



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.

February 15, 2018
Date Issued


Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site is located at 760 Vaughan Avenue, Kelowna, British Columbia and a portion of 1100 Ethel Street, Kelowna, British Columbia which is more particularly known and described as:

LOT 2 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 23753
PID: 006-232-973

And described by the following:

All of Lot 2 Section 30 Township 26 Osoyoos Division Yale District Plan 23753 containing 3.53 Acres more or less, and as shown on subdivision plan prepared by J.G. Spark, BCLS and dated the 14th day of March 1973

And

PORTION of LOT 12 BLOCK 4 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 5452
PID: 002-368-196

And as described for a Portion of Ethel Street, Kelowna, BC indicated by the following metes and bounds description based on a legal drawing prepared by WSP Surveys (BC) Limited Partnership on 26 October 2017:

All that portion of Lot 12 Block 4 Section 30 Township 26 Osoyoos Division Yale District Plan 5452. Which may be described more particularly as follows:

Commencing at the North East corner of Lot 2, Section 30, Township 26, Osoyoos Division Yale District, Plan 23753

Thence Westerly along the North boundary of said Lot 2 for a distance of 2.50 metres to the point of commencement.

Thence Northerly, perpendicular to the North boundary of said Lot 2 for a distance of 7.35 metres;

Thence Westerly, parallel to the North boundary of said Lot 2 for a distance of 35.40 metres;

Thence Southerly, perpendicular to the north boundary of said Lot 2 for a distance of 7.35 metres to a point on the north boundary of said Lot 2:

Thence Easterly, following along the north boundary of said Lot 2 for a distance of 35.40 metres more or less to the point of commencement, and the said portion containing an area of 0.06 Acres more or less and is shown within the heavy bold outline and labeled Area 'A'

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

Latitude: 49° 53' 41.80"

Longitude: 119° 29' 11.50"

