



VIA E-MAIL: fcrucil@fminstallations.ca

Victoria File: 26250-20/23302
Site ID: 23302

July 26, 2022

FMC Holdings Ltd.
1890 Schoolhouse Rd.
Nanaimo, BC V9X 1T4
Attn. Frank Crucil

Dear Frank Crucil:

Re: Approval in Principle – Forward Rd. Right-of-Way, Ladysmith, British Columbia

Please find enclosed an Approval in Principle respecting the contaminated site referenced above, noted as the Forward Road right-of-way identified in the enclosed metes and bounds explanation survey.

In addition to the conditions set out in Schedule B of the Approval in Principle, 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 Approval in Principle 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 Approval in Principle will restrict or impair the Director's powers 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. This Approval in Principle does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the persons undertaking remediation. It is also the responsibility of those persons to ensure that all activities conducted under this Approval in Principle are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.
5. Additional permits and approvals may be required before remediation begins.
6. All site materials (e.g., excavated soil, replaced soil, groundwater from dewatering, pumping, well development etc.) must be characterized and managed in accordance with applicable legislation and ministry guidance.
7. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
8. Please be advised that there are inherent health and safety risks associated with remediation activities at contaminated sites. Development of site-specific work procedures in accordance with WorkSafeBC regulations is warranted. Please direct related questions to the WorkSafeBC office at 604-276-3100 (Lower Mainland only) or 1-888-621-7233 (toll free in B.C.).
9. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, alterations to the Human Health & Ecological Risk Assessment prepared by Trillium Environmental Ltd. and upon which the remediation plan is based, or changes in land use, must be promptly identified by written submission to the Director.
10. If an application for a Certificate of Compliance is to be submitted for the site, the confirmation of remediation report accompanying the application must demonstrate compliance with the remediation standards and criteria in force at the time the application for the Certificate is made, which may differ from the remediation standards and criteria in force at the time of issuance of this Approval in Principle.

Issuance of this Approval in Principle is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Approval in Principle, 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: Allison McCarrick, CAO, Town of Ladysmith
410 Esplanade, PO Box 220, Ladysmith, BC, V9G 1A2
amccarrick@ladysmith.ca

Guy Patrick, Numerical Approved Professional, Patrick Consulting Inc.
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Stefan Quaglia, Risk Approved Professional, Trillium Environmental Ltd.
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CSAP Society
apopova@csapsociety.bc.ca

Client Information Officer, ENV, Victoria, csp_cio@victoria1.gov.bc.ca



APPROVAL IN PRINCIPLE

(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that the remediation plan described herein submitted by FMC Holdings Ltd. for the contaminated site identified in Schedule A of this document has been approved.

When implemented, the remediation plan must be implemented in accordance with the requirements and conditions specified in Schedule B.

The substances for which remediation will be conducted and for which this Approval in Principle is valid are specified in Schedule C.


I have issued this Approval in Principle based on a review of 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 Approval in Principle if conditions imposed in the Approval in Principle are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Approval in Principle should not be construed as an assurance that there are no hazards present at the site.

The substances to which this Approval in Principle applies migrated to the site from a neighbouring source. It should not be assumed that this Approval in Principle is an approval for the remediation of all contaminants at the site.

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Liliana Jerade
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is located at Forward Road right-of-way, Ladysmith, British Columbia, which is more particularly known and described as:


- Commencing at the most northerly corner of Lot 1, Plan EPP88173, thence in a northwesterly direction following in the southwesterly boundary of Forward Road at a grid bearing of 317 degrees 34 minutes 37 seconds, as derived from Plan EPP88173, for 50.14 metres, more or less, to the most northerly corner of Lot A, Plan EPP110422;
- Thence at a grid bearing of 118 degrees 25 minutes 35 seconds, more or less, for 37.06 metres, more or less, to the most southerly corner of Lot 3, Plan VIP1684;
- Thence in a southeasterly direction following in the northeasterly boundary of Forward Road, at a grid bearing of 137 degrees 33 minutes 00 seconds, as derived from Plan VIP87871, for 38.90 metres, more or less, to a point on the said northeasterly boundary of Forward Road lying 9.77 metres southeast of the most westerly corner of Lot 1, Plan VIP87871;
- Thence at a grid bearing of 251 degrees 34 minutes 33 seconds for 3.37 metres;
- Thence at a grid bearing of 268 degrees 46 minutes 10 seconds for 3.05 metres;
- Thence at a grid bearing of 290 degrees 10 minutes 46 seconds for 5.28 metres;
- Thence at a grid bearing of 296 degrees 16 minutes 53 seconds for 3.83 metres;
- Thence at a grid bearing of 300 degrees 48 minutes 43 seconds for 4.70 metres;
- Thence at a grid bearing of 272 degrees 36 minutes 12 seconds, more or less, for 2.30 metres, more or less, to a point on the said southwesterly boundary of Forward Road lying 6.00 metres southeast of the point of commencement;
- Thence in a northwesterly direction following in the said southwesterly boundary of Forward Road at a grid bearing of 317 degrees 34 minutes 00 seconds, more or less, 6.0 metres to the point of commencement, and containing, by calculation, an areas of 604.5 square metres, more or less.

