



VIA EMAIL: mroberts@cdcco.com

Regional File: 26250-20/2079
Site ID: 2079

July 27, 2022

UCANCO General Partners Inc.
203 – 200 Barclay Parade SW
Calgary, Alberta T2P 4R5
Attn. Michael Roberts

Dear Mr. Michael Roberts:

Re: Certificate of Compliance – 132 Northwest Boulevard, Creston, 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. Contamination remains on lands adjacent to the site.

5. Groundwater at the site meets the applicable Contaminated Sites Regulation “no specified water use” standards for non-aqueous phase liquids, VHW₆₋₁₀ and/or EPHW₁₀₋₁₉. Please note that future site development (dewatering, perimeter drainage systems, sumps, etc. associated with future buildings, etc.) may create preferential pathways for groundwater. In this event, further assessment and remediation of groundwater may be warranted.
6. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
7. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
8. 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 236-468-2209 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Liliana Jerade
Senior Contaminated Sites Officer

Enclosure

cc: Town of Creston
238 10th Avenue North, PO Box 1339, Creston, BC, V0B 1G0, info@creston.ca

Jason Christensen, Numerical Approved Professional, Keystone Environmental Ltd.
jchristensen@keystoneenvironmental.ca

Scott Steer, Risk-based Approved Professional, Steer Environmental Associates Ltd.
scott.steer@steerenvironmental.com

CSAP Society c/o Anna Popova 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.

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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Date Issued


Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 132 Northwest Boulevard, Creston, British Columbia which is more particularly known and described as:

Lot 1 District Lot 525 Kootenay District Plan NEP60508 Except Plans EPP37610 and EPP48778

PID: 023-963-123

The soil management area metes and bounds contain part of a legal parcel depicted in an engineering drawing (20-13050-01) prepared by Keystone Environmental Ltd. on December 17, 2020, and is more particularly known and described as:

Starting at the Southwest Corner of Rem 1 of Reference Plan of Road Over Part of Lot 1, Plan NEP60508, Except That Part Dedicated as Arterial Highway on Plan EPP37610, District Lot 525 Kootenay District, Plan EPP48778:

The Point of Commencement.

- Thence 48° 22' 19" for 28.060 metres;
- Thence 322° 14' 41" for 33.138 metres;
- Thence Southerly being an Arc of a 25.970 metre Radius Curve having a Radial Bearing of 144° 04' 54" to the Centre of Said Curve and a Radial Bearing of 78° 31' 25" to the End of Said Curve an Arc Distance of 29.715 metres;
- Thence Southerly being an Arc of a 33.970 metre Radius Curve having a Radial Bearing of 78° 31' 25" to the Centre of Said Curve and a Radial Bearing of 55° 59' 26" to the End of Said Curve an Arc Distance of 13.360 metres;
- Thence Southerly being an Arc of a 439.870 metre Radius Curve having a Radial Bearing of 55° 59' 26" to the Centre of Said Curve and a Radial Bearing of 54° 58' 44" to the End of Said Curve an Arc Distance of 7.767 metres;

Returning to the Point of Commencement.

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

Latitude: 49° 5' 47.11"

Longitude: 116° 30' 53.17"

