



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.

May 18, 2017  
Date Issued

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

## Schedule A

The site covered by this Certificate of Compliance is located at 5744, 5784 and 5820 Byrne Road, Burnaby, British Columbia which is more particularly known and described as:

Parcel A District Lot 155B, Group 1 New Westminster District Plan LMP514 Except Plans BCP18175 and BCP44570  
PID: 017-376-858 5744 Byrne Road

Lot 24 Except: Part Dedicated Road on Plan 84884; District Lot 155 "B" Group 1, New Westminster District Plan 34357  
PID: 006-993-796 5784 Byrne Road

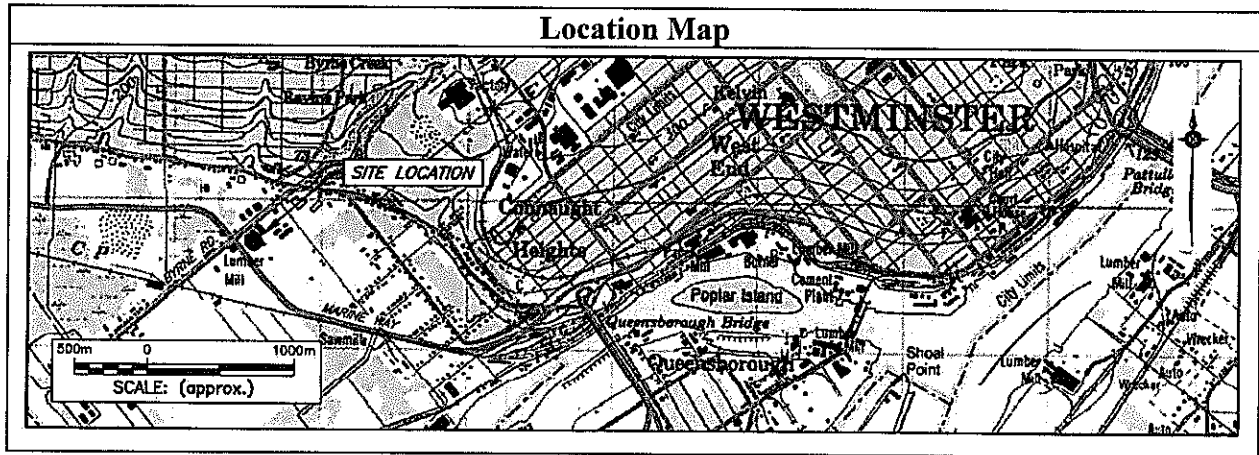
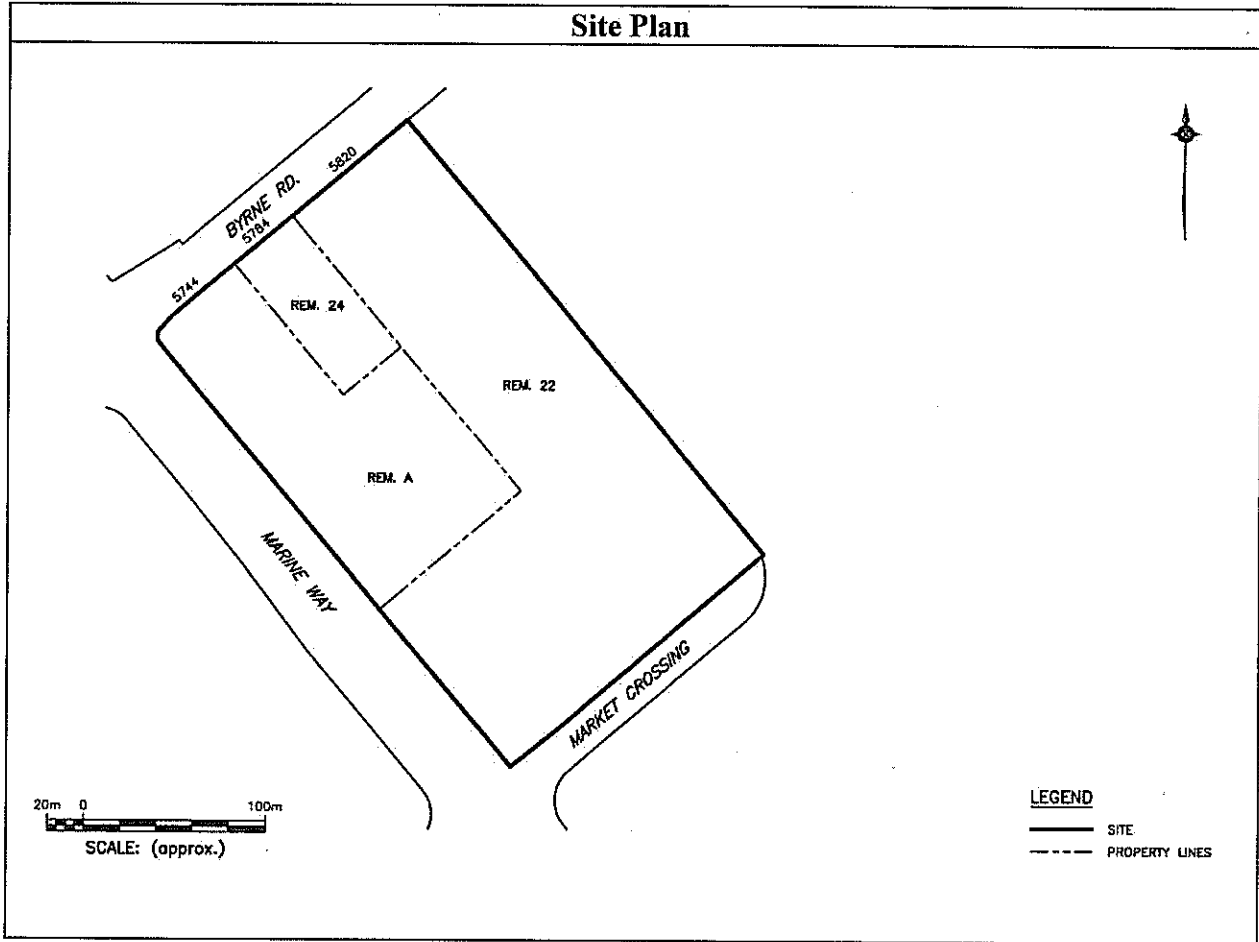
Lot 3: Lot 22 Except: Part Dedicated Road on Plan 85723; District Lot 155B Group 1 New Westminster District Plan 26369  
PID: 003-218-651 5820 Byrne Road

