorized person can initiate a notice in the Registry if permitted to by the project leader, owner, or operator of a site, and can complete all required notice information and pay applicable fees on their behalf.
- The authorized person cannot sign the initial or final declaration form that is required to submit a notice filing.

Roles and definitions 5

Qualified Person

Description:

- QPs under the regulation have the same meaning as section 5 and 6 of Ontario Regulation 153/04 (O. Reg. 153/04).
- Section 5 of O. Reg. 153/04 defines a qualified person as professional engineers and geoscientists – these are the persons under who may oversee or conduct environmental site assessments or complete certifications in a Record of Site Condition. Section 6 of O. Reg. 153/04 sets out the requirements for qualified persons who conduct or oversee a risk assessment
- QPs are often required to prepare documents such as an assessment of past uses, sampling and analysis plans, soil characterization reports, and destination assessment reports as required undersections 11, 12 and 13 of the regulation. These documents inform the components of information listed in Schedule 1.
- Only QPs can develop and apply site-specific Excess Soil quality standards for the reuse site or supervise the development and application by a supervisee. They may do this through a risk assessment, or by using the Beneficial Reuse Assessment Tool (BRAT).

Role in the Registry:

- A QP may be designated as an authorized person by the project leader or by an owner/operator to file a notice to the Excess Soil Registry on their behalf.
- If a QP was retained to prepare the aforementioned documents, the contact details of the QP is required to be provided as part of the Project Area filing. Supporting documentation, reports, and declarations made by the QP are not required to be uploaded to the Registry.
- If a QP was retained to develop site-specific Excess Soil quality standards, the contact details of the QP is required to be provided as part of the Project Area filing and Reuse Site filing, as applicable. Supporting documentation, reports, declarations by the QP, or the site-specific standards are not required to be uploaded to the Registry.

Roles and definitions 6

Site contact

Description:

- A person who can be available on the site to respond to questions or comments about a specific notice filing.

Role in the Registry:

- A site contact may be the project leader, owner, operator, or authorized person, in which case their role in the Registry will be as applicable.
- If the site contact is a separate individual from the above, only their contact information must be provided. They do not need to create an account and complete any information in the Registry.

Roles and definitions 7

Person responsible for the transportation of Excess Soil from a project area

Description:

- This is the person that arranges for and directs the transportation of Excess Soil.
- This is not the operator of a truck.
- This could be an operator of the project area or a person or company contracted to arrange and oversee transportation.
- This person knows the trucks leaving a site and where they are headed on any given day.

Role in the Registry:

- This person does not need to create an account and complete any information in the Registry themselves.
- The contact details of this person must be included in the Registry and must be updated as needed to ensure that the appropriate person is listed who can answer questions on soil transportation from a site.

Roles and definitions 8

Peer reviewer

Description:

- A peer review professional may assess any actions or information required by the regulation for a project area or may complete a certification process for the actions or information.

Role in the Registry:

- A peer reviewer or person who completed a certification process does not need to have an account or complete any information in the Registry themselves.
- Their contact information and a description of the process will be required to be entered for a Project Area filing.

Roles and definitions 9

Notice access

Description:

- A project leader, owner, operator, or authorized person can provide another company access to a notice to support the completion of the fields within it.

Role in the Registry:

- Providing access to another company to a notice filing, authorizes that company to view and edit all notice filing fields, but that company cannot make a fee payment or submit the notice.
- If the company does exist in the dropdown list when searched, the company is encouraged to register in the Excess Soils Registry.

Providing a company with notice access is not required.

FAQs

What is Excess Soil?

Excess Soil is soil that has been dug up, typically during construction and excavation activities. It must be moved off-site because it can't or won't be reused at the development site.

What is the Excess Soil Regulation?

In December 2019, the Ministry of the Environment, Conservation and Parks (the ministry) released a regulation under the *Environmental Protection Act*, titled "On-Site and Excess Soil Management" (the regulation) to support improved management of Excess Soil.

