



VIA EMAIL joew@radecgroup.com

Victoria File: 26250-20/13391
Site ID: 13391

April 22, 2024

Joe Walters
Ryzak Holdings (Timmins) Inc., Inc.No. BC1428209
955 Timmins Street
Penticton, BC V2A 5V3

Dear Joe Walters:

Re: Final Determination - 955 Timmins Street, Penticton, BC

Please find enclosed a Final Determination respecting the site referenced above and be advised of the following:

1. The Director has made a Final Determination that the site is not contaminated because the numerical standards of the Contaminated Sites Regulation have been met at the site.
2. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
3. The provisions of this Final Determination 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 Final Determination will restrict or impair the Director's power in that regard.
4. A qualified environmental consultant should be available to identify, characterize and appropriately manage:
 - (a) any environmental media that may be contaminated, or
 - (b) removal of soil under the provisions of Part 8 of the Contaminated Sites Regulation and may be encountered during any future work at the site.
5. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.

6. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.

Issuance of this Final Determination is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Final Determination, 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, Melissa Koster, Melissa.Koster@penticton.bc.ca
Client Information Officer, ENV, Victoria, csp_cio@Victorial.gov.bc.ca
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FINAL DETERMINATION
(Pursuant to Section 44 of the *Environmental Management Act*)

I have made a Final Determination that the site identified in Schedule A of this document **is not** a contaminated site.

This Final Determination is qualified by the requirements and conditions specified in Schedule B.

The site does not have concentrations of the substances specified in Schedule C that exceed the applicable standards and criteria prescribed in the Contaminated Sites Regulation for determining whether a site is a contaminated site.

I have issued this Final Determination 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.

This Final Determination should not be construed as an assurance that there are no hazards present at the site.

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For Director, *Environmental Management Act*

Schedule A


The site covered by this Final Determination is located at 955 Timmins Street, Penticton, British Columbia which is more particularly known and described as:

Lot A District Lots 1, 2 And 4 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan
EPP124254
PID:031-983-031

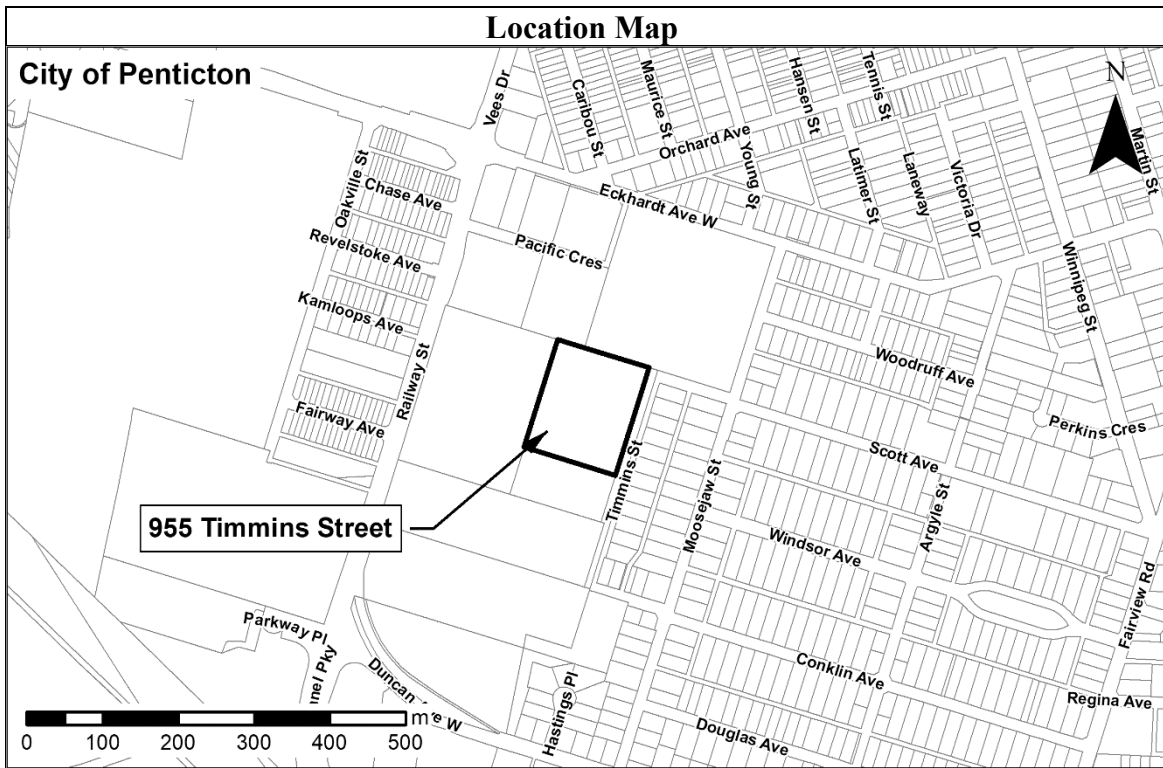
The approximate center of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 29' 24.823"
Longitude: 119° 36' 3.316"

