



Ministry of
Environment

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.

December 9, 2014
Date Issued


Peter Kickham
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is part of 440 North Road Gabriola Island, a legal parcel depicted in an engineering drawing prepared by Keystone Environmental Ltd. on July 17, 2014.

The subject site is more particularly described by the following metes and bounds:


Starting at the southwest corner of Lot A, Section 20, Gabriola Island, Nanaimo District, Plan 42582: The point of commencement.

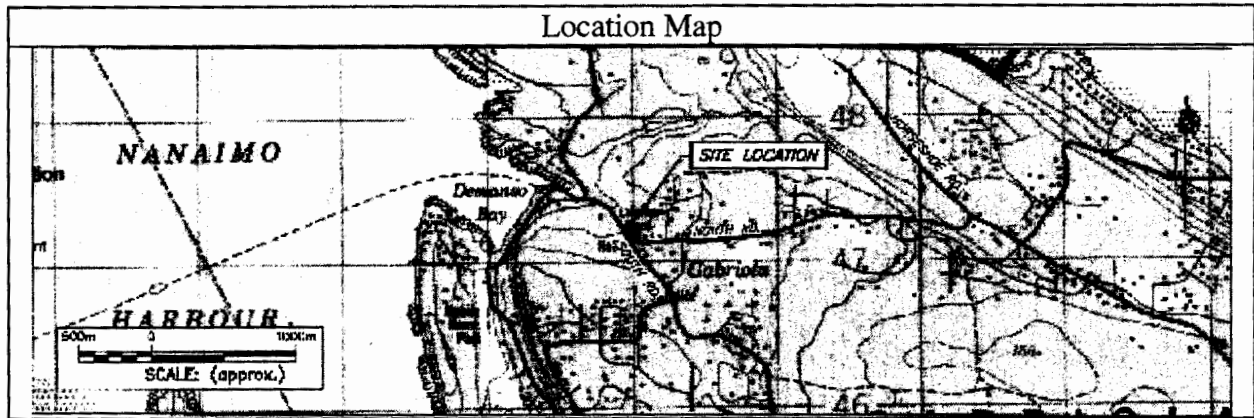
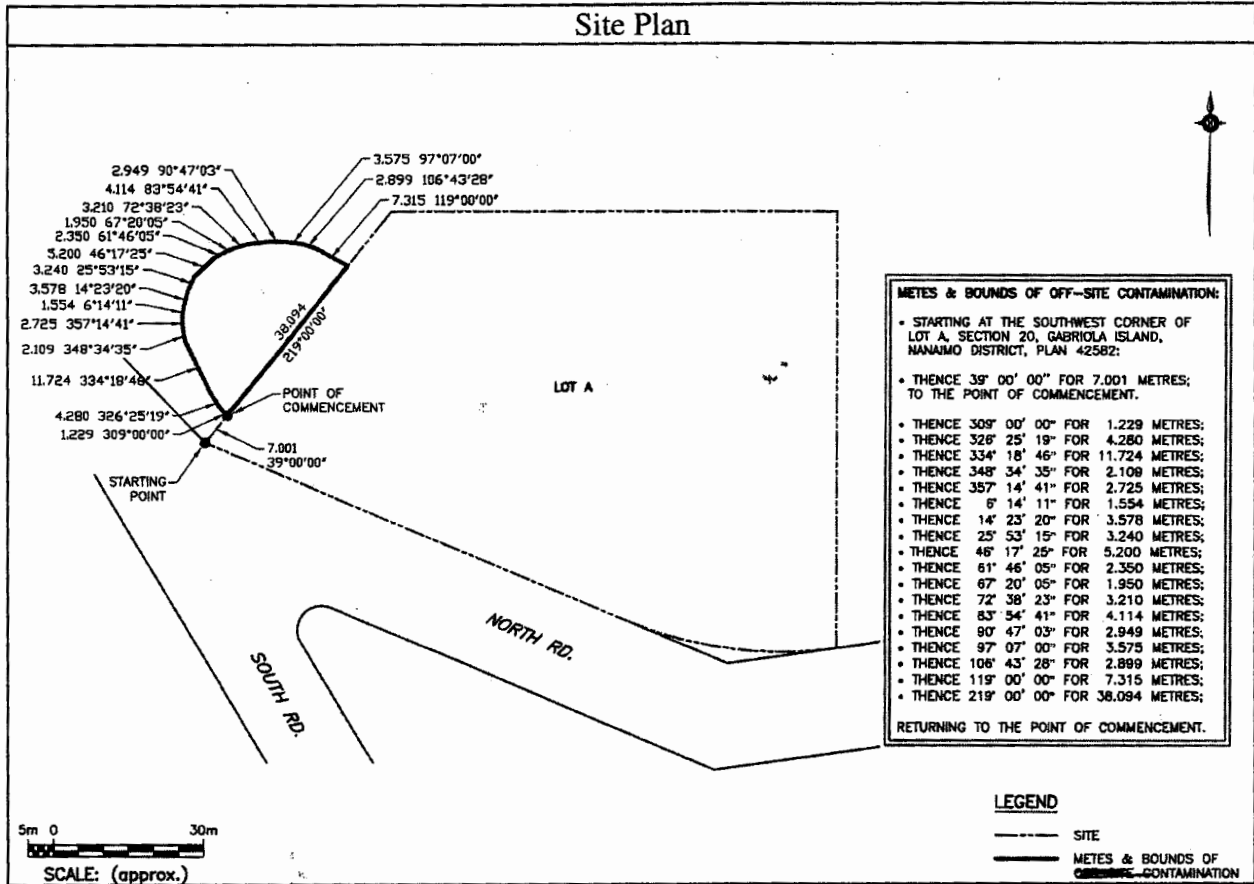
- thence 309° 00' 00" for 1.229 metres;
- thence 326° 25' 19" for 4.280 metres;
- thence 334° 18' 46" for 11.724 metres;
- thence 348° 34' 35" for 2.109 metres;
- thence 357° 14' 41" for 2.725 metres;
- thence 6° 14' 11" for 1.554 metres;
- thence 14° 23' 20" for 3.578 metres;
- thence 25° 53' 15" for 3.240 metres;
- thence 46° 17' 25" for 5.200 metres;
- thence 61° 46' 05" for 2.350 metres;
- thence 67° 20' 05" for 1.950 metres;
- thence 72° 38' 23" for 3.210 metres;
- thence 83° 54' 41" for 4.114 metres;
- thence 90° 47' 03" for 2.949 metres;
- thence 97° 09' 00" for 3.575 metres;
- thence 106° 43' 28" for 2.899 metres;
- thence 119° 00' 00" for 7.315 metres;
- thence 219° 00' 00" for 38.094 metres;
- returning to the point of commencement.

