



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.

Feb 23, 2017  
Date Issued

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

### Schedule A

The site covered by this Certificate of Compliance is located at 350 Prideaux Street, Nanaimo, British Columbia which is more particularly known and described as:

That portion of Lot 1, Section 1, Nanaimo District, Plan 27926 shown outlined in heavy outline and identified as the "lease area" on the reference plan deposited under plan VIP63746 (Nanaimo Affordable Housing Society) further described by following metes and bounds:

Commencing at the southwest corner of Lot 1, Section 1, Nanaimo District, Plan 27926,  
Heading N 147° 27' 45" W for 77.086 m along the boundary of said lot;  
Thence N 57° 27' 45" E for 18.154 m;  
Thence N 66° 07' 06" E for 9.144 m;  
Thence S 156° 07' 06" E for 76.577 m;  
Thence S 57° 26' 41" W for 15.669 m to the point of commencement.  
PID: 002-248-824

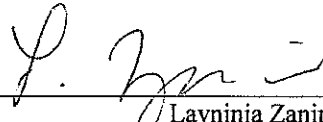
The site contains part of a legal parcel depicted in a legal plan VIP 63746 prepared by Brian S. Henning, B.C. Land Surveyors on Nov 18, 1994.

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

Latitude: 49° 9' 47.73"  
Longitude: 123° 56' 32.56"

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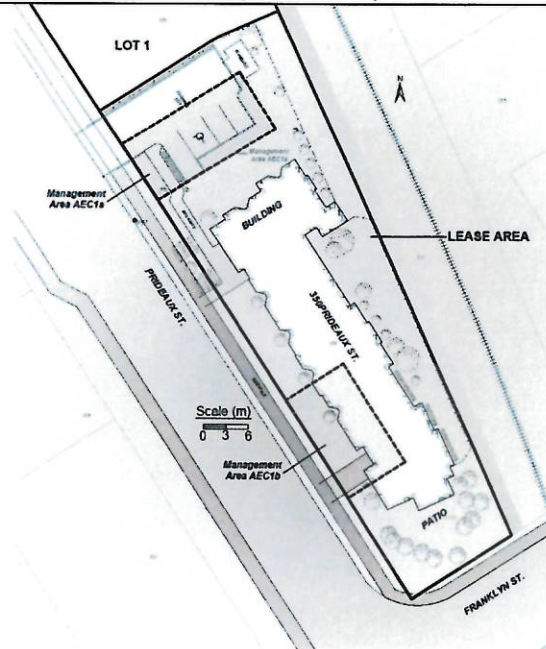
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## Site Plan, Nanaimo, BC

### AEC 1a

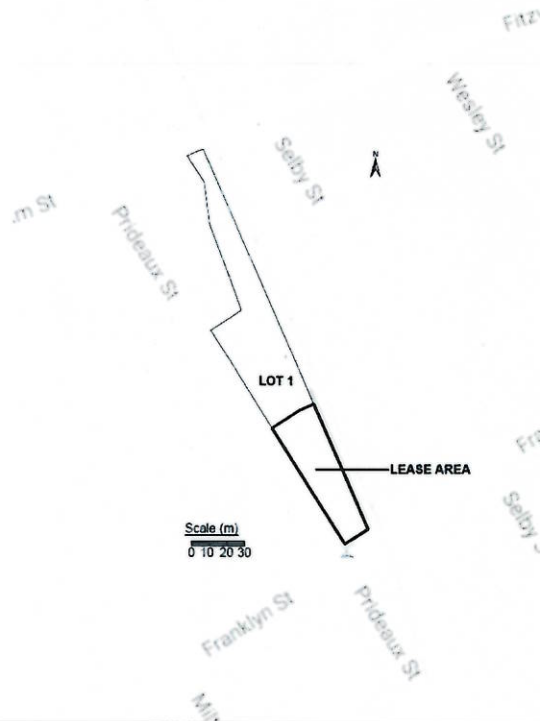
That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:  
Measured from the northwest corner of said lot, commencing at a point located at a distance of 3.50 m in a southeasterly direction along the west property boundary of said Lot 1, Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 12.00 metres;  
Thence, perpendicular to said line and parallel to the west property boundary of said Lot 1 in a southeasterly direction for 6.00 metres,  
Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 12.00 metres;  
Thence, perpendicular to said line, along the west property boundary in a northwesterly direction for 6.00 metres back to the point of commencement.



### AEC 1b


That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:  
Measured from the northwest corner of said lot, commencing at a point located at a distance of 21.00 m in a southeasterly direction along the west property boundary of said Lot 1, Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 5.60 metres;  
Thence, perpendicular to said line and parallel to the west property boundary of said Lot 1 in a southeasterly direction for 18.80 metres,  
Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 5.60 metres;  
Thence, perpendicular to said line, along the property boundary in a northwesterly direction for 18.80 metres back to the point of commencement.

## Location Map, Nanaimo, BC



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## Schedule B

### Requirements and Conditions

1. Any changes in land, or vapour 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 standard at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at the site. These assumptions include the following:

- (a) Buildings constructed on Site will be with a concrete slab at the current grade and groundwater will not be in contact with the slab.

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 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) Current intrinsic controls consisting of compliant surface soil (current natural barriers, >1m thickness) must remain in place over identified subsurface residual nickel contamination in AEC 1a and AEC 1b (see Management Area AEC 1a and Management Area AEC 1b in Schedule A).

