



VIA EMAIL: stephanie.mahon@esso.ca

Victoria File: 26250-20/3323
Site ID: 3323

September 8, 2020

Stephanie Mahon
172965 Canada Ltd. (Imperial Oil Ltd.)
505 Quarry Park Blvd SE
Calgary, Alberta T2C 5N1

Dear Stephanie Mahon:

Re: Certificate of Compliance – 2325 Warren Avenue, Kimberley, 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 236-468-2209 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Liliana Jerade
Senior Contaminated Sites Officer

Enclosure

cc: Regional District of East Kootenay: Andrew McLeod, Manager, Planning Department,
19-24th Avenue South Rd. Cranbrook, BC V1C 3H8
(BY EMAIL) amcleod@rdek.bc.ca

Blair King, Approved Professional, Parsons Inc.,
100, 9347 200A Street, Langley, BC, V1M 0B3,
(BY EMAIL) blair.king@parsons.com

Society of Contaminated Sites Approved Professionals of BC (Anna Popova),
613-744 West Hastings Street, Vancouver, BC, V6C 1A5,
(BY EMAIL) apopova@csapsociety.bc.ca

Client Information Officer, ENV, Victoria csp_cio@Victoria1.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.

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Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 2325 Warren Avenue, Kimberley, British Columbia which is more particularly known and described as:

Lots 15, 16, 17, Block 8, District Lot 1879, Kootenay District Plan 1592

PID: 015-764-702, 015-764-711, 015-764-729

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

Latitude: 49° 40' 06.3"

Longitude: 115° 58' 33.3"

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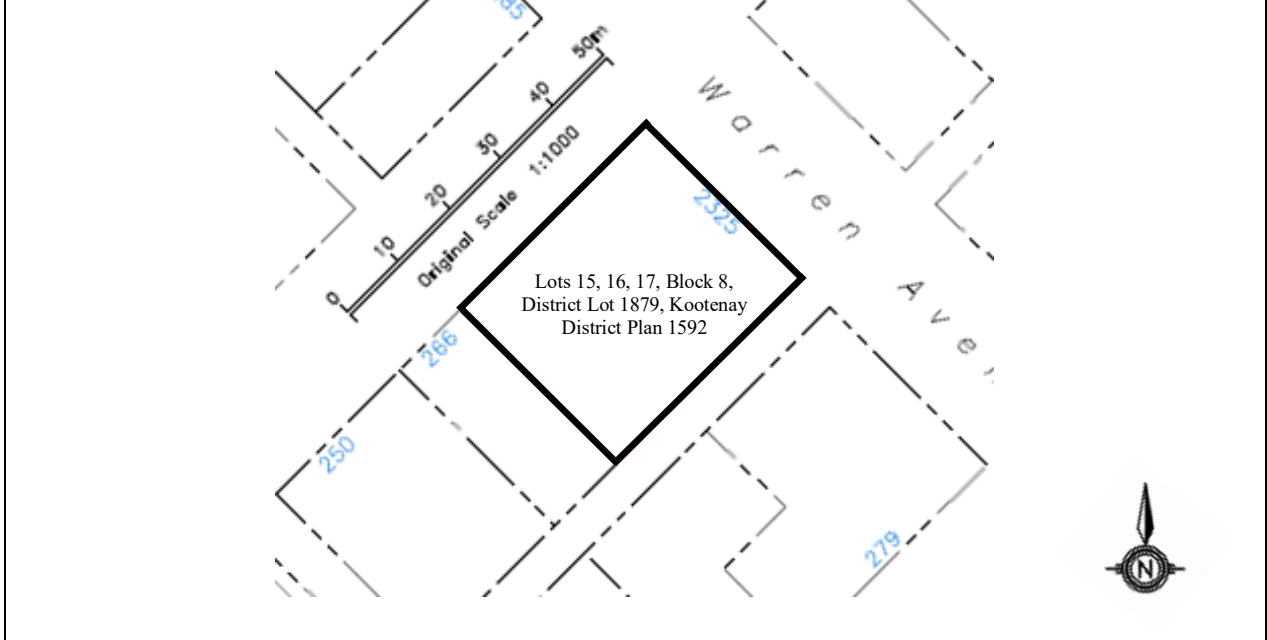
Date Issued