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

Latitude: 49° 12' 05.30"  
Longitude: 122° 58' 45.80"

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## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour, water uses must be promptly identified by the responsible persons 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) Groundwater will not be in contact with the basement floor slab.

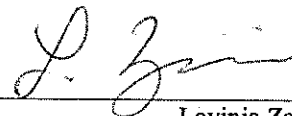
Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at or adjacent to the site and the range of structures, locations and depths of buildings assumed in the selection of vapour attenuation factors in the documents listed in Schedule D must 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 at the Site must not be used as drinking water.
  - b) Deep-rooting trees (i.e., those that root deeper than 1m) must not be planted in the vicinity of soil or groundwater contamination (unless contained within planter boxes) as outlined in the metes and bounds (See Attachment):

Starting at Starting Point 1, the southeast corner of Lot 22, District Lot 155B, Group 1, New Westminster District, Plan 27625:

- Thence 320° 06' 15" for 131.955 metres; to the point of commencement of Area A.
- Thence 320° 04' 11" for 169.724 metres;
- Thence 1° 15' 40" for 4.527 metres;
- Thence 42° 18' 40" for 11.933 metres;
- Thence 49° 55' 06" for 44.373 metres;
- Thence 49° 55' 46" for 40.913 metres;
- Thence 49° 55' 08" for 81.471 metres;
- Thence 140° 12' 22" for 175.628 metres;

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·Thence 230° 12' 21" for 56.248 metres;  
·Thence 140° 12' 21" for 35.517 metres;  
·Thence 230° 12' 21" for 29.174 metres;  
·Thence 320° 12' 21" for 35.517 metres;  
·Thence 230° 12' 21" for 95.722 metres;  
returning to the point of commencement.

