



**REGISTERED MAIL**

Victoria File: 26250-20/6815  
Site ID: 6815

October 14, 2020

University Heights Shopping Centre Ltd.  
c/o Wesbild Holdings Ltd.  
2600 - 1055 West Georgia Street  
Vancouver, BC V6E 3P3  
[sforrest@wesbild.com](mailto:sforrest@wesbild.com)

Dear Steve Forrest:

**Re: Preliminary Determination - 3956 Shelbourne Street, Saanich,  
British Columbia**

Please find enclosed a Preliminary Determination respecting the site referenced above and be advised of the following:

1. The Director has made a Preliminary Determination that the site is not contaminated because the numerical standards of the Contaminated Sites Regulation have been met at the site.
2. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
3. The provisions of this Preliminary Determination 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 Preliminary Determination will restrict or impair the Director's power in this regard.
4. 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.

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.

This is to advise that the Director will consider submissions received within 35 days after delivery of this Preliminary Determination before a Final Determination is made.

If you require clarification of any aspect of this Preliminary Determination, please contact the undersigned at 778-698-4885 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



J. Brooke  
Senior Contaminated Sites Officer

Enclosure

cc: Travis Deeter, P.Ag., CSAP, Thurber Engineering Ltd.  
900-1281 West Georgia, Vancouver, BC V6E 3J7, [tdeeter@thurber.ca](mailto:tdeeter@thurber.ca)

CSAP Society,  
[apopova@csapsociety.bc.ca](mailto:apopova@csapsociety.bc.ca)

Brad Black, HSBC Bank Canada  
Suite 600, 885 West Georgia Street. Vancouver, BC V6C 3G1, [brad\\_black@hsbc.ca](mailto:brad_black@hsbc.ca)

Site Information Advisor, Ministry of Environment and Climate Change Strategy,  
[Advisor.Siteinformation@gov.bc.ca](mailto:Advisor.Siteinformation@gov.bc.ca)

Neil Findlow, District of Saanich [Charge H60476]  
770 Vernon Avenue, Victoria, BC V8X 2W7, [Neil.findlow@saanich.ca](mailto:Neil.findlow@saanich.ca)

British Columbia Hydro and Power Authority [Charges 387715G, 403480G, J107541]  
333 Dunsmuir Street, Vancouver, BC V6B 5R3, [Properties.helpdesk@bchydro.com](mailto:Properties.helpdesk@bchydro.com)

Moreno Trevisan, Real Estate Manager, Overwaitea Food Group  
PO Box 7200, Vancouver, BC V6B 4E4, [moreno\\_trevisan@owfg.com](mailto:moreno_trevisan@owfg.com)



**PRELIMINARY DETERMINATION**  
(Pursuant to Section 44 of the *Environmental Management Act*)

I have made a Preliminary Determination that the site identified in Schedule A of this document **is not** a contaminated site.

This Preliminary Determination is qualified by the requirements and conditions specified in Schedule B.

The site does not have concentrations of the substances specified in Schedule C that exceed the applicable standards and criteria prescribed in the Contaminated Sites Regulation for determining whether a site is a contaminated site.

I have issued this Preliminary Determination 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.

This is to advise that I will consider submissions received 35 days after delivery of this Preliminary Determination before a Final Determination is made.

In accordance with the *Environmental Management Act*, I will notify persons with an interest in the subject site once a Final Determination is made.

This Preliminary Determination should not be construed as an assurance that there are no hazards present at the site.

October 14, 2020  
Date Issued

  
J.A. Brooke  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Preliminary Determination is located at 3956 Shelbourne Street, Saanich, British Columbia which is more particularly known and described as:

Lot A, Sections 56 and 57, Victoria District, Plan EPP84722 excluding the following metes and bounds area:

Commencing at point 32.25 metres at a bearing of 147° 20' 24" from the North West corner of Lot A, Plan EPP84722;

Thence easterly 16.10 metres at a bearing of 90° 44' 27";

Thence southerly 7.70 metres at a bearing of 180° 44' 27";

Thence easterly 48.15 metres at a bearing of 90° 44' 27";

Thence southerly 36.08 metres at a bearing of 181° 02' 21";

Thence easterly 6.24 metres at a bearing of 90° 55' 23";

Thence southerly 101.18 metres at a bearing of 180° 53' 22"

Thence westerly 70.50 metres at a bearing of 270° 55' 23";

Thence northerly 144.75 metres, more or less, to the point of commencement.

