

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: 4646-BLBJB

Risk Assessment number: 4481-948SM3

Owner: UCANCO General Partners Inc. as general partner for and on behalf of Canure Limited Partnership
1959 Upper Water Street
No. 1100
Halifax, Nova Scotia, Canada
B3J 3N2

Site: 4-16 Ingersoll Road,
Woodstock Ontario

With a Legal Description of:

LT 2, PT LTS 1 & 3 S/S DUNDAS ST PL 86 AKA PL 293, PT LT 4 S/S DUNDAS ST PL 86, LT 109C & PT LT 110C PL 293, PTS 1 & 2 41R4973; SUBJET TO AN EASEMENT AS IN A17129; CITY OF WOODSTOCK

Being all of PIN: 00100-0917 (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 4 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” for **Parcel A** means the soil and groundwater criteria for course textured soils on industrial/commercial property use in **Table 8: Generic Site Condition Standards for Use within 30 m of a Water Body in a 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, and for **Parcel B** means the soil and groundwater criteria for course textured soils on industrial/commercial property use in **Table 2: Full Depth Generic Site Condition Standards in a 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. **4646-BLBJBJ**, 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.

“Parcel A” means that part of the Property as identified on Figure J-4 in Appendix J of the RA and attached to this CPU in Figure 1 of Schedule A.

“Parcel B” means that part of the Property as identified on Figure J-5 in Appendix J of the RA and attached to this CPU in Figure 2 of Schedule A.

“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 1.1 and Table 1.2 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. **4481-948SM3** accepted by the Director on May 6, 2020 and set out in the following final documents:

- **Human Health and Ecological Risk Assessment, 4-16 Ingersoll Road, Woodstock, Ontario**, by NovaTox Inc., dated June 2015
- **“Human Health and Ecological Risk Assessment, 4-16 Ingersoll Road, Woodstock, Ontario”**, by NovaTox Inc., dated September 2016
- **Revised Risk Assessment Report for 16 Ingersoll Road and 4 Ingersoll Road, Woodstock, Ontario** report prepared by NovaTox, dated March 31, 2018
- **“RA1285-13 - RA for Woodstock Site – NovaTox”**, e-mail from Mark Chappel, Novatox Inc., received by TASDB on October 22, 2018, with the following documents attached:
 - o *14-242_RM Plan_Oct 14_2018 Terrapex.pdf*
 - o *14-243_RA Report 4-16 Ingersoll Rd Woodstock_Oct2018_IDS4481-948SM3.pdf*
 - o *14-243_RA1285 Responses to MECP Comments 16Oct2018.pdf*
 - o *16 Ingesoll Rd Woodstock Phase Two CSM Parcel A - Sep 30 2018.pdf*
 - o *16 Ingesoll Rd Woodstock Phase Two CSM Parcel B - Sep 30 2018.pdf*
- **“Re: Request for additional information for 4-16 Ingersoll Street, Woodstock; IDS# 4481-948SM3; RA1285-13”**, email from Mark Chappel, Novatox Inc., received by TASDB on October 8, 2019, with the following documents attached:
 - o *14-243_List of Docs Relied on_Appendix D.pdf*
 - o *16 Ingersoll Rd Phase Two CSM Parcel A - Sep 30 2019.pdf*
 - o *16 Ingersoll Rd Phase Two CSM Parcel B - Sep 30 2019.pdf*
 - o *Appendix A_Mandatory Certifications_5Oct2019_QPRA-Chappel.pdf*
 - o *RA1285-13 letter to QPRA requ add info Feb7-19.pdf*
 - o *Responses to MECP Comments -5Oct2019.pdf*

