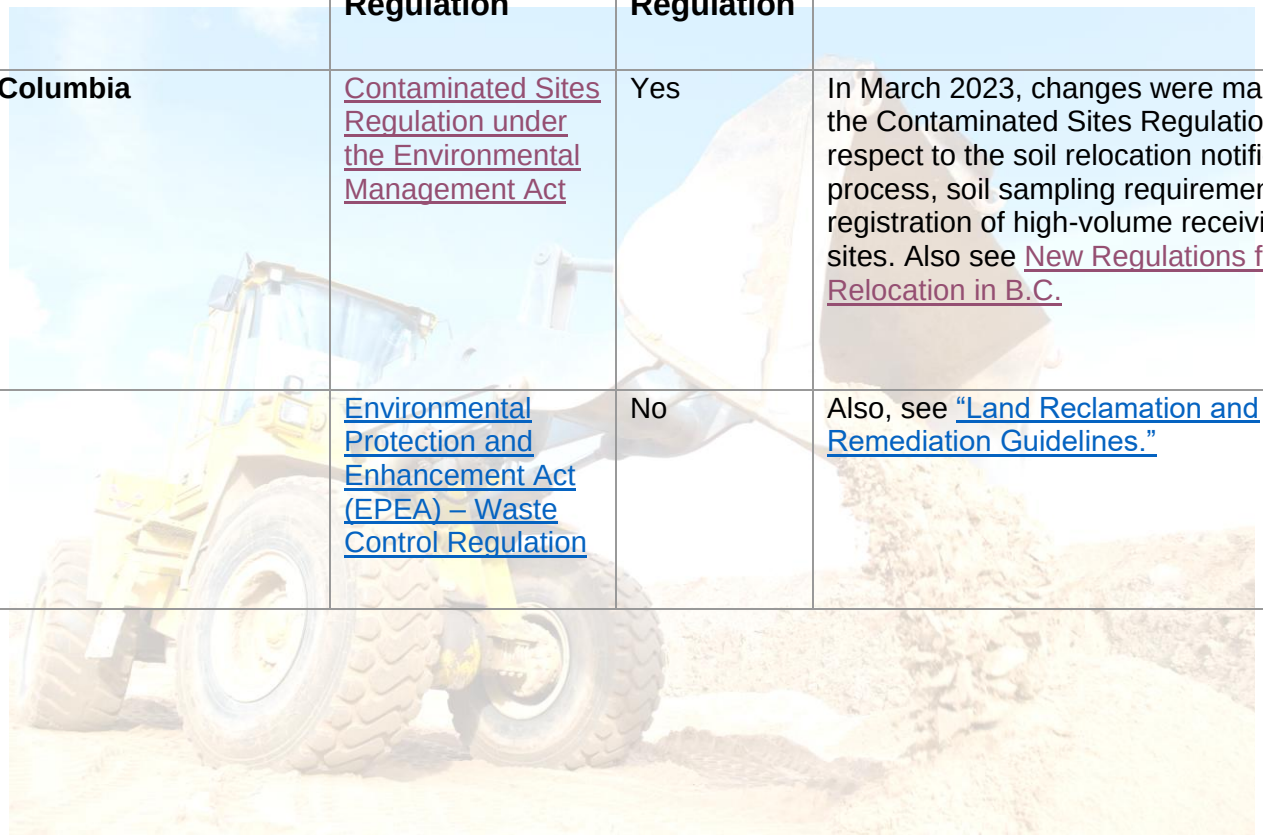
Excess Soil Requirements by Canadian Province

This is a summary of excess soil regulations by province. At the time of this writing (July 2025), only three provinces have specific excess soil regulations. Some provinces have guidance regarding excess soil, and some provinces and territories have no regulation or guidance on excess soil.

