

Certificate of Property Use

Issued under the authority of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, sections 168.6 (CPU) and 197 (Order)

Certificate of Property use number: 0416-BS8RQ4
Risk Assessment number: 1656-A3VFPL

Owner: Woodstock General Hospital Trust
310 Juliana Drive
Woodstock, Ontario
N2V 0A4

Site: (Part of 525 Brant Street, Woodstock, Ontario)

With a Legal Description of:

Part Lots 6, 7, 16 and 17, Block 5, Plan 49; more particularly designated as Part 2 on Reference Plan 41R-9866; City of Woodstock; County of Oxford
being part of PIN 00130-0337 (LT)

The conditions of this Certificate of Property Use address the Risk Management Measures in the Risk Assessment noted above and described in detail in Part 1 below. In the event of a conflict between the CPU and the Risk Assessment, the conditions of the CPU take precedence.

Part 1: Interpretation

In the CPU the following capitalized terms shall have the meanings described below:

“Adverse Effect” has the same meaning as in the Act; namely,

- (a) impairment of the quality of the natural environment for any use that can be made of it,
- (b) injury or damage to property or to plant or animal life,
- (c) harm or material discomfort to any person,
- (d) an adverse effect on the health of any person,
- (e) impairment of the safety of any person,
- (f) rendering any property or plant or animal life unfit for human use,
- (g) loss of enjoyment of normal use of property, and
- (h) interference with the normal conduct of business.

“Act” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19.

“Applicable Site Condition Standards” means the soil and groundwater criteria for course textured soils on residential/parkland/institutional property use in **Table 3: Full Depth Generic Site Condition Standards in a Non-Potable Groundwater Condition** of the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*” published by the Ministry and dated April 15, 2011.

“Building(s)” means an enclosed structure (s) occupying an area greater than ten square metres consisting of a wall or walls, roof and floor.

“Building Code” means Ontario Regulation 332/12 (Building Code) as amended made under the *Building Code Act*, 1992, S.O. 1992, c. 23.

“Competent Person” has the same meaning as set out in the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1.

“Contaminants of Concern” and “COCs” has the meaning as set out in O. Reg. 153/04.

“CPU” means this Certificate of Property Use No. **0416-BS8RQ4**, as may be amended from time to time, and includes any schedules attached thereto, which form part of this certificate of property use.

"Director" means the undersigned director or any other person appointed as a director for the purpose of issuing a certificate of property use under the Act.

“EBR” means the *Environmental Bill of Rights, 1993*, S.O. 1993, c. 28.

“Environmental Compliance Approval” has the same meaning as set out in the Act.

“Licensed Professional Engineer” means a person who holds a licence, limited licence or temporary licence under the Professional Engineers Act, R.S.O. 1990, c. P.28 and who has obtained the appropriate education and training and has demonstrated experience and expertise in the areas related to the work required to be carried out in this CPU.

“Ministry” means the ministry of the government of Ontario responsible for the administration of the Act, currently named the Ministry of the Environment, Conservation and Parks.

“O. Reg. 153/04” means Ontario Regulation 153/04 (Record of Site Condition – Part XV.1 of the Act), made under the Act.

“OHSA” means the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1.

“Owner” means the owner(s) of the Property, beginning with the person(s) to whom the Certificate of Property Use for the Property is first issued by the Director under section 168.6 of the Act based on the Risk Assessment, and any subsequent owner of the Property.

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40.

“Property” means the property that is the subject of the CPU and described under the “Site” heading on page 1 above, and illustrated in Figure 1 of Schedule A which is attached to and forms part of this CPU.

“Property Specific Standards” and “PSS” means the property specific standards established for the Contaminants of Concern in the Risk Assessment as set out in Table 1 of Schedule ‘A’ of this CPU.

"Provincial Officer" means a person who is designated as a provincial officer for the purposes of the Act.

“Qualified Person” means a person who meets the qualifications for a qualified person prescribed in O. Reg. 153/04, as amended, made under the Act.

"Risk Assessment" and “RA” means the Risk Assessment No. **1656-A3VFPL** accepted by the Director on August 10, 2020 and set out in the following final documents:

- **Risk Assessment Report for 270 Riddell Street, Woodstock, Ontario report prepared by Golder Associates Ltd., dated February 8, 2018**

- **Revised Risk Assessment Report for 270 Riddell Street, Woodstock, Ontario report prepared by Golder Associates Ltd., dated April 8, 2019**
- **Revised Risk Assessment Report for 270 Riddell Street, Woodstock, Ontario, report prepared by Golder Associates Ltd., dated November 2019**

“Risk Management Measures” and “RMMs” means the risk management measures specific to the Property described in the Risk Assessment and Part 4 of the CPU. In the event of a conflict between the requirements in Part 4 of the CPU and the Risk Assessment, the conditions of the CPU take precedence.

“Risk Management Plan” and “RMP” means the revised Risk Management Plan Plan prepared by Golder Associates and contained in Section 7 and Appendix L of the RA.