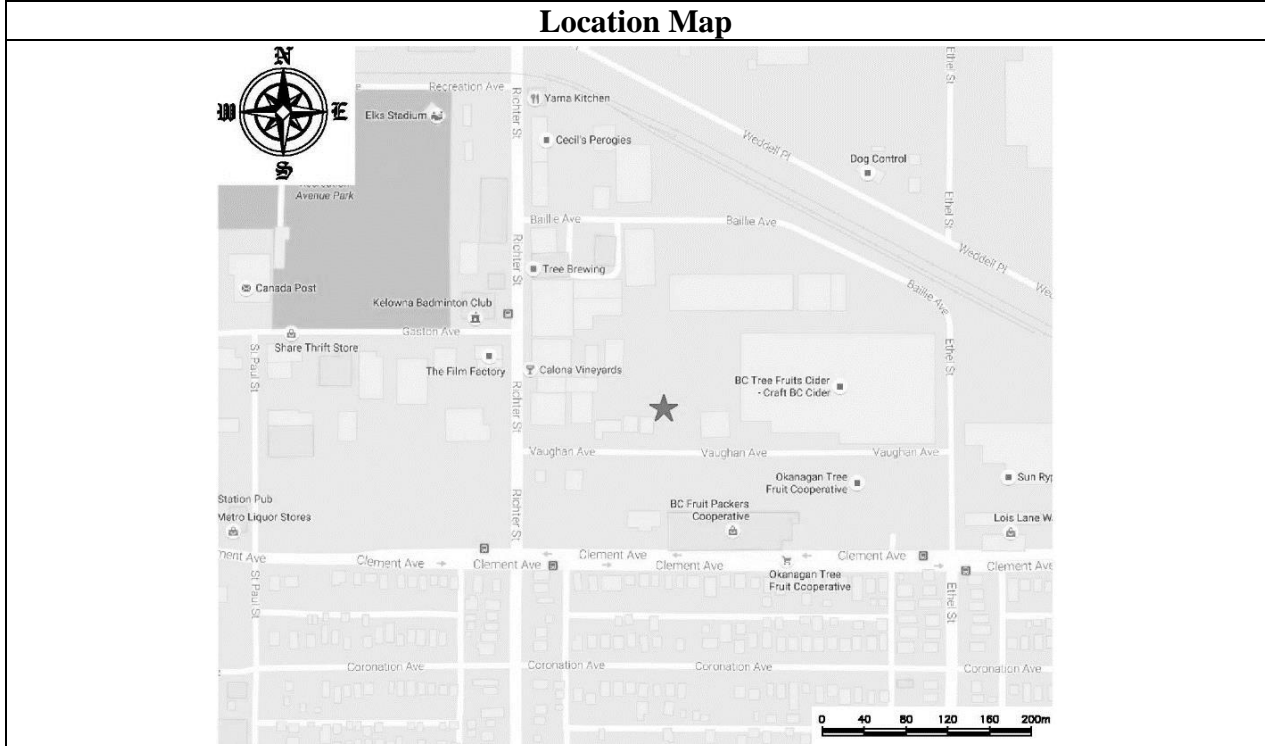
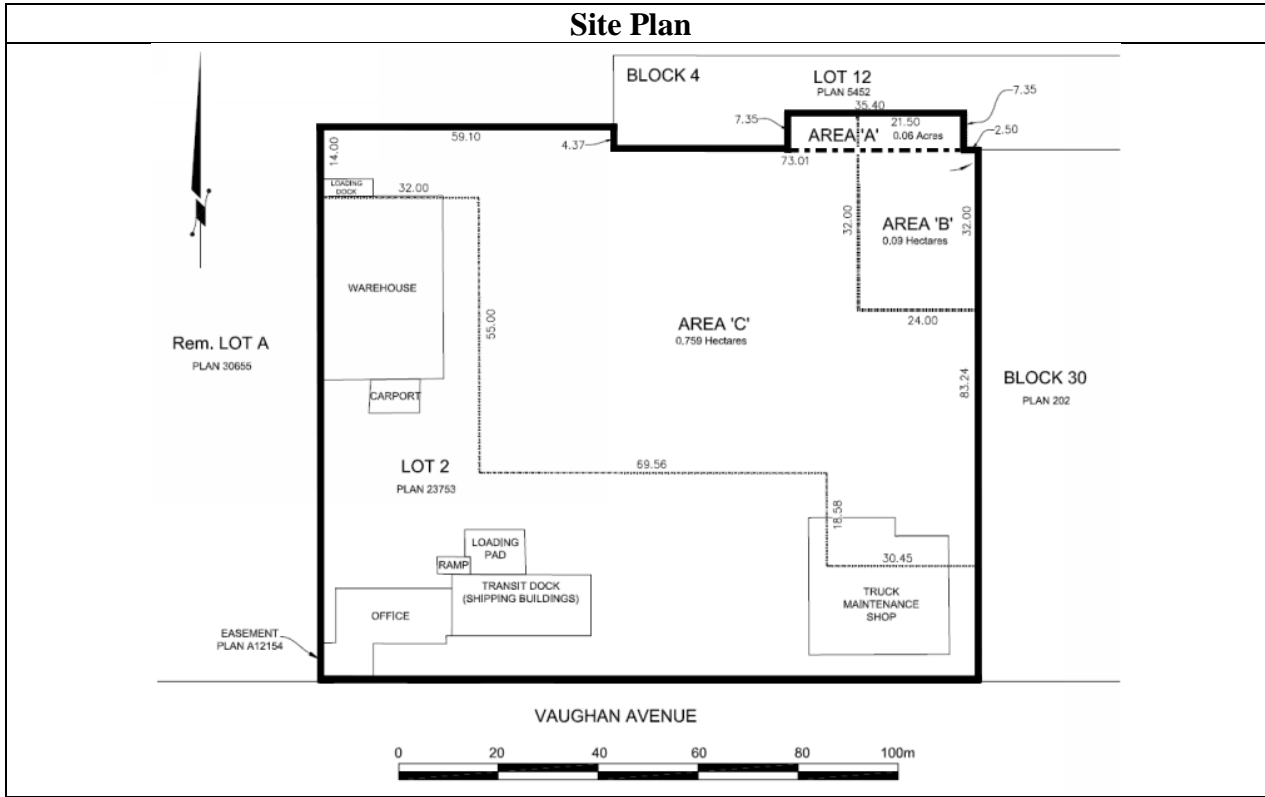
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Schedule B

Requirements and Conditions

1. Any changes in land, vapour, 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 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) *Buildings at the site must be slab-on-grade*
- (b) *No groundwater is to come in contact with the building foundation slabs.*

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 beneath the site must not be used for drinking;*
 - (b) *Building foundations must not occupy the exclusion area in the northeastern portion of the site ('Area B') as shown in the Site Plan and defined by the metes and bounds description (attached)*
 - (c) *Undeveloped land or vegetated landscaping, except for self-contained planters, must not occupy the exclusion area on a portion of the Site ('Area C') as shown in the Site Plan and defined by the metes and bounds description (attached)*

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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.
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
Supporting documentation.

