



Victoria File: 26250-20/24171
Site ID: 24171

April 23, 2021

Mr. John Driedger, P.Eng.
Shell Canada Products
400-4th Avenue, SW
PO Box 100, Station M
Calgary, AB T2P 2H5
By Email: john.driedger@shell.com

Dear Mr.Driedger:

**Re: Certificate of Compliance - 1250 Canyon Road (Highway 23 N), Nakusp,
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 future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
6. 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 james.plett@gov.bc.ca.

Yours truly,



James Plett
Senior Contaminated Sites Officer

Enclosure

cc:

Canyon Development Co. Ltd.

c/o Barb Murphy, Box 404, #1200 Hwy 23N ,Nakusp, BC V0G 1R0, info@murphyslanding.ca

David Newton, SNC-Lavalin Inc., david.newton@snclavalin.com

John DeCesare, Approved Professional, SNC-Lavalin Inc., john.decesare@snclavalin.com

Tara Siemens Kennedy, Approved Professional, SNC-Lavalin Inc.,

Tara.Kennedy@snclavalin.com

CSAP Society, c/o apopova@csapsociety.bc.ca

Village of Nakusp, c/o Bobby Gresiuik- Public Works Foreman

91-1st Street NW, PO Box 280, Nakusp, BC V0G 1R0, bgresiuik@nakusp.com

Site Information Advisor, ENV, Victoria Advisor.SiteInformation@gov.bc.ca

BC Hydro, c/o Courtney.Marsh@bchydro.com



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.

The substances to which this Certificate of Compliance applies migrated to the site from a neighbouring source. It should not be assumed that this Certificate of Compliance certifies the remediation of all contaminants at the site.

April 23, 2021
Date Issued


James Plett
For Director, *Environmental Management Act*

Schedule A

The management area covered by this Certificate of Compliance is located at 1250 Canyon Road (Hwy 23 N), Nakusp, British Columbia and represents to non-contiguous portions of the same property which is more particularly known and described as:

Metes and Bounds Description – CDL MA A1

On a portion of Lot 1, District Lot 397, Kootenay District Plan NEP92880 commencing at a point a bearing of 273 degrees 10 minutes 44 seconds a distance of 48.15 m from the north corner of Lot 1, District Lot 397 Kootenay District Plan NEP 61024. Thence, at a bearing of 146 degrees 3 minutes 13 seconds a distance of 6.42 m. Thence, at a bearing of 149 degrees 11 minutes 31 seconds a distance of 14.02 m. Thence, at a bearing of 152 degrees 19 minutes 48 seconds a distance of 14.02 m. Thence, at a bearing of 155 degrees 28 minutes 5 seconds a distance of 14.02 m. Thence, at a bearing of 158 degrees 36 minutes 22 seconds a distance of 10.85 m. Thence, at a bearing of 238 degrees 32 minutes 37 seconds a distance of 11.72 m. Thence, at a bearing of 329 degrees 47 minutes 41 seconds a distance of 62.48 m. Thence, at a bearing of 71 degrees 40 minutes 33 seconds a distance of 15.14 m to the point of commencement, and comprising an area of 877.36 m².

Metes and Bounds Description – CDL MA A2

On a portion of Lot 1, District Lot 397, Kootenay District Plan NEP92880 commencing at the north corner of Lot 1, District Lot 397 Kootenay District Plan NEP 61024. Thence, at a bearing of 218 degrees 19 minutes 28 seconds a distance of 11.14 m. Thence, at a bearing of 331 degrees 38 minutes 12 seconds a distance of 10.23 m. Thence, at a bearing of 329 degrees 36 minutes 51 seconds a distance of 10.23 m. Thence, at a bearing of 327 degrees 35 minutes 30 seconds a distance of 3.81 m. Thence, at a bearing of 71 degrees 40 minutes 33 seconds a distance of 2.54 m. Thence, at a bearing of 128 degrees 19 minutes 33 seconds a distance of 21.13 m to the point of commencement, and comprising an area of 143.97 m².

Portion of PID 028-942-485

The subject of this application contains two portions of the legal lot depicted in an engineering drawing 130824-LET21 prepared by SNC-Lavalin Inc., on September 30, 2019.

