



VIA EMAIL

ENV Files: 26250-20/4629
26250-20/584
26250-20/24332
Site IDs: 4629, 584, 24332

June 10, 2021

Stella Karnis
Canadian National Railway Company
Floor 3 – 935 de la Gauchetiere Street West
Montreal, QC H3B 2M9
Stella.Karnis@cn.ca

Dear Stella Karnis,

**Re: Preapproval under Protocol 6 Application for Request to Not Remediate the Entire Extent of Contamination for the Source parcel
CN Prince George North Yard, 855 River Road, Prince George, BC (PID: 005-549-663)**

This letter provides my decision on your April 17, 2020 application to the Ministry of Environment and Climate Change Strategy (ENV or the ministry) for preapproval under Protocol 6 for relief from the requirement to remediate the entire extent of contamination attributable to the historic diesel fuel spill area of contamination located on a portion of the Canadian National Railway Company (CN) Prince George North Yard contaminated site (CN Railyard) located at 855 River Road, Prince George, BC and on portions of two adjacent affected properties identified as 1563 River Road, Prince George, BC (Site ID 24332) and 1325 Foley Crescent, Prince George, BC (Site ID 584). The application is specifically to request preapproval from the director to not seek a legal instrument, at this time, for the source parcel CN Railyard, contaminated site # 4629. There is a commitment as described below to obtain Certificates of Compliance for the two affected properties, contaminated site #s 24332 and 584.

The Legal Description (LD) and PID of the CN Railyard is as follows:

855 River Road, Prince George, BC (CN Railyard)
LD: That Part of Parcel District Lots 343, 662, 1511 and 4736 Cariboo District Plan
29245 as shown on Plan 31924, Except Plan PGP40122
PID: 005-549-663

The Legal Descriptions, PIDs and metes and bounds descriptions for the portions of the two adjacent affected properties (identified as Area 1 and Area 2) contaminated by offsite migration of contamination from the CN Railyard are as follows:

Area 1: Site ID 24332

1563 River Road (Excel Transportation)

Parcel Identifier:	023-465-018
Legal Description:	Lot 7 Except: Part Subdivided by Plan BCP11244; District Lots 343 and 662 Cariboo District Plan PGP40122
Current Registered Owner:	617568 BC Ltd., Inc. No. 617568
Metes and Bounds:	<p>Starting at The Southeast Corner of Lot 7, Except: Part Subdivided by Plan Bcp11244; District Lots 343 And 662 Cariboo District Plan PGP40122: the Point of Commencement.</p> <ul style="list-style-type: none"> • thence 295° 22' 15" for 49.023 metres; • thence 28° 39' 58" for 14.258 metres; • thence 58° 09' 55" for 21.658 metres; • thence 71° 57' 34" for 42.324 metres; • thence 64° 59' 44" for 52.583 metres; • thence 62° 30' 51" for 25.705 metres; • thence 133° 22' 28" for 3.617 metres; • thence easterly being an arc of a 109.667 metre radius curve having a radial bearing of 145° 00' 29" to the centre of said curve and a radial bearing of 135° 31' 07" to the end of said curve an arc distance of 18.163 metres; • thence 225° 49' 15" for 112.003 metres; <p>returning to the Point of Commencement.</p>

Area 2: Site ID 584

1325 Foley Crescent (Lakeland Mills)

Parcel Identifier:	007-737-319
Legal Description:	Lot 1 District Lots 343 662 1511 Cariboo District plan 32219
Current Registered Owner:	Lakeland Mills Ltd., Inc. No. 115260
Metes and Bounds:	<p>Starting at the southwest corner of Lot 1, District Lots 343, 662, and 1511, Cariboo District Plan PGP32219: the Point of Commencement.</p> <ul style="list-style-type: none"> • thence 25° 22' 02" for 85.631 metres; • thence 118° 16' 52" for 14.354 metres; • thence 186° 29' 35" for 64.100 metres; • thence 206° 14' 33" for 24.253 metres; • thence 295° 22' 15" for 34.701 metres; <p>returning to the Point of Commencement.</p>

A Location Plan and Site Plan are provided in Attachments A and B, respectively, for reference.