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Schedule C

Substances and Uses

Substances remediated in soil for commercial soil use:

To meet numerical remediation standards:

- *Lead, Zinc*

To meet risk-based remediation standards:

- *Arsenic, Cadmium, Copper, Molybdenum, Selenium*
- *Chloride ion (Cl⁻)*
- *LEPHs*
- *Naphthalene, Phenanthrene*
- *VPBs*

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

- *Chloride*

To meet risk-based remediation standards:

- *Arsenic, Iron, Manganese, Selenium, Sodium*
- *Benzo[a]pyrene*
- *Benzene, Ethylbenzene*

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

- *Selenium*
- *EPHw10-19*
- *LEPHw*
- *Acenaphthene, Acridine, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Chrysene, Fluoranthene, Fluorene, Naphthalene, Phenanthrene, Pyrene, Quinoline*

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Substances remediated in vapour for commercial vapour use:

To meet risk-based remediation standards:

- *Naphthalene*

Offsite Affected Property

Area A as shown on Site Plan as per metes and bounds description for PID 002-368-196:

Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

- *Benzo[a]pyrene*

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

- *LEPH_w*
- *Acenaphthene, Acridine, Anthracene, Fluoranthene, Fluorene, Naphthalene, Phenanthrene, Pyrene*

Substances remediated in vapour for commercial vapour use:

To meet risk-based remediation standards:

- *Naphthalene*

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Schedule D

Documents

- *Performance Verification Plan – 760 Vaughan Ave, Kelowna, BC*, Prepared by WSP Canada Inc., 31 October 2017.
- *Summary of Site Condition – 760 Vaughan Ave, Kelowna, BC*, Prepared by WSP Canada Inc., 31 October 2017.
- *Human Health and Ecological Risk Assessment*, Prepared by WSP Canada Inc., 31 October 2017.
- *Supplemental Detailed Site Investigation*, Prepared by WSP Canada Inc., 30 October 2017.
- *Updated Stage 1 Preliminary Site Investigation*, Prepared by WSP Canada Inc., 30 October 2017.
- *Administrative Guidance #11 Correspondence from City of Kelowna*, City of Kelowna, 26 and 31 October 2017.
- *Correspondence from the BC Ministry of Environment & Climate Change Strategy – Off-Site Delineation of Copper in Soil*, 18 September 2017.
- *Correspondence from the BC Ministry of Environment & Climate Change Strategy regarding Offsite Delineation of Manganese in Groundwater*, 3 October 2017.
- *Stage 1 Preliminary Site Investigation and Detailed Site Investigation*, Prepared by Golder Associates Ltd., 6 May 2016.
- *Draft Technical Memorandum - Results of Soil Excavation and Remediation (2011 and 2012)*, 760 Vaughan Ave., Kelowna, BC, Prepared by Golder Associates Ltd., 5 June 2015.
- *Draft Report “Soil Excavation and Remediation Report, Sage Trailers, 760 Vaughan Ave., Kelowna, BC*, Prepared by Golder Associates Ltd., 5 June 2015.
- *Detailed Site Investigation, 760 Vaughan Ave., Kelowna, BC*, Prepared by Golder Associates Ltd., February 2010.
- *Phase I and II Environmental Site Assessment – 760 Vaughan Ave, Kelowna, BC*, Prepared by Golder Associates Ltd., November 2007
- *Letter for 1994 Soil Excavation Program “Glenncoe Site”*, Prepared by Reid Crowther, 24 May 1994.

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For Director, *Environmental Management Act*

Description of Exclusion Areas

AREA B

*PORTION of LOT 2 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT
PLAN 23753*

PID: 006-232-973

And described by the following:

*All that portion of LOT 2 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT
PLAN 23753. Which may be described thus:*

*Commencing at the Point of Commencement, the North East corner of said Lot 2,
Thence Westerly, along the North boundary of said Lot 2 for a distance of 24.00 metres;
Thence Southerly, perpendicular to the North boundary of said Lot 2 for a distance of 32.00
metres;*

*Thence Easterly, parallel to the North boundary of said Lot 2 for a distance of 24.00 metres to a
point on the West Boundary of said Lot 2;*

*Thence Northerly, along the West boundary of said Lot 2 for a distance of 32.00 metres more or
less to the Point of Commencement.*

And

*PORTION of LOT 12 BLOCK 4 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE
DISTRICT PLAN*

5452

PID: 002-368-196

And described by the following:

*All that portion of Lot 12 Block 4 Section 30 Township 26 Osoyoos Division Yale District Plan
5452. Which may be described thus:*

*Commencing at the North East corner of Lot 2, Section 30, Township 26, Osoyoos Division Yale
District, Plan 23753*

*Thence Westerly along the North boundary of said Lot 2 for a distance of 2.500 metres to the
Point of Commencement.*

*Thence Northerly, perpendicular to the North boundary of said Lot 2 for a distance of 7.35
metres;*

