



Victoria File: 26250-20/18633
Site ID: 18633

January 20, 2020

Mr. Constantin Popa
POPA Developments Inc.
No. BC0817958
3060 Beachfront Cres.
Mill Bay, BC V0R 2P3

Dear Mr. Popa:

**Re: Certificate of Compliance – 5795 Duncan Street, North Cowichan,
British Columbia**

Please find enclosed a Certificate of Compliance respecting the site referenced above.

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

1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. 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.
3. 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.
4. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.

5. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
6. 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 778-698-4885 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



J.A. Brooke

Enclosure

cc: Danica Rice, City of Duncan Manager of Planning,
danica@duncan.ca

Mark Adamson, Approved Professional, Golder Associates Ltd.,
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PO Box 2120, Station Terminal Vancouver BC, V6B 5R8

First West Credit Union, 6470 201 Street, Langley, BC, V2Y 2X4

CSAP Society
apopova@csapsociety.bc.ca



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.

The substances to which this Certificate of Compliance applies migrated to the site from a neighbouring source. It should not be assumed that this Certificate of Compliance certifies the remediation of all contaminants at the site.

January 20, 2020

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

Schedule A

The site covered by this Certificate of Compliance is located at 5795 Duncan Street, North Cowichan, British Columbia, which is more particularly known and described as:

Portion of Lot 2, Section 18, Range 6, Quamichan District, Plan 18312,
PID: 003-899-934

That part of Lot 2, Section 18, Range 6, Quamichan District, Plan 183212, situated in the Municipality of North Cowichan. Said part more particularly described as follows:
Starting at the north west corner of the lot at the point of beginning, thence 270°00'00", a distance of 10.46 metres to the commencement point;
Thence 270°00'00", a distance of 23.8 metres;
Thence 180°00'00", a distance of 6.94 metres;
Thence 125°26'25.8", a distance of 10.43 metres;
Thence 90°00'00", a distance of 9.04 metres;
Thence 39°06'19.08", a distance of 9.60 metres;
Thence 2°45'32.04", a distance of 5.54 metres to the commencement point to close the metes and bounds of the parcel.

The site contains the part of the legal parcel described above and is depicted in the Site Plan prepared by Golder Associates Ltd. on June 8, 2019, and provided below.

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

Latitude:	48°	46'	52.4"
Longitude:	123°	42'	25.5"

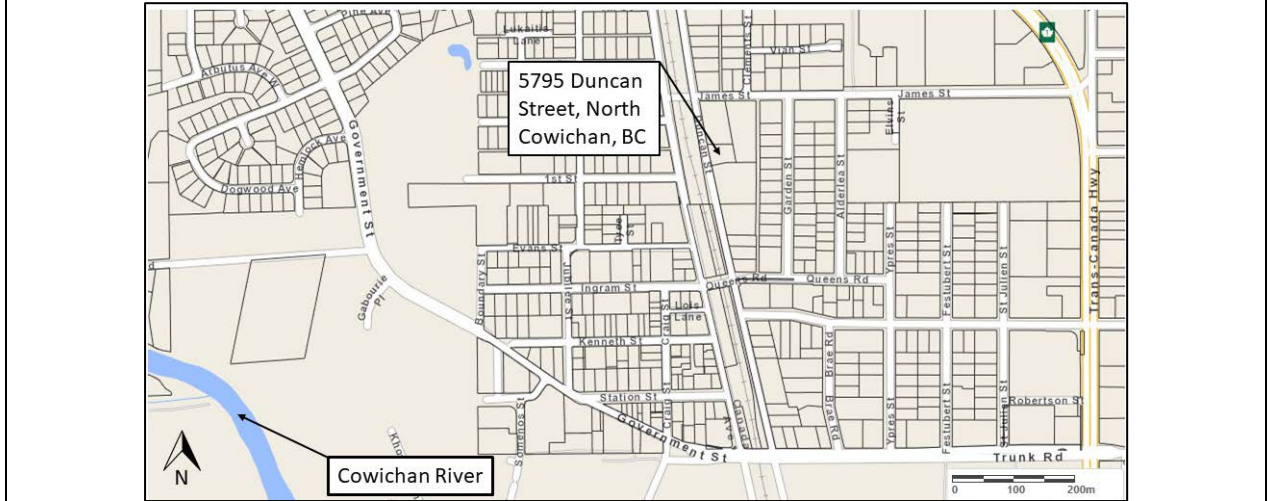
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Site Plan, North Cowichan, BC



Location Map, North Cowichan, BC



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For Director, Environmental Management Act

Schedule B

Requirements and Conditions

1. Any changes in land, or vapour, 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 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 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) Slab-on-grade building construction.