Starting at Starting Point 1, the southeast corner of Lot 22, District Lot 155B, group 1, New Westminster District, Plan 27625:

·Thence 51° 13' 5" for 43.857 metres; to the point of commencement of Area B.  
·Thence 320° 12' 13" for 82.279 metres;  
·Thence 49° 45' 29" for 137.063 metres;  
·Thence 140° 23' 34" for 81.210 metres;  
·Thence 229° 45' 29" for 136.799 metres;  
returning to the point of commencement.

- c) Sub-surficial (i.e., > 1 m depth) contaminated soils must remain covered by at least 1 m of uncontaminated soils compliant with applicable commercial land use standards as outlined in the following metes and bounds (See Attachment):

Starting at Starting Point 1, the southeast corner of Lot 22, District Lot 155B, Group 1, New Westminster District, Plan 27625:

·Thence 22° 33' 57" for 66.248 metres; to the point of commencement of Area D.  
·Thence 50° 04' 11" for 20.216 metres;  
·Thence 140° 04' 11" for 20.197 metres;  
·Thence 230° 04' 11" for 20.216 metres;  
·Thence 320° 04' 11" for 20.197 metres;  
returning to the point of commencement.

Starting at Starting Point 1, the southeast corner of Lot 22, District Lot 155B, Group 1, New Westminster District, Plan 27625:

·Thence 320° 06' 15" for 171.622 metres; to the point of commencement of Area E.  
·Thence 320° 04' 11" for 25.279 metres;  
·Thence 50° 04' 11" for 25.279 metres;  
·Thence 140° 04' 11" for 25.279 metres;  
·Thence 230° 04' 11" for 25.279 metres;  
returning to the point of commencement.

Starting at Starting Point 2, the southeast corner of Lot 22, District Lot 155B, Group 1, New Westminster District, Plan 27625:

·Thence 209° 47' 01" for 83.330 metres; to the point of commencement of Area F.

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- Thence 140° 04' 11" for 47.084 metres;
- Thence 230° 04' 11" for 55.581 metres;
- Thence 320° 04' 11" for 47.084 metres;
- Thence 50° 04' 11" for 55.581 metres;
- returning to the point of commencement.

Starting at Starting Point 2, the southeast corner of Lot 22, District Lot 155B, Group 1, New Westminster District, Plan 27625:

- Thence 140° 12' 21" for 37.157 metres; to the point of commencement of Area G.
- Thence 140° 12' 21" for 38.173 metres;
- Thence 230° 12' 21" for 55.986 metres;
- Thence 320° 12' 21" for 38.173 metres;
- Thence 50° 12' 21" for 55.986 metres;
- returning to the point of commencement.

- d) New buildings must not be constructed in the area of soil vapour contamination as outlined in the following metes and bounds (See Attachment):

Starting at Starting Point 1, the southeast corner of Lot 22, District 155B, Group 1, New Westminster District, Plan 27625:

- Thence 2° 56' 57" for 144.710 metres; to the point of commencement of Area C.
- Thence 320° 12' 21" for 16.000 metres;
- Thence 50° 12' 21" for 16.000 metres;
- Thence 140° 12' 21" for 16.000 metres;
- Thence 230° 12' 21" for 16.000 metres;
- returning to the point of commencement

3. If requested by the Director, the responsible persons 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 persons 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

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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 commercial land soil use:*

##### To meet risk-based remediation standards:

- Cadmium, chromium and copper;
- LEPHs, HEPHs, VPHs; and
- Naphthalene and phenanthrene.

#### *Substances remediated in water for drinking water use:*

##### To meet risk-based remediation standards:

- Arsenic and barium; and
- Benzo[a]pyrene.

#### *Substances remediated in water for freshwater aquatic life water use:*

##### To meet risk-based remediation standards:

- LEPHw, and
- Naphthalene, phenanthrene and pyrene.

