



REGISTERED MAIL

Victoria File: 26250-20/19480
Site ID: 19480

Date: June 16, 2020

Andrew MacKinnon – Land Project Manager
BC Ministry of Transportation and Infrastructure
Suite 4B-940 Blanshard Street
Victoria, BC V8W 9T5

Dear Andrew MacKinnon:

**Re: Certificate of Compliance – Ootistenchia Gravel Pit, East Parcel, Castlegar,
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 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 236-468-2211 toll free via Enquiry BC at (1-800-663-7867).

Yours truly,



Stephen Dankevy, M.Sc., P.Geo.
For Director, *Environmental Management Act*

Enclosure

cc:

Chris Barlow, Chief Administrative Officer, City of Castlegar,
Castlegar City Hall, 460 Columbia Avenue, Castlegar, B.C, V1N 1G7

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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.

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For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is a portion of a right-of-way, located along the west side of Highway 3, southeast of the City of Castlegar, in a rural area of the Regional District of Central Kootenay known as Ootischenia, British Columbia, which is more particularly known and described as:

- > Commencing at a point, a distance of 60.3 m at a bearing of 39° 19' 15" from the northeast corner of Remainder Sub-Lot 66 of Lot 4598, Plan X34, Kootenay District.
- > Thence, at a bearing of 311° 05' 33" a distance of 29.3 m.
- > Thence, at a bearing of 319° 56' 36" a distance of 85.8 m.
- > Thence, at a bearing of 331° 23' 18" a distance of 25.2 m.
- > Thence, at a bearing of 324° 44' 47" a distance of 37.7 m.
- > Thence, at a bearing of 324° 40' 28" a distance of 81.8 m.
- > Thence, at a bearing of 318° 25' 30" a distance of 20.0 m.
- > Thence, at a bearing of 315° 44' 42" a distance of 69.9 m.
- > Thence, at a bearing of 24° 08' 06" a distance of 46.6 m.
- > Thence, at a bearing of 92° 00' 53" a distance of 54.7 m.
- > Thence, at a bearing of 90° 00' 00" a distance of 53.3 m.
- > Thence following an arc start angle 00° 00' 00", end angle 56° 29' 38," radius 79.4, a distance of 78.3.
- > Thence, at a bearing of 146° 29' 38" a distance of 47.6 m.
- > Thence, at a bearing of 146° 21' 09" a distance of 202.7 m.
- > Thence, at a bearing of 147° 09' 54" a distance of 67.9 m.
- > Thence, at a bearing of 181° 10' 10" a distance of 11.1 m.
- > Thence, at a bearing of 229° 15' 28" a distance of 58.0 m.
- > Thence, at a bearing of 288° 14' 04" a distance of 51.4 m.
- > Thence, at a bearing of 297° 39' 25" a distance of 19.2 m.
- > Thence, at a bearing of 302° 58' 19" a distance of 37.4 m, to the point of commencement and comprising an area of 55,956 m² (approximately 5.6 ha).

The Site is a portion of a right of way depicted in an engineering drawing prepared by SNC-Lavalin dated May 13, 2019, drawing number 615098-302.

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

Latitude: 49° 17' 21.6"
Longitude: 117° 38' 08.7"

