



VIA EMAIL: justin@djmcontracting.com

Victoria File: 26250-20/27020
Regional File: 26250-20/27020
Site ID: 27020

July 23, 2024

Justin Tanguay
DJM Contracting Ltd.
2096 Second Avenue
Rossland, BC V0G 1Y0

Dear Justin Tanguay:

Re: Approval in Principle – 2096 2nd Avenue, Rossland, B.C.

Please find enclosed an Approval in Principle respecting the contaminated site referenced above.

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) 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. 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 conditions or circumstances described in the risk assessment 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 Kevin.Haines@gov.bc.ca.

Yours truly,



Kevin Haines
Senior Risk Assessment Officer

Enclosure

cc: Dave Diplock, Bear Environmental Ltd.
(BY EMAIL) davediplock@bearenviro.ca

Stefan Quaglia, Approved Professional, Trillium Environmental Ltd.
(BY EMAIL) squaglia@trilliumenviro.com

Jason Wilkins, Approved Professional, Legacy Environmental Ltd.
(BY EMAIL) jwilkins@legacyenv.ca

Client Information Officer, BC Ministry of Environment and Climate Change Strategy,
Land Remediation Section
(BY EMAIL) csp_cio@victoria.gov.bc.ca

Contaminated Sites Approved Professional Society of BC
(BY EMAIL) submissions@csapsociety.bc.ca

City of Rossland, c/o Stacey Lightbourn, PO Box 1179 – 1920 Third Avenue, Rossland BC
(BY EMAIL) planner@rossland.ca

Kootenay Savings Credit Union, 1199 Cedar Avenue, Trail, BC V1R 4B8



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

THIS IS TO CERTIFY that the remediation plan described herein submitted by DJM Contracting 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.

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Kevin Haines
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is located at 2096 2nd Second Avenue, Rossland, British Columbia which is more particularly known and described as:

Lot A Sections 34 and 35 Township 9A Kootenay District Plan 11533: PID 012-731-099

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

Latitude: 49° 4' 46.60"
Longitude: 117° 47' 53.80"

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For Director, *Environmental Management Act*

Site Plan



Location Map



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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 are 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 annually 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;

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- (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;
- (c) Supporting documentation (e.g., analytical reports, records of inspection, maintenance of treatment works, etc.).

7. 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) *The existing building is slab on grade and any future buildings can be slab-on-grade, including a basement that does not contact groundwater, or can be constructed entirely over a underground parkade;*

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at the site 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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

Substances to be remediated in soil for high density residential soil use:

To meet risk-based remediation standards:

arsenic	7440-38-2
barium	7440-39-3
cadmium	7440-43-9
copper	7440-50-8
iron	7439-89-6
lead	7439-92-1
vanadium	7440-62-2
zinc	7440-66-6

Substances evaluated to local background concentrations in soil:

Selenium	7782-49-2
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Schedule D

Documents

Summary of Site Condition, 2096 2nd Second Avenue, Rossland, BC, Legacy Environmental Ltd. & Trillium Environmental Ltd., dated May 22, 2024

Remediation Plan, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated April 30, 2024

Human Health and Ecological Risk Assessment, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated April 30, 2024

Stage 1 Preliminary Site Investigation Update, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated December 4, 2023

Detailed Site Investigation, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated December 2, 2023

Determination of Background Arsenic Soil Concentration, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated May 30, 2023

High Risk Soil Investigation and Remediation, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated February 22, 2023

Site Investigation (?), Bear Environmental Ltd., dated July 24, 2014

Draft Phase I Environmental Site Assessment Update, 2096 2nd Avenue, Rossland, BC, Bear Environmental Ltd., dated July 12, 2007

Phase 2 Preliminary Site Investigation – Rossland RCMP Site – 2096 2nd Avenue, Rossland, BC, Pottinger Gaherty Environmental Consulting Ltd., dated November 30, 2002

Phase I Environmental Site Assessment and Inventory of Ozone Depleting Substances, 2096 2nd Avenue, Rossland, BC, Keystone Environmental Ltd., dated November 1, 2001

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