“Tribunal” has the same meaning as in the Act; namely, the Environmental Review Tribunal.

Part 2: Legal Authority

- 2.1 Section 19 of the Act states that a certificate of property use is binding on the executor, administrator, administrator with the will annexed, guardian of property or attorney for property of the person to whom it was directed, and on any other successor or assignee of the person to whom it was directed.
- 2.2 Subsection 132(1.1) of the Act states that the Director may include in a certificate of property use a requirement that the person to whom the certificate is issued provide financial assurance to the Crown in right of Ontario for any one or more of,
- a. the performance of any action specified in the certificate of property use;
 - b. the provision of alternate water supplies to replace those that the Director has reasonable and probable grounds to believe are or are likely to be contaminated or otherwise interfered with by a contaminant on, in or under the property to which the certificate of property use relates; and
 - c. measures appropriate to prevent adverse effects in respect of the property to which the certificate of property use relates.
- 2.3 Section 168.6 (1) of the Act states that if the Director accepts a risk assessment relating to a property, he or she may, when giving notice under clause 168.5 (1)(a), issue a certificate of property use to the owner of the property, requiring the owner to do any of the following things:
1. Take any action specified in the certificate that, in the Director’s opinion, is necessary to prevent, eliminate or ameliorate any adverse effect on the property, including installing any equipment, monitoring any contaminant or recording or reporting information for that purpose.
 2. Refrain from using the property for any use specified in the certificate or from constructing any building specified in the certificate on the property.
- 2.4 Subsection 168.6(2) of the Act states that a certificate of property use shall not require an owner of the property to take any action that would have the effect of reducing the concentration of a contaminant on, in or under the property to a level below the level that is required to meet the standards specified for the contaminant in the risk assessment.
- 2.5 Subsection 168.6(3) of the Act states that the Director may, on his or her own initiative or on application by the owner of the property in respect of which a certificate has been issued under subsection 168.6(1),
- a. alter any terms and conditions in the certificate or impose new terms and conditions; or
 - b. revoke the certificate.

- 2.6 Subsection 168.6(4) of the Act states that if a certificate of property use contains a provision requiring the owner of the property to refrain from using the property for a specified use or from constructing a specified building on the property,
- a. the owner of the property shall ensure that a copy of the provision is given to every occupant of the property;
 - b. the provision applies, with necessary modifications, to every occupant of the property who receives a copy of the provision; and
 - c. the owner of the property shall ensure that every occupant of the property complies with the provision.
- 2.7 Subsection 197(1) of the Act states that a person who has authority under the Act to make an order or decision affecting real property also has authority to make an order requiring any person with an interest in the property, before dealing with the property in any way, to give a copy of the order or decision affecting the property to every person who will acquire an interest in the property as a result of the dealing.
- 2.8 Subsection 197(2) of the Act states that a certificate setting out a requirement imposed under subsection 197(1) may be registered in the proper land registry office on the title of the real property to which the requirement relates, if the certificate is in a form approved by the Minister, is signed or authorized by a person who has authority to make orders imposing requirements under subsection 197(1) and is accompanied by a registrable description of the property.
- 2.9 Subsection 197(3) of the Act states that a requirement, imposed under subsection 197(1) that is set out in a certificate registered under subsection 197(2) is, from the time of registration, deemed to be directed to each person who subsequently acquires an interest in the real property.
- 2.10 Subsection 197(4) of the Act states that a dealing with real property by a person who is subject to a requirement imposed under subsection 197(1) or 197(3) is voidable at the instance of a person who was not given the copy of the order or decision in accordance with the requirement.

Part 3: Background

- 3.1 The Risk Assessment was undertaken for the Property on behalf of the Owner to assess the human health risks and ecological risks associated with the presence or discharge of Contaminants of Concern on, in or under the Property and to identify appropriate Risk Management Measures to be implemented to ensure that the Property is suitable for the intended use: **residential/parkland/institutional**, as defined in O. Reg. 153/04.
- 3.2 The contaminants on, in, or under the Property that are present either above the soil and groundwater criteria for course textured soils on residential/parkland/institutional property use in **Table 3: Full Depth Generic Site Condition Standards in a Non-Potable Groundwater Condition** of the "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" published by the Ministry and dated April 15, 2011, or for which there are no such standards, are set out in the Risk Assessment. The Property Specific Standards for these Contaminants of Concern are set out in **Table 1 of Schedule 'A' of this CPU**.
- 3.3 I am of the opinion, for the reasons set out in the Risk Assessment that the Risk Management Measures described therein and outlined in Part 4 of the CPU are necessary to prevent, eliminate or ameliorate an Adverse Effect on the Property.
- 3.4 The Risk Assessment indicates the presence of Contaminants of Concern in soil which require on-going restriction of land use and pathway elimination. As such, it is necessary to restrict the use of the Property and implement Risk Management Measures as set out in the Risk Assessment and in Part 4 of the CPU.