The site contains part of a legal parcel depicted in the metes-and-bounds survey drawing prepared by McIlvaney Riley BC Land Surveying Inc. on June 18, 2020.

Portion of PID: 030-547-342

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

Latitude: 48° 28' 12.17"

Longitude: 123° 20' 2.49"

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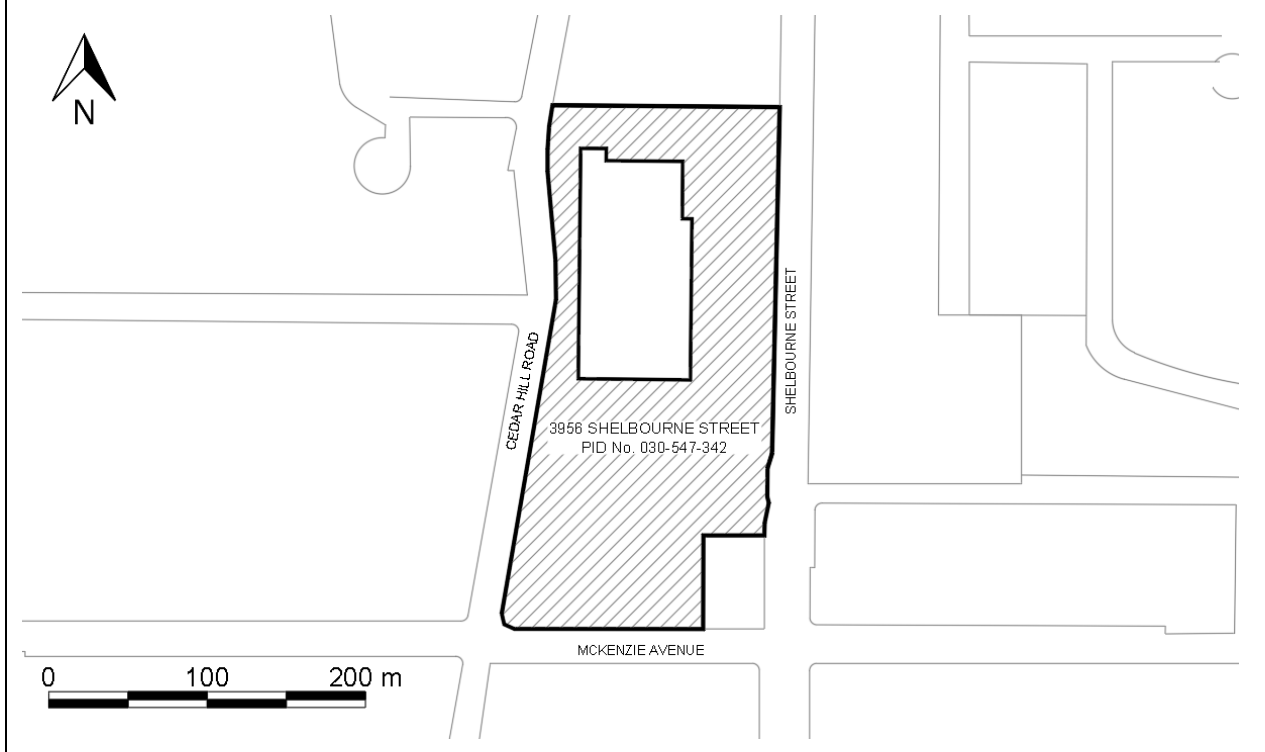
Date Issued