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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 Determination of Contaminated Site 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 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) Building construction on the Site is limited to slab-on-grade or parkade.

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 Determination of Contaminated Site may be necessary.

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Schedule C

Substances and Uses

Substances evaluated in soil for low density residential land use:

To meet numerical standards prescribed for defining whether a site is contaminated:

acenaphthene	83-32-9	dichloroethylene, 1,2- trans	156-60-5
aluminum	7429-90-5	dichloromethane	75-09-2
anthracene	120-12-7	dichloropropane, 1,2-	78-87-5
arsenic	7440-38-2	dichloropropene, 1,3-	542-75-6
benz(a)anthracene	56-553	ethylbenzene	100-41-4
benzene	71-43-2	fluoranthene	206-44-0
benzo(a)pyrene	50-32-8	fluorene	86-73-7
benzo(b+j)fluoranthenes	205-99-2 & 205-82-3	HEPHs	n/a
benzo(k)fluoranthene	207-08-9	indeno(1,2,3-cd) pyrene	193-39-5
boron	7440-42-8	iron	7439-89-6
bromodichloromethane	75-27-4	lead	7439-9-1
bromoform	75-25-2	LEPHs	n/a
butadiene, 1,3-	106-99-0	manganese	7439-96-5
cadmium	7440-43-9	mercury	7439-97-6
carbon tetrachloride	56-23-5	methyl tert-butyl ether	1634-04-4
chlorobenzene	108-90-7	methylnaphthalene, 1-	90-12-0
chloroform	67-66-3	methylnaphthalene, 2-	91-57-6
chloronaphthalene, 2-	91-58-7	molybdenum	7439-98-7
chromium	7440-47-3	naphthalene	91-20-3
chrysene	218-01-9	nickel	7440-02-0
cobalt	7440-48-4	phenanthrene	85-01-8
copper	7440-50-8	pyrene	120-00-0
dibenz(a,h)anthracene	53-70-3	selenium	7782-49-2
dibromochloromethane	124-48-1	silver	7440-22-4
dibromoethane, 1,2-	106-93-4	styrene	100-42-5
dichlorobenzene, 1,2-	95-50-1	tetrachloroethane, 1,1,2,2-	79-34-5
dichlorobenzene, 1,3-	541-73-1	tetrachloroethylene	127-18-4
dichlorobenzene, 1,4-	106-46-7	tetraethyl lead	78-00-2
dichloroethane, 1,1-	75-34-3	tin	7440-31-5
dichloroethane, 1,2-	107-06-2	titanium	7440-32-6
dichloroethylene, 1,1-	75-35-4	toluene	108-88-3
dichloroethylene, 1,2- cis	156-59-2	trichloroethane, 1,1,1-	71-55-6

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trichloroethane, 1,1,2-	79-00-5	vinyl chloride	75-01-04
trichloroethylene	79-01-6	VPHs	N/A
trichlorofluoromethane	75-69-4	xylenes	1330-20-7
trimethylbenzene, 1,3,5-	108-67-8	zinc	7440-66-6
vanadium	7440-62-2		

Substances evaluated in vapour for residential use and parkade use:

To meet numerical standards prescribed for defining whether a site is contaminated:

acetone	67-64-1	dichloropropane,1,2-	78-87-5
acrylonitrile	107-13-1	dichloropropane,1,3-	142-28-9
allyl chloride	107-05-1	dichloropropene1,3-(cis + trans)	542-75-6
benzene	71-43-2	diethyl ether	60-29-7
bromobenzene	108-86-1	ethyl acetate	141-78-6
bromodichloromethane	75-27-4	ethyl methacrylate	97-63-2
bromoform	75-25-2	ethylbenzene	100-41-4
butadiene,1,3-	106-99-0	hexachlorobutadiene	87-68-3
carbon disulfide	75-15-0	hexachloroethane	67-72-1
carbon tetrachloride	56-23-5	isopropylbenzene	98-82-8
chlorobenzene	108-90-7	methacrylonitrile	126-98-7
chloroethane	75-00-3	methyl acrylate	96-33-3
chloroform	67-66-2	methyl ethyl ketone	78-93-3
chlorotoluene,2-	95-49-8	methyl isobutyl ketone	108-10-1
dibromo-3-chloropropane,1,2-	96-12-8	methyl methacrylate	80-62-6
dibromochloromethane	124-48-1	methyl tert-butyl ether	1634-04-4
dibromoethane,1,2-	106-93-4	methylcyclohexane	108-87-2
dibromomethane	74-95-3	naphthalene	91-20-3
dichlorobenzene,1,2-	95-50-1	n-decane	124-18-5
dichlorobenzene,1,3-	541-73-1	n-hexane	110-54-3
dichlorobenzene,1,4-	106-46-7	nitrobenzene	98-95-3
dichlorodifluoromethane	75-71-8	styrene	100-42-5
dichloroethane,1,1-	75-34-3	tetrachloroethane,1,1,1,2-	630-20-6
dichloroethane,1,2-	107-06-2	tetrachloroethane,1,1,2,2-	79-34-5
dichloroethene,1,1-	75-35-4	tetrachloroethylene	127-18-4
dichloroethene,1,2-cis	156-59-2	tetrahydrofuran	109-99-9
dichloroethene,1,2-trans	156-60-5	toluene	108-88-3
dichloromethane	75-09-2	trichloro-1,2,2-trifluoroethane, 1,1,2-	76-13-1
trichlorobenzene,1,2,4-	120-82-1	trimethylbenzene,1,2,4-	95-63-6



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trichloroethane,1,1,1-	71-55-6	trimethylbenzene,1,3,5-	108-67-8
trichloroethane,1,1,2-	79-00-5	vinyl chloride	75-01-04
trichloroethylene	79-01-6	VPHv	n/a
trichlorofluoromethane	75-69-4	xylenes, total	1330-20-7
trichloropropane,1,2,3-	96-18-4		

Substances evaluated in water for drinking water:

To meet local background concentrations prescribed for defining whether a site is contaminated:

lithium	7439-93-2
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Substances evaluated in water for drinking water:

To meet numerical standards prescribed for defining whether a site is contaminated:

acenaphthene	83-32-9	chrysene	218-01-9
aluminum	7429-90-5	cobalt	7440-48-4
anthracene	120-12-7	copper	7440-50-8
antimony	7440-36-0	dibenz(a,h)anthracene	53-70-3
arsenic	7440-38-2	dibromochloromethane	124-48-1
barium	7440-39-3	dibromoethane,1,2-	106-93-4
benz(a)anthracene	56-55-3	dichlorobenzene,1,2-	95-50-1
benzene	71-43-2	dichlorobenzene,1,4-	106-46-7
benzo(a)pyrene	50-32-8	dichloroethane,1,1-	75-34-3
benzo(b+j)fluoranthenes	205-99-2 & 205-82-3	dichloroethane,1,2-	107-06-2
beryllium	7440-41-7	dichloroethylene,1,1-	75-35-4
boron	7440-42-8	dichloroethylene,1,2-cis	156-59-2
bromodichloromethane	75-27-4	dichloroethylene,1,2-trans	156-60-5
bromoform	75-25-2	dichloromethane	75-09-2
cadmium	7440-43-9	dichloropropane,1,2-	78-87-5
carbon tetrachloride	56-23-5	dichloropropene,1,3- (cis + trans)	542-75-6
chlorobenzene	108-90-7	EPHw10-19	n/a
chloroform	67-66-3	ethylbenzene	100-41-4
chloronaphthalene,2-	91-58-7	fluoranthene	206-44-0
chromium, hexavalent	18540-29-9	fluorene	86-73-7
chromium, trivalent	16065-83-1	lead	7439-92-1
methyl tert-butyl ether	1634-04-4	tetraethyl lead	78-00-2
methylnaphthalene,1-	90-12-0	tin	7440-31-5



