



VIA EMAIL: ds@mspiwest.com

Victoria File: 26250-20/9826
Site ID: 9826

March 7, 2023

Lindenhome Inc., Inc. No. BC1070340
2565 Whitworth Road
Kelowna, BC V4T 2K5

Dear Dennis Skuter:

**Re: Certificate of Compliance - 813, 825 and 877 Westminster Avenue West,
Penticton, BC**

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 subject to removal and notice under Part 8 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 George.Szefer@gov.bc.ca.

Yours truly,



George Szefer, M.Eng., P.Eng.
For Director, *Environmental Management Act*

Enclosure

cc: City of Penticton, development@penticton.ca
CSAP Society, apopova@csapsociety.bc.ca
Terry Duffy, P.Geo., Approved Professional, Pinchin Ltd., tduffy@pinchin.com
Client Information Officer, ENV, Victoria, csp_cio@Victorial.gov.bc.ca
First West Credit Union, contact@valleyfirst.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 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.

March 7, 2023
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George Szefer
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 813, 825, and 877 Westminster Avenue West, Penticton, British Columbia which is more particularly known and described as:

Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891

PID: 009-140-263

813 Westminster Avenue West, Penticton, BC

Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891

PID: 009-140-280

825 Westminster Avenue West, Penticton, BC

Lot 1 District Lot 2 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 15658

PID: 008-754-314

877 Westminster Avenue West, Penticton, BC

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

Latitude: 49° 29' 53.5"

Longitude: 119° 36' 23.2"

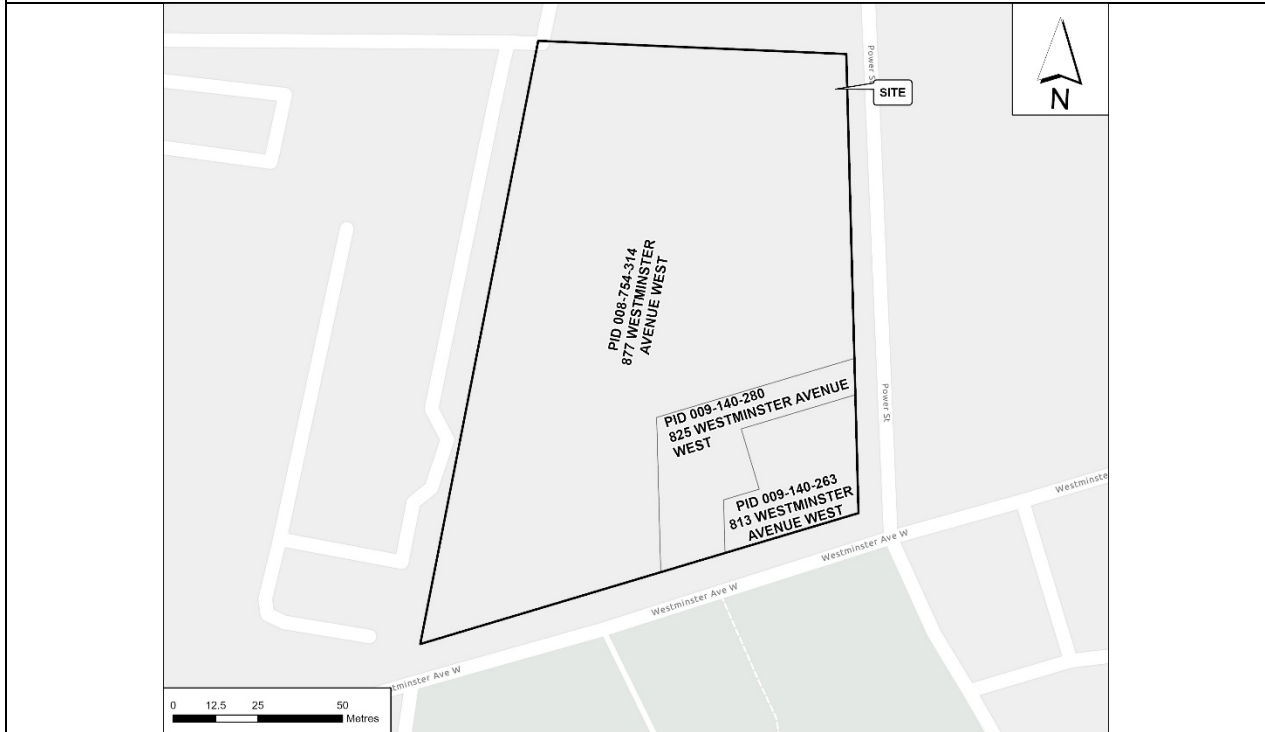
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Site Plan



Location Map



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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 Contaminated Sites Regulation numerical-based standards at the 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) *“Existing buildings must not be expanded beyond their current configuration on site”*;
- (b) *“Any future site buildings must include a parkade, either as the ground level of the building or as subsurface levels beneath the entire footprint of the building”*.

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 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) *Site groundwater must not be used as potable water. No drinking water wells may be installed at the site.*
 - (b) *Any future site buildings must include a parkade, either as the ground level of the building or as subsurface levels beneath the entire footprint of the building.*
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 high density residential land soil use:

To meet risk-based remediation standards:

Anthracene	120-12-7
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
Fluoranthene	206-44-0
HEPHs	not applicable
Indeno(1,2,3-cd)pyrene	193-39-5
Phenanthrene	85-01-8
Pyrene	129-00-0

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Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

Fluoranthene	206-44-0
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To meet risk-based remediation standards:

Acridine	260-94-6
Anthracene	120-12-7
Benzo(a)pyrene	50-32-8
Phenanthrene	85-01-8
Pyrene	129-00-0

Substances remediated in water for drinking water use:

To meet numerical remediation standards:

Vanadium	7440-62-2
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To meet risk-based remediation standards:

Benz(a)anthracene	56-55-3
Benzo(a)pyrene	50-32-8
Benzo(b+j)fluoranthenes	205-99-2 & 205-82-3
Dibenz(a,h)anthracene	53-70-3
Quinoline	91-22-5

Substances evaluated in water for drinking water use:

To meet local background concentrations:

Cobalt	7440-48-4
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Schedule D

Documents

- *Cover Letter for Certificate of Compliance Application, 813, 825 & 877 Westminster Avenue West, Penticton, BC, prepared by Pinchin Ltd., dated March 3, 2023.*
- *Summary of Site Condition, 813, 825 & 877 Westminster Avenue West, Penticton, BC, prepared by Pinchin Ltd., dated March 3, 2023.*
- *Cover Letter for Certificate of Compliance Application, prepared by Pinchin Ltd., dated March 3, 2023.*
- *Addendum for Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, and Screening Level Risk Assessment, 813, 851 & 877 Westminster Avenue West, Penticton, British Columbia, prepared by Pinchin Ltd., dated November 29, 2022.*
- *Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, and Screening Level Risk Assessment, 813, 851 & 877 Westminster Avenue West, Penticton, British Columbia, prepared by Pinchin Ltd., dated October 4, 2022.*
- *Application for Director's Preapproval (Protocol 6), Request to not delineate/remediate offsite, 851 and 857 Westminster Avenue West, Penticton, BC, letter from BC ENV, dated June 17, 2022.*

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