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) At least 1 m of clean material or a cap will be maintained in the risk management area.
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 risk-based remediation standards:

- Benzene 71-43-2
- Ethylbenzene 100-41-4
- Iron 7439-89-6
- LEPHs N/A
- VPHs N/A
- Xylenes 1330-20-7

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Schedule D

Documents

- *Summary of Site Conditions*, Golder Associates Ltd., 11 October 2019.
- *Stage 1 Update and Detailed Site Investigation, Former Bulk Plant, 5811 Duncan Street, North Cowichan, BC, SAP No. 88000914*, Golder Associates Ltd., August 1, 2019.
- *Detailed Quantitative Risk Assessment, Former Bulk Plant, 5811 Duncan Street, North Cowichan, BC, SAP No. 88000914*, Golder Associates Ltd., September 12, 2019.
- *Correspondence Summary of Administrative Guidance 11 Package Regarding Risk Based Certificate of Compliance Application for Property to the South of 5811 Duncan Street, Duncan, BC*, Golder Associates Ltd., October 10, 2019.
- *Data Report, Groundwater and Soil Vapour Samples, Former Bulk Plant, 5811 Duncan Street, Duncan, BC, SAP NO. 88000914*, Golder Associates Ltd., May 16, 2018.
- *Remediation Report and Historical Data Rescreening, Former Bulk Plant, 5811 Duncan Street, Duncan, BC, SAP NO. 88000914*, Golder Associates Ltd., January 12, 2018.
- *Remedial Action Plan for Excavation, Former Petroleum Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., August 23, 2017.
- *Data Package, 5795 – 5799 Duncan Street, Duncan, BC*, Golder Associates Ltd., July 20, 2017.
- *Data Report, Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., June 29, 2016.
- *Data Report, Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., May 2, 2017.
- *Data Report for Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., December 15, 2016.
- *Stage 1 Preliminary Site Investigation, Former Bulk Plant Facility, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., November 10, 2016.
- *Data Gaps and Path to Closure, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., July 29, 2016.
- *Data Report for Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., July 11, 2016.
- *Data Report for Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., April 21, 2016.
- *Data Report for 5795 Duncan Street, Duncan, BC (Lot 2, Section 18, Range 6, Quamichan District, Plan 18312)*, Golder Associates Ltd., October 30, 2015.
- *Data Report for Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914)*, Golder Associates Ltd., October 22, 2015.

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- *Data Report for Soil and Groundwater Sampling at the Former Bulk Plant, 5811 Duncan Street, Duncan, BC (SAP NO. 88000914), Golder Associates Ltd., October 8, 2014.*
- *Data Report on May 2012 Field Investigation, Results of Drilling and Soil, Soil Vapour and Groundwater Sampling, 5811 Duncan Street, Duncan, BC, Golder Associates Ltd., July 11, 2012.*
- *2011 Site Monitoring and Sampling Report, Golder Associates Ltd., May 25, 2012.*
- *Groundwater Sampling Report, Former Duncan Bulk Plant, 5811 Duncan Street, Duncan, BC, Golder Associates Ltd., March 24, 2009.*
- *Inhalation Human Health Risk Estimates, Former Imperial Oil North Cowichan Bulk Plant, 5811 Duncan Street, North Cowichan, BC, Seacor Environmental Inc., June 30, 2005.*
- *Stage 1 & 2 PSIs and DSI, 5811 Duncan Street, North Cowichan, BC, Seacor Environmental Inc., February 20, 2004.*
- *Summary of Stage 1/2 Preliminary Site Investigation Reports, Doman Industries Ltd. property at 2742 James Street, Duncan BC, Morrow Environmental Consultants, June 9, 1998.*
- *Stage 2 Preliminary Site Investigation, 2742 James Street, North Cowichan, BC, Morrow Environmental Consultants, June 9, 1998.*
- *Stage 1 Preliminary Site Investigation, Doman Industries Limited, 2742 James Street, North Cowichan, BC, Morrow Environmental Consultants, February 11, 1998.*
- *Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., August 12, 1992.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., July 29, 1992.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., May 29, 1992.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., March 31, 1992.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., February 19, 1992.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., November 13, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., November 11, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., August 30, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., August 27, 1991.*

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- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., July 2, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., June 20, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., May 15, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., April 9, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., February 26, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., February 8, 1991.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., December 17, 1990.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., October 15, 1990.*
- *Installation of Vapour Extraction System, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., July 19, 1990.*
- *Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., June 26, 1990.*
- *Site Monitoring Report, Duncan Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., June 21, 1990.*
- *Environmental Site Assessment, Esso Bulk Plant, Duncan, British Columbia, O'Connor Associates Environmental Inc., March 29, 1990.*

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