



**VIA EMAIL: [brooke.r.peaden@esso.ca](mailto:brooke.r.peaden@esso.ca)**

Victoria File: 26250-20/25812  
Site ID: 25812

July 31, 2024

Brooke Peaden  
Imperial Oil Limited  
505 Quarry Park Blvd. SE  
Calgary, AB T2C 5N1

Dear Brooke Peaden:

**Re: Certificate of Compliance – 2804 35<sup>th</sup> Avenue, Vernon, 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) 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 at the site meets the applicable Contaminated Sites Regulation "no specified water use" standards for non-aqueous phase liquids, VHW<sub>6-10</sub> and/or EPHW<sub>10-19</sub>. Please note that future site development (dewatering, perimeter drainage systems, sumps, etc. associated with future

buildings, etc.) may create preferential pathways for groundwater. In this event, further assessment and remediation of groundwater may be warranted.

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.
7. 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 [Peter.Yan@gov.bc.ca](mailto:Peter.Yan@gov.bc.ca).

Yours truly,



Hong (Peter) Yan, M.A. Sc., P.Eng.  
For Director, *Environmental Management Act*

Enclosure

cc: Mike Linder, Canadian National Railway Company, [Mike.Linder@cn.ca](mailto:Mike.Linder@cn.ca)  
Caitlyn Wiltsie, City of Vernon, [CWiltsie@vernon.ca](mailto:CWiltsie@vernon.ca)  
Blair King, Approved Professional, Parsons Inc., [blair.king@parsons.com](mailto:blair.king@parsons.com)  
Client Information Officer, ENV, [csp\\_cio@victorial.gov.bc.ca](mailto:csp_cio@victorial.gov.bc.ca)  
CSAP Society, [submissions@csapsociety.bc.ca](mailto:submissions@csapsociety.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.

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Date Issued

A handwritten signature in blue ink, appearing to read "Hong Yan".

Hong Yan  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 2804 35<sup>th</sup> Avenue, Vernon, British Columbia which is more particularly known and described as:

Lot 1, Section 34, Township 9, Osoyoos Division of Yale Land District, Plan 6636;

PID 010-078-134.

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

Latitude:     50° 16' 1.43"  
Longitude:    119° 16' 8.51"

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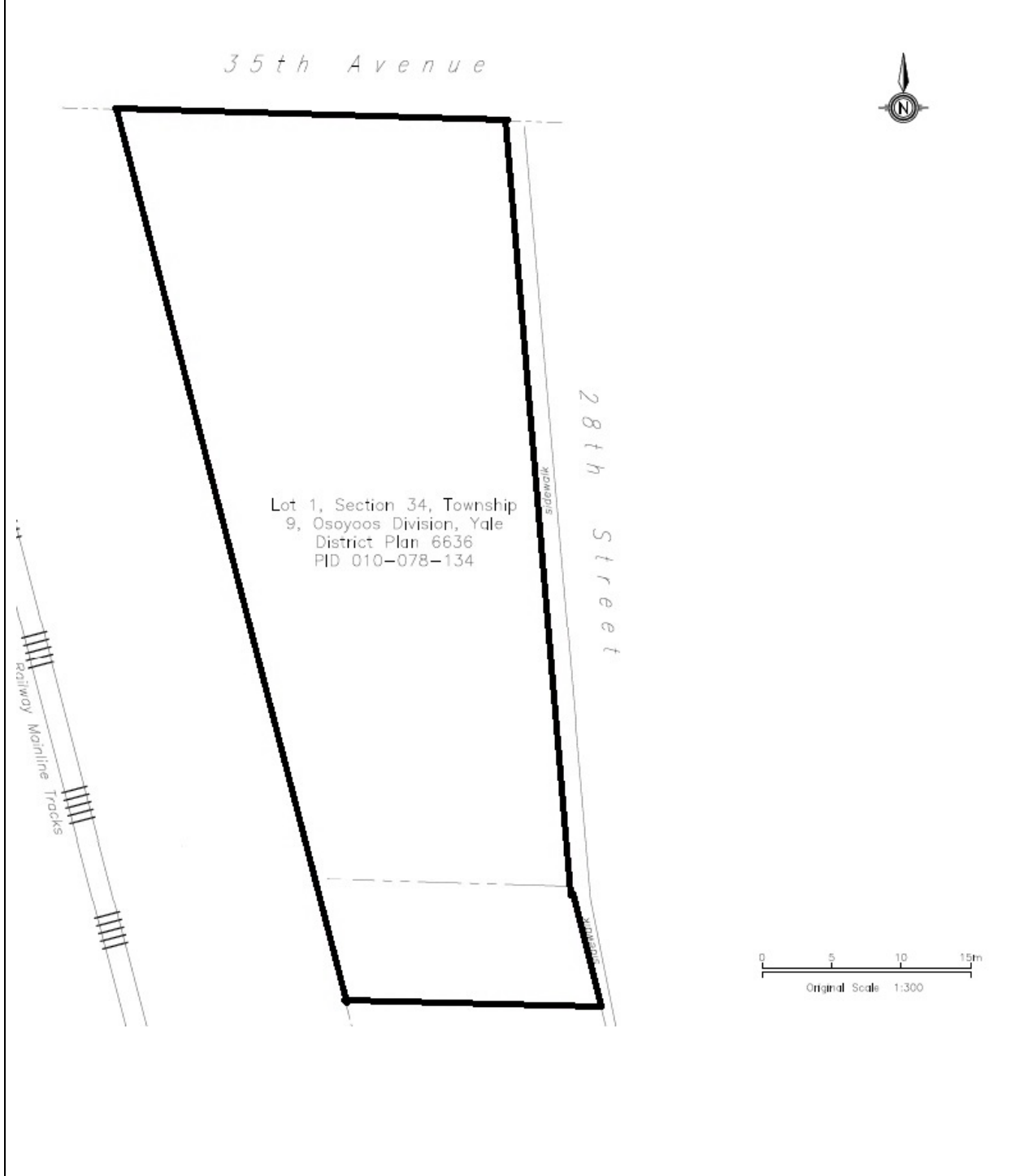
Date Issued