Part 4: Director Requirements

Pursuant to the authority vested in me under subsection 168.6(1) and section 197 of the Act, I hereby require the Owner to do or cause to be done the following:

Risk Management Measures

- 4.1 Implement, and thereafter maintain or cause to be maintained, the Risk Management Measures.
- 4.2 Without restricting the generality of the foregoing in Item 4.1, carry out or cause to be carried out the following key elements of the Risk Management Measures:

Hard cap and fill cap barriers:

- a) Hard Cap Barrier or Fill Cap Barrier Risk Management Measure:
- i. Covering all areas of the Property where Property Specific Contaminants of Concern are present at or within 1.0 metres below the soil surface such that a Hard Cap Barrier or Fill Cap Barrier is in place in these areas, so as to prevent exposure to the Property Specific Contaminants of Concern at the Property, in conjunction with any existing Barriers in any other areas of the Property where Property Specific Contaminants of Concern are present below the soil surface; and
 - ii. Install fencing and implement dust control measures for any part of the Property requiring covering but which has not been covered, so as to prevent exposure to the Property Specific Contaminants of Concern at the Property. Fencing and dust control measures shall be maintained until such time as the Hard Cap Barrier or Fill Cap Barrier (s) are installed.
 - iii. Preparing and implementing a written inspection and maintenance program, prepared by a Qualified Person and to be retained by the Owner, and to be available for inspection upon request by a Provincial Officer, so as to ensure the continuing integrity of each Barrier at the Property so long as the Property Specific Contaminants of Concern are present at the Property, including, at a minimum:
 - i. procedures and timing for implementing the program;
 - ii. semi-annual inspections, in spring and fall, of the Barrier;
 - iii. noting any deficiencies in the Barrier observed during the inspections, or at any other time;
 - iv. repairing promptly any such deficiencies, to the original design specifications, with written confirmation that the Barrier has been properly repaired,;
 - v. contingency measures, such as fencing, to be implemented if cracks, breaches or any loss of integrity of the Barrier cannot be repaired or addressed in a timely manner, to prevent exposure to the Property Specific Contaminants of Concern in that area of the Property; and
 - vi. recording, in writing, all inspections, deficiencies, repairs and implementation of contingency measures, to be retained by the Owner and be available for inspection upon request by a Provincial Officer;and which is,
 - i. delivered to the Owner within 30 days of issuance of the CPU; and
 - ii. updated and delivered to the Owner within 30 days following making any alteration to the program.
 - iv. Preparing a site plan of the entire Property, prepared by a Licenced Professional Engineer and to be retained by the Owner, and be available for inspection upon request by a Provincial Officer, showing the

Property, any fencing, and the location, type and design of each Barrier at the Property, including cross-sectional drawings of the Barrier showing its design and vertical and lateral extent;
and which are,

- i. delivered to the Owner within 30 days of issuance of the CPU; and
 - ii. updated and delivered to the Owner within 30 days following making any alteration to the location, design or extent of the Barrier, or other relevant feature shown on the site plan; and
- v. Preparing and implementing written procedures, prepared by a Qualified Person and to be retained by the Owner, and be available for inspection upon request by a Provincial Officer, for written and oral communication to all persons who may be involved in Intrusive Activities at the Property that may disturb a Barrier at the Property, so as to ensure the persons are made aware of the presence and significance of the Barrier and the Property Specific Contaminants of Concern at the Property and the precautions to be taken to ensure the continued integrity of the Barrier when undertaking the Intrusive Activities, and if damaged, to ensure that the Barrier is repaired promptly to the original design specifications, or, if it cannot be repaired promptly, to ensure that the contingency measures are implemented, and records kept, as specified in the inspection and maintenance program;
and which are,
- i. delivered to the Owner before any Intrusive Activities are undertaken at the Property; and
 - ii. updated and delivered to the Owner within 30 days following making any alteration to the procedures.

Soil and Groundwater Management Plan:

- b) A Property-specific soil and groundwater management plan (the “Soil and Groundwater Management Plan”) shall be developed for the Property and implemented during all intrusive activities potentially in contact with or exposing COCs in soil or groundwater that exceed the Applicable Site Conditions Standards on the Property. A copy of the Soil and Groundwater Management Plan shall be maintained on the Property for the duration of all planned intrusive activities. Any short term intrusive activities required for the purposes of emergency repairs (i.e. for repairs to underground utilities etc.) will not require the submission of the Soil and Groundwater Management Plan to the Director prior to undertaking the short term emergency repairs. For planned intrusive activities, this Soil and Groundwater Management Plan shall be submitted to the Director by the Owner at least 14 calendar days prior to any such intrusive activities being undertaken and shall be consistent with the measures specified in Section 7.2.3 of the RA. The Soil and Groundwater Management Plan shall include, but not be limited to, the following key components as deemed necessary by a Qualified Person:

