



Ministry of
Environment

CERTIFICATE OF COMPLIANCE
(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that as of the date indicated below, the site identified in Schedule A of this Certificate of Compliance has been satisfactorily remediated to meet the applicable Contaminated Sites Regulation remediation standards and criteria.

This Certificate of Compliance is qualified by the requirements and conditions specified in Schedule B.

The substances for which remediation has been satisfactorily completed and for which this Certificate of Compliance is valid are listed in Schedule C.

I have issued this Certificate of Compliance based on a review of relevant information including the documents listed in Schedule D. I, however, make no representation or warranty as to the accuracy or completeness of that information.

A Director may rescind this Certificate of Compliance if requirements and conditions imposed in the Certificate of Compliance are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Certificate of Compliance should not be construed as an assurance that there are no hazards present at the site.

December 16, 2016
Date Issued


Lavinia Zanini, P.Geo.
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 1580-1590 Fitzgerald Avenue, Courtenay, British Columbia which is more particularly known and described as:

Lot A, (DD P54316) Section 41, Comox District, Plan 7449
PID: 001-830-392

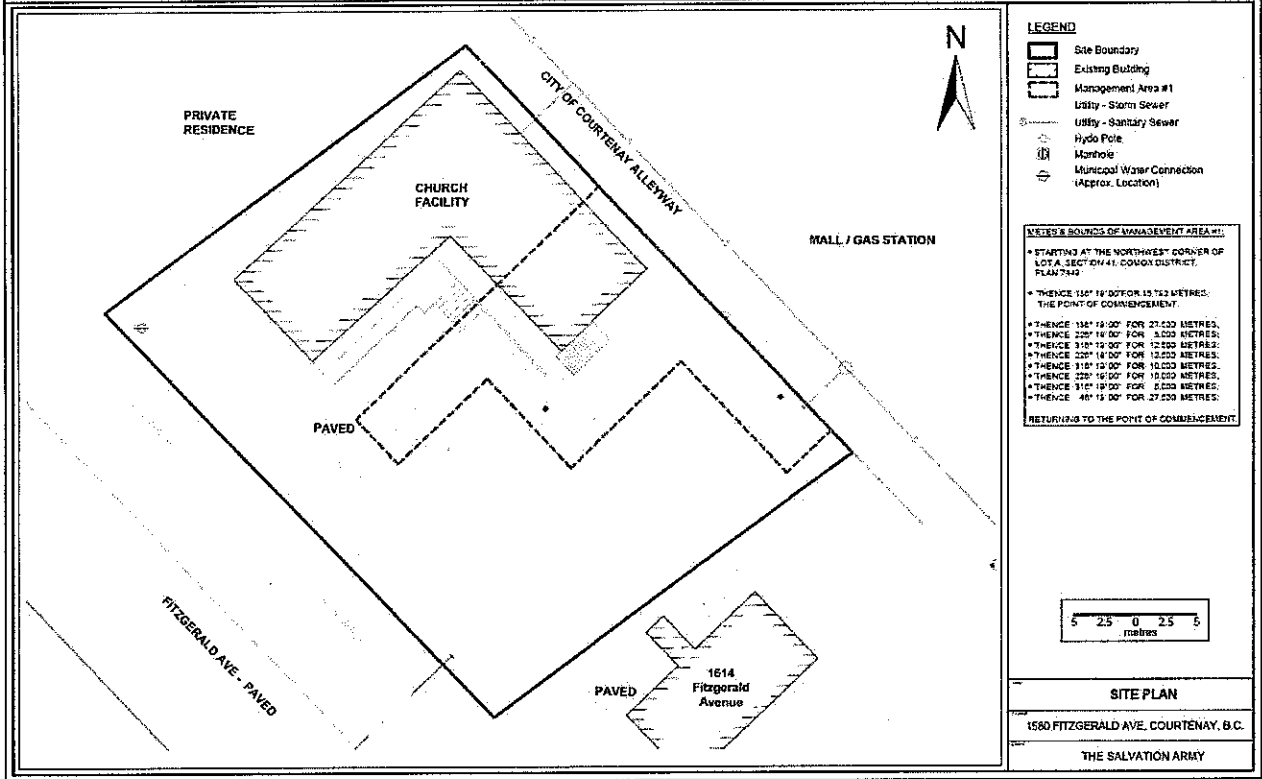
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 41' 1.5"
Longitude: 124° 59' 36.8"

