



VIA EMAIL: brooke.r.peaden@esso.ca

Victoria File: 26250-20/26171
Site ID: 26171

July 31, 2024

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

Dear Brooke Peaden:

**Re: Certificate of Compliance – CN Property Adjacent to 2804 35th 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, VHW₆₋₁₀ and/or EPHW₁₀₋₁₉. 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.

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
Caitlyn Wiltsie, City of Vernon, CWiltsie@vernon.ca
Blair King, Approved Professional, Parsons Inc., blair.king@parsons.com
Client Information Officer, ENV, csp_cio@victorial.gov.bc.ca
CSAP Society, 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.

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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For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance consists of a portion of CN property located adjacent to 2804 35th Avenue, Vernon, British Columbia, and is more particularly known and described as:

Starting at the southwest corner of Lot 1, Section 34, Township 9, Osoyoos Division, Yale District Plan 6636: the point of commencement;

Thence 345°42'46" for 1.73 metres;

Thence 327°40'42" for 11.96 metres;

Thence 254°11'09" for 20.68 metres;

Thence 348°50'55" for 8.29 metres;

Thence 343°16'33" for 8.80 metres;

Thence 71°13'18" for 20.89 metres;

Thence 17°09'18" for 7.45 metres;

Thence 166°16'24" for 35.87 metres;

Thence 345°42'46" for 1.73 metres to the southwest corner of Lot 1 being also the true point of beginning.

The said portion of CN property containing 466 square metres, more or less, is as depicted in a metes and bounds drawing prepared by Parsons Inc. on December 14, 2023.

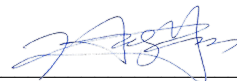
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 50° 16' 01.20"

Longitude: 119° 16' 09.50"

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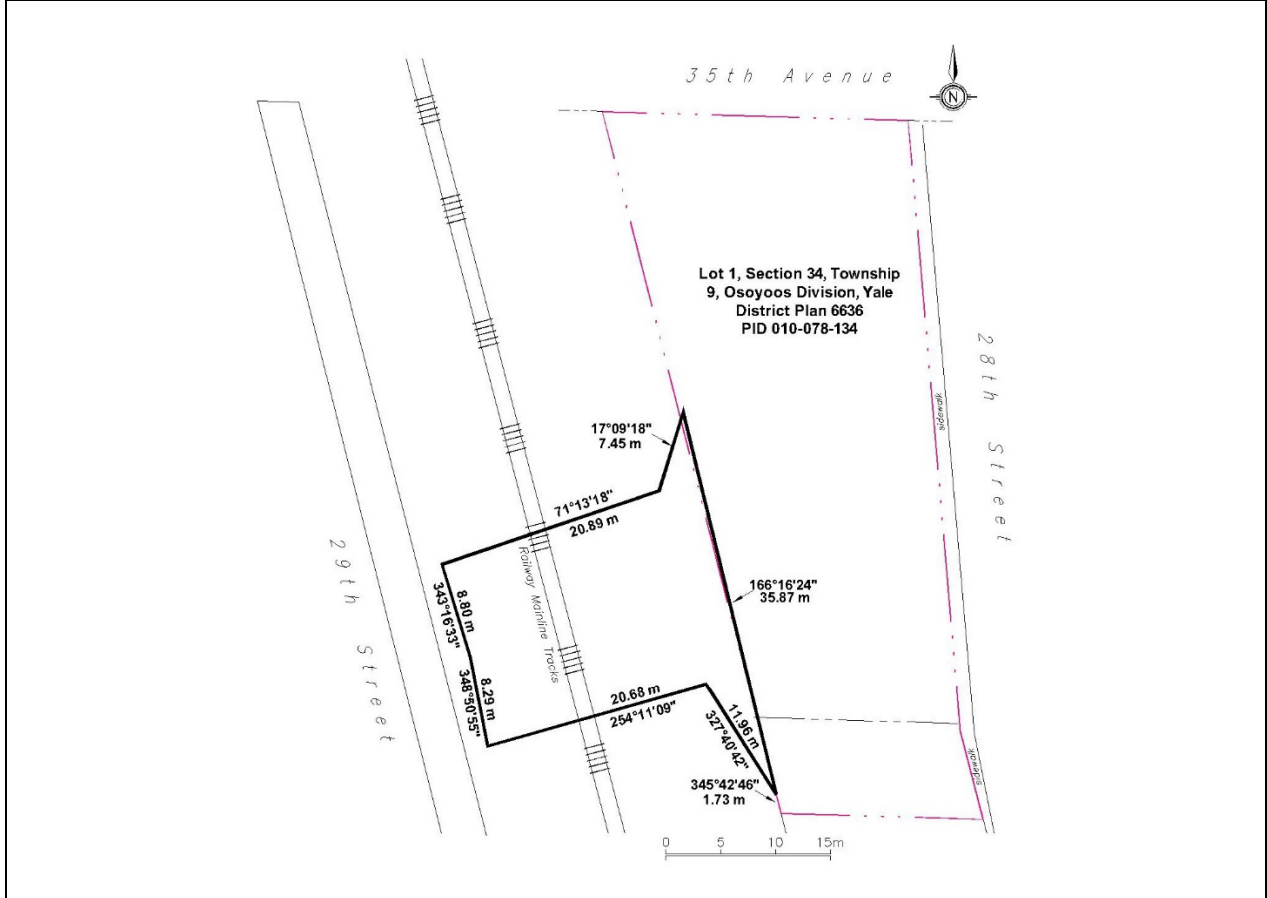
Date Issued



