



Victoria File: 26250-20/22812
Site ID: 22812

November 22, 2021

Gerard St. Jean
Battersea Development Ltd.
2565 Battersea Road
Nanaimo, BC V9D 3X6
gerard@stjeans.com

Dear Gerard St. Jean:

**Re: Certificate of Compliance - 1861 East Wellington Road, Nanaimo,
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 Regulationand 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 the undersigned at Julia.brooke@gov.bc.ca.

Yours truly,



J.A. Brooke
Senior Contaminated Sites Officer

Enclosure

cc: Setia Lindsay, City of Nanaimo, Setia.Lindsay@nanaimo.ca

Michael Sloan, Approved Professional, SLR Consulting (Canada) Ltd.,
msloan@slrconsulting.com

CSAP Society, 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.

November 22, 2021
Date Issued



J.A. Brooke
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 1861 East Wellington Road, Nanaimo, British Columbia which is more particularly known and described as:

Lot A, Section 14, Range 8, Mountain District, Plan 17946

PID: 003-844-153

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

Latitude: 49° 10' 47.00"
Longitude: 123° 58' 49.00"

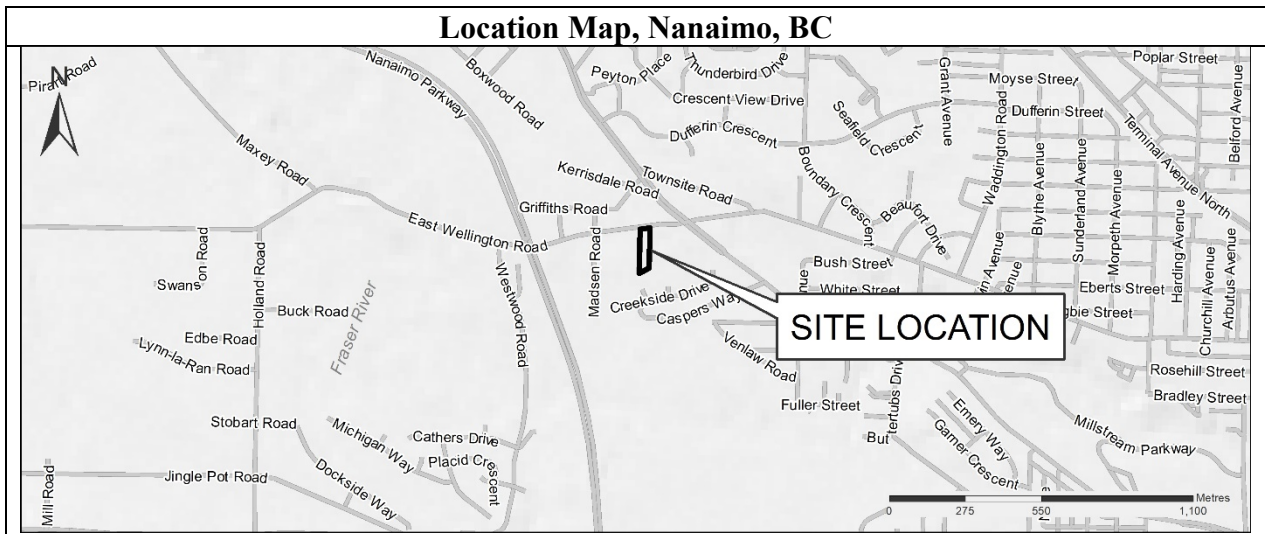
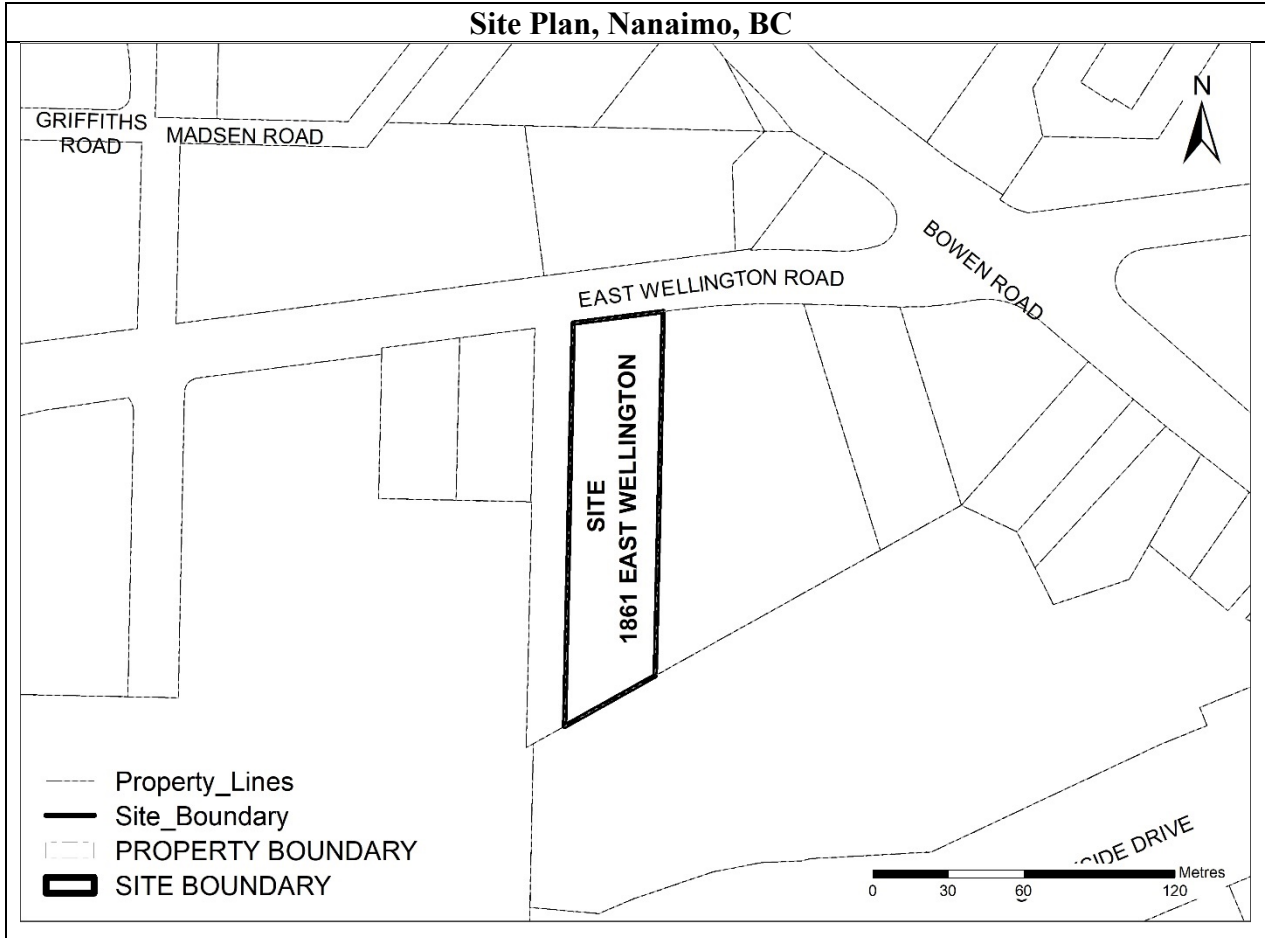
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Schedule B