This regulation supports proper management of Excess Soils, ensuring valuable resources don't go to waste and to provide clear rules on managing and reusing Excess Soil. Risk-based standards referenced by this regulation help to facilitate local beneficial reuse promote reduction of greenhouse gas emissions from soil transportation, while ensuring strong protection of human health and the environment. The risk-based standards can be found in the document adopted by reference under this regulation, Rules for Soil Management and Excess Soil Quality Standards.

FAQs 2

Where can I find information about the regulation?

The ministry is responsible for policy and programs related to Excess Soil and will conduct compliance and enforcement activities under the regulation. More information about the regulation is available on the ministry's Excess Soil webpage.

Who do I contact about the regulation?

For questions related to the regulation, please email the ministry at MECP.LandPolicy@ontario.ca

For site-specific questions related to Excess Soil movement, please contact the ministry's local district office. To find an office, please use the District Locator.

FAQs 3

What is the Excess Soil Registry?

The Excess Soil Registry is a record of Excess Soil generation and movement established and maintained by the Authority to:

- enable regulated persons to comply with registration and notice filing requirements outlined in the regulation;
- enable the ministry access to notice filings and associated data; and
- enable public access to the information contained in notice filings.

Project Leaders, Reuse Site Owners or Operators, and Residential Development Soil Depot Operators, as defined in the Excess Soil Regulation, are required to ensure notices are filed to the Excess Soil Registry for certain Project Areas (where Excess Soil is generated), Reuse Sites (where Excess Soil is deposited), and Residential Development Soil Depot sites (where Excess Soil is temporarily placed).

FAQs 4

Where can I find information about the Registry?

Information about the Registry including project progress, upcoming events and learning opportunities, and key dates are available on the Authority's Excess Soil Registry webpage.

Who do I contact about the Registry?

Please direct all questions related to the Registry to RPRA via excesssoilRegistry@rpra.ca

Notice filing requirements

Who needs to file notices?

As required under the regulation, Project Leaders, Owners and site Operators are required to use the Excess Soil Registry to file notices for certain Project Areas, Reuse Sites, and Residential Development Soil Depot sites where Excess Soil is generated, transported, temporarily placed, and deposited.

Project Leaders, Owners and site Operators can also assign an Authorized Person to file a notice and pay fees in the Registry on their behalf.

Notice filing requirements 2

<u>When will I need to file a notice and what do I need to do?</u>

The regulation requires notices to be filed for three types of activities:

1. **<u>Notice filings regarding Excess Soil from Project Areas</u>** can be made by a Project Leader or Authorized Person and may require retaining a Qualified Person. These notices will be required from **January 1st, 2022**, before soil that will become Excess Soil is removed from the Project Area.

There will be two fillings for each notice:

A. An initial filing before the soil is removed which will require the following information to be provided:

   i. a description of the project and Project Area including the location of each property within the Project Area

   ii. the contact information of the Project Leader, Operator or Authorized Person and the person responsible for transportation, and if applicable, the Qualified Person

   iii. an estimated amount of the soil that will be generated broken down by quality standard

Notice filing requirements 3

When will I need to file a notice and what do I need to do? (Project Areas continued)

iv) a list of substances/materials that were added to the soil
v) the location of temporary or final sites that the soil will be transported to
vi) details of the reuse site(s) where the soil will be moved to
vii) information on any peer review or certification processes if applicable
viii) and a declaration by the Project Leader.

Exceptions

The Project Leader, Operator or Authorized Person may file a notice after soil that will become Excess Soil has been removed from the Project Area if:

i. conducting the required sampling and analysis at the Project Area is impractical
ii. the soil is removed from the Project Area and delivered to a temporary site to conduct the required sampling, and
iii. the Project Leader, Operator or Authorized Person makes sure the required sampling is conducted as soon as the soil is delivered to the temporary site

Notice filing requirements 4

When will I need to file a notice and what do I need to do? (Project Areas continued)

If soil is removed before a notice is filed in the Registry, the Project Leader, Operator, or Authorized Person is required to ensure that the notice is filed in the Registry before the soil that has become

Excess Soil is transported from the temporary site to the final site.
More information about when this type of notice filing is not required can be found under Schedule 2 of the regulation.