In reaching my decision I have relied on information provided in the following supporting documents:

- *“Report of Findings – Stage 1 Preliminary Site Investigation and Detailed Site Investigation, Portion of CN Prince George North Yard, Prince George, BC”*, Keystone Environmental Ltd, August 10, 2020;
- *“Letter of Commitment, Protocol 6 – Pre-approval Request for Applications for Portions of a Site, Source Site ID #6984 and 4629, Prince George, BC”*, Canadian National Railway Company, April 15, 2020; and
- *“Protocol 6 Preapproval Application, CN Prince George North Yard, Prince George, BC”*, Canadian National Railway Company, April 15, 2020.

The primary rationale and supporting information presented in the above documents is summarized below:

- *CN is subject to applicable federal legislation. The railyard will remain in operation and therefore a CoC for the source parcel (railyard) will not be pursued.*
- *Offsite migration of contamination has occurred onto the 1563 River Road and 1325 Foley Crescent properties. The CN-related contamination on portions of these properties has been fully delineated in soil and groundwater.*
- *Migration of contamination onto other adjacent properties has not been identified.*
- *Groundwater contamination is interpreted to be stable or decreasing in concentration and extent.*

- *CN is committed to completing environmental investigation reports, a human health and ecological risk assessment, and applying for risk-based Certificates of Compliance (CofC) for the two affected off-site parcels...*

Based on the information presented in the application documents referred to above, I advise that it is not necessary to make a Certificate of Compliance application for the CN Railyard source area at the same time as the committed-to Certificate of Compliance applications for the two adjacent affected properties. I preapprove under Protocol 6 that legal instruments may be sought for a part of the contaminated site. I make this decision based primarily on the following:

1. The CN Railyard will remain in operation for the foreseeable future. Remediation of the CN Railyard may be better addressed following cessation of operational activities.
2. CN has committed to obtaining Certificates of Compliance for the CN-attributable contamination on the two adjacent affected properties using a risk-based approach.
3. Further to item 2 above, as a requirement for any risk-based Certificate of Compliance application, CN advises that the groundwater contamination on the CN Railyard and two adjacent affected properties is stable or decreasing in concentration and extent.

In making this decision, I impose the following conditions for the upcoming Certificate of Compliance application(s) for the two adjacent affected properties:

1. Plume stability must be demonstrated, as this informs the potential for recontamination at the affected properties; and
2. Based on the mass and areal extent of LNAPL remaining on the source property, a Performance Verification Plan (PVP) must be recommended by an Approved Professional and give consideration to, in addition to any other requirements, a groundwater monitoring program for the source and affected properties to demonstrate continued plume stability. A contingency plan with action levels/thresholds to address any observed departures in plume stability must also be included in the PVP.
 - It is possible that at the end of the monitoring period, the monitoring results and plume stability could be evaluated and modifications to the monitoring program considered, as may be warranted, at the discretion of the director.

Please ensure that a copy of this letter is included in the future application(s) for Certificates of Compliance for the adjacent affected properties.

This decision is based on the most recent information available to the ministry regarding the above referenced site. The ministry, however, makes no representation or warranty as to the accuracy or completeness of this information. The ministry expressly reserves the right to change or substitute different requirements where circumstances warrant.

If you have any questions about this decision letter, please contact the undersigned at Heather.Osachoff@gov.bc.ca.

Yours truly,



Heather Osachoff
for *Director, Environmental Management Act*
Manager, Risk Assessment and Remediation

Attachment A: Location Plan

Attachment B: Site Plan

cc: Francisco Perello, Keystone Environmental Ltd.
fperello@keystoneenvironmental.ca Keith Brandner, Excel Transportation Inc., 1563
River Road, Prince George, BC kbrandner@exceltransportation.ca
Darcy Goodkey, Lakeland Mills Ltd., 1325 Foley Crescent, Prince George, BC
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George Szefer, Senior Contaminated Sites Officer, ENV George.Szefer@gov.bc.ca
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Society of Contaminated Sites Approved Professionals of BC c/o Anna Popova
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Attachment A Location Plan

