

New Regulations for Soil Relocation in B.C.



Ministry of
Environment and
Climate Change Strategy



Notable Changes Effective **March 1, 2023**

- ✓ Soil relocation notification process
- ✓ Soil sampling requirements
- ✓ Registration of high-volume receiving sites

SOIL RELOCATION

The soil relocation process is a series of legal provisions in the *Environmental Management Act* and *Contaminated Sites Regulation* that ensure non-waste quality soil is characterized before it is relocated to receiving sites for beneficial re-use. The process includes provisions for notification and for registration of high-volume receiving sites.

Subject to any applicable exemptions, notification is required when non-waste quality soil is relocated from sites with a history of specific industrial or commercial use (CSR Schedule 2 use).

THE NEW SOIL RELOCATION PROCESS

New soil relocation requirements aim to ensure that relocated soil does not inadvertently contaminate receiving sites and increase risk to human health and the environment.

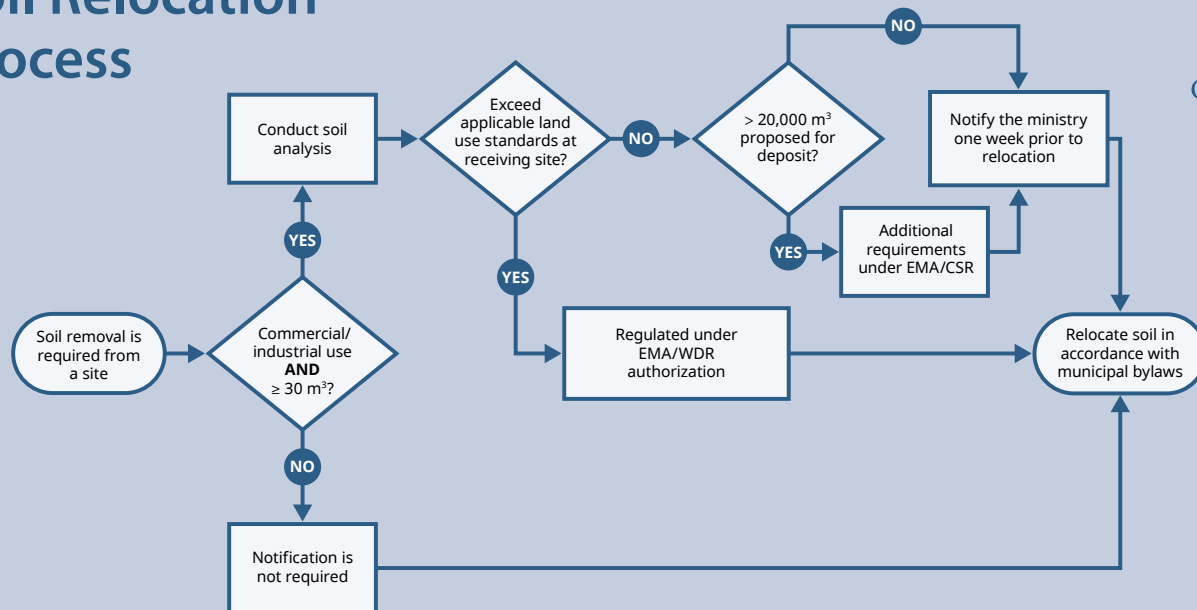
The new soil relocation regulatory process will enable greater ministry oversight and increase transparency for all.

Ministry procedures for compliance verification and enforcement are also being implemented.



The information in this factsheet should be read in conjunction with the Environmental Management Act (section 55) and the Contaminated Sites Regulation (Part 8, Schedule 8, and Schedule 8.1).

Soil Relocation Process



WHAT IS REQUIRED IF RELOCATING SOIL FROM CONTAMINATED SITES REGULATION SCHEDULE 2 SITES?

If a person intends to relocate 30 m³ or more of soil from a site where a Schedule 2 industrial or commercial use occurred, they must first:

- ▶ Analyze the soil to determine if it is non-waste quality in relation to the receiving site; and
- ▶ Submit a soil relocation notification form through an online system.

Evaluation of soil sampling results must be conducted by a qualified professional and the notification form must be signed by a qualified professional.

Requirements for soil relocation do not apply when:

- ▶ the receiving site is outside of B.C.;
- ▶ the receiving site is on federal land, other than a reserve;
- ▶ quarry material has been extracted under a *Mines Act* permit and is transported directly to a receiving site;
- ▶ pre-load soil originates from non-Schedule 2 use site;
- ▶ the soil is winter maintenance sand; and
- ▶ the total volume is less than 30 m³ for the same project over two years (this exemption does not apply to source sites that are high-risk sites).

HIGH-VOLUME SITES

Sites that receive more than 20,000 m³ of non-waste quality soil are called high-volume receiving sites. Owners of these sites must register the site by submitting a High Volume Receiving Site Registration Form.

Owners must also implement a soil management plan developed by a qualified professional and signed by an approved professional. The soil management plan must be followed through closure. As well, soil containing organic substances must not be relocated within 10 metres of a water body.

The high-volume site requirements do not apply when the soil being relocated is:

- ▶ Low impact soil (residential, urban park, agricultural or wildlands soil qualities); and
- ▶ For the purpose of constructing or maintaining linear infrastructure including a highway, transit system, pipeline, sewage collection system, drainage collection system that is below ground, water distribution system, electricity transmission or distribution system, telecommunications line or tower, right of way required for infrastructure, or a dike or other structure constructed to prevent flooding or erosion.

SOIL RELOCATION INFORMATION SYSTEM

A Soil Relocation Information System allows Indigenous Peoples, local governments and other interested parties to access information on soil relocation.