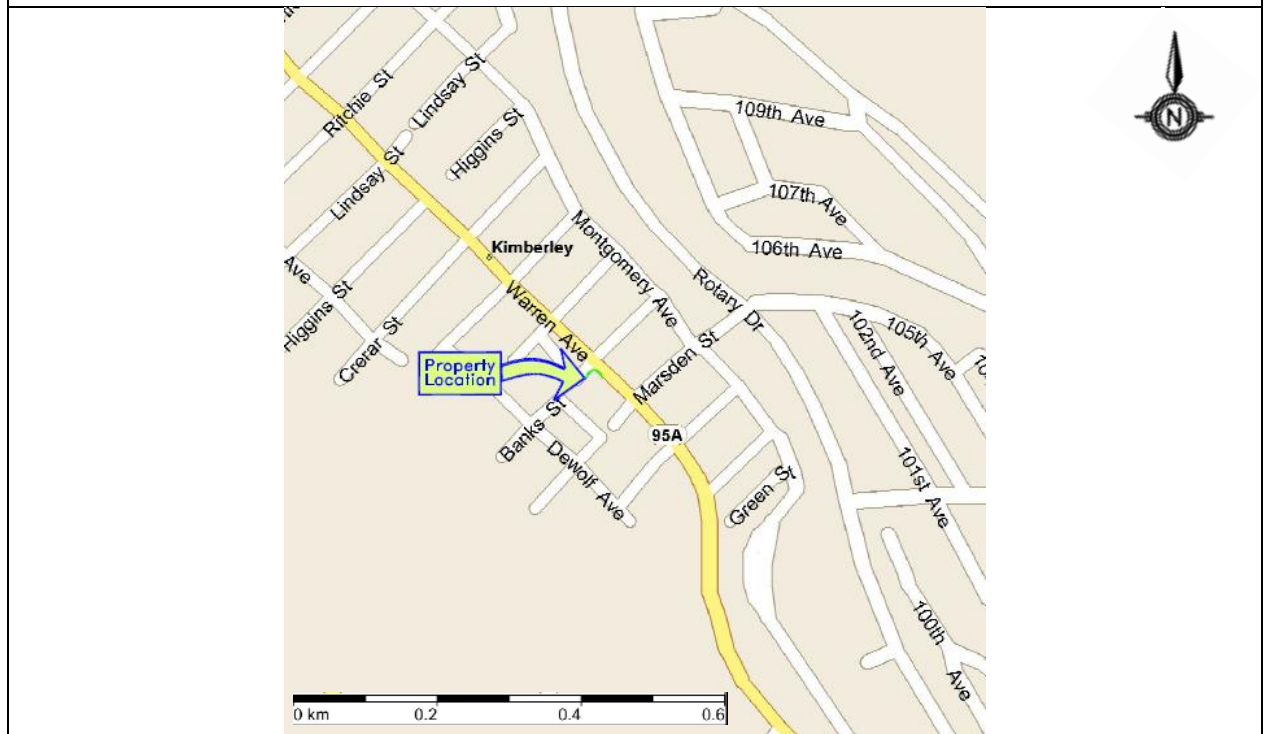
Liliana Jerade

For Director, *Environmental Management Act*

Site Plan, Kimberley, BC



Location Map, Kimberley, BC

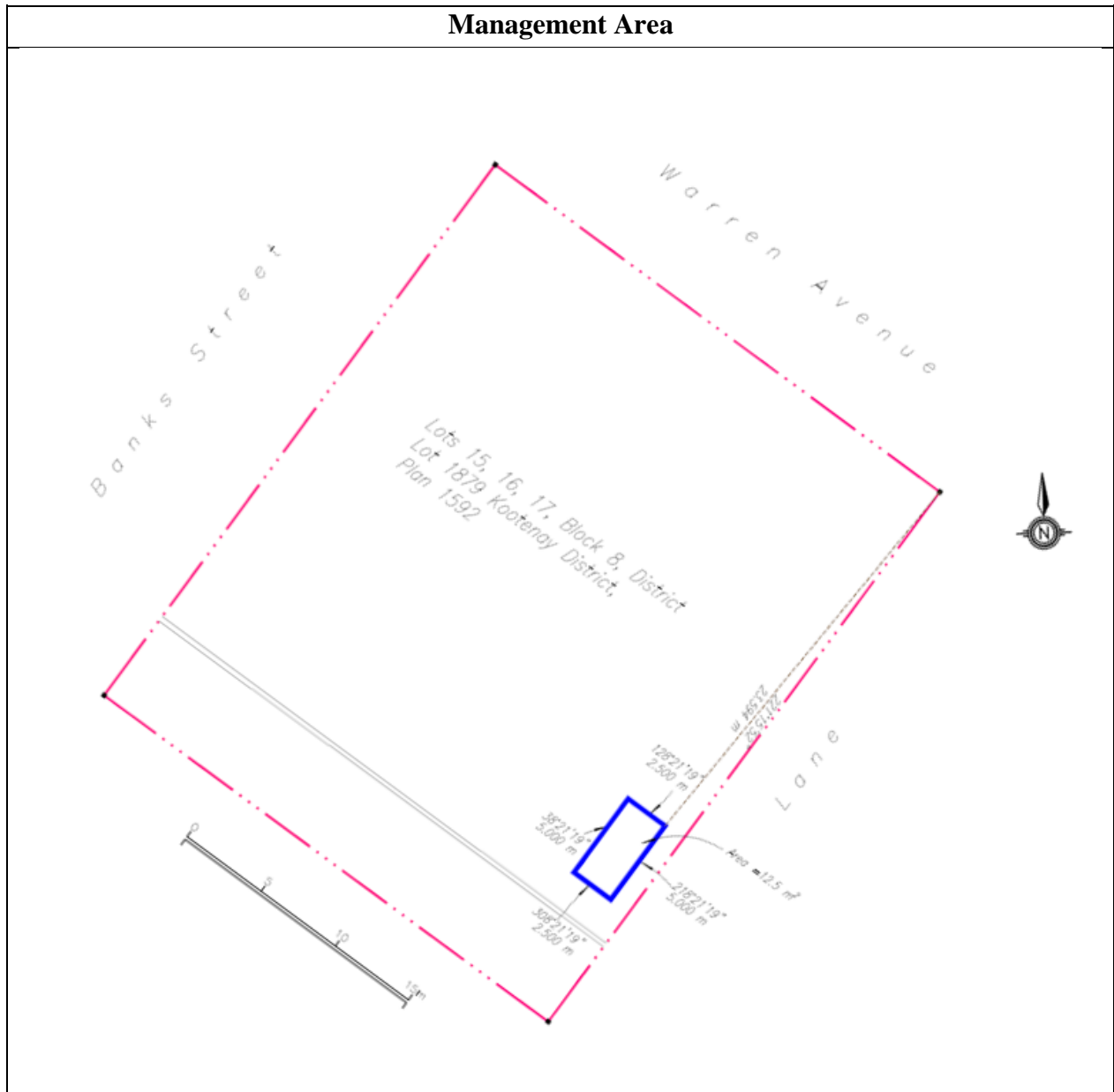


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Management Area



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Schedule B

Requirements and Conditions

1. Any changes in land and water 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 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) Buildings at the site will be at-grade construction. For this purpose, mean grade is defined as 1063.3 metres above sea level

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 persons 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 at the site must remain at a depth of at least 1 m below future grade and not be redistributed as surface soil, nor is a change permitted in future grade elevation from the current elevation (1063.3 metres above sea level) that would cause current soil contamination to be within 1 m of grade absent a permanent barrier (e.g. pavement or concrete).
 - (b) Groundwater at the site must not be used for drinking water.
 - (c) Plants with roots that may extend to depths greater than 1 meter below ground surface (1062.3 metres above sea level) may not be planted at the site within the Management Area, which is depicted in Schedule A.

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The area presented in Schedule A is described as:

An area within Lots 15, 16, 17, Block 8, District Lot 1879 Kootenay District, Plan 1592.

COMMENCING at a point situated 24.266 meters southwest ($217^{\circ}15'12''$) along the southeastern boundary of Lots 15, 16, 17, Block 8, District Lot 1879 Kootenay District, Plan 1592.

COMMENCING at a point situated 23.560 meters southwest ($221^{\circ}15'52''$) of the eastern corner of Lots 15, 16, 17, Block 8, District Lot 1879 Kootenay District, Plan 1592.