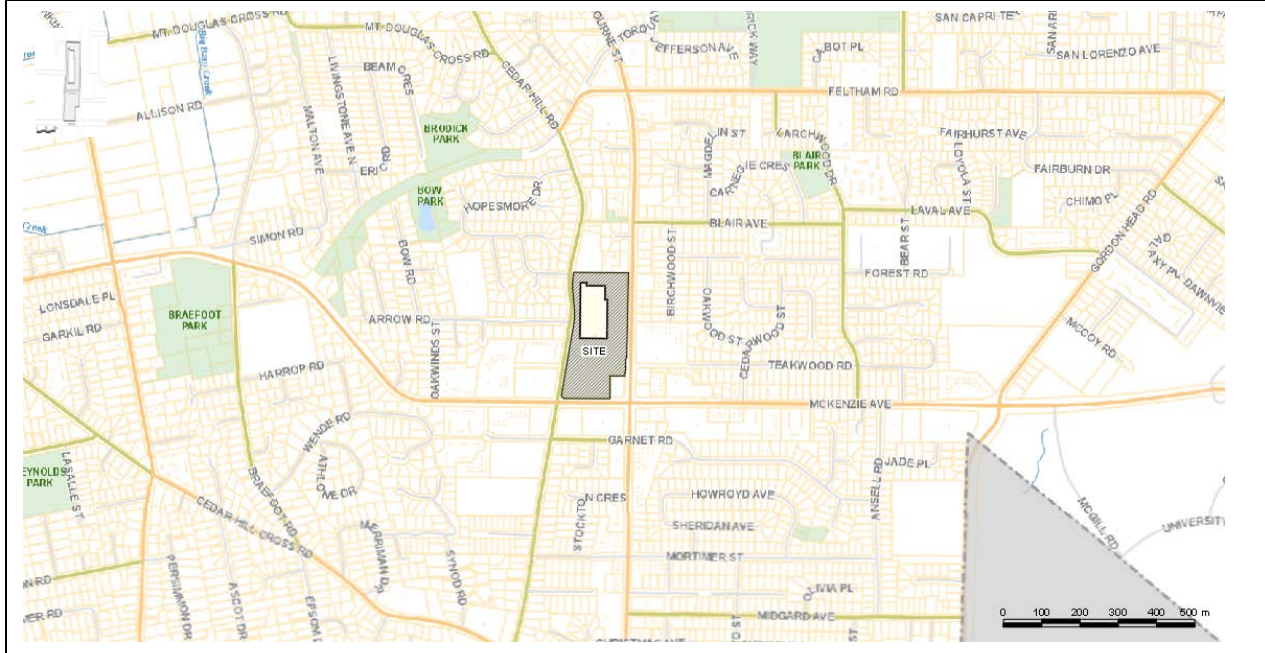
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# Site Plan, Saanich, BC



# Location Map, Saanich, BC



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## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour, water uses must be promptly identified by the responsible persons in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site 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 and adjacent to the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at and adjacent to the site. These assumptions include the following:

- (a) For current use, the current Site building structures, configurations and depths will be maintained;
- (b) For future use, a one-to-two level underground parkade will be constructed to the 2012 or later BC Building codes across the south half of the Site, with commercial land use and surface parking at grade. The existing two-level underground parkade will remain.

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 persons in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site may be necessary.

2. To support the issuance of a Determination, an Approval in Principle (AiP) will be sought for the Home Depot (HD) tenant area. During the lease arbitration process with Home Depot, which is scheduled in the fiscal year 2021, commercially-reasonable best efforts will be made by Wesbild Holdings Ltd. to negotiate access to be able to conduct additional investigation and sampling in the HD tenant area. Following the investigation, any potential residual contamination will be remediated to numerical standards and a numerical Certificate of Compliance will be applied for within 5 years of receiving the AiP.

