



**REGISTERED MAIL**

Victoria File: 26250-20/19241  
SITE ID: 19241

January 22, 2018

Hans Nelles  
Baumeister-Haus Enterprises Ltd.  
1801 - 1281 West Cordova Street  
Vancouver, BC V6C 3R5

Dear Hans Nelles:

**Re: Certificate of Compliance - 9667 First Street, Sidney, British Columbia**

Please find enclosed a Certificate of Compliance respecting the property referenced above for part of a contaminated site. Contamination at the site is related to the former Sidney Rubber Roofing Company (SRRC) who operated in the early 20<sup>th</sup> century at 9667 First Street as well as a number of other legal parcels to the north and south along the margin of Bazan Bay. The Municipality of Sidney has opted out of administration of the site profile system, and therefore other legal parcels associated with SRRC operations were not required to demonstrate compliance with the *Environmental Management Act* and Contaminated Sites Regulation during redevelopment. The attached Certificate of Compliance makes no warranty regarding contamination that may exist on other parcels associated with SRRC operations.

In addition to the conditions set out in Schedule B of the Certificate of Compliance, please be advised of the following:

1. The Contaminated Sites Regulation (CSR) was amended effective November 1, 2017. In accordance with the transitional provisions of the CSR, the numerical criteria and standards that were in effect immediately before that date have been applied to this instrument by the director.
2. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
3. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in accordance with applicable laws. Nothing in this Certificate of Compliance will in any way restrict or impair the Director's power in this regard.
4. A qualified environmental consultant should be available to identify, characterize and appropriately manage:
  - (a) any environmental media that may be contaminated, or

(b) soil which may exceed the standards triggering a Contaminated Soil Relocation Agreement set out in section 40 of the Contaminated Sites Regulation

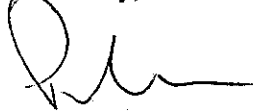
and may be encountered during any future subsurface work at the site.

5. Contamination remains on lands adjacent to the site.
6. Groundwater at the site meets the applicable Contaminated Sites Regulation “no specified water use” standards for VHW<sub>6-10</sub> and/or EPHW<sub>10-19</sub>. Please note that future site development (dewatering, perimeter drainage systems, sumps, etc. associated with future buildings, etc.) may create preferential pathways for groundwater. In this event, further assessment and remediation of groundwater may be warranted.
7. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Act's* Groundwater Protection Regulation.
8. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
9. Please note that the attached Certificate of Compliance does not address obligations of employers regarding worker health and safety under the Workers Compensation Act and Occupational Health and Safety Regulation. Development of site-specific work procedures in accordance with Workers' Compensation Board regulations may be warranted. Please direct related questions to Worksafe BC.

Issuance of this Certificate of Compliance is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Certificate of Compliance, please contact the undersigned at (778) 698-4922 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Peter Kickham  
Manager, Risk Assessment and Remediation

Enclosure

cc: Tim Tanton, Director of Development Services  
Town of Sidney Municipal Hall, 2440 Sidney Avenue, Sidney, BC V8L 1Y7

Bob Symington, Approved Professional, Gandalf Consulting Ltd.  
500 - 1190 Melville Street, Vancouver, BC V6E 3M3

Scott Steer, Approved Professional, Steer Environmental Associates  
1515 Holland Street, Nelson, BC V1L 3E2

CSAP Society



**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.

January 22, 2018  
Date Issued

A handwritten signature in black ink, appearing to read "Peter Kickham".

Peter Kickham  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 9667 First Street, Sidney, British Columbia which is more particularly known and described as:

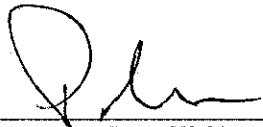
Lot 4, Section 10, Range 4 East, North Saanich District, Plan 5315 including the area designated on SRW Plan VIP69656  
PID: 002-421-232

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

Latitude: 48° 38' 46.20"  
Longitude: 123° 23' 41.60"

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For Director, *Environmental Management Act*



## Schedule B

### Requirements and Conditions

1. Any changes in land use 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 use to which this condition applies are described in Schedule C and in the site investigation documents listed in Schedule D.

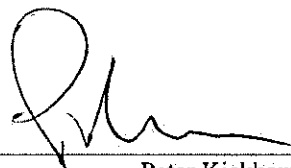
The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet a Contaminated Sites Regulation numerical standard at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected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

- (a) Any buildings constructed on the site will be of slab-on-grade construction;

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) The site must remain capped with at least 1m of soil compliant with residential land use standards or hard surface.
  - b) Deep rooting plants (i.e., those that root greater than 1 m deep) must not be planted 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.

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For Director, *Environmental Management Act*

## Schedule C

### Substances and Uses

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

##### To meet numerical remediation standards:

- Antimony, arsenic, molybdenum, nickel, tin,
- VPHs,
- Benzene,
- Benz[a]anthracene, benzo[b]fluoranthene, benzo[a]pyrene and phenanthrene.

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

- LEPHs and HEPHs.

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

##### To meet numerical remediation standards:

- Acetone,
- VPHv,
- 1,3,5-Trimethylbenzene, and
- Naphthalene.

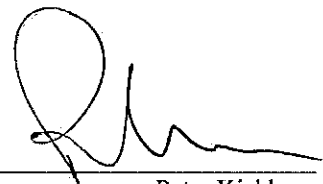
#### *Substances remediated in water for marine aquatic life water use:*

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

- LEPHw.

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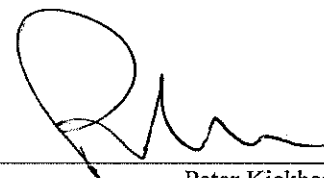
## Schedule D

### Documents

- *Summary of Site Condition*, prepared by PGL Environmental Consultants Ltd., dated September 2017;
- *Human Health and Ecological Risk Assessment – 9667 First Street, Sidney, BC*, prepared by PGL Environmental Consultants Ltd., dated September 2017;
- *Stage 2 Preliminary Site Investigation, Detailed Site Investigation, and Confirmation of Remediation - 9667 First Street, Sidney, BC*, prepared by PGL Environmental Consultants Ltd., dated September 2017;
- *Stage 1 Preliminary Site Investigation - 9667 First Street, Sidney, BC*, prepared by Madrone Environmental Services Ltd., dated 09 September 2016;

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Peter Kickham

For Director, *Environmental Management Act*