AEC 1a (Metes and Bounds)

That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:

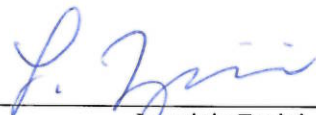
Measured from the northwest corner of said lot, commencing at a point located at a distance of 3.50 m in a southeasterly direction along the west property boundary of said Lot 1,

Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 12.00 metres;

Thence, perpendicular to said line and parallel to the west property boundary of

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said Lot 1 in a southeasterly direction for 6.00 metres,  
Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 12.00 metres;  
Thence, perpendicular to said line, along the west property boundary in a northwesterly direction for 6.00 metres back to the point of commencement.

AEC 1 b (Metes and Bounds)

That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:

Measured from the northwest corner of said lot, commencing at a point located at a distance of 21.00 m in a southeasterly direction along the west property boundary of said Lot 1,

Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 5.60 metres;

Thence, perpendicular to said line and parallel to the west property boundary of said Lot 1 in a southeasterly direction for 18.80 metres,

Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 5.60 metres;

Thence, perpendicular to said line, along the property boundary in a northwesterly direction for 18.80 metres back to the point of commencement.

- (b) Deep rooting vegetation (i.e., plants that root >1m below ground surface) must not be established over identified subsurface residual nickel contamination in AEC 1a and AEC 1b (see Management Area AEC 1a and Management Area AEC 1b in Schedule A).

AEC 1a

That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:

Measured from the northwest corner of said lot, commencing at a point located at a distance of 3.50 m in a southeasterly direction along the west property boundary of said Lot 1,

Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 12.00 metres;

Thence, perpendicular to said line and parallel to the west property boundary of said Lot 1 in a southeasterly direction for 6.00 metres,

Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 12.00 metres;

Thence, perpendicular to said line, along the west property boundary in a northwesterly direction for 6.00 metres back to the point of commencement.

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AEC 1 b (Metes and Bounds)

That portion of the Lease Area of Part of Lot 1, Section 1, Nanaimo District, Plan 27926, which may be more particularly described as:

Measured from the northwest corner of said lot, commencing at a point located at a distance of 21.00 m in a southeasterly direction along the west property boundary of said Lot 1,

Thence, perpendicular to the west boundary of said Lot 1 in a northeasterly direction for 5.60 metres;

Thence, perpendicular to said line and parallel to the west property boundary of said Lot 1 in a southeasterly direction for 18.80 metres,

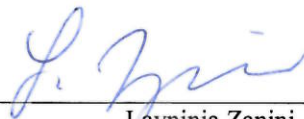
Thence, perpendicular to said line and the west property boundary in a southwesterly direction for 5.60 metres;

Thence, perpendicular to said line, along the property boundary in a northwesterly direction for 18.80 metres back to the point of commencement.

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.
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.

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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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Site Identification Number 18067  
Version 8.0 R

  
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## Schedule C

### Substances and Uses

#### *Substances remediated in soil for residential land soil use:*

##### To meet numerical remediation standards:

- LEPHs, HEPHs
- Benzo[k]fluoranthene, dibenz[a,h]anthracene, indeno[1,2,3-cd]pyrene, phenanthrene, pyrene, and
- Benzene.

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

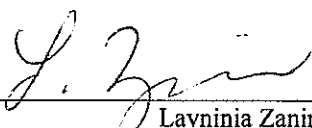
- Nickel, and
- Benz[a]anthracene, benzo[b]fluoranthene, and benzo[a]pyrene

##### To meet local background concentrations:

- Chromium.

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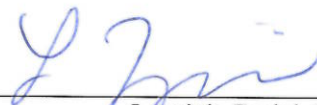
## Schedule D

### Documents

- *Summary of Site Condition*, prepared by Arcadis Canada Inc., dated October 12, 2016.
- *Performance Verification Plan*, prepared by Arcadis Canada Inc., October 2016.
- *Stage 1 and 2 Preliminary Site Investigation Update*, prepared by ARCADIS Canada Inc., dated August 2015, updated July 2016.
- *Certificate of compliance; Letter to City of Nanaimo, Bill Corsan, 350 Prideaux Street, Nanaimo, BC*, prepared by Arcadis Canada Inc., May 26, 2016.
- *Supplemental Detailed Site Investigation and Confirmation or Remediation*, prepared by ARCADIS Canada Inc., dated March 2016.
- *Human Health and Ecological Risk Assessment*, prepared by ARCADIS Canada Inc., dated March 2016.
- *Amendment - Soil Background Quality Release – Stage 2 Regional Approach, 350 Prideaux Street, Nanaimo, BC*, prepared Arcadis Canada Inc., February 02, 2016.
- *Soil Background Quality Release - Stage 2 Regional Approach, 350 Prideaux Street, Nanaimo, BC*, prepared by Arcadis Canada Inc., October 27, 2015.
- *Request for approval of regional background chromium in soil under Contaminated Site Regulation (CSR) Protocol4, 350 Prideaux Street, Nanaimo, BC (SITE 18067)*, prepared by BC Ministry of Environment, February 10, 2016.
- *Detailed Site Investigation*, prepared by Franz Environmental Inc., dated Feb 2014.
- *Phase II Environmental Site Assessment*, prepared by Franz Environmental Inc., dated July 2013.
- *Phase I Environmental Site Assessment*, prepared by Franz Environmental Inc., dated March 2013.

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