“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 Risk Management Plan prepared by Terrapex Environmental Ltd. and contained in Section 7 and Appendix J 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: **industrial/commercial**, as defined in O. Reg. 153/04.
- 3.2 For Parcel A, the contaminants on, in, or under the Property that are present either above the soil and groundwater criteria for course textured soils on industrial/commercial property use in **Table 8: Generic Site Condition Standards for Use within 30 m of a Water Body in a 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 1-1 of Schedule 'A' of this CPU**.
- For Parcel B, the contaminants on, in, or under the Property that are present either above the soil and groundwater criteria for course textured soils on industrial/commercial property use in **Table 2: Full Depth Generic Site Condition Standards in a 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 1-2 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 in accordance with the RMP and to include, but not be limited to, the following:
- i. Covering all areas of the Property where Property Specific Contaminants of Concern are present at or within 0.5 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. For planned intrusive activities, this Soil and Groundwater Management Plan shall be kept by the Owner and shall be made available for review by a Provincial Officer upon request and shall be consistent with the measures specified in the RMP. 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/or fenced to prevent access, runoff control to minimize contact and provisions for discharge to sanitary sewers or other approved treatment, as appropriate;
 - (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 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 RMP 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 soil and 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 unless the Building includes a Passive Soil Vapour Intrusion Mitigation System and the Passive Soil Vapour Intrusion Mitigation System meets the following requirements:

DESIGN, INSTALL AND OPERATE

- I. Designing, installing and operating a Passive Soil Vapour Intrusion Mitigation System SVIMS for the Building, designed by a Licenced Professional Engineer in consultation with a Qualified Person and installed by a person acceptable to and under the supervision of a Licenced Professional Engineer, so as to remove soil vapour from below the Building and prevent soil vapour containing the Property Specific Contaminants of Concern from entering the Building air, including, but not limited to, the following requirements and components for the Passive SVIMS and in accordance with the RMP:

SYSTEM REQUIREMENTS

- i. the Passive SVIMS is to:
 - (a) be able to be readily converted to operation as an Active SVIMS, if necessary, to ensure soil vapour is being sufficiently removed from below the Building, including making provision to readily allow installation and operation of an electrical powered fan on each vent riser, and making provision for an automated monitoring system of electrical fan operation which remotely detects and indicates system malfunctions; and
 - (b) have in place or be able to have readily put in place, measures, as appropriate based on an assessment carried out in accordance with ASTM E1998, to prevent potential depressurization induced back drafting and spillage of combustion products from vented combustion appliances that may be in the Building, in the event conversion to operation as an Active SVIMS is necessary;

SUB-SLAB FOUNDATION LAYER

- ii. throughout the Building Area below the foundation floor slab, a sub-slab foundation layer, above soil containing the Property Specific Contaminants of Concern, designed by a Licenced Professional Engineer for the Building constructor in consultation with the Licenced Professional Engineer for the Passive SVIMS;

SOIL VAPOUR VENTING LAYER

- iii. throughout the Building Area below the foundation floor slab and above the sub-slab foundation layer, a soil vapour venting layer designed for collection and venting of soil vapour from below the floor slab to vent risers for venting to the outdoor air, with the soil vapour venting layer consisting of:
 - (a) perforated collection pipes or geocomposite strips of sufficient size or diameter, frequency and locations to promote efficient collection and venting, embedded in granular materials of sufficient air permeability and depth;or,

other soil vapour collection and venting products used to construct a soil vapour venting layer with continuous open void space, such as an aerated sub-floor below the floor slab and around the exterior walls, which provides similar or greater air permeability and collection and venting efficiency;

and,
 - (b) for a Building with isolated soil vapour venting layer areas caused by interior grade beams or areas of thickened slabs, ventilation pipes to connect the isolated areas or a soil vapour venting layer that extends below these elements of the Building foundation; and
 - (c) clean-outs, drains or openings to ensure drainage and removal of condensate or water, including any entrained dust, that may enter collection pipes, geocomposite strips or vent risers, and, if required, to ensure drainage or

dewatering of the soil vapour venting layer in Property areas with a shallow ground water table;