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

Latitude: 49° 10' 27.9"
Longitude: 123° 51' 2.9"

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Schedule B

Requirements and Conditions

1. Any changes in land, vapour, 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 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) Buildings constructed on the Site must include a concrete foundation slab

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed building 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(s) 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 on the site must not be used as a drinking water source.
 - b) An additional two groundwater monitoring events that represent seasonal variability at MW10-53 and MW13-70 for benzene, benzo(a)pyrene, ethylbenzene, methylene chloride, naphthalene, toluene, xylenes, VPHw, and LEPHw to confirm that their concentrations continue to decline as a result of the up-gradient soil remediation efforts.
 - c) Should any construction or underground utility maintenance activities involved with trench excavations take place on-Site, both currently and in the future, that intersect with contaminated excavation vapour, a health and safety plan must be prepared by a qualified health and safety officer to mitigate incidental excavation vapour inhalation by excavation workers.
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.

December 9, 2014

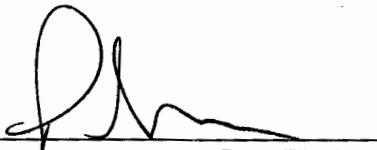
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4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
5. Where required under a Performance Verification Plan for 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.
6. The Director must be notified promptly by the persons responsible for the site if performance verification actions indicate that any institutional and engineering controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
 - (a) The time period over which institutional and engineering controls did not meet the requirements of Schedule B;
 - (b) The nature of the excursion(s);
 - (c) The temporary or permanent corrective measures implemented or to be implemented;
 - (d) An implementation schedule; and
 - (e) Supporting documentation.
7. A statement signed by an Approved Professional on whether the institutional and engineering controls required in clause 2 of this Schedule have been implemented and are being met must be submitted to the Director every 5 years within 90 days of the anniversary of the date of issuance of this Certificate of Compliance or as otherwise approved by the Director.
8. 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) An evaluation of the performance of the institutional and engineering controls;
 - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
 - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plan described in clause 4 above; and
 - (d) Supporting documentation.

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Schedule C

Substances and Uses

Substances remediated in water for drinking water use:

To meet risk-based remediation standards:

- Benzene, ethylbenzene, toluene, and xylenes (total); and
- Sodium

Substances remediated in water for freshwater and marine aquatic life water use:

To meet risk-based remediation standards:

- LEPHw, and VPHw; and
- Naphthalene.

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Schedule D

Documents

- *Summary of Site Condition*, prepared by Keystone Environmental Ltd., dated 23 July 2014;
- *Performance Verification Plan for Certificate of Compliance, 480 North Road, Gabriola Island, BC*, prepared by Keystone Environmental Ltd., dated 25 July 2014;
- *Human Health and Ecological Risk Assessment, 480 North Road, Gabriola Island, BC*, prepared by Keystone Environmental Ltd., dated July 2014;
- *Preliminary Site Investigations – Stage 1 Update, Detailed Site Investigation and Confirmation of Remediation Report, 480 North Road, Gabriola Island, BC*, prepared by Keystone Environmental Ltd., dated July 2014;
- *Off-Site Investigation, 440 North Road, Gabriola Island, BC*, prepared by Keystone Environmental Ltd., dated 16 March 2011;
- *Preliminary Site Investigation – Stage 2, 480 North Road, Gabriola Island, BC*, prepared by Keystone Environmental Ltd., dated 27 Apr 2009;
- *Preliminary Site Investigation – Stage 1, 480 and 520 North Road, Gabriola Island, BC.*, prepared by Keystone Environmental Ltd., dated 11 July 2008; and
- *Soil Hydrocarbon Sampling and Analysis for Gasoline Contamination – UST Removal at T&T Texaco Service, 480 North Road, Gabriola Island, BC*, prepared by Agra Earth & Environmental Limited, dated 03 August 1999.

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