



VIA EMAIL: Julie.Sandusky@gov.bc.ca

File: 26250-20/21821
SITE ID: 21821

October 18, 2021

Julie Sandusky
Ministry of Transportation and Infrastructure
4B – 940 Blanshard Street, PO Box 9850 Stn Prov Govt
Victoria, BC V8W 9T5

Dear Julie Sandusky:

Re: Certificate of Compliance - Christie Pit, Ladysmith, 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 236-468-2228 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Janet Barrett, M.Sc., P.Eng.
Senior Contaminated Sites Officer

Enclosure

cc: Seth Kingsbury, Hemmera
18th Floor, 4730 Kingsway, Burnaby, BC, V5H 0C6
skingsbury@hemmera.com

Chuck Jochems, P.Eng., CSAP, Active Earth
chuck.jochems@activeearth.ca

Trish Miller, Approved Professional, Hemmera
trish.miller@hemmera.com

Client Information Officer, ENV, Victoria csp_cio@Victoria1.gov.bc.ca

Town of Ladysmith
Attn: Jake Belobaba, Director of Development Services
PO Box 220, Ladysmith, BC V9G 1A2
jbelobaba@ladysmith.ca

CSAP Society, apopova@csapsociety.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.

October 18, 2021
Date Issued


Janet Barrett
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at the end of Christie Road, Ladysmith, British Columbia which is more particularly known and described as:

That part of District Lot 83, Oyster District, lying between the Esquimalt and Nanaimo Railway and the Wellington Colliery Railway and containing 9 acres more or less.

PID: 010-788-891

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

Latitude:	49°	00'	42.0"
Longitude:	123°	51'	00.0"

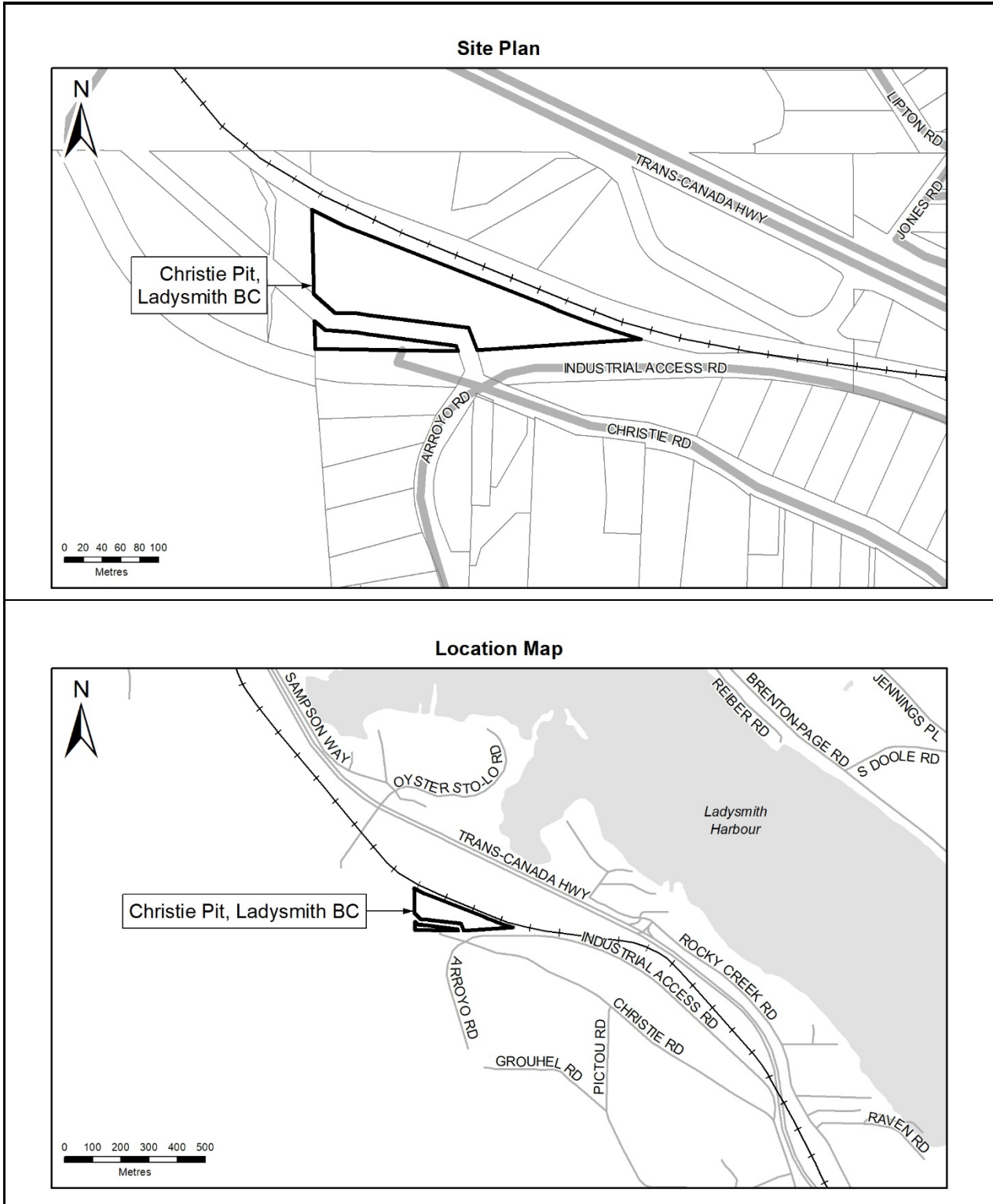
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Schedule B