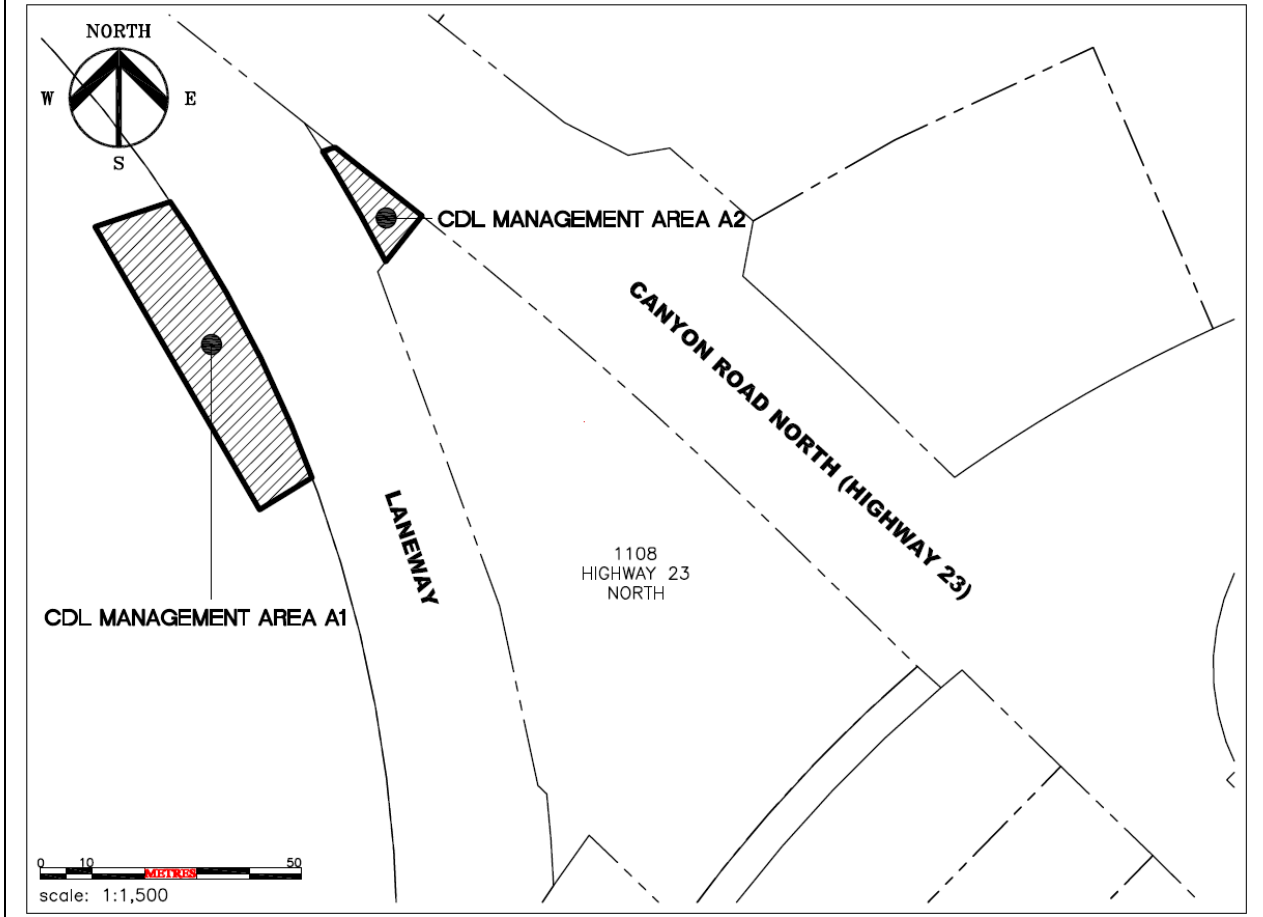
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 50° 14' 59.3"
Longitude: 117° 48' 42.5"

