



PRELIMINARY DETERMINATION
(Pursuant to Section 44 of the *Environmental Management Act*)

I have made a Preliminary Determination that the site identified in Schedule A of this document **is not** a contaminated site.

This Preliminary Determination is qualified by the requirements and conditions specified in Schedule B.

The site **does not have** concentrations of the substances specified in Schedule C that exceed the applicable standards and criteria prescribed in the Contaminated Sites Regulation for determining whether a site is a contaminated site.

I have issued this Preliminary Determination 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.

This is to advise that I will consider submissions received 35 days after delivery of this Preliminary Determination before a Final Determination is made.

In accordance with the *Environmental Management Act*, I will notify persons with an interest in the subject site once a Final Determination is made.

This Preliminary Determination should not be construed as an assurance that there are no hazards present at the site.

January 4, 2018

Date Issued


J.A. Brooke
For Director, *Environmental Management Act*

Schedule A

The site covered by this Preliminary Determination is located at 2751 Cliffe Avenue, Courtenay, British Columbia which is more particularly known and described as:

Lot A, Sections 66 & 67, Comox District, Plan 44811 except parts in Plans 49234, VIP66865 and VIP68598

PID: 006-595-367

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

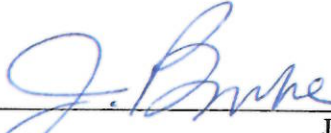
Latitude:	49°	40'	24.7"
Longitude:	124°	58'	54.7"

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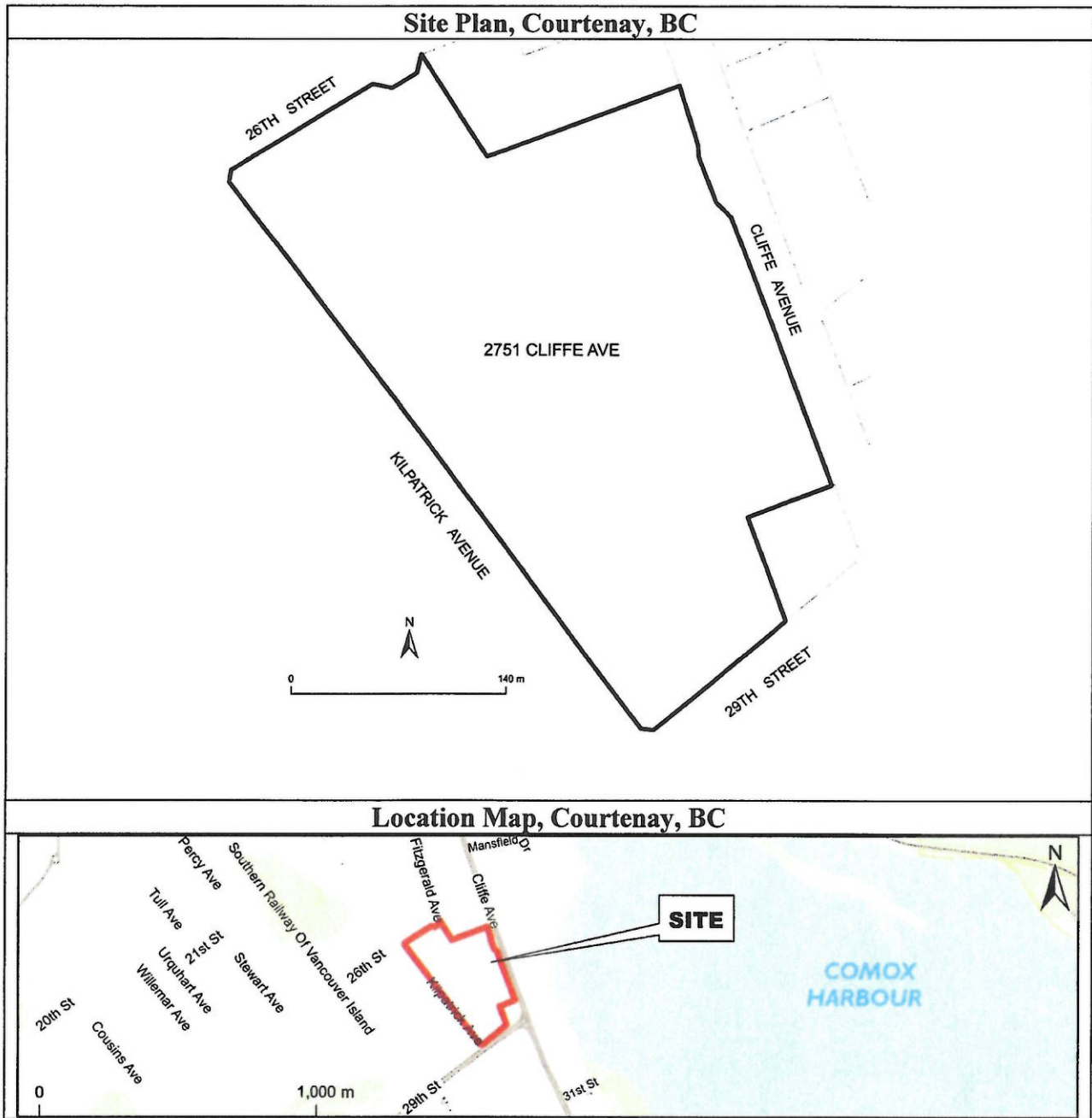
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Schedule B

