



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.

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.

November 30, 2017
Date Issued


Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is a management area located on a portion of 6361 Hammond Bay Road, Nanaimo, British Columbia which is more particularly known and described as:

Commencing at a point bearing 107 degrees 25 minutes 33 seconds a distance of 36.02 m from the northwest corner of Lot 1 of Section 12, Wellington District, Plan VIP53276. Thence, at a bearing of 73 degrees 13 minutes 0 seconds a distance of 8.63 m.

Thence, at a bearing of 124 degrees 50 minutes 35 seconds a distance of 35.45 m.

Thence, at a bearing of 175 degrees 58 minutes 46 seconds a distance of 29.54 m.

Thence, at a bearing of 247 degrees 8 minutes 11 seconds a distance of 41.63 m.

Thence, at a bearing of 337 degrees 8 minutes 11 seconds a distance of 33.71 m.

Thence, at a bearing of 20 degrees 24 minutes 33 seconds a distance of 34.50 m to the point of commencement, and comprising an area of 2,275.20 m².

Part of PID: 017-537-690

The site contains part of a legal parcel depicted in drawing 511313-002 prepared by SNC-Lavalin Inc. on October 10, 2017.

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

Latitude: 49° 14' 01.87"

Longitude: 124° 02' 35.50"

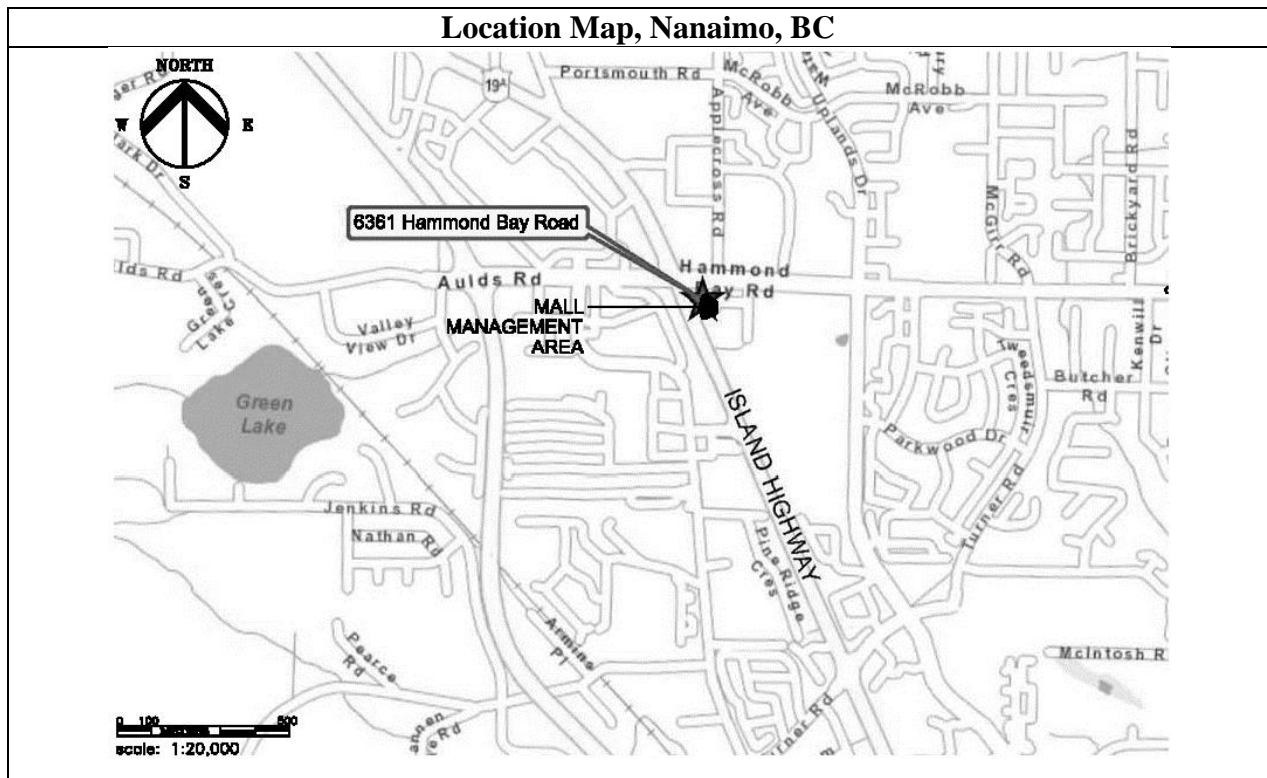
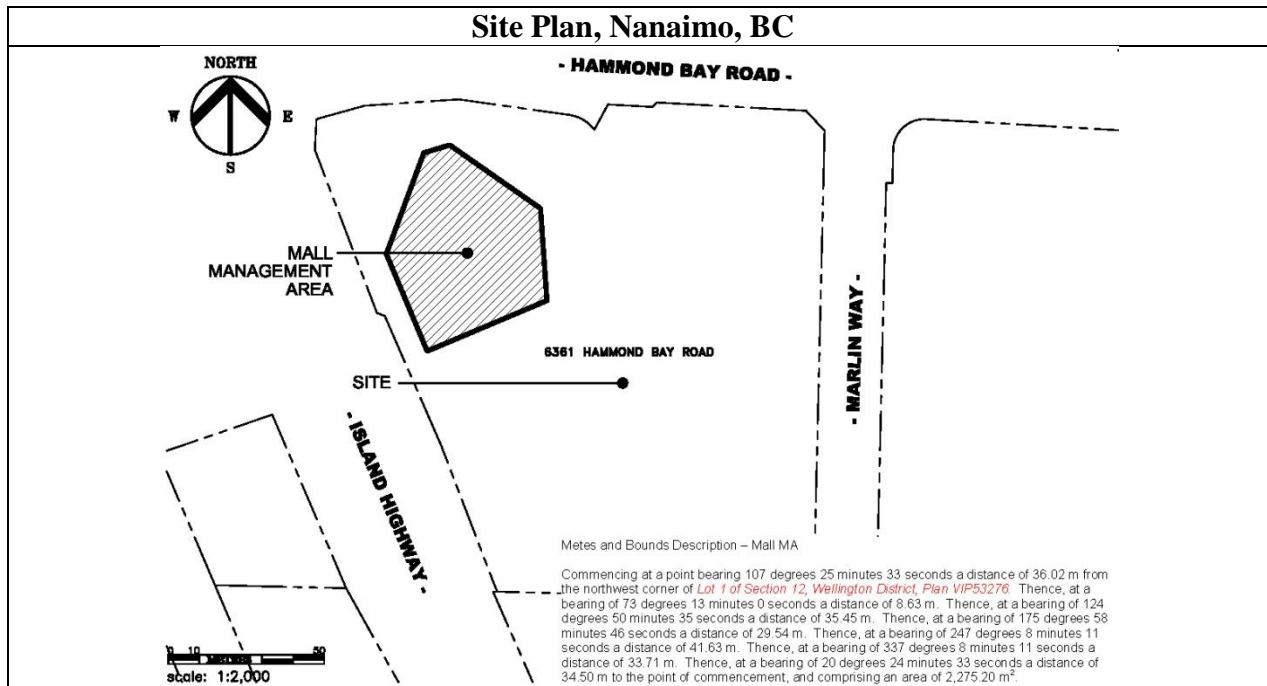
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Schedule B

