



Victoria File: 26250-20/23291
Site ID: 23291

April 7, 2020

Mr. Curt Bogren
Suncor Energy Products Partnership
1155 Glenayre Drive,
Port Moody, BC V3H 3E1

Dear Mr. Bogren:

**Re: Certificate of Compliance - Portions of Canadian Pacific Railway Company
right-of-way adjacent to 876 Victoria Street, Kamloops, B.C.**

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:

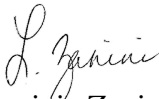
1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in 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 236-468-2251 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Lavinia Zanini, P. Geo.
Senior Contaminated Sites Officer

Enclosure

cc: Peter Pagenkopf, Canadian Pacific Railway Company
7550 Ogden Dale Road SE, Calgary, AB T2C 4X9

Allan Michener, City of Kamloops
955 Concordia Way, Kamloops, BC V2C 6V3

CSAP Society
apopova@csapsociety.bc.ca

Eva Gerencher, Approved Professional, SLR Consulting (Canada) Ltd.
egerencher@slrconsulting.com

Michelle Anderson, Approved Professional, SLR Consulting (Canada) Ltd.
manderson@slrconsulting.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.

April 7, 2020
Date Issued


Lavinia Zanini
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance includes an off-site management area within a portion of the Canadian Pacific Railway Company right-of-way adjacent to the former bulk plant at 876 Victoria Street, Kamloops, British Columbia, which is more particularly known and described as:

Legal Description:

Portion (as defined by metes and bounds below) of Canadian Pacific Railway Right of Way from Mile 114.7 to Mile 128.9 Shuswap Subdivision, BC Division in Kamloops Division of Yale District Shown on CPR Plan A514 (KAP514A)

PID:

NA

Description of Canadian Pacific Railway Company Management Area Metes and Bounds:

Commencing at a point along the southerly boundary of Canadian Pacific Railroad Plan A514 at the north east corner of Parcel A, Block 79, Plan 193; thence east southeasterly along the southerly boundary of Canadian Pacific Railroad Plan A514 on an azimuth of 113° 47' 21" more or less a distance of 6.960 metres more or less to its intersection with the line between bore holes BH39 and BH40; thence east northeasterly on an azimuth of 69° 11' 29" more or less a distance of 4.603 metres more or less to bore hole BH40; thence north northeasterly on an azimuth of 23° 33' 53" more or less a distance of 8.538 metres more or less to bore hole BH46; thence west northwesterly on an azimuth of 294° 38' 15" more or less a distance of 17.350 metres more or less to bore hole BH37; thence westerly on an azimuth of 268° 04' 29" more or less a distance of 17.906 metres more or less to bore hole BH41; thence west southwesterly along the line between bore holes BH41 and BH20 on an azimuth of 255° 11' 40" more or less a distance of 6.825 metres to its intersection with the southerly boundary of Canadian Pacific Railroad Plan A514; thence east southeasterly along the southerly boundary of Canadian Pacific Railroad Plan A514 on an azimuth of 113° 47' 21" more or less a distance of 28.610 metres more or less to the point of commencement.

The metes and bounds of the management areas are depicted on the Underhill & Underhill Professional Land Surveyors (Underhill) "Sketch Plan Showing Canadian Pacific Railway Metes and Bounds", prepared by Aaron G. Shufletoski, BC Land Surveyor, for SLR Consulting (Canada) Ltd. on October 25, 2019.

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

Latitude: 50° 40' 31.96"
Longitude: 120° 19' 6.16"