THENCE $218^{\circ}21'19''$, 5.000 metres; parallel to the southern property line of Lots 15, 16, 17, Block 8, District Lot 1879 Kootenay District, Plan 159;

THENCE $308^{\circ}21'19''$, 2.500 metres;

THENCE $38^{\circ}21'19''$, 5.000 metres;

THENCE $128^{\circ}21'19''$, 2.500 metres, to the point of commencement and containing by admeasurement 12.5 square metres, more or less.

The site contains part of a legal parcel depicted in an engineering drawing prepared by Parsons Inc. on June 25, 2020.

3. If requested by the Director, the responsible persons 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 remediated in soil for low density residential land soil use:

To meet risk-based remediation standards:

xylenes	1330-20-7
HEPHs	N/A
LEPHs	N/A
VPHs	N/A

To meet site-specific numerical standards:

benzene	71-43-2
toluene	108-88-3

Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

benzene	71-43-2
ethylbenzene	100-41-4
methylnaphthalene, 2-	91-57-6
naphthalene	91-20-3
toluene	108-88-3
xylenes	1330-20-7

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

benzene	71-43-2
ethylbenzene	100-41-4
LEPHw	N/A
naphthalene	91-20-3
toluene	108-88-3
VPHw	N/A
xylenes	1330-20-7

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Schedule D

Documents

1. *Summary of Site Condition, 2325 Warren Avenue, Kimberley, British Columbia, Site Registry ID 3323*, prepared by Parsons Inc. August 7, 2020.
2. *Preliminary Site Investigation/Detailed Site Investigation/Confirmation of Remediation, 2325 Warren Avenue, Kimberley, British Columbia, Site Registry ID 3323*, prepared by Parsons Inc. July 22, 2020.
3. *Screening Level Risk Assessment, 2325 Warren Avenue, Kimberley, British Columbia, Site Registry ID 3323*, prepared by Parsons Inc. July 22, 2020.

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