



**VIA EMAIL:** [christopher.boys@parkland.ca](mailto:christopher.boys@parkland.ca)

Victoria File: 26250-20/18014  
Site ID: 18014

June 24, 2024

Chris Boys  
Parkland Corporation  
2025 Willingdon Avenue, Suite 1000  
Burnaby, BC V5C 0J3

Dear Chris Boys:

**Re: Certificate of Compliance - Highway 93/95 and Frontage Road, adjacent to property at 1470 Highway 93/95, Windermere, 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) 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.

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 [Kevin.Haines@gov.bc.ca](mailto:Kevin.Haines@gov.bc.ca).

Yours truly,



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Kevin Haines  
Senior Risk Assessment Officer

Enclosure

cc: Regional District of East Kootenay  
1164 Windermere Loop Road  
Invermere V0A 1K3  
[environmentalservicesdept@rdek.bc.ca](mailto:environmentalservicesdept@rdek.bc.ca)

The Crown in Right of British Columbia  
c/o Hillary Barnett, District Manager, Ministry of Transportation and Infrastructure  
Rocky Mountain District  
129 – 10th Avenue S.  
Cranbrook, BC V1C 2N1  
[hilary.barnett@gov.bc.ca](mailto:hilary.barnett@gov.bc.ca)

1160259 B.C. LTD., INC.NO. BC1160259  
c/o Kevin E. Cherkowski  
3002 East Kelowna Rd., Kelowna, BC V1W 4H3  
[kevinc@cmlawyers.ca](mailto:kevinc@cmlawyers.ca)

CSAP Society, [submissions@csapsociety.bc.ca](mailto:submissions@csapsociety.bc.ca)

Jackie Smith and Michelle Anderson, Approved Professionals,  
SLR Consulting (Canada) Ltd.  
[jasmith@slrconsulting.com](mailto:jasmith@slrconsulting.com); [manderson@slrconsulting.com](mailto:manderson@slrconsulting.com)

Client Information Officer, BC Ministry of Environment and Climate Change Strategy,  
Land Remediation Section, [csp\\_cio@victorial.gov.bc.ca](mailto:csp_cio@victorial.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.

The substances to which this Certificate of Compliance applies migrated to the site from a neighbouring source. It should not be assumed that this Certificate of Compliance certifies the remediation of all contaminants at the site.

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Date Issued

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Signing Authority  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at Highway 93/95 and Frontage Road adjacent to 1470 Highway 93/95, Windermere, British Columbia which is more particularly known and described as:

### Road Portion of Plan R 289

Commencing at a point southeasterly  $163^{\circ}56'53''$ , 33.439 metres from the northeast corner of Parcel A, District Lot 20 Kootenay District Plan 85798-I;

Thence (1) Northeast  $53^{\circ}59'46''$ , 57.190 metres;

Thence (2) Southeast  $166^{\circ}01'38''$ , 93.052 metres;

Thence (3) Southwest  $261^{\circ}27'46''$ , 50.818 metres;

Thence (4) Northwest  $343^{\circ}56'53''$ , 66.830 metres more or less to the commencement point;

Containing 0.42 hectares (1.025 acres) more or less.

The site contains part of a legal parcel depicted in a sketch plan prepared by SLR Consulting (Canada) Ltd. on December 22, 2023.

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

Latitude:	50°	28'	31.8"
Longitude:	115°	59'	9.0"

