



**VIA EMAIL**

Victoria File: 26250-20/7544  
Site ID: 7544

February 25, 2021

Paul Savinkoff  
Ministry of Transportation and Infrastructure  
PO BOX 9850, STN PROV GOVT  
Victoria, BC V8W 9T5

Dear Mr. Savinkoff:

**Re: Certificate of Compliance – Jaffray Highway Yard, 2260 Jaffray Shop Road  
Jaffray, 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. A streamside protection and enhancement area bordering Disney Brook Creek may be required pursuant to the Riparian Areas Regulation under the *Fish Protection Act*, in conjunction with

future development of the site. Contaminated Sites Regulation urban park (PL) standards may apply respecting soil quality within the streamside protection and enhancement area.

5. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
6. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
7. 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 [site@gov.bc.ca](mailto:site@gov.bc.ca).

Yours truly,



Annette Mortensen, Ph.D., P.Eng  
Senior Contaminated Sites Officer

Enclosure

cc: Andrew McLeod – Planning and Development Services Manager  
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Jackie Smith ([jackie-smith@slrconsulting.com](mailto:jackie-smith@slrconsulting.com)) and Cindy Ott ([cott@slrconsulting.com](mailto:cott@slrconsulting.com)),  
Approved Professionals, SLR Consulting (Canada) Ltd.

Site Information Advisor, ENV, Victoria, [Advisor.SiteInformation@gov.bc.ca](mailto:Advisor.SiteInformation@gov.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.

February 25, 2021  
Date Issued

A. Mortensen  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is for the property at 2260 Jaffray Shop Road, Jaffray British Columbia which is more particularly known and described as:

Legal parcel Lot 1, District Lot 6206, Kootenay District, Plan 8789, PID 013-261-941.