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 Determination of Contaminated Site 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 standards 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) Current buildings are slab on grade; and
- (b) Groundwater will not come in contact with current or future building foundations.

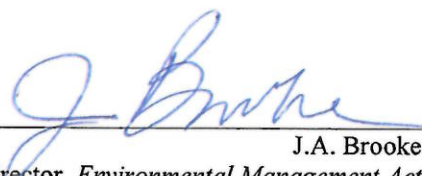
Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings the site and the range of structures, locations and depths of buildings assumed in the selection of vapour attenuation factors in the documents listed in Schedule D must be promptly identified by the responsible person or persons in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site may be necessary.

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Schedule C

Substances and Uses

Substances evaluated in soil for commercial land soil use:

To meet numerical standards prescribed for defining whether a site is contaminated:

- Antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, lithium, manganese, mercury, molybdenum, nickel, selenium, silver, strontium, tin, uranium, zinc;
- HEPHs, LEPHs, methyl tert-butyl ether (MTBE); VPHs;
- Benzene, ethylbenzene, styrene, toluene, xylene;
- Benz[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, dibenz[a,h]anthracene, indeno [1,2,3-cd] pyrene, naphthalene, phenanthrene, pyrene;
- Bromodichloromethane, bromoform, carbon tetrachloride, chlorobenzene, chloroethane, chloroethene (vinyl chloride), chloromethane, dibromochloromethane, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, dichloroethane (1,1- and 1,2-), 1,1-dichloroethane, 1,2-dichloroethene (cis and trans), dichloromethane, 1,2-dichloropropane, 1,3-dichloropropane, 1,3-dichloropropane (cis and trans), tetrachloroethane (1,1,1,2- and 1,1,2,2-), tetrachloroethylene, trichloroethane (1,1,1- and 1,1,2-), trichloroethylene, trichlorofluoromethane, and trichloromethane (chloroform);

Substances evaluated in water for marine aquatic life water use:

To meet numerical standards prescribed for defining whether a site is contaminated:

- Antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, titanium, uranium, zinc;
- EPHW₁₀₋₁₉, LEPHw, methyl tertiary butyl ether (MTBE), VHW₆₋₁₀, and VPHw;
- Benzene, ethylbenzene, styrene, and toluene;
- Acenaphthene, acridine, anthracene, benzo[a]anthracene, benzo[a]pyrene, chrysene, fluoranthene, fluorene, naphthalene, phenanthrene, pyrene, and quinoline;
- Chlorobenzene (monochlorobenzene), 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 1,2-dichloroethane, dichloromethane, tetrachloroethylene, tetrachloromethane (carbon tetrachloride), trichloroethylene, trichloromethane (chloroform).

