



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.

August 4, 2016

Date Issued

Peter Kickham

For Director, *Environmental Management Act*

Schedule A


The site covered by this Certificate of Compliance is municipal owned land located on 25th and 26th Avenues, 37th Street, and City of Vernon linear park, in Vernon, British Columbia which is more particularly known and described as:

Portion of Lot A District Lots 71 and 72 Osoyoos Division Yale District Plan KAP50766 Except Plan KAP57866 which may be more particularly described as:

Commencing at the northwesterly corner of Lot 2 District Lot 71 Osoyoos Division Yale District Plan 5492;
Thence 181° 40' 34" and following along the westerly boundary of said Lot 2, 52.992 metres more or less;
Thence 86° 49' 17" and following along the northerly boundary of Lot A District Lots 71 and 72 Osoyoos Division Yale District Plan KAP50766 Except Plan KAP57866, 44.405 metres more or less;
Thence 178° 44' 41", 15.394 metres more or less to a point on the southerly boundary of said Lot A;
Thence 266° 21' 22" and following along the southerly boundary of said Lot A, 30.392 metres more or less;
Thence 266° 34' 16", 42.466 metres more or less;
Thence 265° 4' 2" and following along the southerly boundary of said Lot A, 35.134 metres more or less;
Thence 236° 30' 56", 34.106 metres more or less;
Thence 264° 37' 34", 45.909 metres more or less;
Thence 309° 59' 42", 20.223 metres more or less to a point on the southerly boundary of said Lot A;
Thence 358° 43' 13", 15.516 metres more or less to a point on the northerly boundary of said Lot A;
Thence 82° 13' 26" and following along the northerly boundary of said Lot A, 23.845 metres more or less;
Thence 83° 13' 24" and following along the northerly boundary of said Lot A, 28.640 metres more or less;
Thence 84° 19' 38" and following along the northerly boundary of said Lot A, 40.156 metres more or less;
Thence 85° 44' 1" and following along the northerly boundary of said Lot A, 45.696 metres more or less;
Thence 3° 18' 45" and following along the easterly boundary of Lot B District Lot 71 Osoyoos Division Yale District Plan 16696, 30.461 metres more or less;

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Thence 3° 20' 5" and following along the easterly boundary of Lot C District Lot 71 Osoyoos Division Yale District Plan 16696, 21.277 metres more or less;
Thence 71° 10' 50", 14.608 metres more or less;
Thence 91° 30' 40", 38.233 metres more or less;
Thence 182° 55' 9", 2.659 metres more or less to the northeasterly corner of Lot 1 District Lot 71 Osoyoos Division Yale District Plan 8261;
Thence 271° 41' 38" and following along the northerly boundary of said Lot 1, 9.134 metres more or less to the northeasterly corner of said Lot 2;
Thence 271° 43' 19" and following along the northerly boundary of said Lot 2, 28.953 metres to the point of commencement at the northwesterly corner of said Lot 2 and containing 5016.45 square metres more or less.

This site contains parts of legal parcels as depicted in an engineering drawing prepared by Hemmera Envirochem Inc. on July 16, 2015.