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methylnaphthalene,2-	91-57-6	toluene	108-88-3
molybdenum	7439-98-7	trichloroethane,1,1,1-	71-55-6
naphthalene	91-20-3	trichloroethane,1,1,2-	79-00-5
nickel	7440-02-0	trichloroethylene	79-01-6
pyrene	129-00-0	trichlorofluoromethane	75-69-4
quinoline	91-22-5	trimethylbenzene,1,3,5-	108-67-8
selenium	7782-49-2	tungsten	7440-33-7
silver	7440-22-4	uranium	7440-61-1
sodium ion	17341-25-2	vanadium	7440-62-2
strontium	7440-24-6	VHw16-10	N/A
styrene	100-42-5	vinyl chloride	75-01-04
tetrachloroethane, 1,1,2,2-	79-34-5	xylenes, total	1330-20-7
tetrachloroethylene	127-18-4	zinc	7440-66-6

Substances evaluated in water for freshwater aquatic life:

To meet numerical standards prescribed for defining whether a site is contaminated:

acenaphthene	83-32-9	copper	7440-50-8
acridine	260-94-6	dichlorobenzene,1,2-	95-50-1
anthracene	120-12-7	dichlorobenzene,1,3-	541-73-1
antimony	7440-36-0	dichlorobenzene,1,4-	106-46-7
arsenic	7440-38-2	dichloroethane,1,2-	107-06-2
barium	7440-39-3	dichloromethane	75-09-2
benz(a)anthracene	56-55-3	EPWw10-19	n/a
benzene	71-43-2	ethylbenzene	100-41-4
benzo(a)pyrene	50-32-8	fluoranthene	206-44-0
beryllium	7440-41-7	fluorene	86-73-7
boron	7440-42-8	lead	7439-92-1
cadmium	7440-43-9	LEPHw	n/a
carbon tetrachloride	56-23-5	methyl tert-butyl ether	1634-04-4
chlorobenzene	108-90-7	molybdenum	7439-98-7
chloroform	67-66-3	naphthalene	91-20-3
chromium, hexavalent	18540-29-9	nickel	7440-02-0
chromium, trivalent	16065-83-1	phenanthrene	85-01-8
chrysene	218-01-9	pyrene	120-00-0
cobalt	7440-48-4	quinoline	91-22-5
selenium	7782-49-2	trichloroethylene	79-01-6
silver	7440-22-4	uranium	7440-61-1



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styrene	100-42-5	VHw16-10	N/A
tetrachloroethylene	127-18-4	VPHw	N/A
thallium	7440-28-0	xylenes, total	1330-20-7
titanium	7440-32-6	zinc	7440-66-6
toluene	108-88-3		

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Schedule D

Documents

- *Summary of Site Condition, 955 Timmins Street, Penticton, BC (#13391), prepared by Trevor Roste, Associated Environmental Consultants Inc., dated October 25, 2023.*
- *Stage 1 and 2 Preliminary Site Investigation, 955 Timmins Street, Penticton BC. Prepared by Associated Environmental Consultants Inc. October 2023.*
- *Re: Scenario 3 Release Request – Site Profile Submission – Subdivision and Zoning Applications. 955 Timmins Street, Penticton, BC. Prepared by the Ministry of Environment and Climate Change Strategy. April 7, 2021.*
- *Re: Background Groundwater Assessment, 955 Timmins Street, Penticton, BC. Prepared by the Ministry of Environment and Climate Change Strategy. January 22, 2021.*
- *Background Groundwater Assessment, 955 Timmins Street, Penticton, BC. Prepared by Associated Environmental Consultants Inc. October 2020.*

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