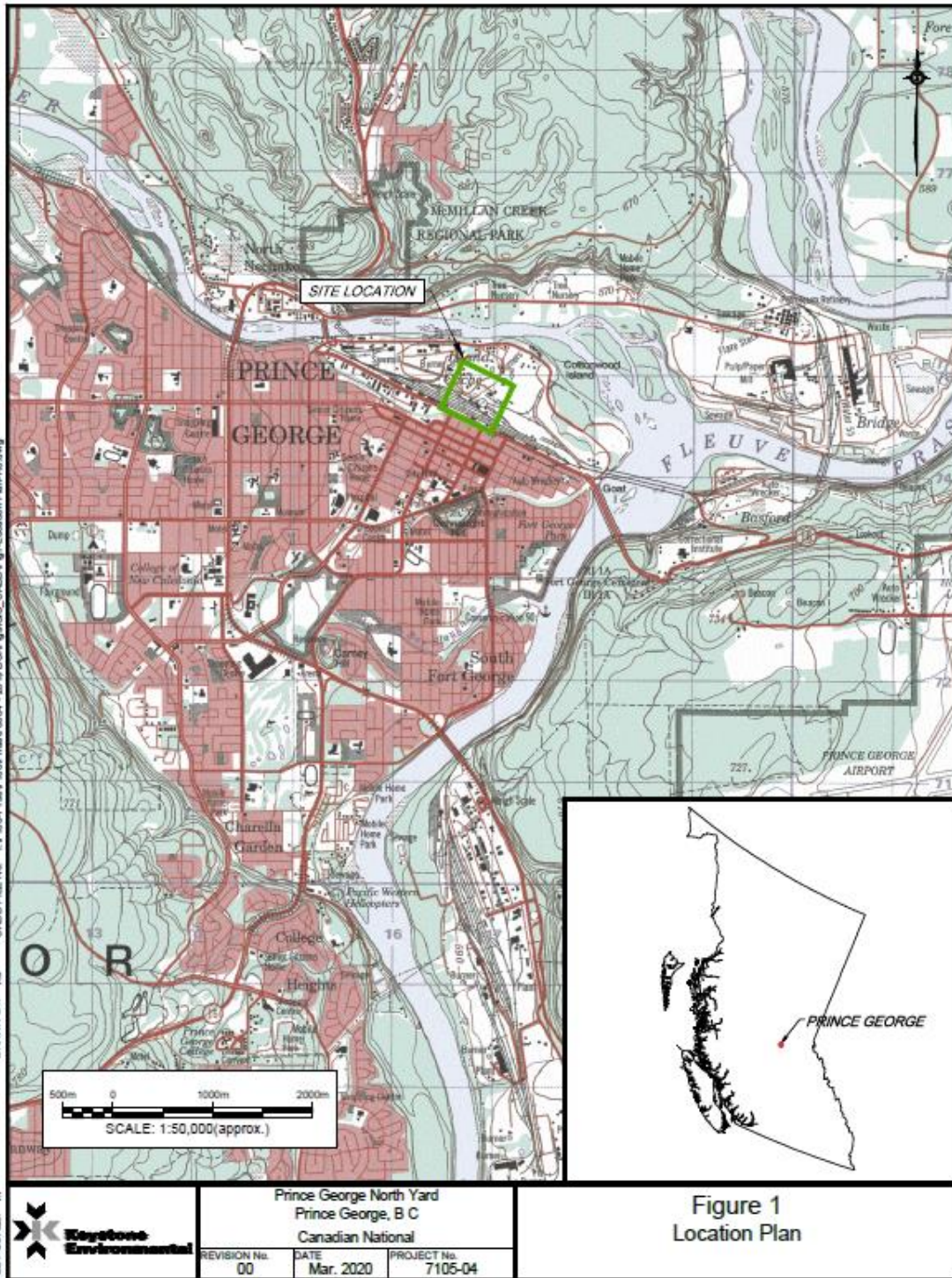


Figure 1
Location Plan

Attachment B Site Plan