- (i) oversight by a Qualified Person;
- (ii) include dust control measures and prevention of soils tracking by vehicles and personnel from the Property;
- (iii) management of excavated soils including cleaning equipment, placement of materials for stockpiling on designated areas lined and covered with polyethylene sheeting, bermed and fenced to prevent access, runoff control to minimize contact and provisions for discharge to sanitary sewers or other approved treatment;
- (iv) storm water management measures to control the potential transport of COCs off-site during on-site construction/redevelopment activities. This shall include, but to not be limited to, silt fences and filter socks on catch-basins and utility covers as necessary;

- (iv) characterization of excavated excess soils to determine if the excavated excess soils exceed the Property Specific Standards and/or the Applicable Site Condition Standards and require off-site disposal in accordance with the provisions of Ontario Regulation 347, as amended, made under the Act;
 - (v) record keeping, which shall include, but not be limited to, dates and duration of work, weather and site conditions, location and depth of excavation activities/dewatering activities, dust control measures, stockpile management and drainage, all soil characterization results obtained as part of the Soil and Groundwater Management Plan, names of the Qualified Persons, contractors, haulers and receiving sites for any excavated excess soils removed from the Property and any complaints received relating to Property activities; and,
- c) A copy of the Soil and Groundwater Management Plan and any amendments and the records kept thereunder shall be made available for review by a Provincial Officer upon request.

Health and Safety Plan:

- d) A Property-specific health and safety plan (the "Health and Safety Plan") shall be developed for the Property and implemented during all planned intrusive activities undertaken potentially in contact with COCs in soil and groundwater that have been identified in the RA at concentrations that exceed the Applicable Site Condition Standard as detailed in Section 7.2.2 of the RA and a copy shall be maintained on the Property for the duration of all intrusive activities. The Owner shall ensure that the Health and Safety Plan takes into account the presence of the COCs and is implemented prior to any intrusive activities being undertaken on the Property or portion (s) of the Property in order to protect workers from exposure to the COCs. The Health and Safety Plan shall be prepared in accordance with applicable Ministry of Labour health and safety regulations, along with all potential risks identified in the RA and include, but not limited to, occupational hygiene requirements, personal protective equipment, contingency plans and contact information. Prior to initiation of any Project (on the Property or portion (s) of the Property), the local Ministry of Labour office shall be notified, where so prescribed under the OHSA, of the proposed activities and that COCs have been identified in groundwater on the Property. The Health and Safety Plan shall be overseen by a Competent Person to review the provisions of the plan with respect to the proposed work and conduct daily inspections. The Owner shall retain a copy of the Health and Safety Plan to be made available for review by a Provincial Officer upon request.

Restriction on Building Construction:

- e) Refrain from constructing any enclosed buildings or structures on, in or under the Property. Additionally, the abandoned underground tunnel on the Site shall not be reopened as it would constitute an enclosed structure.

Restriction on Community Gardens:

- f) Refrain from constructing any community gardens on the Site that would be used as a source of produce for human consumption.

Prohibition of potable groundwater wells:

- 4.3 The Owner shall,
- a. refrain from using groundwater in or under the Property as a source of water;
 - b. properly abandon any potable wells on the Property, as defined in subsection 35(1) of O. Reg. 153/04, according to Regulation 903, "Wells", R. R. O. 1990, made under the OWRA ;and

- c. refrain from constructing on the Property any wells, as defined in subsection 35(1) of O. Reg. 153/04.

Site Changes

- 4.4 In the event of a change in the physical site conditions or receptor characteristics at the Property that may affect the Risk Management Measures and/or any underlying basis for the Risk Management Measures, the Owner shall forthwith notify the Director of such changes and the steps taken, to implement, maintain and operate any further Risk Management Measures as are necessary to prevent, eliminate or ameliorate any Adverse Effect that will result from the presence on, in or under the Property or the discharge of any Contaminant of Concern into the natural environment from the Property. In support of this work, a new risk assessment may need to be completed in accordance with O. Reg. 153/04 and submitted to the Ministry for acceptance. An amendment to the CPU will be issued to address the changes set out in any notice received and any future changes that the Director considers necessary in the circumstances.

Reports

- 4.5 The Owner shall retain a copy of any reports required under the CPU for a period of seven (7) years from the date the report is created and within ten (10) days of the Director or a Provincial Officer making a request for a report, provide a copy to the requesting Director or Provincial Officer.

Property Requirement

- 4.6 For the reasons set out in the CPU and pursuant to the authority vested in me under subsection 197(1) of the Act, I hereby order you and any other person with an interest in the Property, before dealing with the Property in any way, to give a copy of the CPU, including any amendments thereto, to every person who will acquire an interest in the Property, as a result of the dealing.

Certificate of Requirement

- 4.7 Within fifteen (15) days from the date of receipt of a certificate of requirement issued under subsection 197(2) of the Act, completed as outlined in Schedule "B", register the certificate of requirement on title to the Property, in the appropriate land registry office.
- 4.8 Within five (5) days after registering the certificate of requirement provide to the Director a copy of the registered certificate and of the parcel register(s) for the Property confirming that registration has been completed.