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## Schedule C

### Substances and Uses

*Substances evaluated in soil for commercial land soil use:*

To meet numerical standards prescribed for defining whether a site is contaminated:

|                             |                     |
|-----------------------------|---------------------|
| acenaphthene                | 83-32-9             |
| acetone                     | 67-64-1             |
| aluminum                    | 7429-90-5           |
| anthracene                  | 120-12-7            |
| antimony                    | 7440-36-0           |
| arsenic                     | 7440-38-2           |
| barium                      | 7440-39-3           |
| benzene                     | 71-43-2             |
| benz(a)anthracene           | 56-55-3             |
| benzo(a)pyrene              | 50-32-8             |
| benzo(b+j)fluoranthenes     | 205-99-2 & 205-82-3 |
| benzo(k)fluoranthene        | 207-08-9            |
| beryllium                   | 7440-41-7           |
| boron                       | 7440-42-8           |
| bromobenzene                | 108-86-1            |
| bromodichloromethane [BDCM] | 75-27-4             |
| butadiene, 1,3-             | 106-99-0            |
| cadmium                     | 7440-43-9           |
| carbon disulfide            | 75-15-0             |
| carbon tetrachloride        | 56-23-5             |
| chlorobenzene               | 108-90-7            |
| chromium                    | 7440-47-3           |
| chrysene                    | 218-01-9            |
| cobalt                      | 7440-48-4           |
| copper                      | 7440-50-8           |
| dibenz(a,h)anthracene       | 53-70-3             |
| dibromoethane, 1,2-         | 106-93-4            |
| dichlorobenzene, 1,2-       | 95-50-1             |
| dichlorodifluoromethane     | 75-71-8             |
| dichloroethane, 1,1-        | 75-34-3             |
| dichloroethane, 1,2-        | 107-06-2            |
| dichloroethylene, 1,1-      | 75-35-4             |

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|                                |           |
|--------------------------------|-----------|
| dichloroethylene, 1,2-cis-     | 156-59-2  |
| dichloroethylene, 1,2-trans-   | 156-60-5  |
| dichloromethane                | 75-09-2   |
| dichloropropane, 1,2-          | 78-87-5   |
| ethylbenzene                   | 100-41-4  |
| ethylene glycol                | 107-21-1  |
| fluoranthene                   | 206-44-0  |
| fluorene                       | 86-73-7   |
| HEPHS                          | NA        |
| indeno(1,2,3-cd)pyrene         | 193-39-5  |
| iron                           | 7439-89-6 |
| isopropylbenzene               | 98-82-8   |
| lead                           | 7439-92-1 |
| lithium                        | 7439-93-2 |
| LEPHS                          | NA        |
| manganese                      | 7439-96-5 |
| mercury                        | 7439-97-6 |
| methyl ethyl ketone [MEK]      | 78-93-3   |
| methyl tert-butyl ether [MTBE] | 1634-04-4 |
| methylnaphthalene, 1-          | 90-12-0   |
| methylnaphthalene, 2-          | 91-57-6   |
| molybdenum                     | 7439-98-7 |
| naphthalene                    | 91-20-3   |
| nickel                         | 7440-02-0 |
| phenanthrene                   | 85-01-8   |
| pyrene                         | 129-00-0  |
| quinoline                      | 91-22-5   |
| silver                         | 7440-22-4 |
| strontium                      | 7440-24-6 |
| styrene                        | 100-42-5  |
| tetrachloroethane, 1,1,1,2-    | 630-20-6  |
| tetrachloroethylene            | 127-18-4  |
| thallium                       | 7440-28-0 |
| tin                            | 7440-31-5 |
| toluene                        | 108-88-3  |
| trichlorobenzene, 1,2,4-       | 120-82-1  |
| trichloroethane, 1,1,1-        | 71-55-6   |
| trichloroethane, 1,1,2-        | 79-00-5   |
| trichloroethylene              | 79-01-6   |
| trichlorofluoromethane         | 75-69-4   |

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|                    |           |
|--------------------|-----------|
| triethylene glycol | 112-27-6  |
| trimethylbenzene   | 108-67-8  |
| tungsten           | 7440-33-7 |
| uranium            | 7440-61-1 |
| vinyl chloride     | 75-01-4   |
| VPHs               | NA        |
| xylenes            | 1330-20-7 |
| zinc               | 7440-66-6 |