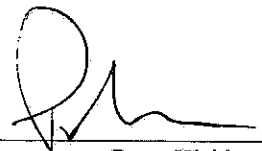
PID: portion of 018-447-538

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

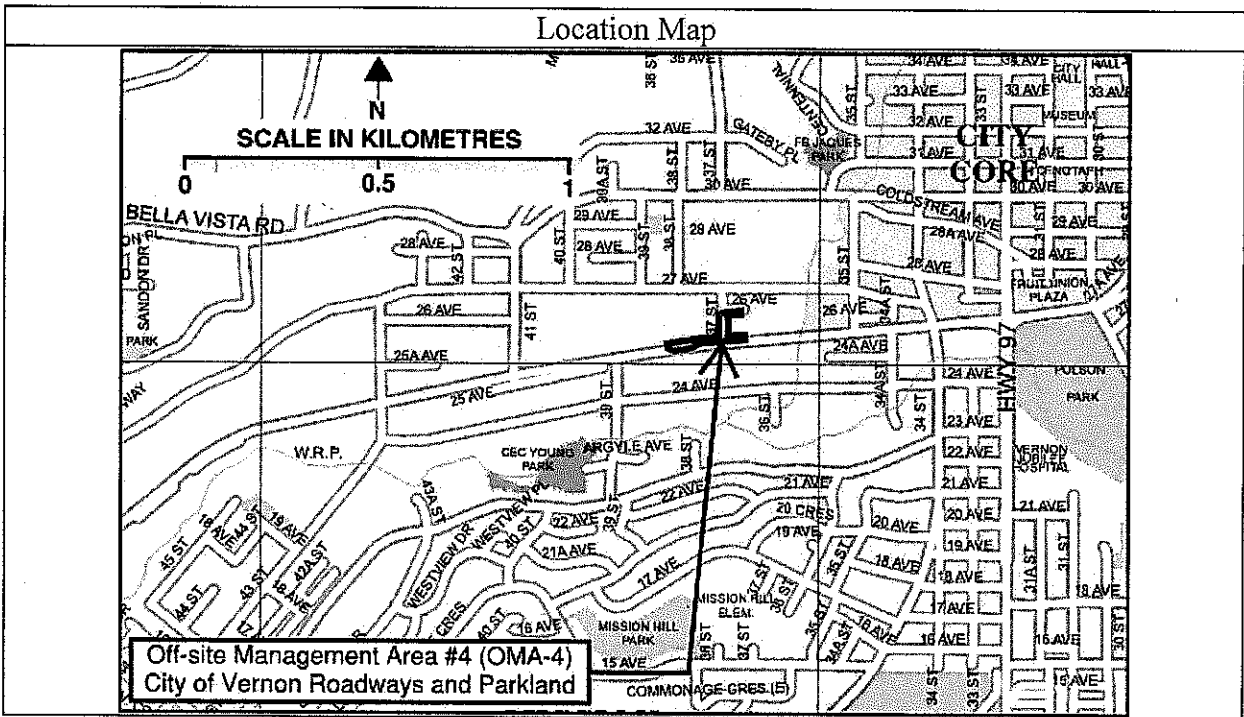
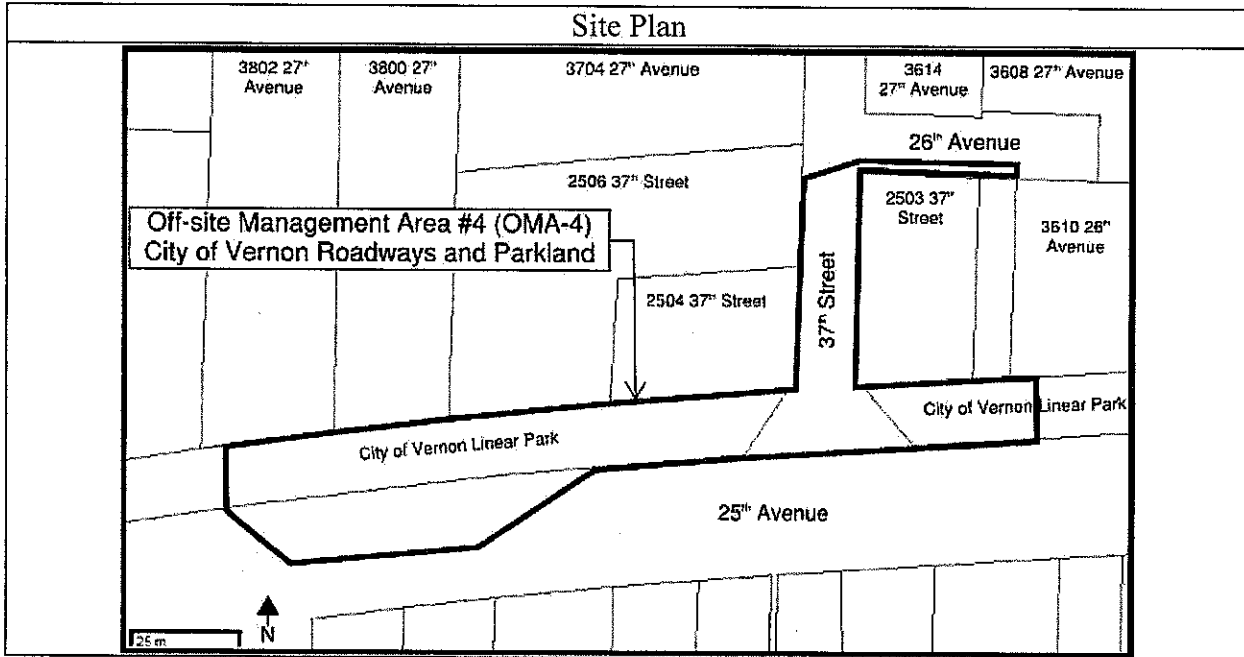
Latitude: 50° 15' 38"
Longitude: 119° 17' 3"

