

Subdivision 1 – Interpretation

7.8.1. Unless otherwise specified, the following will apply to this Division.

**Contaminated Soil** means soil, sediment and/or fill material containing substances in quantities or concentrations greater than those specified in provincial environmental quality standards, but which is not a hazardous waste under Hazardous Waste Regulation No. 63/88.

**Municipal Engineer** means the Director of Engineering Services of the District of Kitimat or their authorized representative.

**Owner** means the owner or occupier of real property;

**Person** has the same meaning as defined in the *Interpretation Act*,

Subdivision 2 – Excavated Material

- 7.8.2.
1. No Person shall deposit or cause to be deposited any Contaminated Soil.
  2. No Person shall deposit or cause to be deposited any soil, sand, gravel, rock or other excavated material on any land in the District unless:
    - a. the material originates within the boundaries of the property on which it is deposited and is graded to blend in with the surroundings; or
    - b. the material consists of topsoil or rock being deposited for purposes of establishing a landscaped area; or
    - c. the material is deposited in a location designated by the Municipal Engineer in writing.
  3. The Municipal Engineer in issuing permission provided for in 7.2.8.2. may specify:
    - a. that the applicant produce the written permission of the Owner of the property on which material is to be deposited;
    - b. the maximum elevation to which the material to be deposited may be placed;
    - c. the nature of the material which may be deposited;
    - d. the frequency of grading, compaction, or levelling which will be required.