To meet local background concentrations:

|          |           |
|----------|-----------|
| selenium | 7782-49-2 |
| vanadium | 7440-62-2 |

***Substances evaluated in vapour for commercial land vapour use:***

To meet numerical standards prescribed for defining whether a site is contaminated:

|                             |          |
|-----------------------------|----------|
| acetone                     | 67-64-1  |
| benzene                     | 71-43-2  |
| bromobenzene                | 108-86-1 |
| bromodichloromethane [BDCM] | 75-27-4  |
| butadiene, 1,3-             | 106-99-0 |
| carbon disulfide            | 75-15-0  |
| carbon tetrachloride        | 56-23-5  |
| chlorobenzene               | 108-90-7 |
| chloroethane                | 75-00-3  |
| dibromoethane, 1,2-         | 106-93-4 |
| dichlorobenzene, 1,2-       | 95-50-1  |
| dichlorodifluoromethane     | 75-71-8  |
| dichloroethane, 1,1-        | 75-34-3  |
| dichloroethane, 1,2-        | 107-06-2 |
| dichloroethylene, 1,1-      | 75-35-4  |
| dichloroethylene, 1,2-cis   | 156-59-2 |
| dichloroethylene, 1,2-trans | 156-60-5 |
| dichloromethane             | 75-09-2  |
| dichloropropane, 1,2-       | 78-87-5  |
| ethyl acetate               | 141-78-6 |
| ethylbenzene                | 100-41-4 |
| isopropylbenzene            | 98-82-8  |
| methyl ethyl ketone [MEK]   | 78-93-3  |

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|                                |           |
|--------------------------------|-----------|
| methyl isobutyl ketone [MIBK]  | 108-10-1  |
| methyl tert-butyl ether [MTBE] | 1634-04-4 |
| methylcyclohexane              | 108-87-2  |
| naphthalene                    | 91-20-3   |
| n-decane                       | 124-18-5  |
| n-hexane                       | 110-54-3  |
| styrene                        | 100-42-5  |
| tetrachloroethane, 1,1,2,2-    | 79-34-5   |
| tetrachloroethylene            | 127-18-4  |
| toluene                        | 108-88-3  |
| trichlorobenzene, 1,2,4-       | 120-82-1  |
| trichloroethane, 1,1,1-        | 71-55-6   |
| trichloroethane, 1,1,2-        | 79-00-5   |
| trichloroethylene              | 79-01-06  |
| trimethylbenzene, 1,2,4-       | 95-63-6   |
| trimethylbenzene, 1,3,5-       | 108-67-8  |
| vinyl chloride                 | 75-01-4   |
| VPHv                           | NA        |
| xylenes, total                 | 1330-20-7 |

***Substances evaluated in vapour for parkade land use:***

To meet numerical standards prescribed for defining whether a site is contaminated:

|                             |          |
|-----------------------------|----------|
| acetone                     | 67-64-1  |
| benzene                     | 71-43-2  |
| bromobenzene                | 108-86-1 |
| bromodichloromethane [BDCM] | 75-27-4  |
| butadiene, 1,3-             | 106-99-0 |
| carbon disulfide            | 75-15-0  |
| carbon tetrachloride        | 56-23-5  |
| chlorobenzene               | 108-90-7 |
| chloroethane                | 75-00-3  |
| dibromoethane, 1,2-         | 106-93-4 |
| dichlorobenzene, 1,2-       | 95-50-1  |
| dichlorodifluoromethane     | 75-71-8  |
| dichloroethane, 1,1-        | 75-34-3  |
| dichloroethane, 1,2-        | 107-06-2 |
| dichloroethylene, 1,1-      | 75-35-4  |
| dichloroethylene, 1,2-cis   | 156-59-2 |
| dichloroethylene, 1,2-trans | 156-60-5 |