The site contains part of a legal parcel depicted in the metes and bounds explanation survey prepared by Polaris Land Surveying Inc. on March 1, 2022.

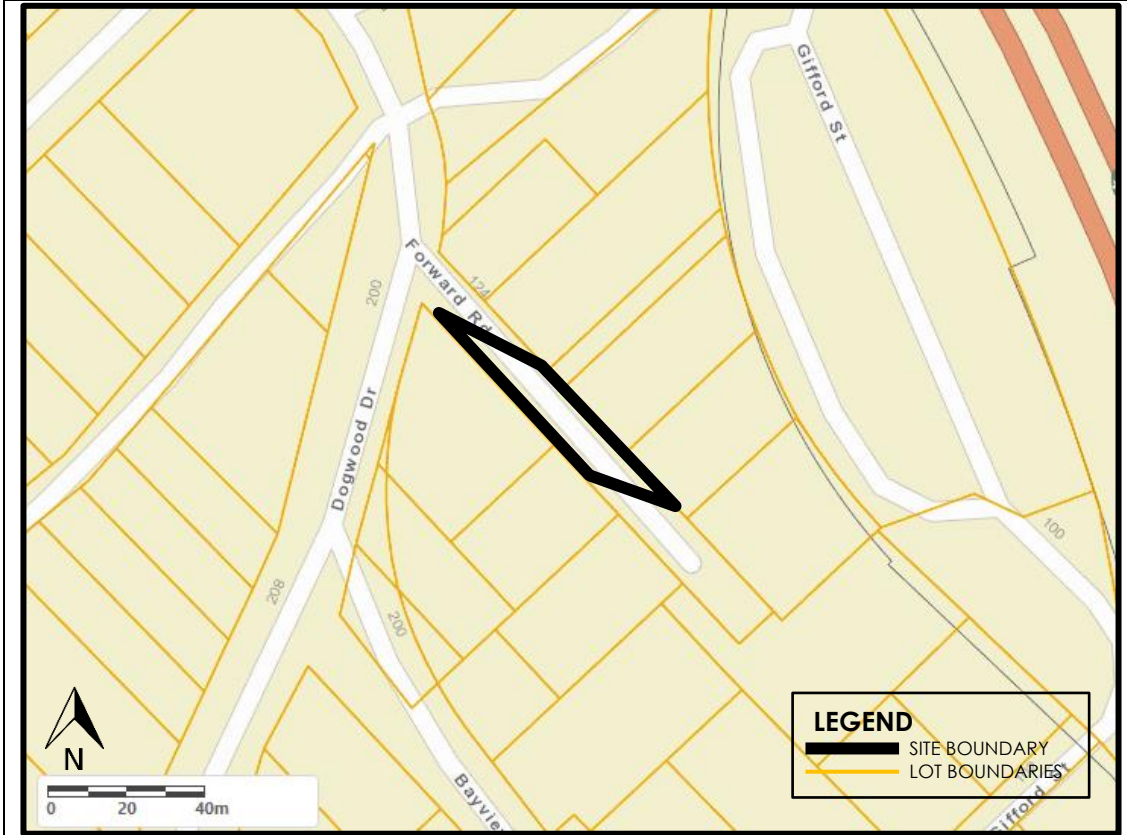
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 48° 59' 22.00"
Longitude: 123° 48' 44.50"

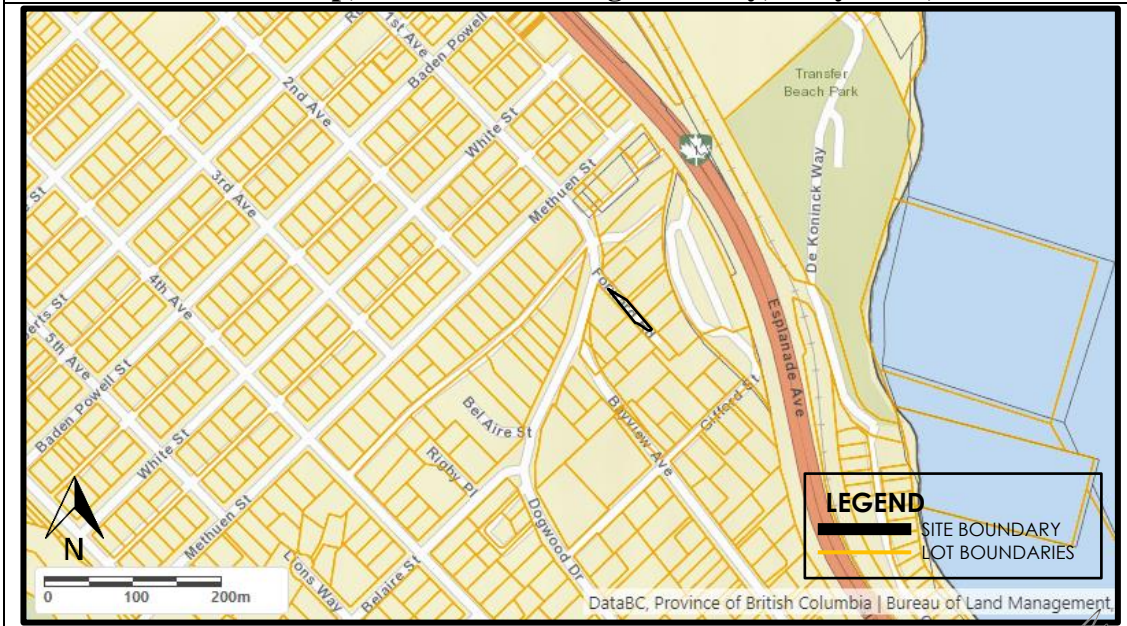
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Site Plan, Forward Road Right-of-Way, Ladysmith, B.C