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

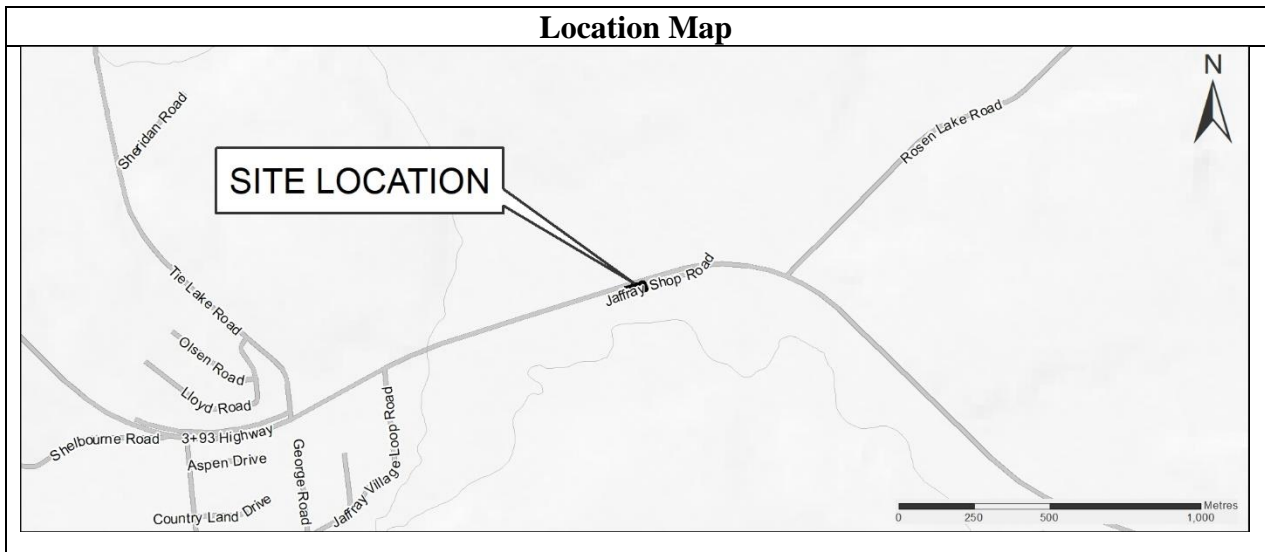
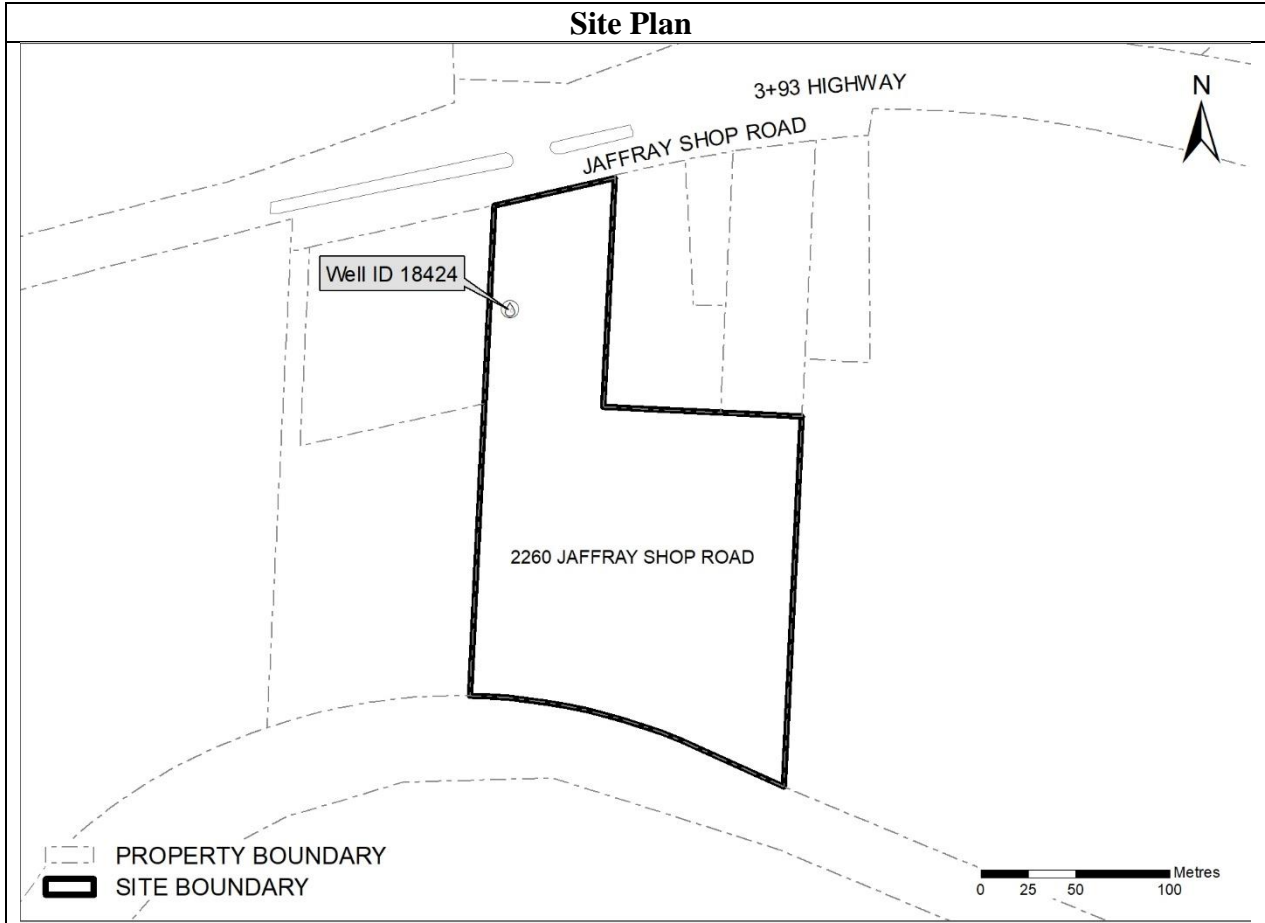
Latitude:	49°	22'	38.9"
Longitude:	115°	16'	51.7"

February 25, 2021

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A. Mortensen  
For Director, *Environmental Management Act*



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 For Director, Environmental Management Act

## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour, or water 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 use 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 and trenches existing or expected at the site. These assumptions include the following:

