



VIA EMAIL

Victoria File: 26250-20/8246
Regional File: 26250-20/8246
Site ID: 8246

April 19, 2024

Brooke Peaden
Imperial Oil Limited, Inc No. 14082A
505 Quarry Park Blvd S.E.
Calgary, AB, T2C 5N1
brooke.r.peaden@esso.ca

Dear Brooke Peaden,

Re: Certificate of Compliance – 5909 Island Highway North, Nanaimo, 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 subsurface 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 site@gov.bc.ca.

Yours truly,



Ingrid Sorensen, M.A.Sc., R.P.Bio
Senior Risk Assessment Officer

Enclosure

cc:

Lindsey Beaton, P.Eng., CSAP, AECOM Canada Ltd., 4th Floor, 3292 Production Way, Burnaby, BC, V5A 4R4; Lindsey.Beaton@aecom.com

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Dean Mousseau City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9R: 5J6
dean.mousseau@nanaimo.ca

Client information Office, BC ENV, Victoria csp_cio@victoria1.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.

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Date Issued


Ingrid Sorensen
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 5909 Island Highway North, Nanaimo, British Columbia which is more particularly known and described as:

Lot A, District Lot 23G, Wellington District, Plan 46556 except part in plan VIP64510
PID: 010-555-714

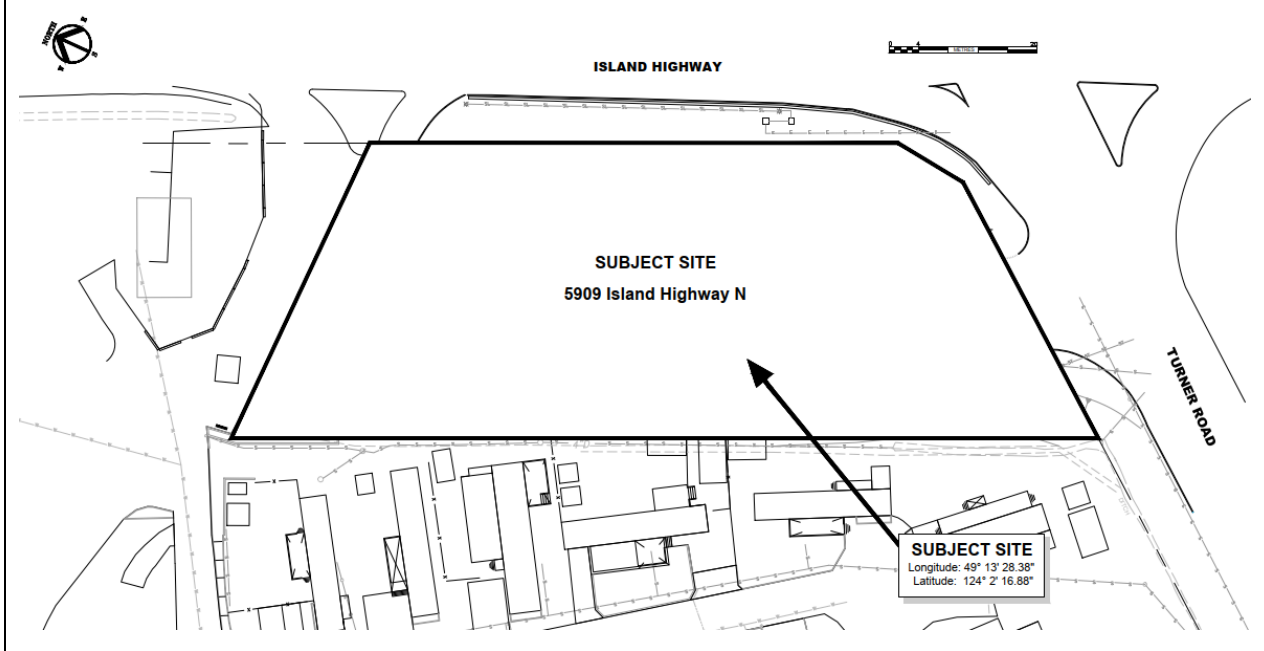
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 13' 28.38"
Longitude: 124° 2' 16.88"