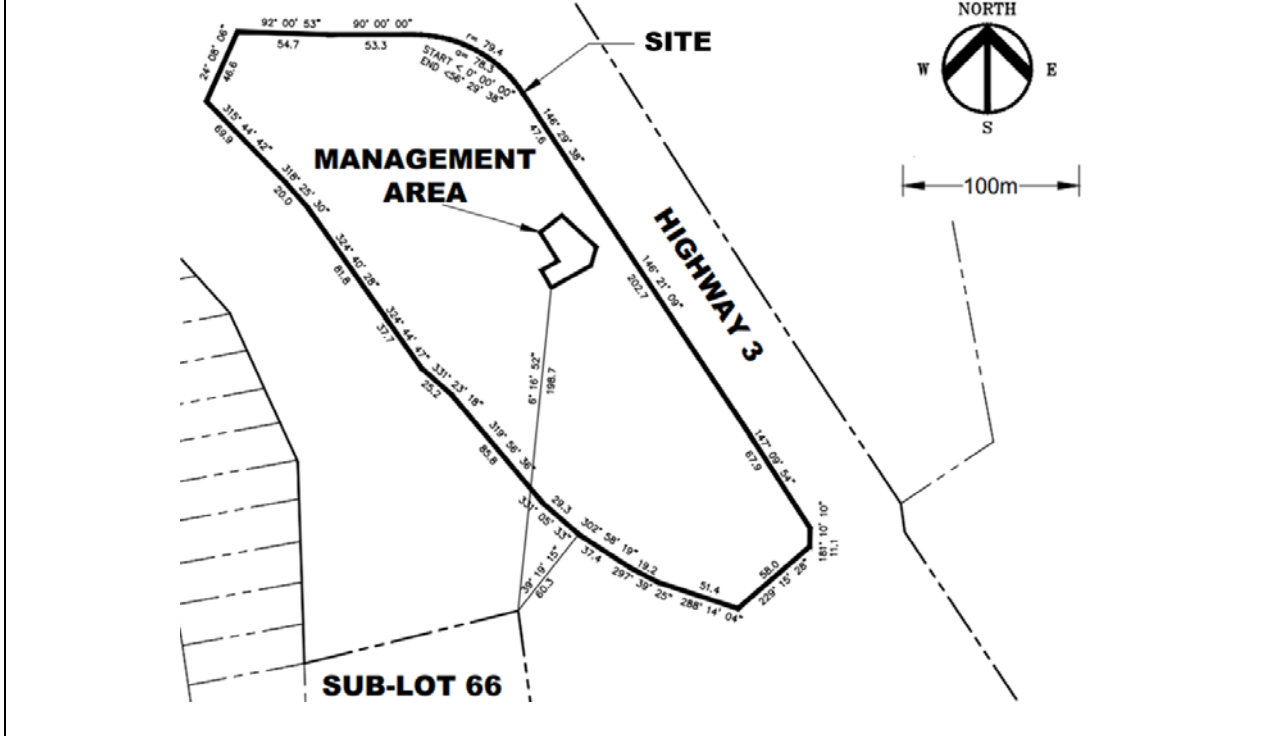
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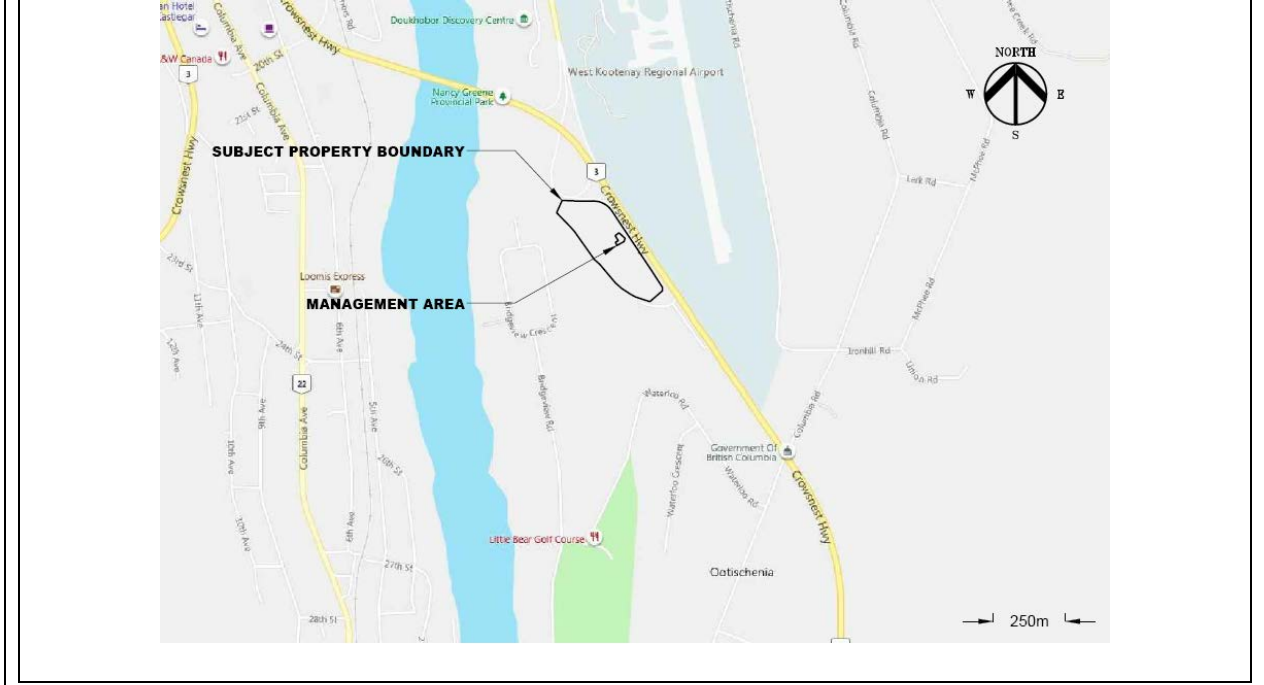