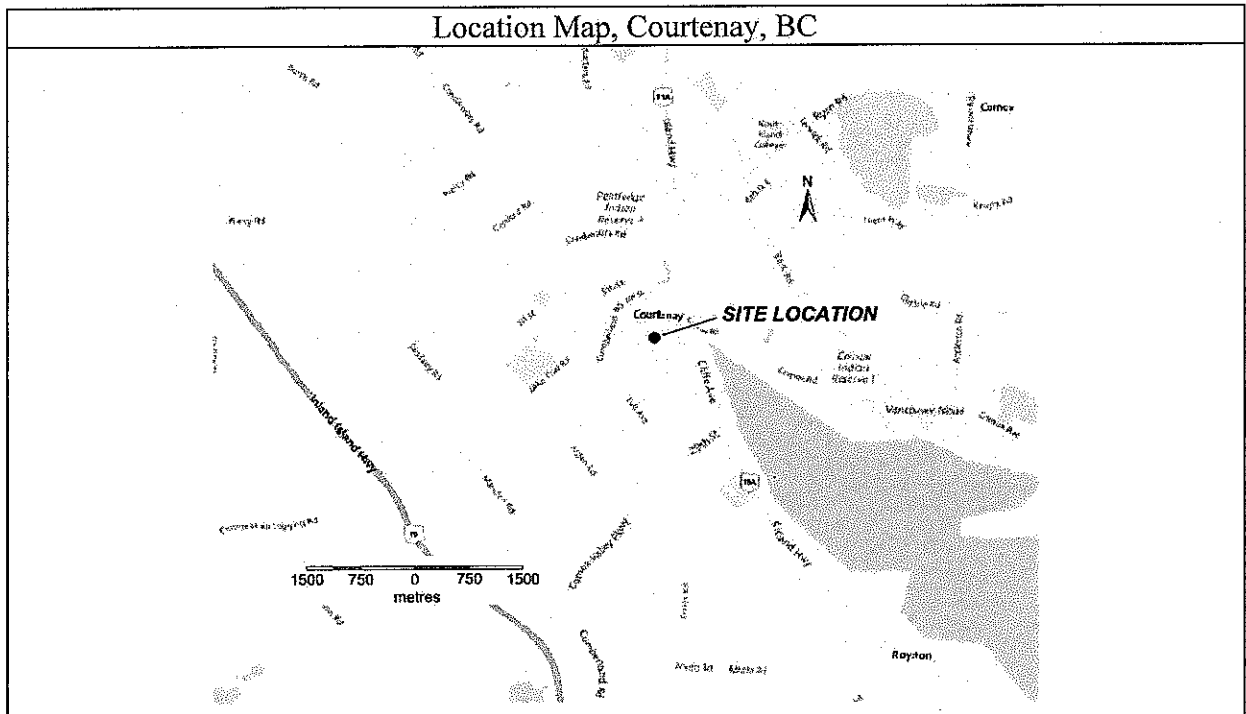
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Site Plan, Courtenay, BC



Location Map, Courtenay, BC



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For Director, Environmental Management Act

Schedule B

Requirements and Conditions

1. Any changes in land, vapour, or water uses must be promptly identified by the responsible person in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary. The uses to which this condition applies are described in Schedule C and in the site investigation documents listed in Schedule D.

The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet a Contaminated Sites Regulation numerical and risk-based standards at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings and trenches existing or expected at the site. These assumptions include the following:

- a) Basements in any new buildings onsite will not extend beyond the depth of the existing basement (0.6 m depth) evaluated in the risk assessment.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at the site and the range of structures, locations and depths assumed in the selection of vapour attenuation factors in the documents listed in Schedule D must be promptly identified by the responsible person or persons in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary.

2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
 - a) Current intrinsic controls consisting of compliant surface soil (current natural barriers, >1 m thickness) will remain in place over the identified management area (Management Area 1) as follows:

Starting at the Northwest corner of Lot A, Section 41, Comox District, Plan 7449:

Thence 136°19'00" for 15.792 Metres; the point of commencement.

Thence 136°19'00" for 27.500 Metres;

Thence 226°19'00" for 5.000 Metres;

Thence 316°19'00" for 12.500 Metres;

Thence 226°19'00" for 12.500 Metres;

Thence 316°19'00" for 10.000 Metres;

Thence 226°19'00" for 10.000 Metres;

Thence 316°19'00" for 5.000 Metres;

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Thence 46°19'00" for 27.500 Metres;
Returning to the point of commencement.

