



Victoria File: 26250-20/17873  
Site ID: 17873

29 May, 2020

Jana McLean  
IRIS Legal  
Suite 2100, 1055 West Georgia St.  
Vancouver, BC V6E 3P3  
**VIA EMAIL ONLY:** [jana@irislegal.ca](mailto:jana@irislegal.ca)

Dear Jana McLean,:

**Re: Certificate of Compliance – 33305 South Fraser Way, Abbotsford, 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 Regulationand 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 236 468-2258 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,

A handwritten signature in black ink, appearing to read "Vincent Hanemayer". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Vincent Hanemayer, P.Eng.  
Sr. Contaminated Sites Officer

Enclosure

cc: Paul Bogunovic, City of Abbotsford; Email: pbogunovic@abbotsford.ca

Lora Paul, Hemmera Envirochem Inc., Email: lora.paul@hemmera.com

Trish Miller, Hemmera Envirochem Inc., Email: trish.miller@hemmera.com

Client Information Officer, Land Remediation Section, Email:  
csp\_cio@victoria1.gov.bc.ca

Society of Contaminated Sites Approved Professionals of BC, Email:  
apopova@csapsociety.bc.ca

IKM Properties Ltd, Email: johnk@kirmac.com



**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.

2020-05-29

Date Issued

Signing Authority

For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 33305 South Fraser Way, Abbotsford, British Columbia which is more particularly known and described as:

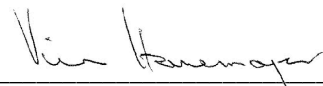
Lot 181 District Lot 48 Group 2 New Westminster District Plan 55448  
PID: 005-359-554

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

Latitude:     49°   3'    1.8"  
Longitude:   122° 18'   7.1"

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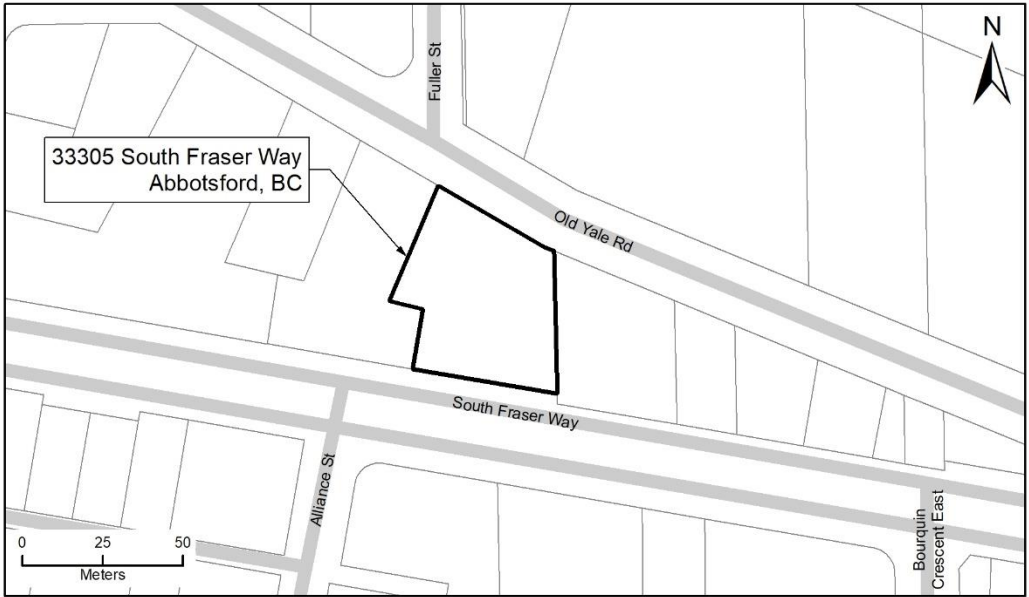
Date Issued



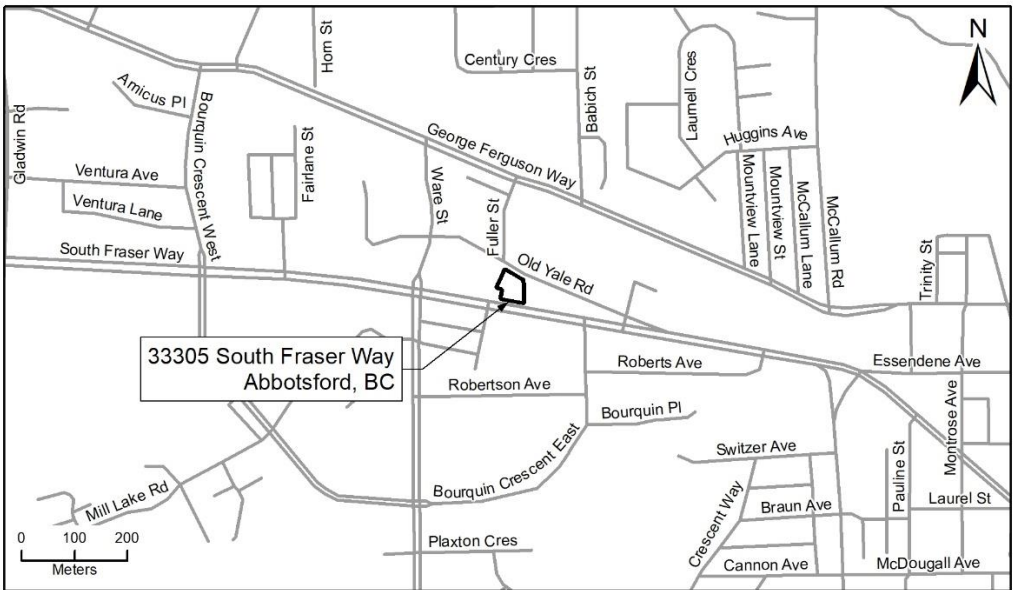
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### Site Plan