(a) *Future buildings at the site must be slab-on-grade construction.*

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 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) *Do not move/install/rely upon a water well (as a potable water source) other than that which currently exists (well tag number 18424).*
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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For Director, *Environmental Management Act*

## Schedule C

### Substances and Uses

#### *Substances remediated in soil to commercial land soil use:*

##### To meet numerical remediation standards:

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

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

- chloride ion 16887-00-6
- sodium ion 17341-25-2

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

##### To meet numerical remediation standards:

- benzo(a)pyrene 50-32-8
- EPHw<sub>10-19</sub> NA
- LEPHw NA
- naphthalene 91-20-3
- phenanthrene 85-01-08
- pyrene 129-00-0
- quinoline 91-22-5
- toluene 108-88-3
- xylenes 1330-20-7
- VPHw NA

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

- chloride ion 16887-00-6
- sodium ion 17341-25-2

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

To meet numerical remediation standards:

- benzene 71-43-2
- ethylbenzene 100-41-4
- toluene 108-88-3
- benzo(a)pyrene 50-32-8
- EPHW<sub>10-19</sub> NA
- quinoline 91-22-5
- xylenes, total 1330-20-7

To meet risk-based remediation standards:

- chloride ion 16887-00-6
- sodium ion 17341-25-2

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## Schedule D

### Documents

*Stage 1 Preliminary Site Investigation, Detailed Site Investigation and Confirmation of Remediation Report, 2260 Jaffray Shop Road Hwy 3/93, Jaffray, BC. SLR Consulting (Canada) Ltd., March 2020.*

*Human Health and Ecological Risk Assessment, Former Highways Yard and Associated Management Areas, 2260 Highway 3/93, Jaffray, BC. SLR Consulting (Canada) Ltd., March 2020.*

*Site Risk Reclassification, 2260 Jaffray Shop Road, Jaffray, BC, British Columbia Ministry of Environment and Climate Change Strategy, April 1, 2020.*

*Site Risk Reclassification, 2234 Highway 3/93, Jaffray, BC, British Columbia Ministry of Environment and Climate Change Strategy, March 4, 2020.*

*Request for Protocol 6 Approval for the Derivation of a Toxicity Reference Value for Chloride in Irrigation Water, Jaffray, BC, British Columbia Ministry of Environment and Climate Change Strategy, March 3, 2020.*

*Contaminated Soil Relocation Agreement, British Columbia Ministry of Environment, March 7, 2016.*

*Approval 106745, British Columbia Ministry of Environment, May 29, 2013.*

*Off-site Detailed Site Investigation and Soil Vapour Assessment Report, EBA Engineering Consultants Ltd., November 23, 2010.*

*On-site Detailed Site investigation and Soil Vapour Assessment, EBA Engineering Consultants Ltd., November 23, 2010.*

*Stage 2 Preliminary Site Investigation Report, EBA Engineering Consultants Ltd., February 19, 2010.*

*Screening Level Risk Assessment Report, EBA Engineering Consultants Ltd., February 19, 2010.*

*Stage 1 Preliminary Site Investigation and Preliminary Soil Vapour Assessment Report, EBA Engineering Consultants Ltd., October 22, 2009.*

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*Bioremediation Cell Closure Report*, EBA Engineering Consultants Ltd., December 19, 2006.

*BC Building Corporation Offsite Detailed Site Investigation and Post Remediation Groundwater Monitoring Report*, EBA Engineering Consultants Ltd., March 26, 2003.

*BC Building Corporation 2001 Remediation Activities Report*, EBA Engineering Consultants Ltd., April 11, 2002.

*Investigation Report Summary and Review*, EBA Engineering Consultants Ltd., October 6, 2000.

*Soil and Groundwater Investigation Report*, EBA Engineering Consultants Ltd., December 2000.

*Detailed Site Investigation Jaffray Highways Maintenance Yard*, Technology Resource Inc. September 23, 1999.

*Preliminary Site Investigation – Jaffray Study Route 5*, Technology Resource Inc., Technology Resource Inc., March 4, 1999.

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