



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.

The substances to which this Certificate of Compliance applies migrated to the site from a neighbouring source. It should not be assumed that this Certificate of Compliance certifies the remediation of all contaminants at the site.

MAR 01 2016

Date Issued

Peter Kickham
For Director, *Environmental Management Act*

Schedule A

The site covered by the Certificate of Compliance is a management area located on a portion of the property at 1303 Main Street, Penticton, British Columbia, which is more particularly known and described as:

Commencing at a point at a bearing of 180 degrees 0 minutes 0 seconds a distance of 117 m from the northeast corner of LOT A DISTRICT LOT 250 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 10561 EXCEPT PLAN 39726 AND KAP47107. Thence, at a bearing of 312 degrees 26 minutes 11 seconds a distance of 22 m.

Thence, at a bearing of 22 degrees 37 minutes 52 seconds a distance of 17 m.

Thence, at a bearing of 67 degrees 44 minutes 49 seconds a distance of 11 m.

Thence, at a bearing of 87 degrees 47 minutes 46 seconds a distance of 21 m.

Thence at a bearing of 138 degrees 29 minutes 58 seconds a distance of 27 m.

Thence at a bearing of 161 degrees 39 minutes 50 seconds a distance of 3 m.

Thence at a bearing of 240 degrees 46 minutes 2 seconds a distance of 6 m.

Thence at a bearing of 269 degrees 59 minutes 48 seconds a distance of 38 m to the point of commencement, and comprising an area of 1195.81 m².

The site consists of part of the legal parcel as depicted in the engineering drawing 132059-303 prepared by SNC-Lavalin Inc., on June 25, 2014.

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

Latitude: 49° 29' 2.7"
Longitude: 119° 35' 14.7"

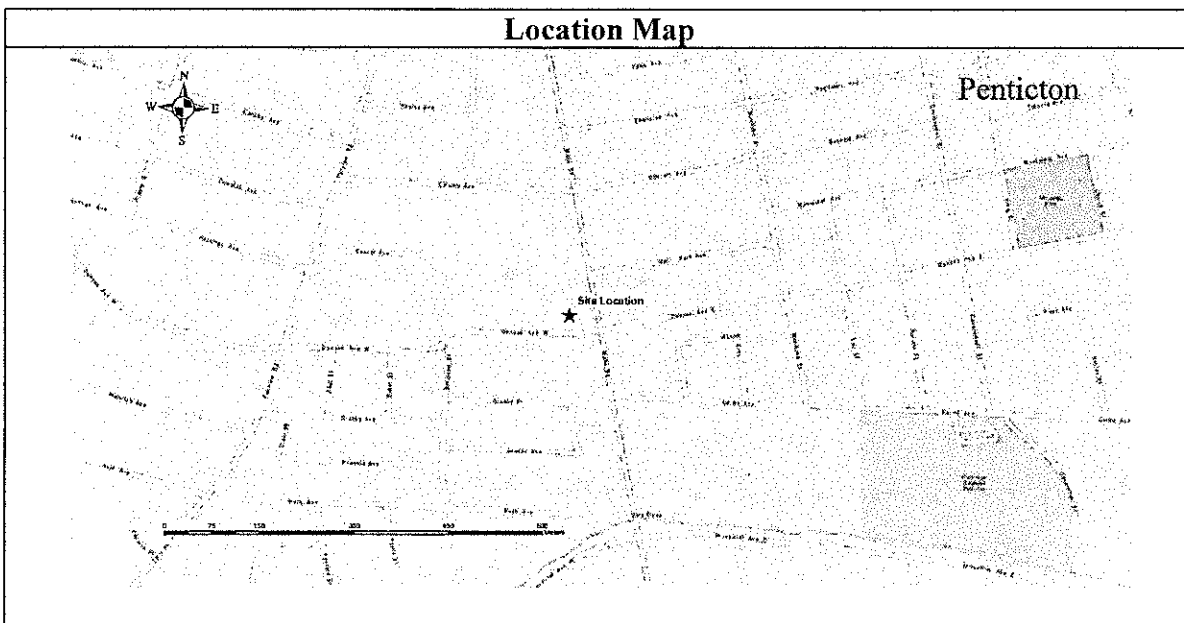
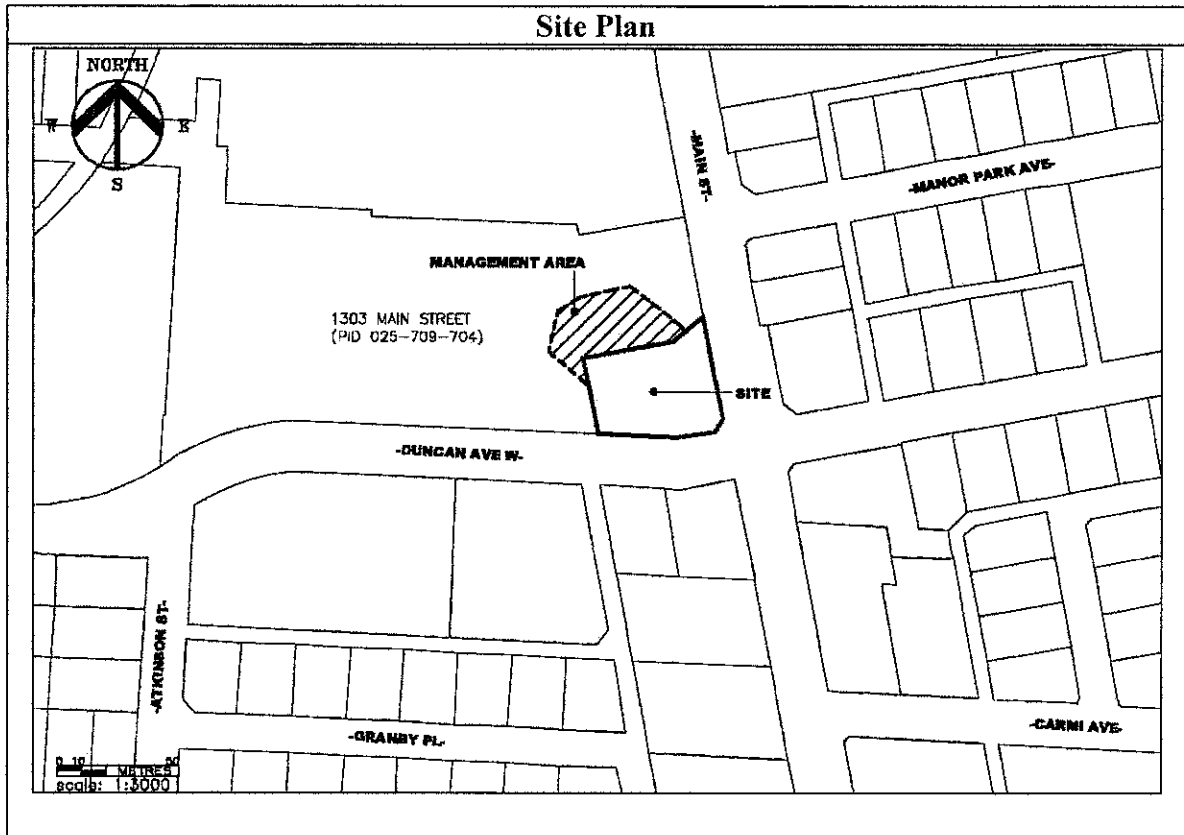
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Schedule B