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|                                |           |
|--------------------------------|-----------|
| dichloromethane                | 75-09-2   |
| dichloropropane, 1,2-          | 78-87-5   |
| ethyl acetate                  | 141-78-6  |
| ethylbenzene                   | 100-41-4  |
| isopropylbenzene               | 98-82-8   |
| methyl ethyl ketone [MEK]      | 78-93-3   |
| methyl isobutyl ketone [MIBK]  | 108-10-1  |
| methyl tert-butyl ether [MTBE] | 1634-04-4 |
| methylcyclohexane              | 108-87-2  |
| naphthalene                    | 91-20-3   |
| n-decane                       | 124-18-5  |
| n-hexane                       | 110-54-3  |
| styrene                        | 100-42-5  |
| tetrachloroethane, 1,1,2,2-    | 79-34-5   |
| tetrachloroethylene            | 127-18-4  |
| toluene                        | 108-88-3  |
| trichlorobenzene, 1,2,4-       | 120-82-1  |
| trichloroethane, 1,1,1-        | 71-55-6   |
| trichloroethane, 1,1,2-        | 79-00-5   |
| trichloroethylene              | 79-01-06  |
| trimethylbenzene, 1,2,4-       | 95-63-6   |
| trimethylbenzene, 1,3,5-       | 108-67-8  |
| vinyl chloride                 | 75-01-4   |
| VPHv                           | NA        |
| xylenes, total                 | 1330-20-7 |

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

To meet numerical standards prescribed for defining whether a site is contaminated:

|                         |                     |
|-------------------------|---------------------|
| acenaphthene            | 83-32-9             |
| acetone                 | 67-64-1             |
| aluminum                | 7429-90-5           |
| anthracene              | 120-12-7            |
| antimony                | 7440-36-0           |
| arsenic                 | 7440-38-2           |
| barium                  | 7440-39-3           |
| benz(a)anthracene       | 56-55-3             |
| benzene                 | 71-43-2             |
| benzo(a)pyrene          | 50-32-8             |
| benzo(b+j)fluoranthenes | 205-99-2 & 205-82-3 |

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|                                |            |
|--------------------------------|------------|
| beryllium                      | 7440-41-7  |
| boron                          | 7440-42-8  |
| bromobenzene                   | 108-86-1   |
| bromodichloromethane [bdcM]    | 75-27-4    |
| butadiene, 1,3-                | 106-99-0   |
| cadmium                        | 7440-43-9  |
| carbon disulfide               | 75-15-0    |
| carbon tetrachloride           | 56-23-5    |
| chlorobenzene                  | 108-90-7   |
| chromium, hexavalent           | 18540-29-9 |
| chromium, trivalent            | 16065-83-1 |
| chrysene                       | 218-01-9   |
| copper                         | 7440-50-8  |
| dibenz(a,h)anthracene          | 53-70-3    |
| dibromoethane, 1,2-            | 106-93-4   |
| dichlorobenzene, 1,2-          | 95-50-1    |
| dichlorodifluoromethane        | 75-71-8    |
| dichloroethane, 1,1-           | 75-34-3    |
| dichloroethane, 1,2-           | 107-06-2   |
| dichloroethylene, 1,1          | 75-34-3    |
| dichloroethylene, 1,2-cis-     | 156-59-2   |
| dichloroethylene, 1,2-trans-   | 156-60-5   |
| dichloromethane                | 75-09-2    |
| dichloropropane, 1,2-          | 78-87-5    |
| EPHW <sub>10-19</sub>          | NA         |
| ethylbenzene                   | 100-41-4   |
| ethylene glycol                | 107-21-1   |
| fluoranthene                   | 206-44-0   |
| fluorene                       | 86-73-7    |
| iron                           | 7439-89-6  |
| isopropylbenzene               | 98-82-8    |
| lead                           | 7439-92-1  |
| manganese                      | 7439-96-5  |
| methyl ethyl ketone [MEK]      | 78-93-3    |
| methyl tert-butyl ether [MTBE] | 1634-04-4  |
| methylnaphthalene, 1-          | 90-12-0    |
| methylnaphthalene, 2-          | 91-57-6    |
| molybdenum                     | 7439-98-7  |
| naphthalene                    | 91-20-3    |
| nickel                         | 7440-02-0  |
| propylene glycol, 1,2-         | 57-55-6    |