Owner / Occupant Change

- 4.9 While the CPU is in effect, the Owner shall, forthwith report in writing to the Director any changes of ownership of the Property except that while the Property is registered under the *Condominium Act, 1998*, S.O.1998 c.19 no notice shall be given of changes in the ownership of individual condominium units or any appurtenant common elements on the Property.

Financial Assurance

- 4.10 The Director has not included in the CPU a requirement that the Owner provide financial assurance to the Crown in right of Ontario.

Part 5: General

- 5.1 The requirements of the CPU are severable. If any requirement of the CPU or the application of any requirement to any circumstance is held invalid, such finding does not invalidate or render unenforceable the requirement in other circumstances nor does it invalidate or render unenforceable the other requirements of the CPU.
- 5.2 An application under subsection 168.6(3) of the Act to alter any terms and conditions in the CPU, or impose new terms and conditions, or revoke the CPU, shall be made in writing to the Director, with reasons for the request.
- 5.3 The Director may amend the CPU under subsections 132(2) or (3) of the Act to change a requirement as to financial assurance, including that the financial assurance may be increased or provided, reduced or released in stages. The total financial assurance required may be reduced from time to time or released by an order issued by the Director under section 134 of the Act upon request and submission of such supporting documentation as required by the Director.
- 5.4 Subsection 186(3) of the Act provides that failure to comply with the requirements of the CPU constitutes an offence.
- 5.5 The requirements of the CPU are minimum requirements only and do not relieve the Owner from, complying with any other applicable order, statute, regulation, municipal, provincial or federal law, or obtaining any approvals or consents not specified in the CPU.
- 5.6 Notwithstanding the issuance of the CPU, further requirements may be imposed in accordance with legislation as circumstances require.
- 5.7 In the event that any person is, in the opinion of the Director, rendered unable to comply with any requirements in the CPU because of,
 - a) natural phenomena of an inevitable or irresistible nature, or insurrections,
 - b) strikes, lockouts or other labour disturbances,
 - c) inability to obtain materials or equipment for reasons beyond your control, or
 - d) any other cause whether similar to or different from the foregoing beyond your control,the requirements shall be adjusted in a manner defined by the Director. To obtain such an adjustment, the Director must be notified immediately of any of the above occurrences, providing details that demonstrate that no practical alternatives are feasible in order to meet the requirements in question.
- 5.8 Failure to comply with a requirement of the CPU by the date specified does not relieve the Owner(s) from compliance with the requirement. The obligation to complete the requirement shall continue each day thereafter.
- 5.9 In the event that the Owner complies with the provisions of Items 4.7 and 4.8 of the CPU regarding the registration of the certificate of requirement on title to the Property, and then creates a condominium corporation by the registration of a declaration and description with respect to the Property pursuant to the Condominium Act, 1998, S.O. 1998, c.19 and then transfers ownership of the Property to various condominium unit owners, the ongoing obligations of the Owner under this CPU can be carried out by the condominium corporation on behalf of the new Owners of the Property.

Part 6: Hearing before the Environmental Review Tribunal

- 6.1 Pursuant to section 139 of the Act, you may require a hearing before the Environmental Review Tribunal, if within fifteen (15) days after service on you of a copy of the CPU, you serve written notice upon the Director and the Tribunal.

- 6.2 Pursuant to section 142 of the Act, the notice requiring the hearing must include a statement of the portions of the CPU and the grounds on which you intend to rely at the hearing. Except by leave of the Tribunal, you are not entitled to appeal a portion of the CPU or to rely on a ground that is not stated in the notice requiring the hearing.
- 6.3 Service of a notice requiring a hearing must be carried out in a manner set out in section 182 of the Act and Ontario Regulation 227/07: Service of Documents, made under the Act. The address, email address and fax numbers of the Director and the Tribunal are:

The Secretary

Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, ON, M5G 1E5

Fax: (416) 326-5370
Fax Toll Free: 1(844) 213-3474
Email: ERTTribunalSecretary@ontario.ca

and

Rob Wrigley, Director

Ministry of the Environment, Conservation and Parks
733 Exeter Road
London, ON, N6E 1L3
Telephone: (519) 280-3077
Toll Free number: 1-800-265-7672
Fax: (519) 873-5020
Email: rob.wrigley@ontario.ca

- 6.4 Unless stayed by application to the Tribunal under section 143 of the Act, the CPU is effective from the date of issue.
- 6.5 If you commence an appeal before the Tribunal, under section 47 of the *Environmental Bill of Rights, 1993*, (the "EBR") you must give notice to the public in the Environmental Registry of Ontario. The notice must include a brief description of the CPU (sufficient to identify it) and a brief description of the grounds of appeal.

The notice must be delivered to the Minister of the Environment, Conservation and Parks who will place it on the Environmental Registry of Ontario. The notice must be delivered to the Minister of the Environment, Conservation and Parks at 777 Bay Street, 5th Floor, Toronto, Ontario M7A 2J3 by the earlier of:

- 6.5.1 two (2) days after the day on which the appeal before the Tribunal was commenced; and
- 6.5.2 fifteen (15) days after service on you of a copy of the CPU.
- 6.6 Pursuant to subsection 47(7) of the EBR, the Tribunal may permit any person to participate in the appeal, as a party or otherwise, in order to provide fair and adequate representation of the private and public interests, including governmental interests, involved in the appeal.