Thence Westerly, parallel to the North boundary of said Lot 2 for a distance of 21.50 metres;

*Thence Southerly, perpendicular to the north boundary of said Lot 2 for a distance of 7.35
metres to a point on the north boundary of said Lot 2:*

*Thence Easterly, following along the north boundary of said Lot 2 for a distance of 21.50 metres
more or less to the Point of Commencement.*

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As depicted in the Sketch Plan prepared by WSP Surveys (BC) Limited Partnership on 30 October 2017 for Portion of Lot 2, Section 30, Township 26, Osoyoos Division Yale District, Plan 23753 and Portion of Lot 12, Section 30, Township 26, Osoyoos Division Yale District, Plan 5452 Shown as Area 'B'.

Area B = 0.09 Hectares

AREA C

PORTION of LOT 2 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 23753

PID: 006-232-973

And described by the following:

All that portion of LOT 2 SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 23753. Which may be described thus:

*Commencing at the Point of Commencement, the North East corner of said Lot 2,
Thence Westerly, along the North boundary of said Lot 2 for a distance of 73.01 metres;
Thence Northerly, along the East boundary of said Lot 2 for a distance of 4.37 metres;
Thence Westerly, along the North boundary of said Lot 2 for a distance of 59.10 metres;
Thence Southerly, along the West boundary of said Lot 2 for a distance of 14.00 metres;
Thence Easterly, parallel to the North boundary of said Lot 2 for a distance of 32.00 metres;
Thence Southerly, perpendicular to the North boundary of said Lot 2 for a distance of 55.00 metres;
Thence Easterly, parallel to the North boundary of said Lot 2 for a distance of 69.56 metres;
Thence Southerly, perpendicular to the North boundary of said Lot 2 for a distance of 18.58 metres;
Thence Easterly, parallel to the North boundary of said Lot 2 for a distance of 30.45 metres to a point on the East Boundary of said Lot 2;
Thence Northerly, along the East boundary of said Lot 2 for a distance of 83.24 metres more or less to the Point of Commencement.*

As depicted in the Sketch Plan of Portion of Lot 2, Section 30, Township 26, Osoyoos Division Yale District, Plan 23753. Shown as Area 'C'.

Area C = 0.759 Hectares / 1.88 Acres

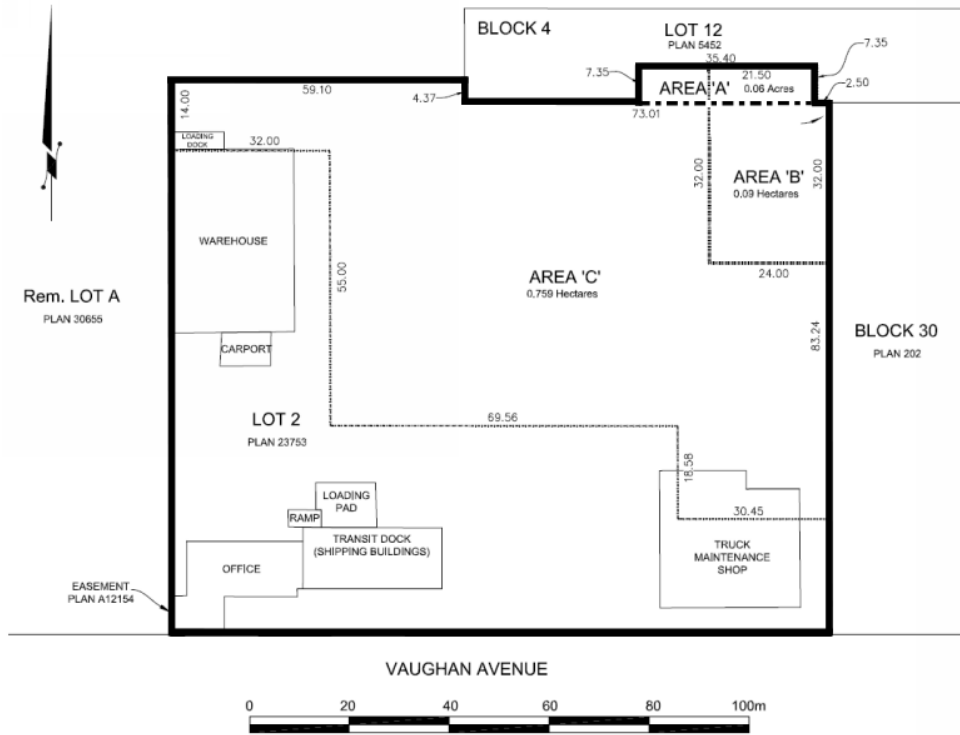
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