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|                             |            |
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| pyrene                      | 129-00-0   |
| quinoline                   | 91-22-5    |
| selenium                    | 7782-49-2  |
| silver                      | 7440-22-4  |
| sodium ion                  | 17341-25-2 |
| strontium                   | 7440-24-6  |
| styrene                     | 100-42-5   |
| tetrachloroethane, 1,1,2,2- | 79-34-5    |
| tetrachloroethylene         | 127-18-4   |
| tetraethyl lead             | 78-00-2    |
| thallium                    | 7440-28-0  |
| tin                         | 7440-31-5  |
| toluene                     | 108-88-3   |
| trichlorobenzene, 1,2,4-    | 120-82-1   |
| trichloroethane, 1,1,1-     | 71-55-6    |
| trichloroethane, 1,1,2-     | 79-00-5    |
| trichloroethylene           | 79-01-06   |
| triethylene glycol          | 112-27-6   |
| trimethylbenzene, 1,3,5-    | 108-67-8   |
| tungsten                    | 7440-33-7  |
| uranium                     | 7440-61-1  |
| vanadium                    | 7440-62-2  |
| VHw <sub>6-10</sub>         | NA         |
| vinyl chloride              | 78-01-4    |
| xylenes, total              | 1330-20-7  |
| zinc                        | 7440-66-6  |

To meet local background concentrations:

|        |           |
|--------|-----------|
| cobalt | 7440-48-4 |
|--------|-----------|

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## Schedule D

### Documents

| <b><i>Document Title</i></b>   | <b>Author / Company</b>         | <b>Document Date</b> |
|--|---------------------------------|----------------------|
| <i>Summary of Site Condition, Site 6815 (Determination Portion)</i>  | Thurber Engineering Ltd.        | July 8, 2020         |
| <i>Detailed Site Investigation and Remediation Plan, 3956 Shelbourne Street, Saanich, British Columbia</i>   | Thurber Engineering Ltd.        | July 8, 2020         |
| <i>Stage I Preliminary Site Investigation, 3956 Shelbourne Street, Saanich, British Columbia</i>   | Thurber Engineering Ltd.        | July 7, 2020         |
| <i>Phase I and II Environmental Site Assessment, 3956 Shelbourne Street and 3955 Cedar Hill Road, Saanich, British Columbia</i>  | Thurber Engineering Ltd.        | March 26, 2015       |
| <i>Stage I Site Investigation, University Heights Shopping Centre, Victoria, BC</i>  | ENVIROsoil Services Inc.        | September 6, 2011    |
| <i>Stage 1 and 2 Preliminary Site Investigation, Zellers – 3986 Shelbourne Street, University Heights Shopping Centre, Victoria, BC</i>  | URS Canada Inc.                 | July 27, 2004        |
| <i>Roof Sampling for Asbestos</i>  | URS Canada Inc.                 | July 26, 2004        |
| <i>Groundwater Quality Follow-up Sampling Program, University Heights Shopping Centre, Zellers (Former K-mart Automotive Centre), 3986 Shelbourne St., Victoria, BC</i>            | C.D. Sonter Management Inc.     | March 11, 2002       |
| <i>Site Remediation Including Removal of Hydraulic Hoists, University Heights Shopping Centre, Zellers (Former K-Mart Automotive Centre), 3986 Shelbourne Street, Victoria, BC</i> | C.D. Sonter Management Inc.     | July 7, 2000         |
| <i>Final Report for Soil and Groundwater Investigation at Kmart Store #5436, 3986 Shelbourne Street, Victoria, BC</i>  | PHH ARC Environmental Ltd.      | June 25, 1996        |
| <i>Final Report for Soil and Groundwater Investigation at Kmart Store #5436, 3986 Shelbourne Street, Victoria, BC</i>  | OHA Consulting                  | December 15, 1995    |
| <i>Phase I Environmental Site Assessment, University Heights, 3958-3986 Shelbourne Street, Victoria, BC</i>  | CB Research International Corp. | June 28, 1993        |

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