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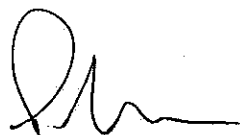
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Schedule B

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:

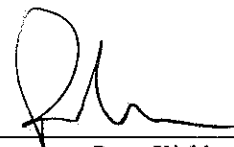
- (a) Current land use (i.e. road and urban park) will be maintained or a future building with a basement of no more than 3.0 m below grade.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at and 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 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) Groundwater must not be used for domestic purposes (i.e. drinking water).
 - (b) Subsurface capped soils (i.e., > 3 m bgs) with contamination must not be exposed or redistributed as shallower soils under future site development scenarios. If such soils are retained on the site, these soils must remain capped by a minimum of 3 m of uncontaminated soils or by a permanent barrier (such as pavement or concrete).
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.

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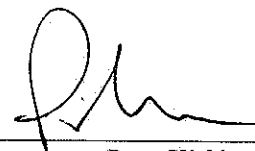
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5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.
6. The Director must be notified promptly by the persons responsible for the site if performance verification actions indicate that any institutional 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 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 urban park land soil use:

To meet numerical remediation standards:

- Arsenic.

To meet risk-based remediation standards:

- Ethylbenzene, toluene, and xylene; and
- LEPHs and VPHs.

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

- Toluene;
- Benzo[a]pyrene and pyrene; and
- Nonchlorinated phenols (total).

To meet risk-based remediation standards:

- LEPHw and VPHw; and
- Naphthalene.

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

- Benzo[a]pyrene; and
- Nitrate (as N).

To meet risk-based remediation standards:

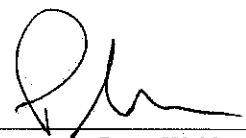
- Benzene, ethylbenzene, toluene, and xylenes (total).

To meet Hazardous Waste Regulation standards:

- Ethylbenzene.

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Schedule D

Documents

Performance Verification Plan for Certificate of Compliance at the Off-Site Management Area (OMA-4) located on the City of Vernon linear park and portions of 25th and 26th Avenue and 37th Street, Vernon, BC, prepared by Hemmera, dated 13 Oct 2015;

Summary of Site Condition, prepared by Hemmera, dated 05 Oct 2015;

Detailed Human Health and Ecological Risk Assessment Chevron Former Bulk Plant VCN0839, 2503 37th Street, and Affected Properties, Vernon, BC, prepared by Hemmera, dated September 2015;

Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, and Confirmation of Remediation Chevron Former Bulk Plant VCN0839, 2503 37th Street, Vernon, BC and Affected Properties, prepared by Hemmera, dated July 2015;

Results of Remediation and Post-Remediation Investigations 2506 27 Street, prepared by Hemmera, dated 28 Nov 2014;