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Substances evaluated in water for drinking water use:

To meet numerical standards prescribed for defining whether a site is contaminated:

- Aluminum, antimony, arsenic, barium, boron, cadmium, chromium, copper, lead, lithium, magnesium, mercury, molybdenum, selenium, sodium, strontium, uranium, zinc;
- EPHW₁₀₋₁₉, methyl tertiary butyl ether (MTBE), and VHW₆₋₁₀;
- Benzene, ethylbenzene, toluene and xylenes (total);
- Benzo[a]pyrene;
- Bromodichloromethane, chlorobenzene (monochlorobenzene), chloroethane, chloromethane, dibromochloromethane, 1,2- dibromoethane, dibromomethane, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, dichloroethane (1,1- and 1,2-), 1,1-dichloroethene 1,2-dichloroethene (cis and trans), dichloromethane, 1,2-dichloropropane, 1,3-dichloropropane, 1,3-dichloropropane (cis and trans), tetrachloroethane (1,1,1,2- and 1,1,2,2-), tetrachloroethylene, tetrachloromethane (carbon tetrachloride), tribromomethane (bromoform), trichloroethane (1,1,1- and 1,1,2-), trichloroethylene, trichloromethane (chloroform), trichlorofluoromethane, vinyl chloride (chloroethene).

Substances evaluated in vapour for commercial and residential land vapour use:

To meet numerical standards prescribed for defining whether a site is contaminated:


- Benzene, ethylbenzene, methyl tert- butyl ether (MTBE), styrene, toluene, xylenes mixture;
- VPHv;
- Naphthalene;
- Acetone, 1,3-butadiene, 2-butanone (methyl ethyl ketone), carbon tetrachloride (tetrachloromethane), chlorobenzene (monochlorobenzene), chloroethane (ethyl chloride), chloroethene (vinyl chloride), cumene (isopropylbenzene), n-decane, dibromochloromethane, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, dichloroethane (1,1-, 1,2-), 1,1-dichloroethene, 1,2-dichloroethene (cis and trans), 1,2-dichloropropane, 1,3-dichloropropane, ethyl acetate, n-hexane, methylcyclohexane, tetrachloroethane (1,1,1,2- and 1,1,2,2), tetrachloroethylene, trichloroethane (1,1,1- and 1,1,2-), trichloroethylene, trichlorofluoromethane trimethylbenzene (1,2,4- and 1,3,5-).

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Schedule D

Documents

- *Summary of Site Condition*, prepared by Pottinger Gaherty Environmental Consultants Ltd., dated Sep 2017;
- *Stage 1/2 Preliminary Site Investigation, Driftwood Mall, 2751 Cliffe Avenue, Courtenay, BC*, prepared by Pottinger Gaherty Environmental Consultants Ltd., dated Sep 2017;
- *Determination of Local Background Soil Quality at 2751 Cliffe Avenue, Driftwood Mall, Courtenay, BC*, prepared by Ministry of Environment, dated 11 Jul 2017;
- *Application for Local Background Soil Quality Determination, 2751 Cliffe Avenue, Driftwood Mall, Courtenay, BC*, prepared by Pottinger Gaherty Environmental Consultants Ltd., dated May 2017;
- *Revised Phase 1 Environmental Site Assessment Update, Driftwood Mall, 2751 Cliffe Avenue, Courtenay, BC*, prepared by Golder Associates, dated Mar 2012;
- *Environmental Peer Review, 2751 Cliffe Avenue, Courtenay, British Columbia*, prepared by Pinchin Environmental, dated 23 Mar 2012;
- *Phase 2 Environmental Site Assessment, Driftwood Mall, Courtenay, BC*, prepared by Golder Associates Ltd., dated 26 Jun 2007; and
- *Environmental Investigation and Monitoring, Former Save on Gas Bar, Courtenay, BC*, prepared by EBA Engineering Consultants Ltd., dated 06 Oct 2006.

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