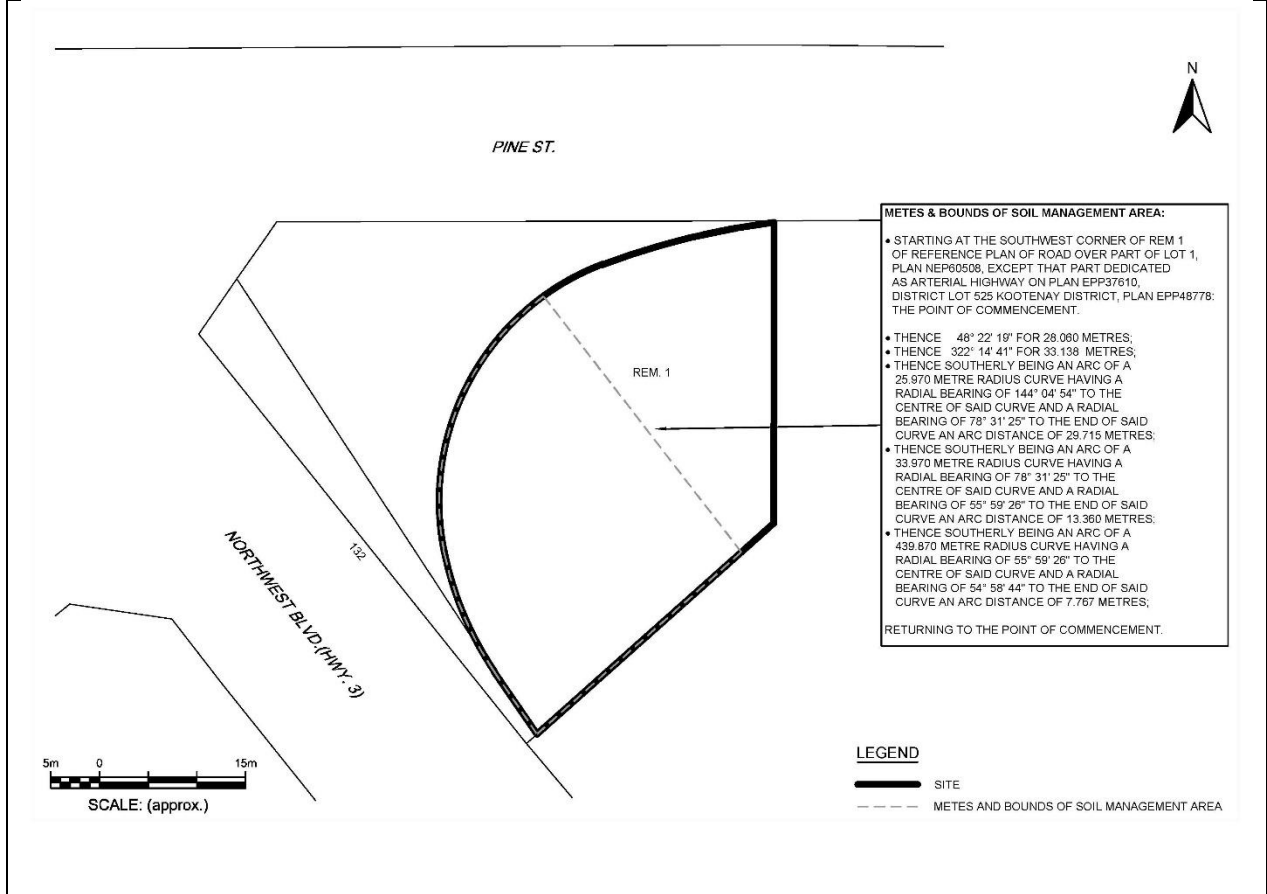
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Site Plan, Creston, BC



Location Map, Creston, BC



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 Liliana Jerade

For Director, *Environmental Management Act*

Schedule B

Requirements and Conditions

1. Any changes in land, vapour, or 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 a 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 building and trenches existing or expected at and adjacent to the site. These assumptions include the following:

- (a) Future buildings will be slab-on-grade, with the top of foundation slab constructed at or above current site grade as of the date of this Certificate of Compliance.

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) Groundwater at the site must not be used as drinking water.
 - (b) Soil contamination exceeding standards relevant to human and ecological soil contact, if left in place, must remain at depths greater than 1 metre below grade or beneath a capped surface (Soil Management Area metes and bounds description and geodetic elevations are presented on the attached engineering drawing (20-13050-01) and described in Schedule A).
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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4. A *Land Title Act* section 219 covenant has been registered at the Land Title Office on May 3, 2016, Registration Number CA5157845 and CA5157846 and applies to the site. Any breach of the terms of these covenants could invalidate this Certificate of Compliance. The following restrictions and requirements set out in the covenant apply to the site.


Restrictive covenant CA5157845

- (a) During the period commencing April 28, 2016 and ending April 27, 2026 there shall not be stored in bulk, or distributed or manufactured on or from the site or any part thereof, gasoline, lubricants, diesel, oils, grease, antifreezes or other petroleum products for motor vehicles nor any other fuel or substance that may be developed in the future for vehicles.