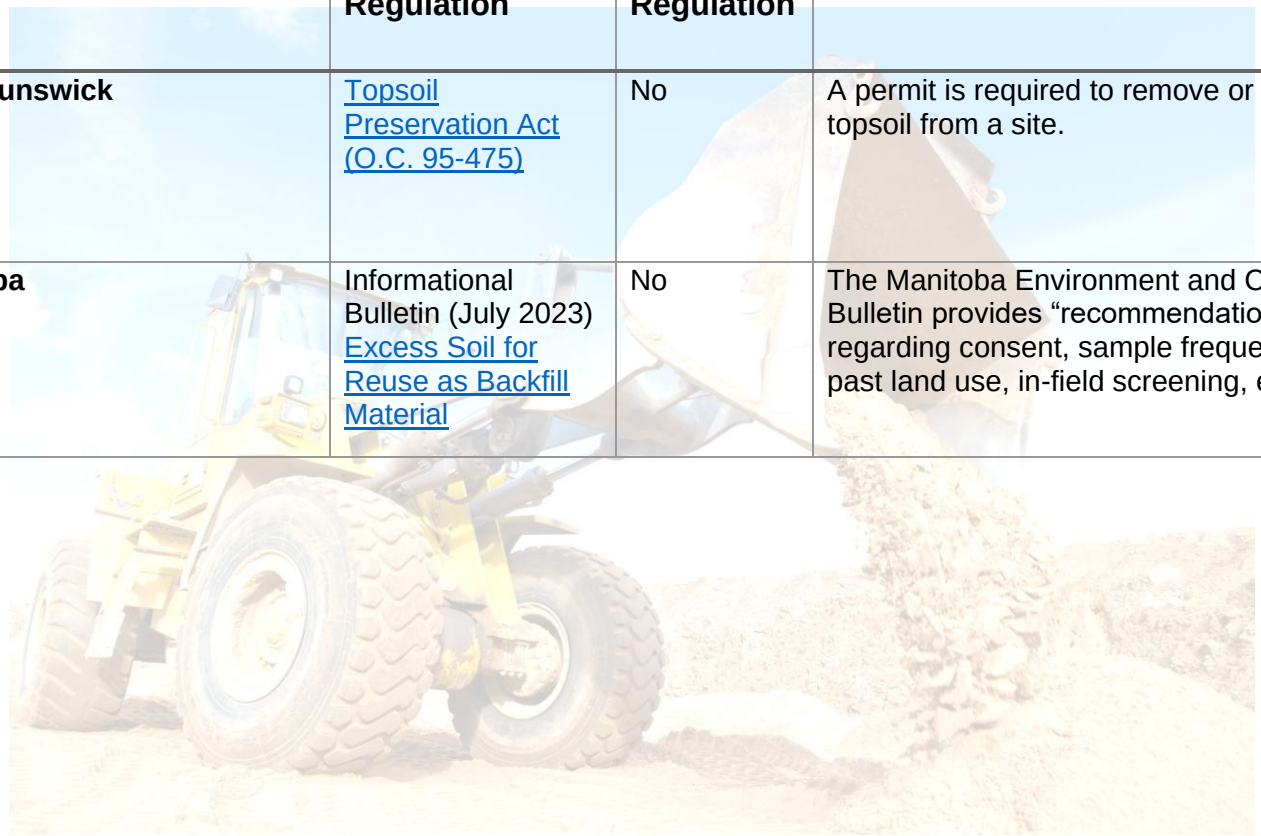
Province	Excess Soil Regulation or Other Applicable Regulation	Specific Excess Soil Regulation	Notes
Ontario	Ontario Regulation 406/19	Yes	Phased-in approach. Excess Soil is defined as “soil, crushed rock, or soil mixed with rock or crushed rock that has been excavated as part of a project and removed from the project area for the project.” Mandatory soil reports, soil tracking, contingency plans, and qualified person (QP) involvement. Excess Soil projects are also required to be registered with the Resource Productivity and Recovery Authority (RPRA). There are exemptions for Infrastructure projects.

Dragun Corporation
Environmental Advisors

Province	Excess Soil Regulation or Other Applicable Regulation	Specific Excess Soil Regulation	Notes
British Columbia	Contaminated Sites Regulation under the Environmental Management Act	Yes	In March 2023, changes were made to the Contaminated Sites Regulation with respect to the soil relocation notification process, soil sampling requirements, and registration of high-volume receiving sites. Also see New Regulations for Soil Relocation in B.C.
Alberta	Environmental Protection and Enhancement Act (EPEA) – Waste Control Regulation	No	Also, see "Land Reclamation and Remediation Guidelines."



Province	Excess Soil Regulation or Other Applicable Regulation	Specific Excess Soil Regulation	Notes
New Brunswick	Topsoil Preservation Act (O.C. 95-475)	No	A permit is required to remove or move topsoil from a site.
Manitoba	Informational Bulletin (July 2023) Excess Soil for Reuse as Backfill Material	No	The Manitoba Environment and Climate Bulletin provides “recommendations” regarding consent, sample frequency, past land use, in-field screening, etc.



Dragun Corporation
Environmental Advisors

Province	Excess Soil Regulation or Other Applicable Regulation	Specific Excess Soil Regulation	Notes
Saskatchewan	Saskatchewan Environmental Quality Guidelines	No	
Nova Scotia	Guide to Developing Erosion and Sediment Control Plans Erosion and Sediment Control Information Sheet Environment Act Activities Designation Regulations	No	See News Release, "New Guidance on Erosion, Sediment at Construction Sites."

Also, see the Canadian Council of Ministers of the Environment, "Excess Soil Reuse Guidance."

If you are working on projects involving excess soil, you should also consult the local municipality, which may have guidance or regulations regarding excess soil.

For more information on excess soil and other environmental regulations, see www.dragun.ca