#### *Substances remediated in vapour for commercial land vapour use:*

##### To meet risk-based remediation standards:

- VPHv, and
- Naphthalene

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Site Identification Number 3627  
Version 8.0 R

  
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## Schedule D

### Documents

*Summary of Site Condition Site 3627, Keystone Environmental Ltd., dated February 3, 2017;*

*DSI Addendum Report - 5744, 5784, 5820 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated January 2017;*

*Report of Findings – Addendum Human Health and Ecological Risk Assessment 5744, 5784 and 5820 Byrne Road, Burnaby, BC, Keystone Environmental Ltd., dated January 2017;*

*Performance Verification Plan for Certificate of Compliance 5744, 5784 and 5820 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated January 2017;*

*Report of Findings – Addendum Human Health and Ecological Risk Assessment 5744, 5784 and 5820 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated August 2016;*

*Report of Findings – Human Health and Ecological Risk Assessment, 5744, 5784 and 5820 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated June 2016;*

*Report of Findings – Stage 1 Preliminary Site Investigation, Stage 2 Preliminary Site Investigation and Detailed Site Investigation Report, 5744, 5784 and 5820 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated June 2016;*

*Stage 1 Preliminary Site Investigation - Report, 5820 Byrne Road, Burnaby, BC. Next Environmental Inc., dated October 2014;*

*Stage 1 Preliminary Site Investigation - Report, 5784 Byrne Road, Burnaby, BC. Next Environmental Inc., dated October 2014;*

*Stage 1 Preliminary Site Investigation - Report, 5744 Byrne Road, Burnaby, BC. Next Environmental Inc., dated October 2014;*

*Stage 2 Preliminary Site Investigation, 5744 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated June 2000;*

*Report of Findings Preliminary Site Investigation Stage 1, 5744 Byrne Road, Burnaby, BC. Keystone Environmental Ltd., dated May 1997;*

*Report of Findings Phase 1 Environmental Site Assessment, 5820 Byrne Road, Burnaby, BC.*

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Keystone Environmental Ltd., dated May 1995; and

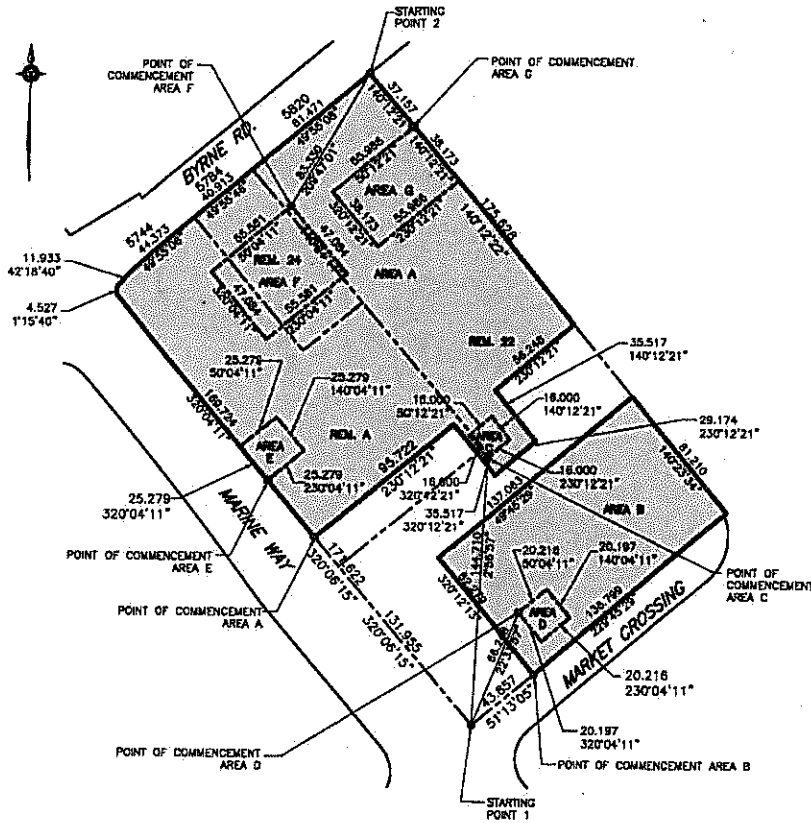
*Geotechnical Investigation Proposed Warehouse Lot 22 of District Lot 155 B Group 1, N.W.B, Plan 26369, Burnaby, BC.* Gordan Spratt & Associates Ltd., dated February 1995.