Requirements and Conditions

1. Any changes in land, 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.

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Schedule C

Substances and Uses

Substances remediated in soil for commercial and industrial soil use:

To meet numerical remediation standards:

benzene	71-43-2
cadmium	7440-43-9
ethylbenzene	100-41-4
HEPHs	N/A
LEPHs	N/A
molybdenum	7439-98-7
nickel	7440-02-0
toluene	108-88-3
VPHs	N/A
xylenes	1330-20-7
zinc	7440-66-6

To meet regional background concentrations:

chromium	7440-47-3
copper	7440-50-8

Substances evaluated in soil to meet regional background concentrations:

vanadium	7440-62-2
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Schedule D

Documents

- *Summary of Site Condition*, prepared by Michael Sloan, SLR Consulting (Canada) Ltd., dated 21 September 2021.
- *Stage 1 Preliminary Site Investigation, Detailed Site Investigation and Confirmation of Remediation: 1861 East Wellington Road, Nanaimo, BC*, prepared by Lewkowich Engineering Associates Ltd., dated 16 September 2021.
- *Phase I Environmental Site Assessment: 1861 East Wellington Road, Nanaimo, BC*, prepared by Lewkowich Engineering Associates Ltd., dated 6 April 2021.
- *Limited Phase II Environmental Site Assessment and Remediation: 1861 East Wellington Road, Nanaimo, BC*, prepared by Lewkowich Engineering Associates Ltd., dated 22 January 2021.
- *Limited Phase II Environmental Site Assessment and Remediation: 1861 East Wellington Road, Nanaimo, BC*, prepared by Lewkowich Engineering Associates Ltd., 23 June 2020.
- *Soil Sampling Report: 1861 East Wellington Road, Nanaimo, BC*, prepared by Lewkowich Engineering Associates Ltd., dated 30 March 2020.
- *Phase II Environmental Site Assessment: 1861 East Wellington Road, Nanaimo, BC*, prepared by SNC Lavalin Inc., dated 30 August 2016.
- *Phase I Environmental Site Assessment & Regulated Building Materials Survey: 1861 East Wellington Road, Nanaimo, BC*, prepared by SNC Lavalin Inc., dated 10 May 2016.

November 22, 2021

Date Issued



J.A. Brooke

For Director, *Environmental Management Act*