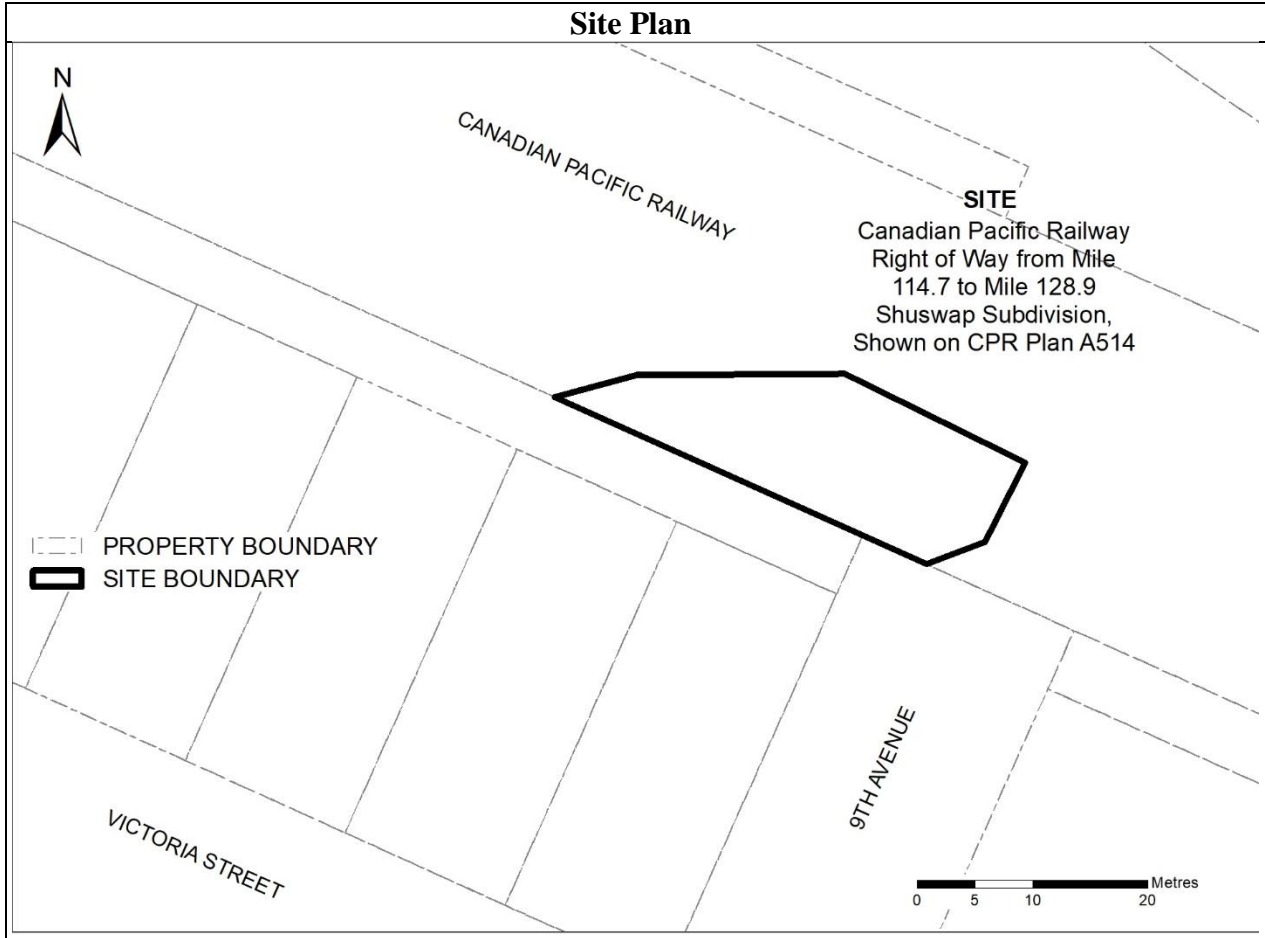
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Schedule B

Requirements and Conditions

1. Any changes in land, vapour or water uses must be promptly identified by the responsible person or 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) Any building erected at the site will have a basement no more than 3.0 meters below current grade; and
- (b) Any parkade constructed at the site will have a maximum depth of no more than 8.0 meters below current grade.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at 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 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 a source of 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 industrial land soil use:

To meet risk-based remediation standards:

naphthalene	91-20-3	VPHs	NA
LEPHs	NA		

Substances evaluated in soil for industrial land soil use:

To meet site-specific numerical standards:

benzene	71-43-2	toluene	108-88-3
xylenes	1330-20-7		

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

naphthalene	91-20-3
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To meet risk-based remediation standards:

EPH _{w10-19}	NA	LEPH _w	NA
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Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

EPH _{w10-19}	NA
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For Director, Environmental Management Act

Schedule D

Documents

- *Summary of Site Condition*, SLR Consulting (Canada) Ltd., January 2020.
- *Preliminary and Detailed Site Investigations, Former Petro-Canada Bulk Plant, 876 Victoria Street, Kamloops, BC, BC ENV Site ID: 6132*, SLR Consulting (Canada) Ltd., January 2020.
- *Human Health and Ecological Risk Assessment, Former Petro-Canada Bulk Plant, 876 Victoria Street, Kamloops, BC, BC ENV Site ID: 6132*, SLR Consulting (Canada) Ltd., January 2020.
- *Letter RE: Record of AG11 Correspondence for Off-Site Management Area on CP Rail Lands Adjacent to 876 Victoria Street, Kamloops, British Columbia*, SLR Consulting (Canada) Ltd., January 2020.

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