



VIA EMAIL

Victoria File: 26250-20/23479
Site ID: 23479

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 – Portion of Jaffray Shop Road and Highway 3/93
north of 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. 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 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
dsmanager@rdek.bc.ca

Monique Gairns, Area Manager, Roads
Ministry of Transportation and Infrastructure Rocky Mountain District
129 – 10th Avenue South Cranbrook, BC V1C 2N1

CSAP Society, apopova@csapsociety.bc.ca

Jackie Smith (jackie-smith@slrconsulting.com) and Cindy Ott (cott@slrconsulting.com),
Approved Professionals, SLR Consulting (Canada) Ltd.

Site Information Advisor, ENV, Victoria, 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.

The substances to which this Certificate of Compliance applies migrated to the site from a neighboring source. It should not be assumed that this Certificate of Compliance certifies the remediation of all contaminants 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 a portion of Jaffray Shop Road and Highway 3/93 north of 2260 Jaffray Shop Road, Jaffray British Columbia which is more particularly known and described as:

Area 1

Point of commencement located within Provincial Highway 3/93, right of way plan R-140, said point of commencement located 17.597m at $353^{\circ}46'53''$ from the Northeast corner of Lot A, District Lot 6206, Kootenay District Plan 15618 and said azimuth being astronomic derived from Plan 15618; Thence Northerly, at an azimuth of $346^{\circ}51'10''$ a distance of 3.800m; Thence Easterly, at an azimuth of $80^{\circ}39'23''$ a distance of 7.000m; Thence Southerly, at an azimuth of $166^{\circ}51'10''$ a distance of 3.800m; Thence Westerly, at an azimuth of $260^{\circ}39'23''$ a distance of 7.000m more or less to the point of commencement.

Area 2

Point of commencement located within Provincial Highway 3/93, right of way plan R-140, said point of commencement located 22.288m at $308^{\circ}02'50''$ from the Northeast corner of Lot A, District Lot 6206, Kootenay District Plan 15618 and said azimuth being astronomic derived from Plan 15618; Thence Westerly, at an azimuth of $257^{\circ}45'45''$ a distance of 10.240m; Thence Northerly, at an azimuth of $342^{\circ}54'21''$ a distance of 5.520m; Thence Easterly, at an azimuth of $77^{\circ}45'45''$ a distance of 10.240m; Thence Southerly, at an azimuth of $162^{\circ}54'21''$ a distance of 5.520m more or less to the point of commencement.

Area 3

Point of commencement located at the Northeast corner of Lot A, District Lot 6206, Kootenay District Plan 15618; Thence Easterly, along the north boundary of Lot 1 Plan 8789 at an azimuth of $78^{\circ}37'35''$, said azimuth being astronomic derived from Plan 15618, a distance of 12m; Thence Northerly, at an azimuth of $348^{\circ}37'35''$ a distance of 18m; Thence Westerly, at an azimuth of $260^{\circ}20'10''$ a distance of 67.030m; Thence Southerly, at an azimuth of $168^{\circ}37'35''$ a distance of 20.000m to the north boundary of Lot A Plan 15618; Thence Easterly, along the north boundary of Lot 1 Plan 15618 at an azimuth of $78^{\circ}37'35''$, a distance of 55m more or less to the point of commencement.

The site contains part of a legal parcel depicted in a metes and bounds survey prepared by Ward Engineering and Land Surveyors Ltd. of Nelson, BC on March 6, 2019 and July 16, 2019.