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 Contaminated Sites Regulation numerical standards at and adjacent to the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at and adjacent to the site. These assumptions include the following:

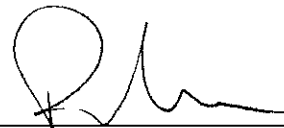
- (a) Any building erected on the Site will have a basement no more than 7 meters below current grade;

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at or adjacent to the site and the range of structures, locations and depths of buildings assumed in the selection of vapour attenuation factors in the documents listed in Schedule D 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.

2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
 - (a) Groundwater must not be used as a drinking water source at the Site.
3. If requested by the Director, the responsible person 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 or their agent. The records must be available for inspection by the Director.

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6. The Director must be notified promptly by the person 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 excursion;
 - (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 plan described in clause 4 above; and
 - (d) Supporting documentation.

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Schedule C

Substances and Uses

Substances remediated in soil for commercial land soil use:

To meet risk-based remediation standards:

- VPHs; and
- Xylene.

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

- Nonaqueous phase liquids, VPHw, LEPHw, and VHW₆₋₁₀;
- Ethylbenzene, and toluene; and
- Naphthalene.

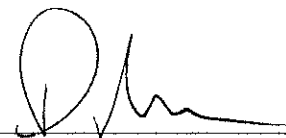
Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

- Nonaqueous phase liquids, VHW₆₋₁₀;
- Benzene, ethylbenzene, toluene, and xylenes.

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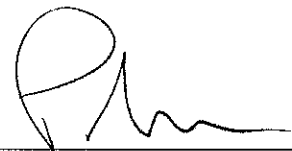
Schedule D

Documents

- *Summary of Site Condition, Former Plaza Esso Service Station, 1303 Main Street, Penticton, BC, SNC-Lavalin Inc., November 9, 2015;*
- *Performance Verification Plan, Management Area associated with Former Plaza Esso Service Station located at 1389 Main Street, Penticton, BC, SNC-Lavalin Inc., November 6, 2015;*
- *Human Health and Ecological Risk Assessment, Former Plaza Esso Service Station, 1389 Main Street, Penticton, BC, SNC-Lavalin Inc., November 5, 2015; and*
- *Preliminary and Detailed Site Investigation, Former Plaza Esso Service Station, 1389 Main Street, Penticton, BC, SNC-Lavalin Inc., August 4, 2015.*

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