6.7 For your information, under section 38 of the EBR, any person resident in Ontario with an interest in the CPU may seek leave to appeal the CPU. Under section 40 of the EBR, the application for leave to appeal must be made to the Tribunal by the earlier of:

6.7.1 fifteen (15) days after the day on which notice of the issuance of the CPU is given in the Environmental Registry of Ontario; and

6.7.2 if you appeal, fifteen (15) days after the day on which your notice of appeal is given in the EBR Environmental Registry of Ontario.

Further information on the requirements of the Tribunal regarding an appeal can be obtained directly from the Tribunal by:

Tel: (416) 212-6349

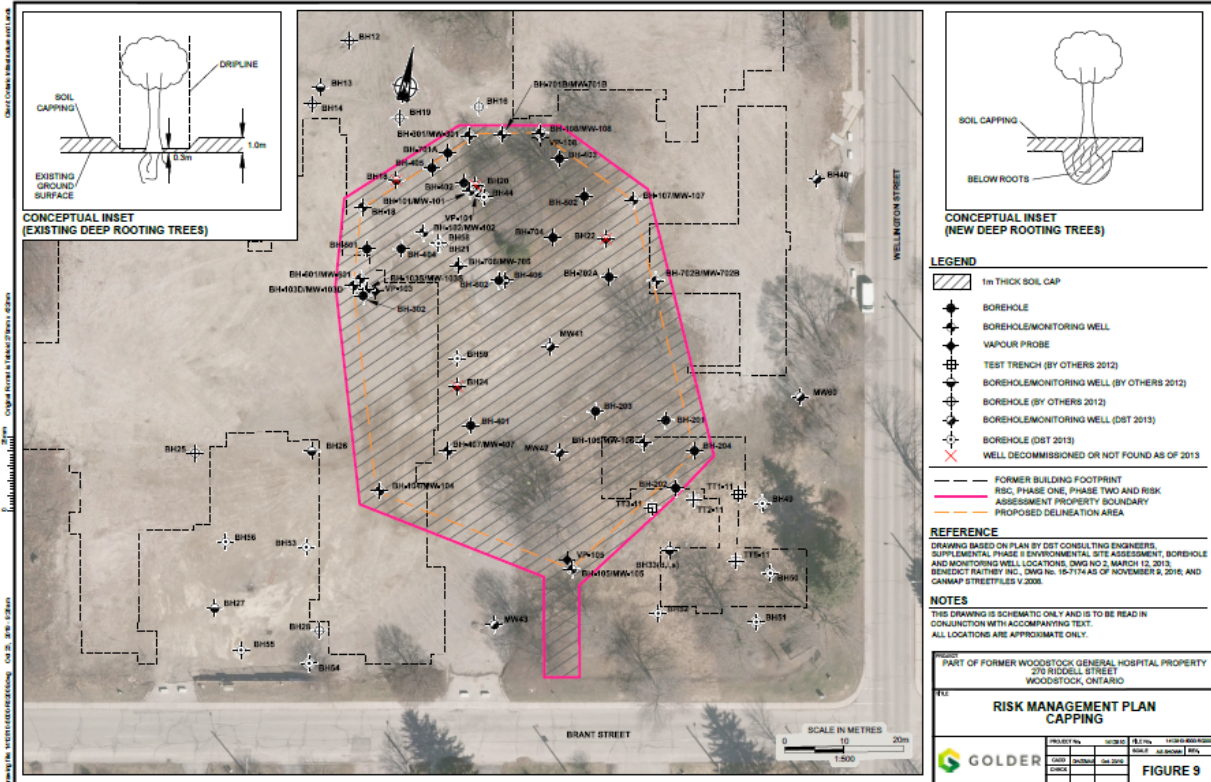
Fax: (416) 326-5370

www.elto.gov.on.ca

Issued at London this day of , 2020.

Rob Wrigley,
Director, section 168.6 of the Act

Schedule 'A': Figure 1- Site Plan Showing Soil Cover RMM



Schedule A: Table 1.1

Property Specific Standards (PSSs) (Soil)

