



VIA EMAIL: tony.marinelli@conwest.com

Victoria File: 26250-20/28414
Site ID: 28414

Date: 17 May 2024

Mr. Antonio Marinelli
Conwest (Nordel) GP Ltd.
401 – 1930 Pandora Street
Vancouver, BC V5L 0C7

Dear Mr. Marinelli:

Re: Approval in Principle – Portion of 10170 Main Street, Delta, BC

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: Doreann Mayhew, City of Delta
cpd@delta.ca

Mike Linder, CN National Railway Company & BNSF Railway Company
Mike.linder@cn.ca

CSAP Society
submissions@csapsociety.bc.ca

Client Information Officer, ENV, Victoria
esp_cio@Victoria1.gov.bc.ca

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.
mgeraghty@keystoneenvironmental.ca

Michael McLeay, Approved Professional, Keystone Environmental Ltd.
mmcleay@keystoneenvironmental.ca



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

THIS IS TO CERTIFY that the remediation plan described herein submitted by Conwest (Nordel) GP 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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Site Identification Number 28414
Version 9.0 R

Signing Authority
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is located at portion of 10170 Main Street, Delta, British Columbia, which is more particularly known and described as:

A portion of Parcel "A" (Statutory Right of Way Plan 22258) District Lot 18 Group 2 New Westminster District as described by the following metes and bounds:

Starting At the Southwest Corner of Lot 4D of Reference Plan to accompany Bylaw No (City of Delta) To Close Parts Of Road Dedicated on Plan 795, District Lot 18, Group 2, New Westminster District Plan EPP90762:

Thence $41^{\circ} 03' 27''$ for 16.165 meters; to the Point of Commencement;

thence $41^{\circ} 03' 27''$ for 48.527 meters;
thence $128^{\circ} 10' 22''$ for 23.757 meters;
thence $221^{\circ} 03' 27''$ for 47.764 meters;
thence $306^{\circ} 20' 14''$ for 23.808 meters;

Returning to the Point of Commencement

PID: 009-051-627

The site contains part of a legal parcel depicted in an engineering drawing prepared by Keystone Environmental Ltd. on November 2, 2023.

