



**VIA EMAIL**

Victoria File: 26250-20/22526  
Site ID: 22526

Date: March 19, 2021

Gorman Lee  
British Columbia Buildings Corporation.  
PO Box 9412 Stn Prov Gov.  
Nanaimo, BC, V8W 9V1  
[Gorman.lee@gov.bc.ca](mailto:Gorman.lee@gov.bc.ca)

Dear Mr. Lee:

**Re: Certificate of Compliance - A portion of 3945 Biggs Road, Nanaimo, 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 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 [Stephen.Dankevy@gov.bc.ca](mailto:Stephen.Dankevy@gov.bc.ca).

Yours truly,



Stephen Dankevy, M.Sc., P.Geo.  
Senior contaminated Sites Officer

Enclosure

cc: Jeremy Holm, Director of Development Approvals, City of Nanaimo,  
[Jeremy.holm@Nanaimo.ca](mailto:Jeremy.holm@Nanaimo.ca)

John Taylor, Approved Professional, Core6 Environmental Ltd.  
[jtaylor@core6.ca](mailto:jtaylor@core6.ca)

Marc Cameron, Approved Professional, Core6 Environmental Ltd.  
[mcameron@core6.ca](mailto:mcameron@core6.ca)

CSAP Society  
613-744 West Hastings Street, Vancouver, BC V6C 1A5  
[apopova@csapsociety.ca](mailto:apopova@csapsociety.ca)

Ministry of Environment and Climate Change Strategy  
[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.

March 19, 2021

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Date Issued

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Stephen Dankev  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 3945 Biggs Road, Nanaimo, British Columbia which is more described by the following metes and bounds (coordinates based on UTM Zone 10 NAD83):

COMMENCING AT A POINT ON THE SOUTH BOUNDARY  
OF LOT 1, DISTRICT LOT 22G, WELLINGTON  
DISTRICT, PLAN VIP73819, SAID POINT BEING 567.111m WESTERLY FROM  
THE SOUTHEAST CORNER OF SAID LOT:  
THENCE 270° 09' 07" FOR 354.375 METRES MORE OR LESS TO THE PRESENT  
NATURAL BOUNDARY OF MILLSTONE RIVER;  
THENCE GENERALLY IN A NORTHERLY AND NORTHEASTERLY DIRECTION  
ALONG THE PRESENT NATUARL BOUNDARIES OF MILLSTONE RIVER AND  
BRANNEN LAKE TO A POINT ON THE NATURAL BOUNDARY OF BRANNEN  
LAKE DIRECTLY WEST OF A POINT 393.204 METRES DIRECTLY NORTH OF  
THE POINT OF COMMENCEMENT;  
THENCE 90° 00' 00" FOR 239.827 METRES;  
THENCE 180° 58' 37" FOR 309.875 METRES;  
THENCE WESTERLY AND SOUTHWESTERLY BEING AN ARC OF A 140.000  
METRE RADIUS CURVE HAVING A RADIAL BEARING OF 190° 12' 13" TO THE  
CENTRE OF SAID CURVE AND A RADIAL BEARING OF 314° 13' 04" TO THE  
END OF SAID CURVE AN ARC DISTANCE OF 136.799 METRES:  
THENCE 224° 14' 04" FOR 60.324 METRES TO POINT OF COMMENCEMENT.

PID: 025-424-530

The site contains part of a legal parcel depicted in engineering drawing prepared by Glen Quarmby, BCLS of McElhanney Associates Ltd. on March 4, 2021.

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

Latitude: 49° 12' 28.50"  
Longitude: 124° 02' 59.70"

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Stephen Dankey  
For Director, *Environmental Management Act*



## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour, water or sediment 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 on the site must have a foundation slab located at the elevation of ground surface.*

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<s> 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) *Soil contamination must remain covered by at least one metre of uncontaminated soil, or permanent barrier (e.g. pavement or concrete).*
3. If requested by the Director, the responsible person<s> 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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Stephen Dankev  
For Director, *Environmental Management Act*

## Schedule C

### Substances and Uses

#### *Substances remediated in soil for low density residential land use:*

To meet risk-based remediation standards:

*barium (7440-39-3), benzene (71-43-2), cadmium (7440-43-9), copper (7440-50-8), HEPHs, LEPHs, lithium (7439-93-2), manganese (7439-96-5), naphthalene (91-20-3), nickel (7440-02-0), zinc (7440-66-6).*

To meet local background concentrations:

*Arsenic (7440-38-2)*

#### *Substances remediated in sediment for freshwater sensitive sediment use:*

To meet risk-based remediation standards:

*Zinc (7440-66-6)*

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Site Identification Number 22526  
Version 9.0 R



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Stephen Dankey  
For Director, *Environmental Management Act*

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## Schedule D

### Documents

#	Document Title	Author / Company	Document Date
1	Final Addendum #2 – Groundwater Investigation at Separator Outflow Area - Site No.: 22526	Core6 Environmental Ltd.	November, 2020
2	Final – Addendum#1 Report - Site No.: 22526	Core6 Environmental Ltd.	November, 2020
3	Summary of Site Condition	Core6 Environmental Ltd	June, 2020
4	Stage 1 Preliminary Site Investigation Update and Detailed Site Investigation, Nanaimo Correctional Facility, 3945 Biggs Road, Nanaimo, BC	Andrew Haddock, Tyler Wilen, Stephen Munzar, Reg North / Core6 Environmental Ltd.	June, 2020
5	Human Health & Ecological Risk Assessment, Nanaimo Correctional Facility, 3945 Biggs Road, Nanaimo BC.	Ryan Loveridge, Geoff Wickstrom / Core6 Environmental Ltd	June, 2020
6	Re: P6 Approval Application 3945 Biggs Road, Nanaimo Correctional Facility, Nanaimo, British Columbia	Peggy Evans / BC Ministry of Environment and Climate Change Strategy	December, 2019
7	Stage 1 Preliminary Site Investigation, 3945 Biggs Road, Nanaimo, BC	Kathy Poetker, Reg North, Tyler Wilen / Core6 Environmental Ltd.	November, 2019
8	Application for Approval to Obtain a Certificate of Compliance for Part of a Property	Tyler Wilen, Reg North / Core6 Environmental Ltd.	November, 2019
9	Re: Establishing Background Concentrations for arsenic and lithium in Soil under Protocol 4 – Property Located at 3945 Biggs Road, Nanaimo, BC.	Peggy Evans / BC Ministry of Environment and Climate Change Strategy	August, 2019
10	Re: Establishing Background Concentrations for Arsenic and Lithium in Soil under Protocol 4 – Property Located at 3945 Biggs Road, Nanaimo, BC.	Heather Osachoff / BC Ministry of Environment and Climate Change Strategy	July, 2019
11	Determination of Background Soil Quality Request for a Background Release Under Protocol 4 of the Contaminated Sites Regulation	Tyler Wilen, Reg North, Stephen Munzar / Core6 Environmental Ltd.	May, 2019
12	Geoff Wickstrom to Gorman Lee: March 15, 2021, Performance Verification Plan	Geoff Wickstrom / Core6 Environmental Ltd.	March, 2021

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