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

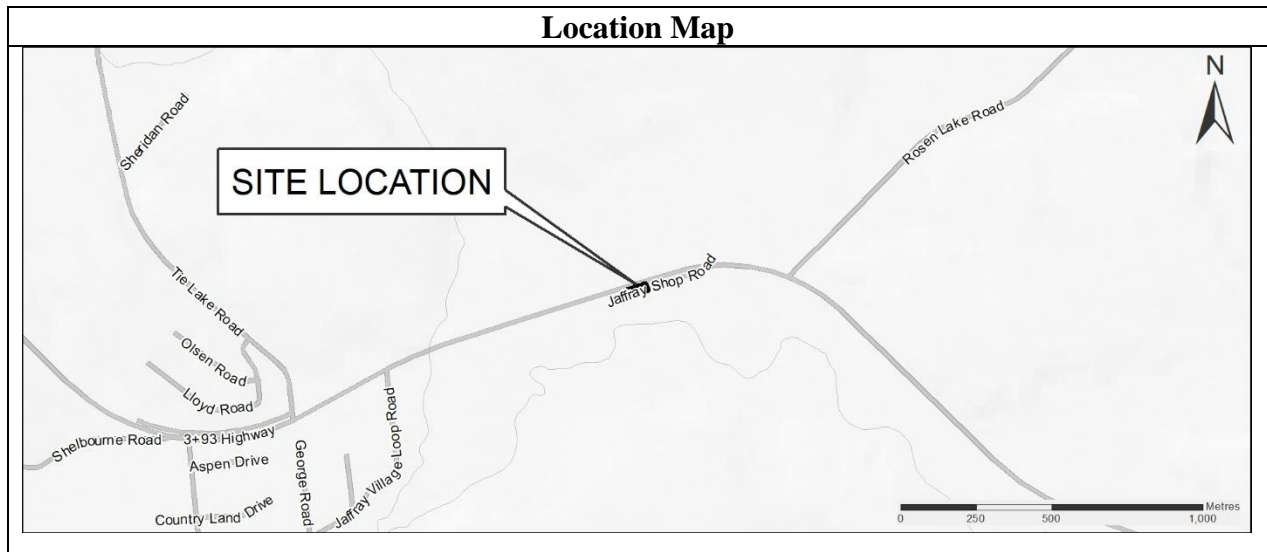
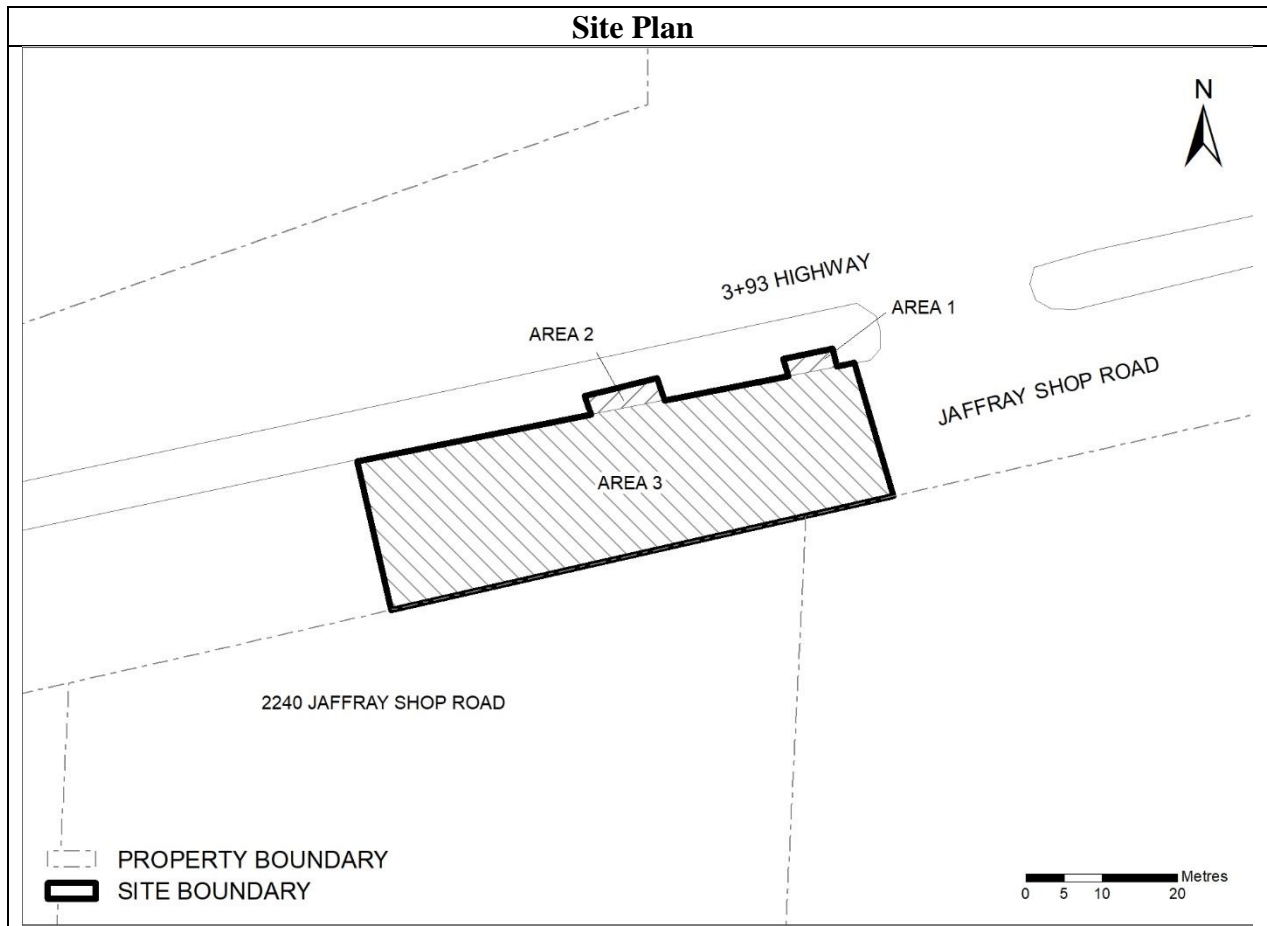
Latitude: 49° 22' 45.28"
Longitude: 115° 16' 55.34"

February 25, 2021

Date Issued



A. Mortensen
For Director, *Environmental Management Act*



February 25, 2021
 Date Issued

A. Mortensen
 A. Mortensen
 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) No buildings will be constructed on the site (road).

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.

February 25, 2021

Date Issued



A. Mortensen
For Director, *Environmental Management Act*

Schedule C

Substances and Uses

Substances remediated in soil to industrial land use:

To meet numerical remediation standards:

- LEPHs NA

To meet risk-based remediation standards:

- VPHs NA

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

- benzo(a)pyrene 50-32-8
- EPHw₁₀₋₁₉ NA
- LEPHw NA
- phenanthrene 85-01-08
- pyrene 129-00-0
- quinoline 91-22-5
- toluene 108-88-3
- VPHw NA

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

- benzene 71-43-2
- benzo(a)pyrene 50-32-8
- EPHw₁₀₋₁₉ NA
- quinoline 91-22-5
- xylenes, total 1330-20-7

February 25, 2021

Date Issued



A. Mortensen
For Director, *Environmental Management Act*

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., January 2020.

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

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.

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.

February 25, 2021

Date Issued



A. Mortensen
For Director, *Environmental Management Act*

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.

February 25, 2021

Date Issued



A. Mortensen
For Director, *Environmental Management Act*