Restrictive covenant CA5157846

- (b) The owner shall not use nor permit the site to be used for any residential uses, or any commercial uses which as an adjunct of the commercial uses includes any at-grade or below-grade living accommodation or any day cares or religious assemblies or any other uses, which other uses are determined by BC Ministry of Environment and Climate Change Strategies or other applicable governmental authority to require the site to be remediated to the residential land use standards accepted by BC Ministry of Environment and Climate Change Strategies.
- (c) There shall not be constructed or installed in or on the site, or any part thereof, any:
- i. subsurface structure, including, without limiting the generality thereof, any subsurface parking or basement structure, but excluding therefrom any underground utility conduits or subsurface footings. For clarity, to the extent any subsurface footings are required in respect of structural slab-on-grade construction on the site, the restriction set out herein shall not extend to such footings, as it is the intention that structural slab-on-grade construction shall not be restricted;
 - ii. potable or non-potable water wells; or
 - iii. deep rooting trees and/or plants.
- (d) Deeper soils on the site shall not be relocated to shallower depths on the site.

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Schedule C

Substances and Uses

Substances remediated in soil for commercial land soil use:

To meet risk-based remediation standards:

arsenic	7440-38-2
benzene	71-43-2
ethylbenzene	100-41-4
toluene	108-88-3
VPHs	NA
xylenes	1330-20-7

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

trichloroethane, 1,1,2-	79-00-5
VHW ₆₋₁₀	NA

To meet risk-based remediation standards:

benzene	71-43-2
dibromoethane, 1,2-	106-93-4
dichloroethane, 1,2-	107-06-2
ethylbenzene	100-41-4
methylnaphthalene, 1-	90-12-0
methylnaphthalene, 2-	91-57-6
naphthalene	91-20-3
quinoline	91-22-5
tetrachloroethylene	127-18-4
toluene	108-88-3
trimethylbenzene, 1,3,5-	108-67-8
xylenes, total	1330-20-7

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To meet local background groundwater concentration estimate:

cobalt 7440-48-4

To meet local background concentrations:

lithium 7439-93-2

uranium 7440-61-1

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

VHW₆₋₁₀ NA

To meet risk-based remediation standards:

benzene 71-43-2

LEPHw NA

naphthalene 91-20-3

toluene 108-88-3

VPHw NA

xylenes, total 1330-20-7

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Schedule D

Documents

Summary of Site Conditions, 132 Northwest Boulevard, Creston, BC, Keystone Environmental Ltd., December 21, 2020;

Report of Findings – Human Health and Ecological Risk Assessment, 132 Northwest Boulevard, Creston, BC, Keystone Environmental Ltd., December 18, 2020;

Report of Findings – Stage 1 Preliminary Site Investigation and Detailed Site Investigation, 132 Northwest Boulevard, Creston, BC, Keystone Environmental Ltd., December 18, 2020;

Protocol 9 Approval, Application for Local Background Concentration Determination for Dissolved Lithium and Dissolved Uranium in Groundwater, 132 Northwest Boulevard, Creston, BC, Project No. 13050, BC Ministry of Environment and Climate Change Strategy, September 30, 2020;

Application for Local Background Concentration Determination for Dissolved Lithium and Dissolved Uranium in Groundwater, 132 Northwest Boulevard, Creston, BC, Keystone Environmental Ltd., July 8, 2020;

Summary of 2013 Drilling Investigation, 132 Northwest Boulevard, Creston, BC, SLR Consulting (Canada) Ltd., March 6, 2014;

Summary of Preliminary Remedial Options, 132 Northwest Boulevard, Creston, BC, SLR Consulting (Canada) Ltd., December 20, 2013;

Soil Pre-Characterization Program, 132 Northwest Boulevard (HWY 3), Creston, BC, SLR Consulting (Canada) Ltd., April 18, 2011;


Creston Shell File Review, Location Code: C01097, Morrow Environmental Consultants Inc., August 13, 2001;

Site Decommissioning – Kaien Kar Kare, Creston, BC, Location Code: C01097, Morrow Environmental Consultants Inc., March 21, 1995;

Phase II Environmental Assessment, Creston Kaien Kar Kare, 132 Northwest Boulevard, Creston, BC, Location Code: C01097, Morrow Environmental Consultants Inc., July 7, 1993;
and,

Environmental Assessment, Kaien Kar Kare, 132 Northwest Boulevard, Creston, BC, Location Code: C01097, Morrow Environmental Consultants Inc., October 23, 1992.

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