Requirements and Conditions

1. Any changes in land, vapour or water use 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 use to which this condition applies are described in Schedule C and in the site investigation documents listed in Schedule D.
2. The principal risk control which must be present and maintained at the site is as follows:
 - (a) Soil contamination must remain covered by at least one metre of uncontaminated soil.
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.
4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
5. The Director must be notified promptly by the persons responsible for the site if performance verification actions indicate that any institutional controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
 - (a) The time period over which institutional controls did not meet the requirements of Schedule B;
 - (b) The nature of the excursion;
 - (c) The temporary or permanent corrective measures implemented or to be implemented;
 - (d) An implementation schedule; and
 - (e) Supporting documentation.
6. If requested by the Director, a report signed by an Approved Professional must be submitted for review to the Director and must include the following:
 - (a) An evaluation of the performance of the institutional controls;
 - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
 - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plan described in clause 4 above; and
 - (d) Supporting documentation.

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Schedule C

Substances and Uses

Substances remediated in soil for residential (low density) land soil use:

To meet risk-based remediation standards in soil:

- arsenic (CAS #7440-38-2)
- barium (CAS #7440-39-3)
- cadmium (CAS #7440-43-9)
- copper (CAS #7440-50-8)
- iron (CAS #7439-89-6)
- lead (CAS #7439-92-1)
- molybdenum (CAS #7439-98-7)
- selenium (CAS #7782-49-2)
- vanadium (CAS #7440-62-2)
- zinc (CAS #7440-66-6)
- benzo(a)anthracene (CAS #56-55-3)
- benzo(b+j)fluoranthene (CAS #205-99-2 & 205-82-3)

To meet numerical remediation standards in soil:

- antimony (CAS #7440-36-0)

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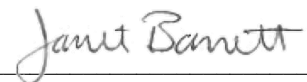
Schedule D

Documents

- *Performance Verification Plan*, prepared by Hemmera, dated October 12, 2021;
- *Summary of Site Condition*, prepared by Hemmera, dated January 13, 2021;
- *Addendum to Stage 1 PSI Update, Stage 2 PSI, DSI, and Remediation Report, Christie Gravel Pit, Ladysmith, BC*, prepared by Hemmera, dated January 12, 2021;
- *Addendum to DHHERA, Christie Gravel Pit, Ladysmith, BC*, prepared by Hemmera, dated January 12, 2021;
- *Stage 1 Preliminary Site Investigation Update, Stage 2 Preliminary Site Investigation, Detailed Site Investigation, and Remediation, Christie Pit, Ladysmith, BC*, prepared by Hemmera, dated May 15, 2020; and
- *Detailed Human Health and Ecological Risk Assessment, Christie Pit, Ladysmith, BC*, prepared by Hemmera, dated May 20, 2020.

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