The Project Leader or Authorized Person is required to update notice filings that are no longer complete or accurate within 30 days after the day the person becomes aware that the information is no longer complete or accurate.

Notice filing requirements 5

2. Notice filings for Residential Development Soil Depots can be made by an Owner, Operator, or Authorized Person. This notice will be required before Excess Soil is deposited on a Residential Development Soil Depot site if the depot commences operation on or after **January 1, 2022**, or if the depot was already in operation when the requirement to file a notice comes into effect, the notice should be filed ahead of **January 1, 2022**.

The Owner or Operator of the Residential Development Soil Depot must ensure that the quality of the Excess Soil accepted and managed at the depot meets the applicable Excess Soil quality standards set out in the regulation.

There will be two filings for each notice:

A. An initial filing before the soil is received which will require the following information to be provided:

   i. the site location

   ii. the contact information of the site Owner and Operator

Notice filing requirements 6

When will I need to file a notice and what do I need to do? (Residential Development Soil Depots continued)

iv. the estimated amount of soil (including inventory on-site)

v. the site instrument identification

vi. and a declaration by the Owner or Operator.

B. A final filling within 90 days of the depot closing indicating the date when the depot ceased operations, and a declaration by the Owner or Operator.

Notice filing requirements 7

When will I need to file a notice and what do I need to do? (Reuse Sites)

3. Notice filings regarding Reuse Sites can be made by a site Owner, Operator, or an Authorized Person. These will be required from **January 1st, 2022**, and apply to a Reuse Site that expects at least 10,000 m3 of Excess Soil to be deposited after **January 1st, 2022** (including Reuse Sites that were in operation before that date)

There will be two filings for each notice:

A. An initial filing before the Excess Soil is deposited which will require the following information to be provided:

   i. the site location/property type

   ii. the contact information of the site Owner and Operator

   iii. a description of the undertaking

   iv. iv. the applicable Excess Soil quality standards for the site

Notice filing requirements 8

When will I need to file a notice and what do I need to do? (Reuse Sites continued)

v. the estimated dates when the first and last soil load will be deposited
vi. the site instrument identification
vii. and a declaration by the Owner or Operator.

B. A final notice filing within 30 days after the final load of Excess Soil has been deposited at the Reuse Site which will require the following information:

i. confirmation that all Excess Soil that will be reused for a beneficial purpose has been deposited at the reuse site
ii. the total amount of Excess Soil that was deposited
iii. the date the final load of Excess Soil was deposited
iv. and a declaration by the Owner or Operator

The Owner or Operator is required to update notice filings that are no longer complete or accurate within 30 days after the day the person becomes aware that the information is no longer complete or accurate.

Exemptions: Reuse Sites that are part of infrastructure projects are not required to file notices.

Fees

Why do I need to pay fees to use the Registry?

Registry fees cover the costs for the Registry development, deployment and ongoing support to Registry users. As an administrative authority of the Government of Ontario, the Authority does not receive any government funding and operates solely on a cost-recovery basis.

Is there an annual fee?

No. There is a fee associated with each initial filing of a notice, whether it's a Project Area notice, Reuse Site notice, or residential soil depot notice. For Project Area and reuse area notices, there may be a fee charged at the final filing (close-out), depending on whether the volume of soil generated or accepted has increased from what was reported in the initial notice filing.

When are fees charged?

Fees are charged upon completion of the initial filing of the notice. For Project Area and reuse area notices, there may be a fee charged at the final filing (close-out), depending on whether the volume of soil generated or accepted has increased from what was reported in the initial notice filing. There are no fees associated with updates to notices.

Fees 2

How are fees calculated?

Fees associated with Project Area notices are calculated at a variable rate based on the volume of soil being moved. Flat fees will be applied to Project Area notices for soil volumes below and above certain thresholds.

Fees associated with Reuse Site notices are tiered, with increasing flat fees applied according to the volume of soil being accepted at the reuse site.

There is one flat fee associated with residential soil depot notices.

Fees will be consulted upon annually as required by the RRCEA.

More information about the Excess Soil Registry fees is available here: https://rpra.ca/consultations/current-consultations/proposed-2022-registry-fees-for-excess-soil/