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

Latitude: $49^{\circ} 09' 13.2''$
Longitude: $122^{\circ} 56' 30.6''$

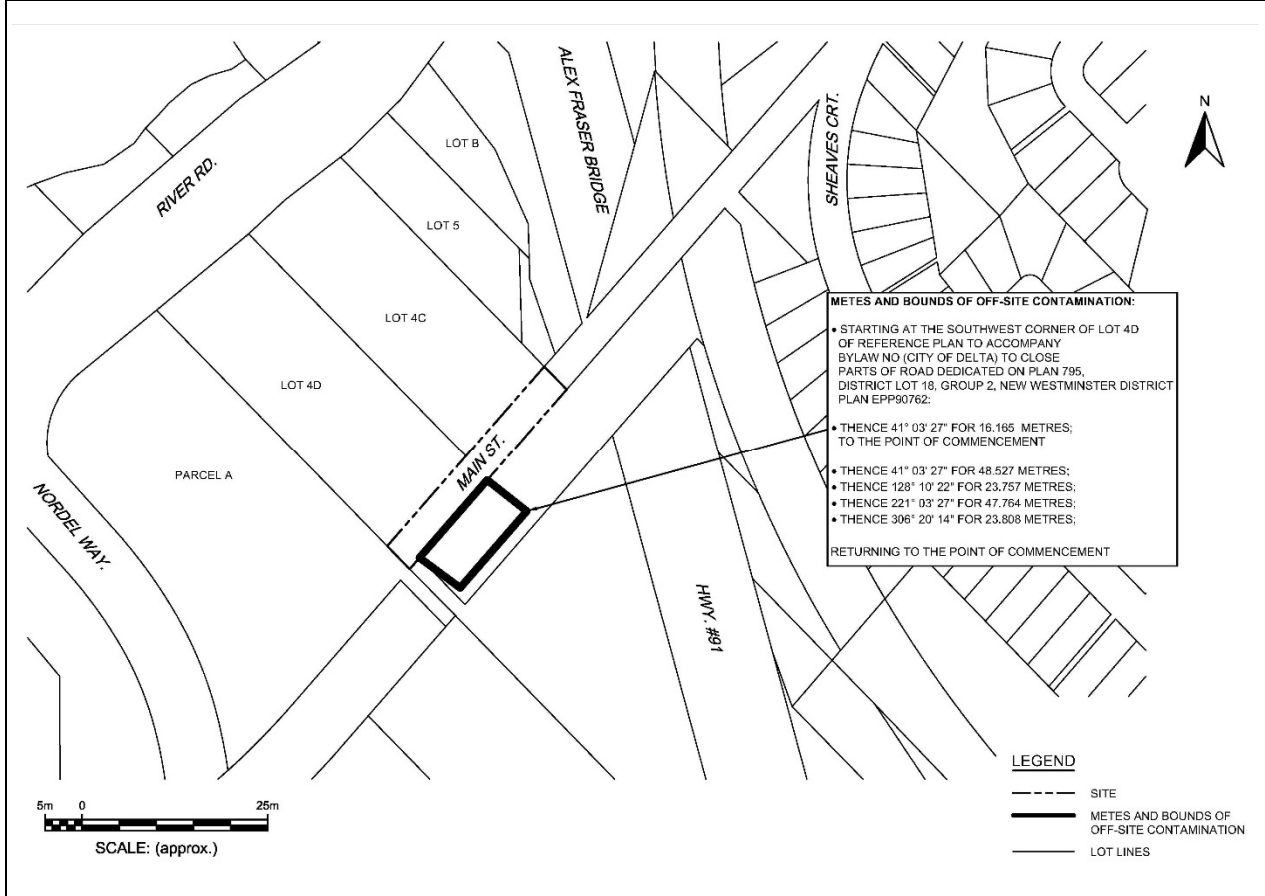
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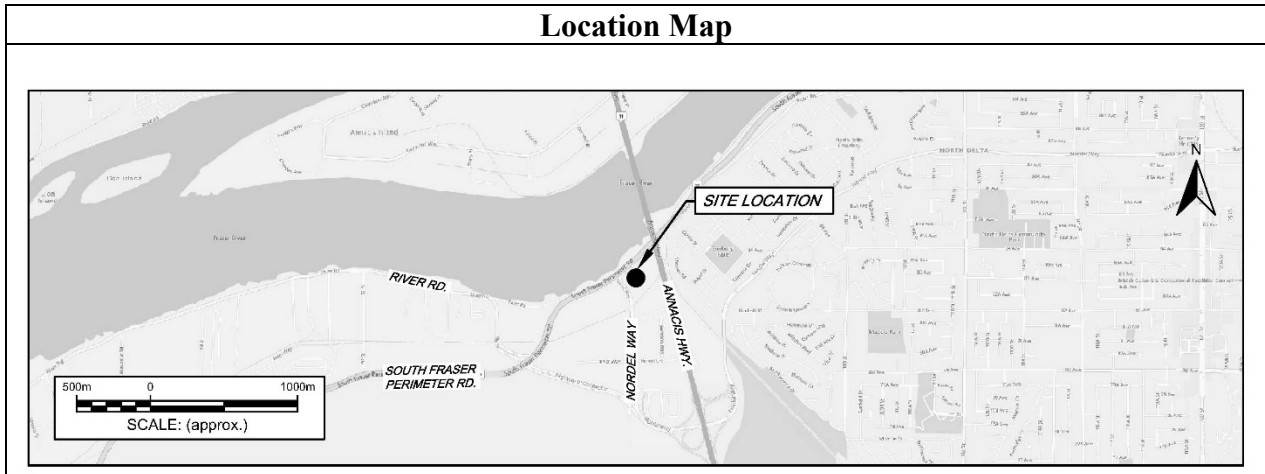