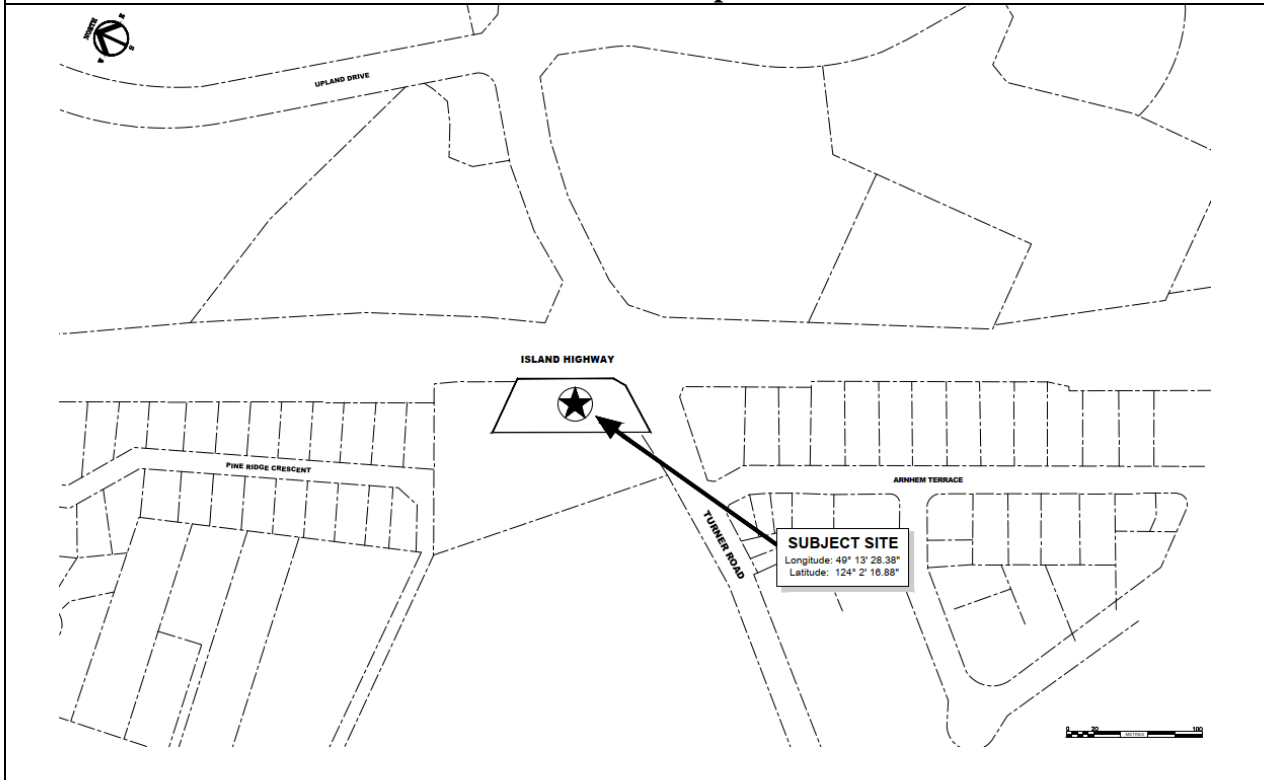
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Site Plan



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.

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 erected on the Site will not have an unlined crawlspace, earthen basement, or wooden basement.*
- (b) *Future buildings will not be in contact with the water table or will have an underground parkade built to conform with or exceed the requirements of the 2012 or later BC Building Code*
- (c) *Any building constructed for residential land use will have commercial land use at grade or will be fully underlain by a parkade built to conform with or exceed the requirements of the 2012 or later BC Building Code.*

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 persons 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 at the Site must not be used as a drinking water source*
3. If requested by the Director, the responsible persons 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.

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Schedule C

Substances and Uses

Substances remediated in soil for low density residential land soil use :

To meet numerical remediation standards:

Substance	CAS Number
LEPHs	NA
naphthalene	91-20-3

To meet risk-based remediation standards:

Substance	CAS Number
arsenic	7440-38-2
benzene	71-43-2
ethylbenzene	100-41-4
toluene	108-88-3
VPHs	NA
xylenes	1330-20-7

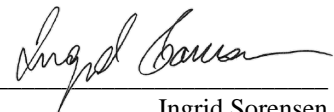
Substances remediated in water for drinking water use:

To meet numerical remediation standards:

Substance	CAS Number
benz(a)anthracene	56-55-3
benzo(a)pyrene	50-32-8
benzo(b+j)fluoranthenes	205-99-2 & 205-82-3
dibenz(a,h)anthracene	53-70-3
dibromoethane, 1,2-	106-93-4
methylnaphthalene, 2-	91-57-6
naphthalene	91-20-3
quinoline	91-22-5
toluene	108-88-3

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To meet risk-based remediation standards:

Substance	CAS Number
arsenic	7440-38-2
benzene	71-43-2
ethylbenzene	100-41-4
methylnaphthalene, 1-	90-12-0
methyl tert-butyl ether [MTBE]	1634-04-4
trimethylbenzene, 1,3,5-	108-67-8
xylene, total	1330-20-7

Substances remediated in water for freshwater aquatic life water use:

To meet numerical remediation standards:

Substance	CAS Number
benzo(a)pyrene	50-32-8
chloroform	67-66-3
ethylbenzene	100-41-4
pyrene	129-00-0

To meet risk-based remediation standards:

Substance	CAS Number
arsenic	7440-38-2
benzene	71-43-2
chromium, hexavalent	18540-29-9
LEPHw	NA
naphthalene	91-20-3
toluene	108-88-3
xylene, total	1330-20-7

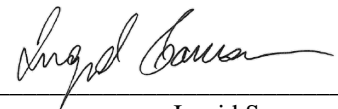
Substances remediated in water for irrigation water use:

To meet risk-based remediation standards:

Substance	CAS Number
chloride ion	16887-00-6

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Schedule D

Documents

Summary of Site Condition Site ID: 26020, AECOM Canada Ltd., November 17, 2023.

2023 Detailed Site Investigation and Confirmation of Remediation Report - 5909 Island Highway, Nanaimo, BC. AECOM Canada Ltd. November 17, 2023.

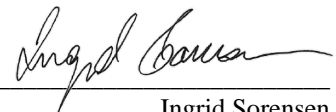
Detailed Risk Assessment Report – 5909 Island Highway, Nanaimo, British Columbia. AECOM Canada Ltd. November 16, 2023;

2023 Plume Stability Memo – 5909 Island Highway, Nanaimo, BC. AECOM Canada Ltd. November 16, 2023.

2023 Stage 1 Preliminary Site Investigation -5909 Island Highway, Nanaimo, BC. AECOM Canada Ltd. November 10, 2023.

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