Results of Remediation and Post-Remediation Investigations 3800 37 Street, prepared by Hemmera, dated 27 Nov 2014;

Remedial Excavation Summary City of Vernon Linear Park, prepared by Hemmera, dated 27 Dec 2013;

Remedial Excavation Summary 2506 37 Street, prepared by Hemmera, dated 11 Dec 2013;

Remedial Excavation Summary 3800 27 Avenue, prepared by Hemmera, dated 13 Sep 2013;

Results of Data Gap Investigation, prepared by Hemmera, dated 31 Dec 2012;

Stage 1 PSI Research and Soil and Groundwater Investigation, prepared by Hemmera, dated 30 Apr 2012;

Results of Soil Vapour and Ambient Air Sampling Program, prepared by Hemmera, dated 29 Feb 2012;

Site-Wide Groundwater Monitoring and Sampling Program, prepared by Hemmera, dated 28 Oct 2011;

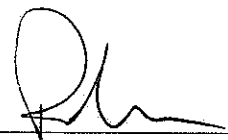
Site Summary, prepared by O'Connor Associates Environmental Inc., dated 27 May 2011;

Results of Subsurface Investigation and Soil Excavation Completed at 3610 26 Avenue, Vernon, BC, prepared by O'Connor Associates Environmental Inc., dated 14 Dec 2010;

Notice of Off-Site Migration - 3800 27 Avenue, Vernon, BC, prepared by Chevron Canada Limited, dated 29 Apr 2010;

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Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 21 Dec 2009;
Proposed Excavation on 3610 26 Avenue, prepared by O'Connor Associates Environmental Inc., dated 23 Jul 2009;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 22 Jul 2009;
Proposed Excavation on City of Vernon Property, prepared by O'Connor Associates Environmental Inc., dated 17 Jul 2009;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 25 May 2009;
Scope of Work Proposed Remedial Excavation of Soil Impacted With Arsenic Former Vernon Chevron Bulk Plant Property, prepared by O'Connor Associates Environmental Inc., dated 05 Mar 2009;
Drawing 1.1, prepared by O'Connor Associates Environmental Inc., dated 19 Feb 2009;
Notice of Off-Site Migration - 3610 26 Avenue, Vernon, BC, prepared by Chevron Canada Limited, dated 11 Feb 2008;
Notice of Off-Site Migration - City of Vernon 37 Street and 25th Avenue, prepared by Chevron Canada Limited, dated 11 Feb 2008;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 05 Feb 2008;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 28 Jan 2008;
Notice of Off-Site Migration - 2504 37 Street, Vernon, BC, prepared by Chevron Canada Limited, dated 01 Oct 2007;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 14 Feb 2007;
Field Data Report, prepared by O'Connor Associates Environmental Inc., dated 27 Nov 2006;
Drawings 1.1 through 1.6, prepared by O'Connor Associates Environmental Inc., dated 01 Sep 2004;
Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 05 May 2001;
Re: Vernon Bulk Plant, prepared by O'Connor Associates Environmental Inc., dated 08 May 1998;
Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 28 Nov 1997;
Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 15 May 1997;
Environmental Investigation Report, prepared by O'Connor Associates Environmental Inc., dated 11 Mar 1997;

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Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 06 Dec 1996;

Environmental Investigation Report, prepared by O'Connor Associates Environmental Inc., dated 25 Jun 1996;

Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 01 Dec 1994;

Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 01 Apr 1994;

Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 01 Jul 1993;

Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 01 Feb 1991;

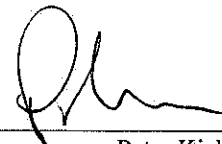
Site Monitoring Report, prepared by O'Connor Associates Environmental Inc., dated 01 Dec 1990;

Re: Chevron Bulk Plant, Vernon, BC, prepared by O'Connor, dated 14 Sep 1990; and

Re: Chevron Bulk Plant, Vernon, BC, prepared by O'Connor Associates Environmental Inc., dated 10 May 1990.

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