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Attachment



**METES & BOUNDS OF DEEP ROOTING VEGETATION EXCLUSION AREA A:**

- STARTING AT STARTING POINT 1, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 320° 08' 15" FOR 131,955 METRES; TO THE POINT OF COMMENCEMENT OF AREA A.
- THENCE 320° 04' 11" FOR 169,724 METRES;
- THENCE 1° 15' 40" FOR 4,527 METRES;
- THENCE 42° 16' 40" FOR 11,933 METRES;
- THENCE 49° 55' 06" FOR 44,373 METRES;
- THENCE 49° 55' 46" FOR 40,913 METRES;
- THENCE 49° 55' 08" FOR 81,471 METRES;
- THENCE 140° 12' 22" FOR 175,628 METRES;
- THENCE 230° 12' 21" FOR 56,248 METRES;
- THENCE 140° 12' 21" FOR 35,517 METRES;
- THENCE 230° 12' 21" FOR 29,174 METRES;
- THENCE 320° 12' 21" FOR 35,517 METRES;
- THENCE 230° 12' 21" FOR 95,722 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF DEEP ROOTING VEGETATION EXCLUSION AREA B:**

- STARTING AT STARTING POINT 1, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 51° 13' 5" FOR 43,857 METRES; TO THE POINT OF COMMENCEMENT OF AREA B.
- THENCE 320° 12' 13" FOR 82,279 METRES;
- THENCE 49° 45' 28" FOR 137,083 METRES;
- THENCE 140° 23' 34" FOR 81,210 METRES;
- THENCE 229° 45' 28" FOR 136,799 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF CONTAMINATED SOIL EXCLUSION AREA D:**

- STARTING AT STARTING POINT 1, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 22° 33' 57" FOR 68,248 METRES; TO THE POINT OF COMMENCEMENT OF AREA D.
- THENCE 30° 04' 11" FOR 20,210 METRES;
- THENCE 140° 04' 11" FOR 20,197 METRES;
- THENCE 230° 04' 11" FOR 20,216 METRES;
- THENCE 320° 04' 11" FOR 20,197 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF CONTAMINATED SOIL EXCLUSION AREA E:**

- STARTING AT STARTING POINT 1, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 320° 08' 15" FOR 171,622 METRES; TO THE POINT OF COMMENCEMENT OF AREA E.
- THENCE 320° 04' 11" FOR 25,279 METRES;
- THENCE 50° 04' 11" FOR 25,279 METRES;
- THENCE 140° 04' 11" FOR 25,279 METRES;
- THENCE 230° 04' 11" FOR 25,279 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF CONTAMINATED SOIL EXCLUSION AREA F:**

- STARTING AT STARTING POINT 2, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 209° 47' 01" FOR 83,330 METRES; TO THE POINT OF COMMENCEMENT OF AREA F.
- THENCE 140° 04' 11" FOR 47,084 METRES;
- THENCE 230° 04' 11" FOR 55,581 METRES;
- THENCE 320° 04' 11" FOR 47,084 METRES;
- THENCE 50° 04' 11" FOR 55,581 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF CONTAMINATED SOIL EXCLUSION AREA G:**

- STARTING AT STARTING POINT 2, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 140° 12' 21" FOR 37,157 METRES; TO THE POINT OF COMMENCEMENT OF AREA G.
- THENCE 140° 12' 21" FOR 38,173 METRES;
- THENCE 230° 12' 21" FOR 55,986 METRES;
- THENCE 320° 12' 21" FOR 38,173 METRES;
- THENCE 50° 12' 21" FOR 55,986 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.

**METES & BOUNDS OF VAPOUR EXCLUSION AREA C:**

- STARTING AT STARTING POINT 1, THE SOUTHEAST CORNER OF LOT 22, DISTRICT LOT 155B, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 27825;
- THENCE 2° 58' 57" FOR 144,710 METRES; TO THE POINT OF COMMENCEMENT OF AREA C.
- THENCE 320° 12' 21" FOR 16,000 METRES;
- THENCE 50° 12' 21" FOR 16,000 METRES;
- THENCE 140° 12' 21" FOR 16,000 METRES;
- THENCE 230° 12' 21" FOR 16,000 METRES;
- RETURNING TO THE POINT OF COMMENCEMENT.



SCALE: (approx.)

**LEGEND**

- PROPERTY LINES
- VAPOUR EXCLUSION AREA
- CONTAMINATED SOIL EXCLUSION AREA
- DEEP ROOTING VEGETATION EXCLUSION AREA

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