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Site Plan



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 is 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 plans referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan;
 - (c) Interpretation of current and cumulative monitoring results from the groundwater monitoring program;
 - (d) Evaluation of the performance of the intrinsic and engineering controls; and
 - (e) 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 and risk-based 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 site will continue to be used as a railway right of way.*

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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

Substances to be remediated in soil for commercial land soil use:

To meet risk-based remediation standards:

| | |
|---------|-------------|
| benzene | (71-43-2) |
| copper | (7440-50-8) |

Substances to be remediated in water for freshwater aquatic life water use:

To meet risk-based remediation standards:

| | |
|-------------|------------|
| LEPHw | (N/A) |
| naphthalene | (91-20-3) |
| phenol | (108-95-2) |
| toluene | (108-88-3) |

Substances to be remediated in water for marine aquatic life water use:

To meet risk-based remediation standards:

| | |
|-------------|------------|
| LEPHw | (N/A) |
| naphthalene | (91-20-3) |
| phenol | (108-95-2) |

Substances to be remediated in water for drinking water use:

To meet risk-based remediation standards:

| | |
|---------|------------|
| benzene | (71-43-2) |
| phenol | (108-95-2) |
| toluene | (108-88-3) |

Substances evaluated in water for drinking water use:

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To meet local background concentrations:

arsenic

(7440-38-2)

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Schedule D

Documents

Summary of Site Condition, Portion of Main Street, Delta, BC, Keystone Environmental Ltd., November 2023;

Off-Site Communication Records 2022 to 2023, Keystone Environmental Ltd., November 2023;

Performance Verification Plan for Approval in Principle. Prepared for Conwest (Nordel) Limited Partnership by Keystone Environmental Ltd. November 2023;

Report of Findings – Human Health and Ecological Risk Assessment, Portion of Main Street, Delta, BC. Prepared for Conwest (Nordel) Limited Partnership by Keystone Environmental Ltd. November 2023;

Report of Findings – Stage 1 Update and Stage 2 Preliminary Site Investigation, Detailed Site Investigation, and Remediation Plan, Portion of Main Street, Delta, BC. Prepared for Conwest (Nordel) Limited Partnership by Keystone Environmental Ltd. November 2023;

Re: Approval in Principle – 10064, 10075, 10104, 10126, and 10142 River Road, Delta, BC. Prepared by the BC ENV, August 2021;

Summary of Site Condition, 10064, 10075, 10104, 10126, and 10142 River Road, Delta, BC, Keystone Environmental Ltd., June 2021;

Performance Verification Plan for Approval in Principle. Prepared for Conwest (Nordel) Limited Partnership by Keystone Environmental Ltd. June 2021;

Report of Findings – Human Health and Ecological Risk Assessment, 10064, 10075, 10104, 10126, and 10142 River Road, Delta, BC, Keystone Environmental Ltd. June 2021;

Report of Findings – Stage 1 Preliminary Site Investigation, Detailed Site Investigation and Remediation Plan 10064, 10075, 10104, 10126, and 10142 River Road, Delta, BC, Keystone Environmental Ltd., May 2021;

Report of Findings – Phase I Environmental Site Assessment Update and Groundwater and Vapour Sampling Investigation, 10064, 10075, 10104, 10126, 10142 River Road and 10167 Main Street, Delta, BC, Keystone Environmental Ltd., October 2018;

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Draft Report of Findings, Detailed Site Investigation, Delta Cedar Mill, 10104 River Road, Delta, BC, Keystone Environmental Ltd., June 2009;

Report of Findings, Preliminary Site Investigation – Stage 2, Delta Cedar Mill, 10104 River Road, Delta, BC, Keystone Environmental Ltd., August 2007; and

An Environmental Review of Delta Cedar Products Ltd., Ernst and Young, October 1993.

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A handwritten signature in black ink, appearing to read 'K. Jain', is positioned above a horizontal line.

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For Director, *Environmental Management Act*