### Location Map



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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 persons 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 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:

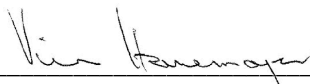
- (a) *Future buildings foundation must not extend greater than 7 m below the current site grade.*

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings 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 from the Site must not be used as drinking water.
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 (CAS# 71-43-2)
- Toluene (CAS# 108-88-3)

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

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

- Arsenic (CAS# 7440-38-2)
- Benzene (CAS# 71-43-2)
- Ethylbenzene (CAS# 100-41-4)
- LEPHw (CAS# NA)
- Naphthalene (CAS# 91-20-3)
- Toluene (CAS# 108-88-3)
- VH<sub>w6-10</sub> (CAS# NA)
- VPHw (CAS# NA)
- Xylenes, total (CAS# 1330-20-7)

#### *Substances remediated in water for drinking water use:*

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

- Arsenic (CAS# 7440-38-2)
- Benzene (CAS# 71-43-2)
- Benzo(a)pyrene (CAS#50-32-8)
- 1,2-Dibromoethane (CAS# 106-93-4)
- 1,2-Dichloroethane (CAS# 107-06-2)
- Ethylbenzene (CAS# 100-41-4)
- Lithium (CAS# 7439-93-2)
- Methyl tert-butyl ether (CAS#1634-04-4)
- 2-methylnaphthalene (CAS# 91-57-6)
- Naphthalene (CAS# 91-20-3)
- 1,1,2,2-tetrachloroethane (CAS#79-34-5)
- 1,1,2-trichloroethane (CAS#79-00-5)

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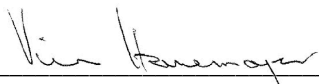


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- Toluene (CAS# 108-88-3)
- $\text{VHw}_{6-10}$  (CAS# NA)
- Xylenes, total (CAS# 1330-20-7)

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## Schedule D

### Documents

*Summary of Site Condition, 33305 South Fraser Way, Abbotsford, B.C., Hemmera Envirochem Inc. March 2020;*

*Addendum Report: Site No.17873, Hemmera Envirochem Inc., March 2020;*

*Protocol 6 Approval for Relief from Vertical Delineation of Deep Groundwater Contamination, 33305 South Fraser Way, Abbotsford, B.C., BC Ministry of Environment and Climate Change Strategy, December 20, 2019;*

*Stage 1 Preliminary Site Investigation Update and Supplemental Detailed Site Investigation 33305 South Fraser Way, Abbotsford, BC, Hemmera Envirochem Inc. Stage December 2019;*

*Human Health and Ecological Risk Assessment – 33305 South Fraser Way, Abbotsford, BC, Hemmera Envirochem Inc. December 2019;*

*Protocol 6 Pre-Approval Application for Relief from Further Delineation at 33305 South Fraser Way, Abbotsford, BC, Hemmera Envirochem Inc. December, 2019;*

*Jansen Industries 2010 Ltd. V Accton Super-Save Gas Stations Ltd. Et al, SCBC Vancouver Action No. S11505, Dr. Blair Wallace December 21, 2018;*

*Data Package, 33305 South Fraser Way, Abbotsford, BC, Project No.:12975”, Keystone Environmental Ltd., March 2018;*

*Addendum Report to Stage 1 and 2 Preliminary Site Investigation, Detailed Site investigation, and Screening Level Risk Assessment, 33305 South Fraser Way, Abbotsford, BC, Keystone Environmental Ltd., June 28, 2017;*

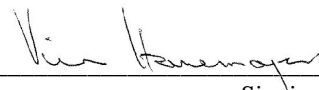
*Report of Findings – Preliminary Site Investigations – Stage 1 and Stage 2, and Detailed Site Investigation, 33305 South Fraser Way, Abbotsford, BC, Keystone Environmental Ltd., January 19, 2017;*

*Screening Level Risk Assessment, 33305 South Fraser Way, Abbotsford, BC, Keystone Environmental Ltd., January 18, 2017;*

*Analytical Tables, Figures and Borehole Logs for Additional Investigation Completed, Hemmera Envirochem Inc., November 2015;*

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*Exova Laboratory Certificate #1081621, J. Blair Wallace, July 31, 2015;*

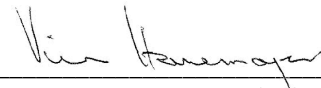
*Additional Step-Out Environmental Investigations, 33305 South Fraser Way, Abbotsford, B.C., Levelton Consultants Ltd., March 21, 2011;*

*Stage 2 Preliminary Site Investigation, 33305 South Fraser Way, Abbotsford, BC, Levelton Consultants Ltd., January 24, 2011; and*

*Stage 1 Preliminary Site Investigation, 33305 South Fraser Way, Abbotsford, BC., Levelton Consultants Ltd., November 9, 2010.*

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