SOIL VAPOUR BARRIER MEMBRANE

- iv. throughout the Building Area, a continuous leak free soil vapour barrier membrane, such as a sheet geomembrane or spray applied membrane, or equivalent as approved by a Licensed Professional Engineer, below the foundation floor slab and above the soil vapour venting layer, and below and along the walls of any subsurface structures such as a sump, and which:
 - (a) is of appropriate thickness and meets the appropriate gas permeability and chemical resistance specifications to be considered substantially impermeable to the soil vapour, in accordance with the appropriate ASTM standards such as D412, D543 and F739, if applicable; and
 - (b) has a suitable protective geotextile, or other suitable protective material, such as a sand layer, immediately below or above the soil vapour barrier membrane, as considered appropriate by the Licenced Professional Engineer;

VENT RISERS

- v. vent risers of sufficient size or diameter, frequency and locations to promote efficient venting, that terminate above the roof elevation of the Building, to convey the soil vapour from the soil vapour venting layer to the outdoor air above the roof elevation of the Building, and that are at an appropriate distance from Building air intakes, and openable windows, doors and other openings through which exhausted vapours could be entrained in the Building air, as considered appropriate by the Licenced Professional Engineer, including:
 - (a) at least one vent riser per isolated section of the soil vapour venting layer caused by interior grade beams or thickened slabs, unless analysis or testing indicates a lesser number of vent risers is required;
 - (b) vent pipe riser diameter that is greater than the collection pipe diameter, to promote efficient venting;
 - (c) vent risers located within the Building, where possible, to promote temperature induced, convective, venting during colder weather; and
 - (d) a wind turbine or solar powered wind turbine, or equivalent as determined by a Licensed Professional Engineer, on each vent riser.

LABELING OF EQUIPMENT

- vi. labeling of equipment for the Passive SVIMS, including information such as the installer's name, date of installation and identification of all visible piping, consistent with the labeling provisions in ASTM E1465 but modified as appropriate for the characteristics of the soil vapour; and

UTILITY SEALING

- vii. where utilities or subsurface Building penetrations are a potential conduit for soil vapour migration,
 - (a) utility trench dams, consisting of a soil-bentonite mixture, sand-cement slurry or other appropriate material, installed as a precautionary measure to reduce the potential for soil vapour to migrate beneath the Building through relatively permeable trench backfill; and
 - (b) conduit seals constructed of closed cell polyurethane foam, or other inert gas-impermeable material at the termination of all utility conduits and at subsurface Building penetrations, such as sumps, to reduce the potential for vapour migration along the conduit to the interior of the Building;

QUALITY ASSURANCE / QUALITY CONTROL

- II. Preparing and implementing a quality assurance and quality control program, prepared by a Licenced Professional Engineer and to be retained by the Owner, and which is available for inspection upon request by a Provincial Officer, so as to ensure that the Passive SVIMS is being, and has been, properly installed and the installation documented, including inspections, verification testing and documenting of the installation as it is carried out, including at a minimum:
 - i. the procedures and timing for implementing the program, by a person acceptable to and under the supervision of a Licenced Professional Engineer;
 - ii. daily inspections of the installation of the Passive SVIMS, including of the quality assurance and quality control measures and procedures undertaken by the installer;
 - iii. undertaking, at a minimum, the following quality control measures and verification testing of the soil vapour barrier membrane:
 - (a) daily inspection reports noting any deficiencies and corrective actions taken;
 - (b) smoke testing of the soil vapour barrier membrane, or equivalent alternative testing method that provides comparable results;
 - (c) verification of the type and thickness of the soil vapour barrier membrane through testing of representative samples of materials used, to be conducted according to, in a manner and at a frequency that meets or exceeds manufacturer's recommendations;
 - (d) verification of field seams of sheet geomembranes as being continuous and leak free through vacuum or pressure testing, geophysical testing or other appropriate means; and
 - (e) verification that appropriate measures to prevent post-construction damage or degradation to the soil vapour barrier membrane have been taken, including at a minimum, appropriate preparation of the sub-slab foundation layer, placement of

a protective geotextile, or other suitable protective material, below or above the soil vapour barrier membrane, if included in the design, and work practices to prevent post-construction damage;

- iv. the noting of any deficiencies in the materials or installation of the Passive SVIMS;
- v. ensuring the prompt repair of any deficiencies, to the design specifications;
- vi. preparing a written report of all inspections, quality control measures and verification testing undertaken, and any deficiencies and repairs, prepared by the Licenced Professional Engineer and to be retained by the Owner, and which is available for inspection upon request by a Provincial Officer;

and which is,

- vii. delivered to the Owner at least 30 days before installation of the Passive SVIMS begins; and
- viii. updated and delivered to the Owner within 30 days of making any alteration to the program.

