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November 8, 2022

Reema Kureishy  
Land Use Policy, Environmental Policy Branch  
40 St. Clair Ave West  
10th floor  
Toronto, ON  
M4V 1M2

**Re: ERO posting 019-6240, Amendments to Certain Requirements under the Excess Soil Regulation**

Dear Ms. Kureishy,

Professional Geoscientists Ontario (PGO) serves and protects the public by regulating geoscience practice in the province. As regulated professionals, Professional Geoscientists regard public safety and welfare as their paramount duty. Part of exercising that duty is a clear understanding of legislation and related regulations governing their practice. The ongoing roll-out of Ontario Regulation 406/19 (On-site and excess soil management) will require that qualified persons be able to implement all parts of the regulation, including nuanced aspects that may require clarification and guidance.

Concerns have been raised within the PGO Environmental Geoscience Subcommittee to the PGO regarding the training and communication provided to date, and resources available to qualified persons with respect to the interpretation and implementation of O.Reg.406/19. To address the concerns raised, PGO suggests that Ministry of the Environment, Conservation and Parks (MECP) consider two educational steps as part of the implementation of the proposed amendments:

(1) Create a Resource Committee that can field inquiries from qualified persons and municipalities. This type of central resource would help ensure that responses to inquiries are not only informed but also consistent. A similar approach was adopted when Regulation 153/04 (the Record of Site Condition regulation) was implemented in 2011.

(2) Provide current training and question/answer sessions, similar to the training that was offered to qualified persons and municipalities at the Ministry's Resources Road facility in January 2020.

PGO applauds the educational efforts that MECP has undertaken to date such as the webinar session it held in the spring to inform about the implementation pause of January 1, 2022 requirements in O. Reg. 406/19: On Site and Excess Soil Management.


We are also aware that MECP partnered with Ontario's Environment Industry Association to deliver a virtual training series in environmental permissions, which were made available to ONEIA members and non-members with associated fees.

PGO has worked with MECP in the past to deliver various information sessions on a number of topics that were important to our registrants. PGO also helped and continues to disseminate MECP outreach events and important notices via its weekly e-newsletter, Field Notes. We welcome the opportunity to help facilitate outreach and educational opportunities to ensure that our registrants are provided with sufficient guidance in the implementation of O.Reg. 406/19. Please don't hesitate to contact Tony Andrews, CEO at [ceo@pgo.ca](mailto:ceo@pgo.ca) to discuss any opportunity for collaboration in this area.

Sincerely,



Simon Gautrey, P.Geo., FGC  
Chair, Environmental Geoscience Subcommittee



Melanie Siewert, P.Geo. (Limited)  
PGO President

CC: Tony Andrews, CEO, Professional Geoscientists Ontario