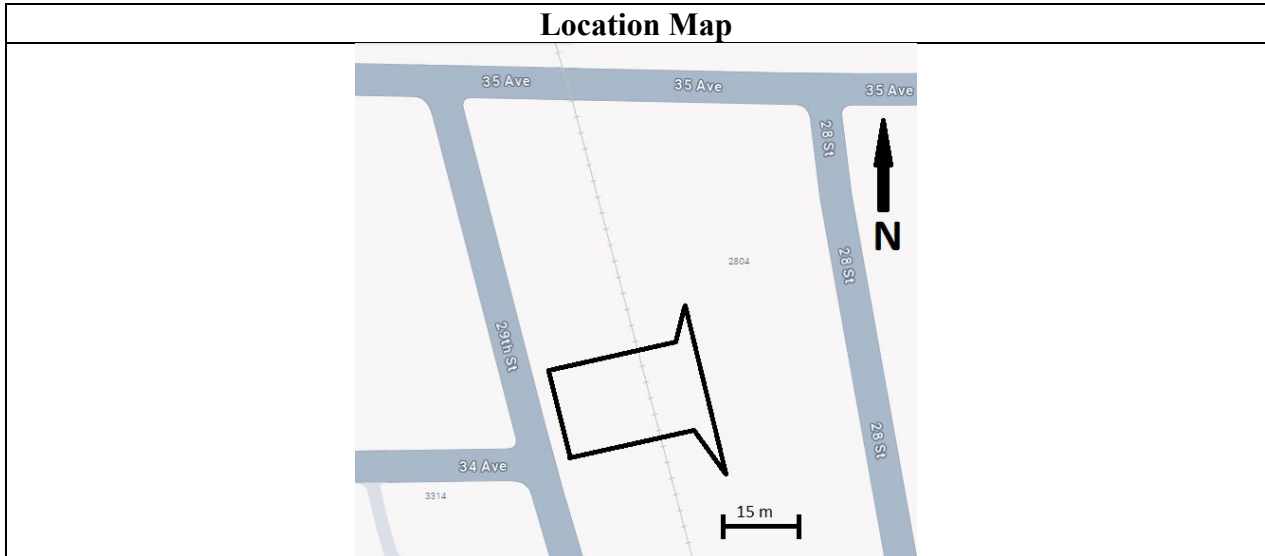
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Site Plan



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.
2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
 - a) *Contaminated soils at the site must remain at their current depth (with the current elevation of the CN Property at approximately 384 metres above sea level [masl]) or at least 1 m below grade and are not to be re-distributed to shallower depths, nor a change permitted in future grade elevation that would cause current soil contamination to be situated at depths shallower than 1 metre below grade surface.*
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.
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
VPHs	NA

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Schedule D

Documents

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