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Site Plan

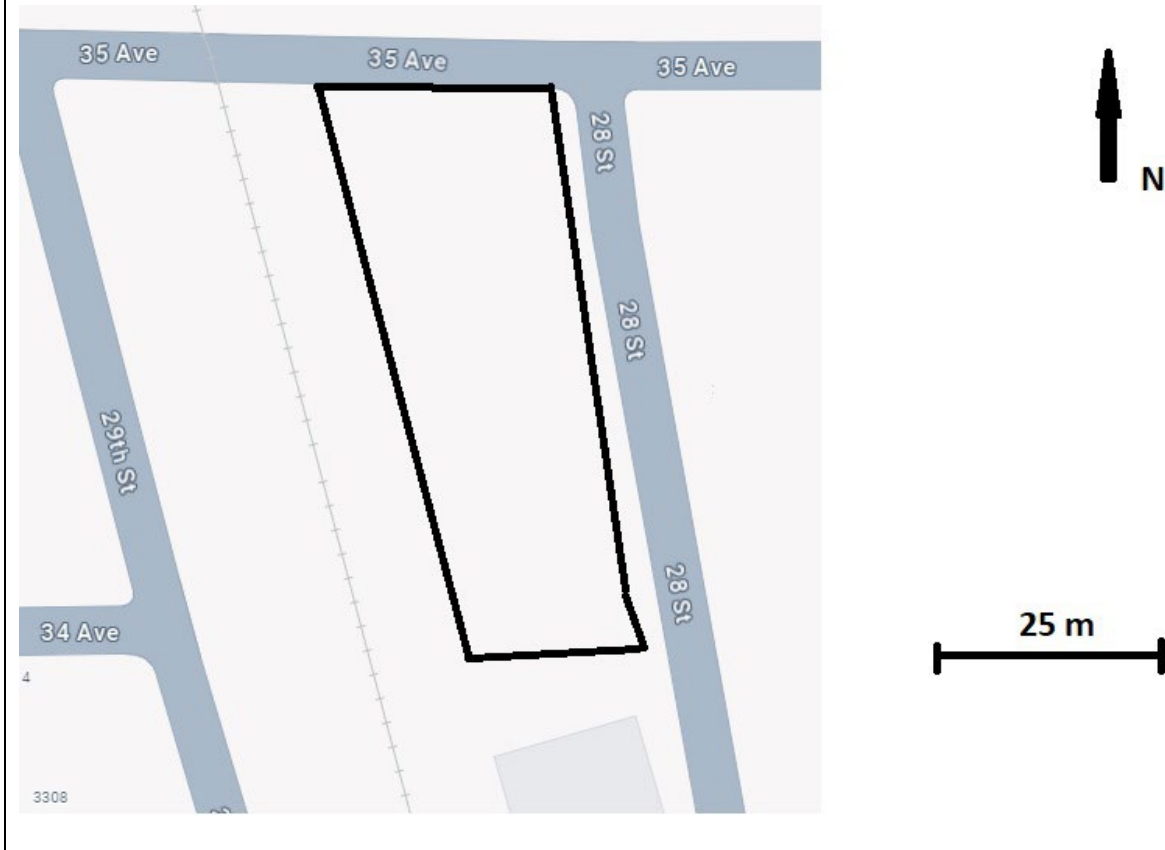


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# Location Map



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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 a Contaminated Sites Regulation numerical 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) Future buildings at the site will be constructed at grade.*

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) Soil containing contaminants at concentrations exceeding the standards protective of human health (direct contact) and/or ecological health (soil invertebrates and plants) beneath the site must remain at a depth of at least 1 m below future grade (current grade approximately 384 metres above sea level) and not be redistributed as surface soil, nor is a change permitted in future grade elevation from the current elevation that would cause current soil contamination to be within 1 m of grade.*
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.
4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.

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5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.

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## Schedule C

### Substances and Uses

#### *Substances remediated for commercial land soil use:*

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

LEPHs	NA
naphthalene	91-20-3
tetraethyl lead	78-00-2
VPHs	NA

##### To meet site-specific background standards:

selenium	7782-49-2
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#### *Substances remediated in water for no water use:*

##### To meet numerical remediation standards:

EPHw10-19	NA
VHw6-10	NA

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## Schedule D

### Documents

1. *Performance Verification Plan for Management Area at 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (June 18, 2024)
2. *Summary of Site Condition: 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (June 18, 2024).
3. *Preliminary Site Investigation/Detailed Site Investigation/Confirmation of Remediation, 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (May 6, 2024).
4. *Screening Level Risk Assessment, 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (May 6, 2024).
5. *Regulatory Notification for Canadian National Railway Company - Registered owners of lands adjacent to 2804 35<sup>th</sup> Avenue, Vernon, BC*, prepared by Parsons Inc., (February 12, 2024)