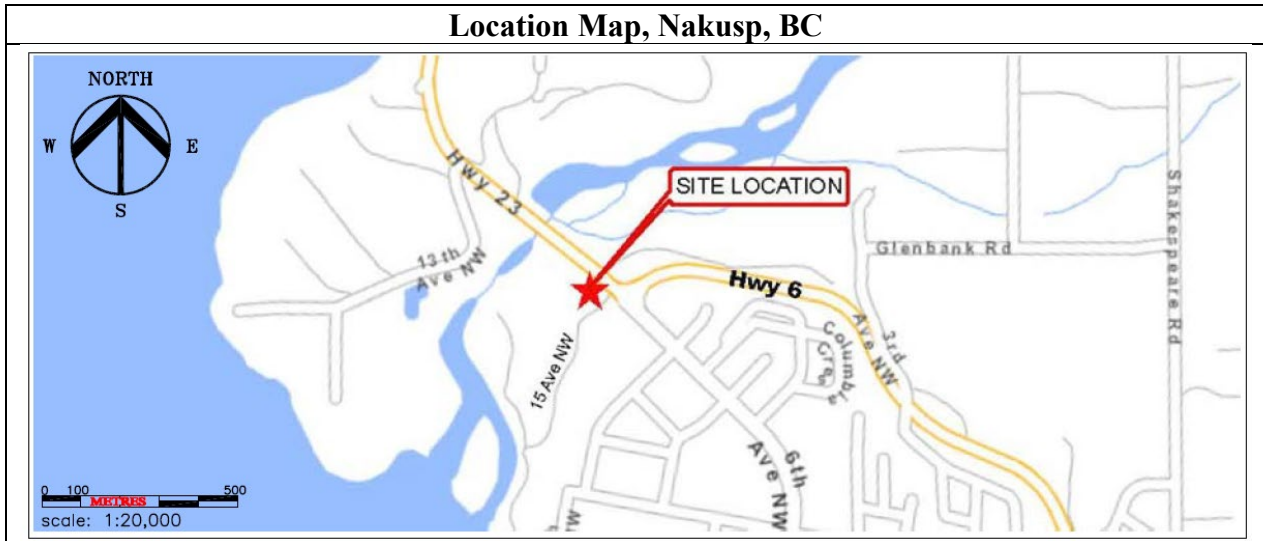
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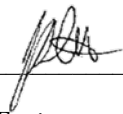
Site Plan, Nakusp, BC



Location Map, Nakusp, BC



April 23, 2021
Date Issued


Signing Authority
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 person 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 and or risk-based standards at 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 must not be built in contact with the groundwater.


Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings 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 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 from the site must not be used as a source of drinking water.

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.

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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:

Benzene (71-43-2)

Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

Benzene (71-43-2)

Ethylbenzene (100-41-4)

LNAPL (NA)

Methylnaphthalene, 2- (91-57-6)

Methylnaphthalene, 1- (90-12-0)

Naphthalene (91-20-3)

Tetraethyl Lead (78-00-2)

Toluene (108-88-3)

Trimethylbenzene, 1,3,5- (108-67-8)

Xylenes, total (1330-20-7)

Substances remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

LEPHw (NA)

LNAPL (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 Condition (CDL MA A1 and A2), prepared by SNC-Lavalin Inc., dated January 15, 2021;

Human Health and Ecological Risk Assessment, former Shell Bulk Plant and Cardlock at 1108 Canyon Road (Highway 23 North), Nakusp, BC (Location Code: P00251) and adjacent Management Areas. and Management Areas, prepared by SNC-Lavalin Inc., dated December 7, 2020;

Summary of Communication in Regards to the CofC Application for the Former Shell Site at 1108 Canyon Road, Nakusp, BC (Site) and the Off Site Management Areas associated with the Former Shell Site at 1108 Canyon Road, Nakusp, BC, Location Code: P00251, prepared by SNC-Lavalin Inc., dated December 7, 2020;

Stage 1 & 2 Preliminary Site Investigation, Detailed Site Investigation and Site Decommissioning, Former Shell Bulk Plant and Cardlock at 1108 Canyon Road (Highway 23 North), Nakusp, BC (Location Code: P00251) and adjacent Management Areas, prepared by SNC-Lavalin Inc. dated December 3, 2020;

Protocol 6 Approval Application for Relief from Vertical Delineation, 1108 Canyon Road (Hwy 23 North), Nakusp, BC; Shell Location Code: P00251 prepared by ENV dated February 22, 2018; and

Protocol 6 Preapproval Application Pertaining to Delineation of Dissolved Phase Hydrocarbon Contamination in Fractured Bedrock 1108 Canyon Road (Hwy 23 North), Nakusp, BC Shell Location Code: (P00251) MoE Site ID: 12301 prepared by SNC-Lavalin Inc. dated July 21, 2017.

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