| Table 1.1: Proposed Property Specific Standards for Soil Former Woodstock Hospital, 270 Riddell Street, Woodstock, Ontario | | | | | | | | |
|---|----------------------------|-----------------------|--------------------------------|------------------------------|-------------------------------------|----------------------------|------------------------------|---|
| COC | Table 3 SCS ^(a) | Maximum Concentration | Proposed Human Health Standard | Proposed Ecological Standard | Proposed Property Specific Standard | Basis of Proposed Standard | Risk Management Requirement? | Potential for Off-Site Exceedance of SCS? |
| PHCs & BTEX | | | | | | | | |
| Benzene | 0.21 | 0.47 | 0.56 | 0.56 | 0.56 | Maximum +20% | Yes | No |
| Ethylbenzene | 2.21 | 4.8 | 5.8 | 5.8 | 5.8 | Maximum +20% | Yes | No |
| Total Xylenes | 3.1 | 12 | 14 | 14 | 14 | Maximum +20% | Yes | No |
| PHC F1 (>C10 - BTEX) | 55 | 500 | 600 | 600 | 600 | Maximum +20% | Yes | No |
| PHC F2 (>C10 - C16) | 98 | 7600 | 9120 | 9120 | 9120 | Maximum +20% | Yes | No |
| PHC F3 (>C16 - C34) | 300 | 21000 | 25200 | 25200 | 25200 | Maximum +20% | Yes | No |
| PHC F4 Gravimetric ^(c) | 2800 | 25000 | 30000 | 30000 | 30000 | Maximum +20% | Yes | No |
| PAHs^(b) | | | | | | | | |
| Acenaphthylene | 0.15 | 3.1 | 3.7 | 3.7 | 3.7 | Maximum +20% | Yes | No |
| Anthracene | 0.67 | <1 (0.91) | <1.0 | <1.0 | <1.0 | Maximum DL | No | No |
| Benz(a)anthracene | 0.5 | 3.1 | 3.7 | 3.7 | 3.7 | Maximum +20% | Yes | No |
| Benzo(a)pyrene | 0.3 | 2.6 | 3.1 | 3.1 | 3.1 | Maximum +20% | Yes | No |
| Benzo(b)fluoranthene | 0.78 | 3.1 | 3.7 | 3.7 | 3.7 | Maximum +20% | Yes | No |
| Benzo(k)fluoranthene | 0.78 | 1.2 | 1.4 | 1.4 | 1.4 | Maximum +20% | Yes | No |
| Dibenz(a,h)anthracene | 0.1 | <1 (0.37) | <1.0 | <1.0 | <1.0 | Maximum DL | Yes | No |
| Fluoranthene | 0.69 | 5.6 | 6.7 | 6.7 | 6.7 | Maximum +20% | Yes | No |
| Indeno(1,2,3-cd)pyrene | 0.38 | 1.7 | 2 | 2 | 2 | Maximum +20% | Yes | No |
| 1-Methylnaphthalene ^(d) | 0.99 | 23 | 28 | 28 | 28 | Maximum +20% | Yes | No |
| 2-Methylnaphthalene ^(d) | 0.99 | 23 | 27 | 27 | 27 | Maximum +20% | Yes | No |
| Naphthalene | 0.6 | 4.2 | 5 | 5 | 5 | Maximum +20% | Yes | No |
| Phenanthrene | 6.2 | 17 | 20 | 20 | 20 | Maximum +20% | Yes | No |
| VOCs | | | | | | | | |
| 1,4-Dichlorobenzene | 0.083 | 0.9 | 1.1 | 1.1 | 1.1 | Maximum +20% | Yes | No |
| Chlorobenzene | 2.4 | 3.9 | 4.7 | 4.7 | 4.7 | Maximum +20% | Yes | No |
| Methylene Chloride | 0.1 | <0.5 | <0.5 | <0.5 | <0.5 | Maximum DL | Yes | No |
| Metals and Inorganics | | | | | | | | |
| Conductivity | 700 | 1000 | NA | 1200 | 1200 | Maximum +20% | Yes | No |
| SAR | 4.7 | 63 | NA | 75 | 75 | Maximum +20% | Yes | No |
| Notes: | | | | | | | | |
| All values in µg/g (micrograms per gram), with exception of conductivity presented in µS/cm (microSiemens per centimeter). | | | | | | | | |
| ^(a) Table 3 SCS = Ministry of the Environment (MOE, 2011a), Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, Ministry of the Environment and Climate Change (MOECC), Modified Generic Risk Assessment (MGRA) Approved Model (November 1, 2016), Final Tables of Standards ; Table 3, Full Depth Generic Site Condition Standards in a Non-Potable Groundwater Condition, coarse textured soils, residential/parkland property use. | | | | | | | | |
| ^(b) To maintain a conservative approach and in accordance with MOECC (MOE, 2011b), where at least one carcinogenic PAH was identified as a COC, all carcinogenic PAHs were identified as COCs for the HHRA. Therefore, benzo(g,h,i)perylene, and chrysene were also identified as COCs for the HHRA. | | | | | | | | |
| ^(d) PHC F4 was used as a surrogate for PHC F4G. | | | | | | | | |
| COC = contaminant of concern; SCS = Site Condition Standard; < = less than detection limit; () = maximum detected concentration; PHC = petroleum hydrocarbons; PAHs = polycyclic aromatic hydrocarbons; VOCs = volatile organic compounds; SAR = sodium adsorption ratio; PSS = property specific standard; DL = detection limit; NA = not applicable. | | | | | | | | |