6. *Stage 1 Preliminary Site Investigation, 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (December 19, 2019).
7. *Applicable Water Use Standards 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (February 23, 2021)
8. *Site-Specific Numerical Soil Standards 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (February 3, 2022)
9. *Subsurface Investigation Report 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (February 25, 2022)
10. *Background Soil Assessment 2804 35<sup>th</sup> Avenue, Vernon, British Columbia*, prepared by Parsons Inc. (February 25, 2022)
11. *Groundwater Sampling Report*, prepared by O'Connor Associated Environmental Inc. (October 10, 2008).
12. *Groundwater Sampling Report*, prepared by O'Connor Associated Environmental Inc. (September 19, 2006).

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13. *Groundwater Sampling Report*, prepared by O'Connor Associated Environmental Inc. (November 30, 2005).
14. *Groundwater Sampling Report*, prepared by O'Connor Associated Environmental Inc. (December 17, 2004).
15. *Pathway-Specific Human Health Risk Assessment*, prepared by O'Connor Associated Environmental Inc. (July 24, 2003).
16. *Field Data Report*, O'Connor Associated Environmental Inc. (April 11, 2003).
17. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (January 18, 2002).
18. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (March 16, 2001).
19. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (January 10, 2001).
20. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (July 19, 2000).
21. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (April 20, 2000).
22. *Environmental Investigation Report*, O'Connor Associated Environmental Inc. (September 3, 1999).
23. *Former MFI Bulk Plant*, O'Connor Associated Environmental Inc. (January 16, 1998).
24. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (September 12, 1997).
25. *Field Data Report*, O'Connor Associated Environmental Inc. (June 2, 1996).
26. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (January 13, 1994).
27. *Site Monitoring Report*, O'Connor Associated Environmental Inc. (June 4, 1990).
28. *Texaco Bulk Plant Decommissioning*, O'Connor Associated Environmental Inc. (May 31, 1989).
29. *Texaco Bulk Plant Decommissioning*, O'Connor Associated Environmental Inc. (May 27, 1988).
30. *Texaco Bulk Plant Decommissioning*, O'Connor Associated Environmental Inc. (June 24, 1987).

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