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 risk-based standards at the Site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of trenches expected at the site. These assumptions include the following:

- (a) Future building(s) constructed to any depth will not come into contact with groundwater.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings or trenches at the Site and the range of structures, locations and depths of buildings or trenches 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 from the Mall MA must not be used as a drinking water source.
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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Schedule C

Substances and Uses

Substances remediated in soil for commercial land soil use:

To meet numerical remediation standards:

- Ethylbenzene, xylene;
- VPHs.

To meet risk-based remediation standards:

- Benzene, toluene.

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

- Benzo[a]pyrene;
- 1,2-Dibromoethane;
- Toluene.

To meet risk-based remediation standards:

- Benzene and ethylbenzene;
- Methyl tertiary butyl ether (MTBE);
- Sodium and uranium;
- Xylenes (total).

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

- LEPHw and VPHw;
- Naphthalene.

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Schedule D

Documents

Summary of Site Condition (for Mall Management Area), prepared by SNC-Lavalin Inc., dated October 2017.

Summary of Communication in Regards to the CofC Application for a portion of 6361 Hammond Bay Road, Nanaimo, BC associated with the Former Shell Lease Site Located at 6369 Hammond Bay Road, Nanaimo, BC (Former Lease Site), Location Code: C47082(MoE Site No. 19735), prepared by SNC-Lavalin Inc., dated October 10, 2017.

Human Health and Ecological Risk Assessment, Former Shell Lease Site at 6361 Hammond Bay Road, Nanaimo, BC and Adjacent Management Area Location Code: C47082, prepared by SNC-Lavalin Inc., dated October 11, 2017.

Remedial Excavation & Post Decommissioning Investigation, Former Shell Lease Site Located at 6361 Hammond Bay Road, Nanaimo, BC and Adjacent Management Area, prepared by SNC-Lavalin Inc., dated October 10, 2017.

Stage 1 & 2 Preliminary Site Investigation, Detailed Site Investigation & Decommissioning, Former Shell Lease Site Located at 6361 Hammond Bay Road, Nanaimo, BC and Adjacent Management Area, prepared by SNC-Lavalin Inc., dated October 6, 2017.

Soil Sampling and Disposal Program, Former Payless Service Station, #C47082, 6369 Hammond Bay Road, Nanaimo, BC, prepared by Seacor Environmental Engineering Inc., dated October 5, 1999.

Shell Canada Products Limited UST Fuel System Upgrade Hammond Bay Payless, prepared by PetroAct Environmental Ltd., dated October 28, 1999.

Tank Nest Piezometer Monitoring Event, Payless Service Station, #C47082, 6369 Hammond Bay Road, Nanaimo, BC, prepared by Seacor Environmental Engineering Inc., dated May 18, 1999.

Tank Nest Piezometer Monitoring Event, Payless Service Station, #C47082, 6369 Hammond Bay Road, Nanaimo, BC, prepared by Seacor Environmental Engineering Inc., dated January 4, 1999.

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