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Site Plan (see inset below for detail of management area)



Location Map, Castlegar, BC

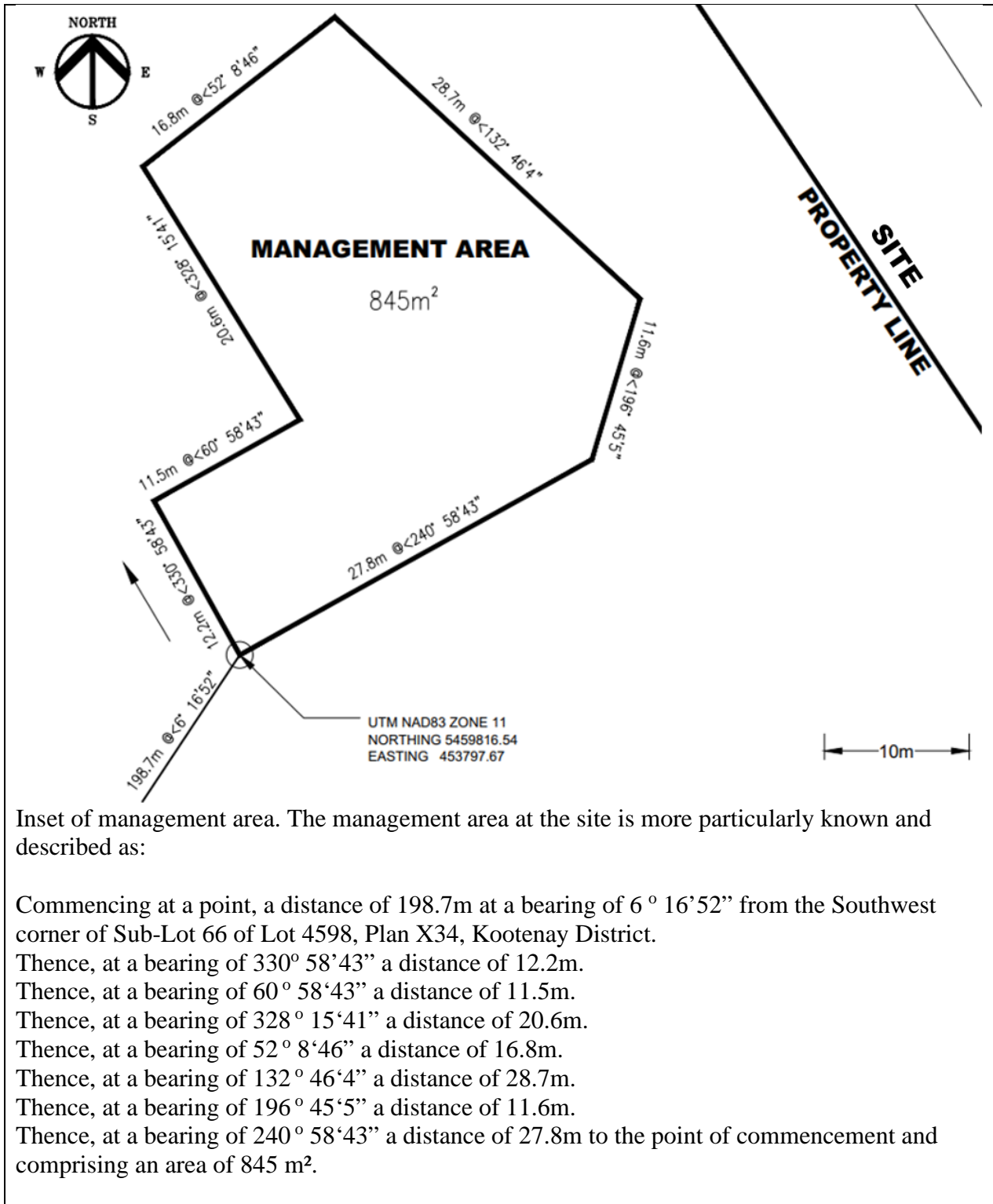


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The approximate centre of the management area using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 17' 22.49"

Longitude: 117° 38' 6.56"

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Schedule B

Requirements and Conditions

1. Any changes in land or water uses 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.
2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
 - (a) Features that would result in children repeatedly visiting the Subject Property (e.g., playgrounds, picnic tables, play spaces, etc.) must not be constructed within the on-Site Management Area (MA).

This risk control applies to the on-Site MA, defined as:

Commencing at a point, a distance of 276.2m at a bearing of 33 degrees 30 minutes 1 second from the Southwest corner of Sub-Lot 66 of Lot 4598, Plan X34, Kootenay District.

Thence, at a bearing of 330 degrees 58 minutes 43 seconds a distance of 12.2m.

Thence, at a bearing of 60 degrees 58 minutes 43 seconds a distance of 11.5m.

Thence, at a bearing of 328 degrees 15 minutes 41 seconds a distance of 20.6m.