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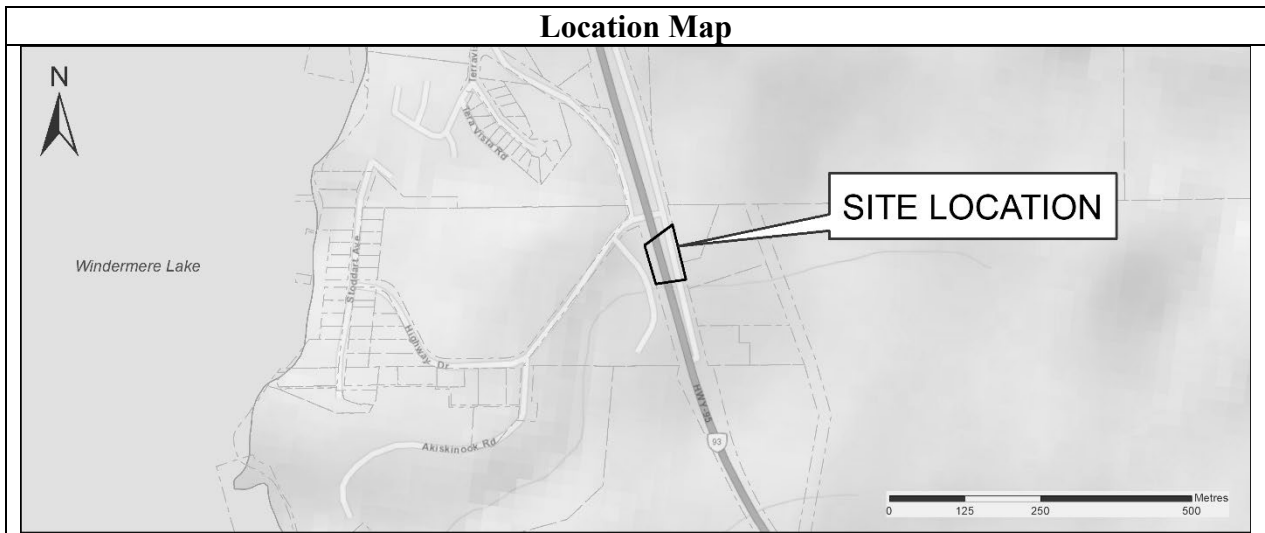
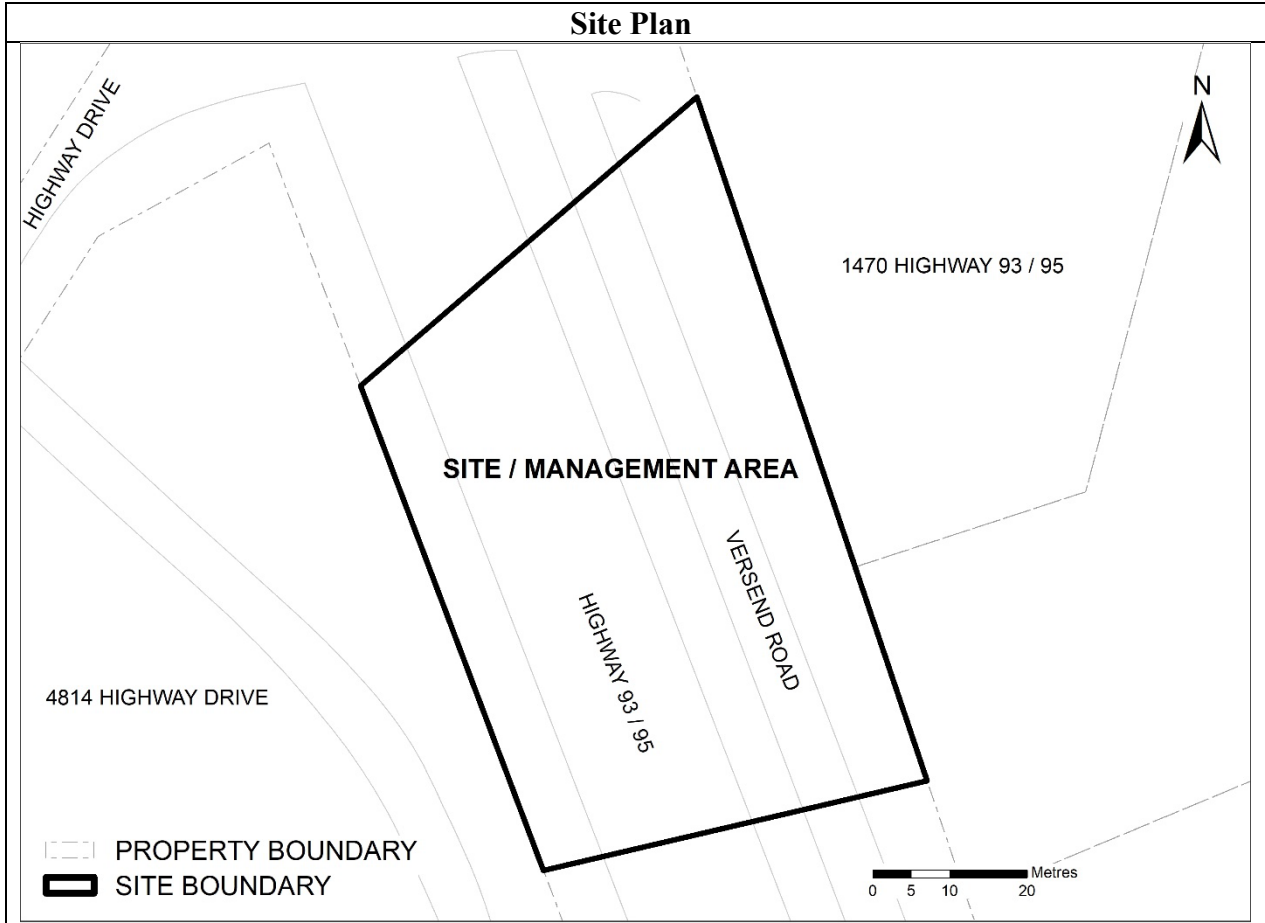
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## Schedule B