- b) Site groundwater must not be used as a potable water resource.
 - c) Deep rooting vegetation will not be established over the identified Management Area 1
3. If requested by the Director, the responsible person<s> must provide a signed statement indicating whether the principal risk controls listed in clause 2 of this Schedule have been and continue to be met. This may include providing a signed statement by an Approved Professional.
 4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
 5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person<s> or their agent. The records must be available for inspection by the Director.
 6. The Director must be notified promptly by the persons responsible for the site if performance verification actions indicate that any institutional and engineering controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
 - (a) The time period over which institutional and engineering controls did not meet the requirements of Schedule B;
 - (b) The nature of the excursions;
 - (c) The temporary or permanent corrective measures implemented or to be implemented;
 - (d) An implementation schedule; and
 - (e) Supporting documentation.
 7. If requested by the Director, a report signed by an Approved Professional must be submitted for review to the Director and must include the following:
 - (a) An evaluation of the performance of the institutional and engineering controls;
 - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
 - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plans described in clause 4 above; and
 - (d) Supporting documentation.

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Schedule C

Substances and Uses

Substances remediated in soil for residential land soil use:

To meet numerical remediation standards:

- Naphthalene and phenanthrene; and,
- Benzene and xylene.

To meet risk-based remediation standards:

- VPHs, LEPHs and HEPHs; and,
- Ethylbenzene.

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

- EPHw10-19; and,
- Naphthalene.

To meet risk-based remediation standards:

- LEPHw; and,
- Pyrene.

Substances remediated in water for protection of drinking water use:

To meet numerical remediation standards:

- EPHw₁₀₋₁₉

To meet risk-based remediation standards:

- EPHw₁₀₋₁₉; and
- Ethylbenzene.

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Schedule D

Documents

- *Summary of Site Condition*, prepared by Richard Wells, Marc Cameron, dated 11 September 2016;
- *1580 & 1590 Fitzgerald Avenue, Courtenay, BC, Addendum Report – Supplemental Site Investigation*, prepared by ARCADIS Canada Inc., dated 24 May 2016;
- *Performance Verification Plan (PVP) for: 1580 and 1590 Fitzgerald Avenue, Courtenay, B.C., Human Health and Ecological Risk Assessment*, prepared by ARCADIS Canada Inc., dated 20 February 2016;
- *The Salvation Army, Human Health and Ecological Risk Assessment, 1580 & 1590 Fitzgerald Avenue, Courtenay, BC*, prepared by ARCADIS Canada Inc., dated 20 February 2016;
- *Addendum Report - Stage 1 PSI 1580 Fitzgerald Avenue, Courtenay, BC*, prepared by ARCADIS Canada Inc., dated 31 July 2015;
- *1580 Fitzgerald Avenue Post Remediation Monitoring*, prepared by Franz Environmental Inc., dated 29 January 2015;
- *Update on Remedial Methods and Progress, 1580 Fitzgerald Avenue and Adjacent City of Courtenay Alleyway, Courtenay, British Columbia*, prepared by Franz Environmental Inc., dated 19 December 2013;
- *Update on Remedial Methods and Progress, 1580 Fitzgerald Avenue and Adjacent City of Courtenay Alleyway, Courtenay, British Columbia*, prepared by Franz Environmental Inc., dated 30 September, 2013;
- *Update on Remedial Methods and Progress, 1580 Fitzgerald Avenue and Adjacent City of Courtenay Alleyway, Courtenay, British Columbia*, prepared by Franz Environmental Inc., dated 31 January 2013;
- *Update on Remedial Methods and Progress, 1580 Fitzgerald Avenue and Adjacent City of Courtenay Alleyway, Courtenay, British Columbia*, prepared by Franz Environmental Inc., dated 24 August 2012;
- *Detailed Site Investigation and Site Remediation, 1580 & 1590 Fitzgerald Avenue, Courtenay, BC*, prepared by Franz Environmental Inc. dated December 2013;
- *Stage 2 PSI 1580 & 1590 Fitzgerald Avenue, Courtenay, BC*, prepared by Franz Environmental Inc., dated September 2011; and
- *Stage 1 PSI, 1580 Fitzgerald Avenue, Courtenay, BC*, prepared by Franz Environmental Inc., dated January 2011.

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