Location Map, Forward Road Right-of-Way, Ladysmith, BC



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[Signature]
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For Director, *Environmental Management Act*

Schedule B


Requirements and Conditions

1. Remediation, including monitoring, inspections and maintenance of any works, must be undertaken by the responsible person in the manner and schedule specified in the plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
2. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, conditions or circumstances described in the risk assessment upon which the remediation plan is based, or changes in land, vapour, water, or sediment use, must be promptly identified in a written submission by the responsible person to the Director. An application for an amendment or new Approval in Principle may be necessary.
3. Up-to-date records of monitoring, inspections and maintenance of any works must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.
4. Remediation must be completed within five years of the date of issuance of this Approval in Principle.
5. Remediation must be confirmed in accordance with applicable legislation and ministry guidance. Within 90 days of completing remediation, a report summarizing confirmation of remediation must be prepared in accordance with section 49 (2) of the Contaminated Sites Regulation and submitted to the Director.
6. A statement signed by an Approved Professional must be submitted to the Director every 2 years within 90 days of the anniversary of the date of issuance of this Approval in Principle. The statement must include the following:
 - (a) A summary of remedial activities undertaken during the reporting period; and
 - (b) An assessment comparing remediation progress to the actions and schedule set out in the plan referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan.

If requested by the Director, a report signed by an Approved Professional must be submitted for review to the Director and must include the following:


- (a) A summary of remedial activities undertaken to date;
- (b) An assessment comparing remediation progress to the actions and schedule set out in the plans referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan;

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- (c) Interpretation of current and cumulative monitoring results from the soil and groundwater monitoring program;
- (d) Evaluation of the performance of the monitoring program; and
- (e) Supporting documentation (e.g., analytical reports, records of inspection, maintenance of treatment works, etc.).

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Schedule C

Substances and Uses

Substances to be remediated in soil for industrial land soil use:

To meet numerical remediation standards:

ethylbenzene	100-41-4
VPHs	N/A
xylenes	1330-20-7

To meet risk-based remediation standards:

HEPHs	N/A
tetraethyl lead	78-00-2

Substances to be remediated in water for marine aquatic life water use:

To meet risk-based remediation standards:

LEPHw	N/A
naphthalene	91-20-3
xylenes, total	1330-20-7
VPHw	N/A

Substances to be remediated in water for drinking water use:

To meet numerical remediation standards:

benzo(a)pyrene	50-32-8
benzo(b+j)fluoranthene	205-99-2 & 205-82-3
toluene	108-88-3

To meet risk-based remediation standards:

arsenic	7440-38-2
benzene	71-43-2
ethylbenzene	100-41-4
methylnaphthalene, 1-	90-12-0
methylnaphthalene, 2-	91-57-6
xylenes, total	1330-20-7

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Substances to be remediated in vapour for agricultural, urban park and residential vapour use:

To meet numeric remediation standards:

ethylbenzene	100-41-4
naphthalene	91-20-3
xylenes, total	1330-20-7

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Schedule D

Documents

Summary of Site Condition, TerraWest Environmental Inc., dated April 27, 2022

Human Health & Ecological Risk Assessment, Affected Properties Adjacent to 201 and 203 Dogwood Drive, Ladysmith, BC. Trillium Environmental Ltd., dated April 2022

Neighbour Communication Summary, TerraWest Environmental Inc., dated April 27, 2022

Remediation Plan, Forward Road, 123 and 125 Forward Road, Ladysmith, BC. TerraWest Environmental Inc., dated March 29, 2022


Detailed Site Investigation, 201/203 Dogwood Drive and Forward Road, Ladysmith, BC. TerraWest Environmental Inc., dated March 28, 2022

Confirmation of Remediation, 201/203 Dogwood Drive, Forward Road Right-of-Way and 124 Forward Road, Ladysmith, BC. TerraWest Environmental Inc., dated March 24, 2022

Stage 2 Preliminary Site Investigation, 201 Dogwood Drive, Ladysmith, BC. TerraWest Environmental Inc., dated December 17, 2021.

Stage 1 Preliminary Site Investigation, 201 Dogwood Drive, Ladysmith, BC. TerraWest Environmental Inc., dated October 23, 2020

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For Director, *Environmental Management Act*