### 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 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 risk-based standards at and adjacent to the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at and adjacent to the site. These assumptions include the following:

*(a) There will be no buildings constructed within the off-site Management Area (OMA);*

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at or adjacent to 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) Groundwater within the management area must not be used as a drinking water source.*

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## Schedule C

### Substances and Uses

#### *Substances remediated in soil for industrial land soil use:*

##### To meet risk-based remediation standards:

benzene	71-43-2
ethylbenzene	100-41-4
LEPHs	NA
naphthalene	91-20-3
pyrene	129-00-0
toluene	108-88-3
VPHs	NA
xylenes	1330-20-7

#### *Substances remediated in water for drinking water use:*

##### To meet numerical remediation standards:

benz(a)anthracene	56-55-3
benzo(b+j)fluoranthenes	205-99-2 & 205-82-3
dibenz(a,h)anthracene	53-70-3
propylbenzene, 1-	103-65-1

##### To meet risk-based remediation standards:

benzene	71-43-2
benzo(a)pyrene	50-32-8
EPHw10-19	NA
ethylbenzene	100-41-4
lithium	7439-93-2
methylnaphthalene, 1-	90-12-0
methylnaphthalene, 2-	91-57-6
naphthalene	91-20-3
quinoline	91-22-5
toluene	108-88-3
trimethylbenzene, 1,3,5-	108-67-8
VHw6-10	NA
xylenes, total	1330-20-7

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***Substances remediated in water for freshwater aquatic life water use:***

To meet numerical remediation standards:

chrysene	218-01-9
ethylbenzene	100-41-4
fluoranthene	206-44-0
phenanthrene	85-01-8

To meet risk-based remediation standards:

acridine	260-94-6
benzene	71-43-2
benzo(a)pyrene	50-32-8
EPHw10-19	NA
LEPHw	NA
naphthalene	91-20-3
pyrene	129-00-0
quinoline	91-22-5
toluene	108-88-3
VHw6-10	NA
VPHw	NA
xylenes, total	1330-20-7

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## Schedule D

### Documents

- SLR Consulting (Canada) Ltd. *Summary of Site Condition, Highway 93/95 and Frontage Road, adjacent to property at 1470 Highway 93/95, Windermere, BC, Site ID 18014.* February 2024.
- SLR Consulting (Canada) Ltd. *Human Health and Ecological Risk Assessment.* February 9, 2024.
- SLR Consulting (Canada) Ltd. *Supplemental Detailed Site Investigation.* December 13, 2023.
- SLR Consulting (Canada) Ltd. *Off-Site Communication Record.* December 13, 2023.
- SLR Consulting (Canada) Ltd. *Request for Agreement to Obtain Certificate of Compliance for Roads Adjacent to 1470 Highway No. 93/95, Windermere, BC.* July 10, 2023.
- BC Ministry of Environment and Climate Change Strategy. *Background Determination of Dissolved Lithium, Windermere Gas Bar, 1470 Highway No. 93/95, Windermere, BC.* February 16, 2023.
- SLR Consulting (Canada) Ltd. *Addendum to P9 Application for Dissolved Lithium.* January 27, 2023.
- SLR Consulting (Canada) Ltd. *Background Determination of Dissolved Lithium.* May 2022.
- Stantec Consulting Ltd. *Stage 2 Preliminary Site Investigation and Detailed Site Investigation.* Stantec Consulting Ltd. April 8, 2015.
- Stantec Consulting Ltd. *Stage 1 Preliminary Site Investigation.* April 8, 2015.
- Stantec Consulting Ltd. *Phase II Environmental Site Assessment.* April 2010.
- Jacques Whitford Stantec Axys Ltd. *Underground Storage Tank Removal and Site Remedial Activities, Station #353.* July 23, 2009.

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