Thence, at a bearing of 52 degrees 8 minutes 46 seconds a distance of 16.8m.

Thence, at a bearing of 132 degrees 46 minutes 4 seconds a distance of 28.7m.

Thence, at a bearing of 196 degrees 45 minutes 5 seconds a distance of 11.6m.

Thence, at a bearing of 240 degrees 58 minutes 43 seconds a distance of 27.8m to the point of commencement and comprising an area of 845 m².

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 investigated in soil for commercial soil use:

To site-specific numerical standards

- Chloride ion (16887-00-6)

Substances remediated in soil for commercial land soil use:

To meet numerical based remediation standards:

- sodium ion (17341-25-2)

To meet risk-based remediation standards:

- arsenic (7440-38-2)
- cadmium (7440-43-9)
- chloride ion (16887-00-6)
- lead (7439-9-1)
- zinc (7440-66-6)

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Schedule D

Documents

Summary of Site Condition (Site ID 19480), SNC-Lavalin, dated March 30, 2020;

Human Health and Ecological Risk Assessment, Ootischenia Gravel Pit – East Parcel, Castlegar, BC, SNC-Lavalin, dated October 2019;

Stage 1 & 2 Preliminary Site Investigation, Detailed Site Investigation and Confirmation of Remediation, Ootischenia Gravel Pit – East Parcel, Castlegar, BC, SNC-Lavalin, dated October 2019.

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