Schedule A: Table 1.2

Property Specific Standards (PSSs) (Groundwater)

| COC | Table 3 SCS ^(a) | Maximum Concentration | Proposed Human Health Standard | Proposed Ecological Standard | Proposed Property Specific Standard | Basis of Proposed Standard | Risk Management Requirement? | Potential for Off-Site Exceedance of SCS? |
|-----------------------------------|----------------------------|-----------------------|--------------------------------|------------------------------|-------------------------------------|----------------------------|------------------------------|---|
| PHCs & BTEX | | | | | | | | |
| PHC F2 (>C10 - C16) | 150 | 12700 | 15240 | NA | 15240 | Maximum +20% | Yes | No |
| PHC F3 (>C16 - C34) | 500 | 36000 | 43200 | NA | 43200 | Maximum +20% | No | No |
| PHC F4 Gravimetric ^(b) | 500 | 43100 | 51720 | NA | 51720 | Maximum +20% | No | No |
| PAHs | | | | | | | | |
| Acenaphthylene | 1.8 | 2 | 2.4 | NA | 2.4 | Maximum +20% | No | No |
| Anthracene | 2.4 | 5.9 | 7.1 | NA | 7.1 | Maximum +20% | No | No |
| Benz(a)anthracene | 4.7 | 8.5 | 10 | NA | 10 | Maximum +20% | No | No |
| Benzo(a)pyrene | 0.81 | 3.4 | 4.1 | NA | 4.1 | Maximum +20% | No | No |
| Benzo(b)fluoranthene | 0.75 | 2.2 | 2.6 | NA | 2.6 | Maximum +20% | No | No |
| Benzo(g,h,i)perylene | 0.2 | <2 (0.27) | <2 | NA | <2 | Maximum DL | No | No |
| Benzo(k)fluoranthene | 0.2 | <2 (0.13) | <2 | NA | <2 | Maximum DL | No | No |
| Chrysene | 1 | 15.9 | 19 | NA | 19 | Maximum +20% | No | No |
| Dibenz(a,h)anthracene | 0.25 | <2 (0.11) | <2 | NA | <2 | Maximum DL | No | No |
| Indeno(1,2,3-cd)pyrene | 0.2 | <2 (0.075) | <2 | NA | <2 | Maximum DL | No | No |
| VOCs | | | | | | | | |
| Tetrachloroethene | 1.6 | 4.2 | 5 | NA | 5 | Maximum +20% | Yes | Yes* |
| Vinyl Chloride - Degradation | 0.5 | 1.1 | 1.3 | NA | 1.3 | Maximum +20% | Yes | No |

Notes:
All values in µg/L (micrograms per litre).

^(a) Table 3 SCS = [Ministry of the Environment \(MOE, 2011a\), Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, Ministry of the Environment and Climate Change \(MOECC\), Modified Generic Risk Assessment \(MGRA\) Approved Model \(November 1, 2016\), Final Table of Standards](#); Table 3: Generic Site Condition Standards in a Non-Potable Groundwater Condition, All Types of Property Use, coarse textured soils.

^(b) PHC F4 was used as a surrogate for PHC F4G.

* Off-Site exceedances of tetrachloroethylene are attributed to an off-Site source (APEC v - Former Hospital Laundry Facility) west of the Site. The off-Site property is currently undergoing completion of a Record of Site Condition and the management of the VOC plume is therefore the responsibility of the adjacent property owner. There are no on-Site sources of groundwater COCs which are anticipated to result in an exceedance of the Table 3 SCS off-Site.

< = less than detection limit; () = maximum detected concentration; µg/L = microgram per liter; COC = contaminant of concern; SCSs = Site Condition Standards; PHCs = petroleum hydrocarbons; VOCs = volatile organic compounds; PAHs = polycyclic aromatic hydrocarbons; PSS = property specific standard; DL = detection limit; NA = not applicable, there are no completed pathways of exposure to groundwater by on-Site ecological receptors.

Schedule B

CERTIFICATE OF REQUIREMENT

s.197(2)

Environmental Protection Act

This is to certify that pursuant to Item 4.6 of Certificate of Property Use number 0146-BS8RQ4 issued by Rob Wrigley, Director of the Ministry of the Environment, Conservation and Parks, under sections 168.6 and 197 of the *Environmental Protection Act*, on **XXXXXX XX, 2020**, being a Certificate of Property Use and order under subsection 197(1) of the *Environmental Protection Act* relating to the property municipally known as part of 525 Brant Street, Woodstock, Ontario, being Part Lots 6, 7, 16 and 17, Block 5, Plan 49; more particularly designated as Part 2 on Reference Plan 41R-9866, City of Woodstock; County of Oxford, being part of PIN 00130-0337(LT) (the "Property") with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property

Woodstock General Hospital Trust

and any other persons having an interest in the Property, are required before dealing with the Property in any way, to give a copy of the Certificate of Property Use, including any amendments thereto, to every person who will acquire an interest in the Property. Under subsection 197(3) of the *Environmental Protection Act*, the requirement applies to each person who, subsequent to the registration of this certificate, acquires an interest in the Property.