AS CONSTRUCTED PLANS

- III. Preparing as constructed plans of the Passive SVIMS, prepared by a Licenced Professional Engineer and to be retained by the Owner, and which are available for inspection upon request by a Provincial Officer, showing the location of the Building and the location and specifications of the installed Passive SVIMS, including cross-sectional drawings specifying the design and the vertical and lateral extent of the Passive SVIMS relative to the Building and the ground surface, and which is:
 - i. delivered to the Owner at least 30 days before use of all or any part of the Property begins, or within 90 days following completion of installation of the Passive SVIMS, whichever is earlier; and
 - ii. updated, and delivered to the Owner within 30 days following making any alteration to the Passive SVIMS, or other relevant feature shown on the plans.

INSPECTION AND MAINTENANCE

- IV. Preparing and implementing a written inspection and maintenance program, prepared by a Licenced Professional Engineer and to be retained by the Owner, and which is available for inspection upon request by a Provincial Officer, to ensure the continued integrity and effectiveness of the Passive SVIMS, including, at a minimum:
 - i. the procedures and timing for implementing the program, by a person meeting the qualifications as set out in the program ;
 - ii. maintenance and calibration of operational, monitoring and other equipment, as appropriate;

- iii. at a minimum, semi-annual inspections, in winter and summer, of the Passive SVIMS, including, at a minimum, inspections of:
 - (a) the visible areas of the foundation floor slab or subsurface walls in contact with soil to identify any cracks, breaches or other deficiencies that may allow soil vapour to enter the Building;
 - (b) the visible components of the Passive SVIMS to identify any cracks, breaches or other deficiencies that may hinder the collection or venting of soil vapour from below the Building; and
 - (c) the wind turbine(s) or solar powered wind turbine(s), to determine whether they turn freely and, during winter and on a more frequent basis as appropriate, to identify any significant accumulation of snow or ice requiring removal;
- iv. the noting of any deficiencies or concerns with the floor slab and Passive SVIMS identified during any inspection, or at any other time;
- v. the prompt repair of any deficiencies, including under the supervision of a Licenced Professional Engineer for a deficiency referred to in part iii. (b) above;
- vi. factors and considerations for determining if additional inspections or monitoring should be undertaken;
- vii. a contingency plan to be implemented in the event the deficiencies cannot be repaired promptly, including factors and considerations for determining if the Passive SVIMS needs to be converted to operation as an Active SVIMS, and including notification of the Ministry if such deficiencies, along with operational monitoring results and all additional lines of evidence, if any, suggest that soil vapour intrusion into the Building may occur, as determined by a Licenced Professional Engineer; and
- viii. preparing a written report of all inspections, deficiencies, repairs and maintenance, and of implementation of the contingency plan if necessary, prepared by a Licenced Professional Engineer and to be retained by the Owner, and which is available for inspection upon request by a Provincial Officer;

and which is,

- ix. delivered to the Owner at least 30 days before use of all or any part of the Property begins, or within 90 days following completion of installation of the Passive SVIMS, whichever is earlier; and
- x. updated and delivered to the Owner within 30 days following making any alteration to the program; and

OPERATIONAL MONITORING

- V. Preparing and implementing a written program for monitoring of the operation of the Passive SVIMS, prepared by a Licenced Professional Engineer in consultation with a Qualified Person and to be retained by the Owner, and which is available for inspection upon request by a

Provincial Officer, to ensure the continued integrity and effectiveness of the Passive SVIMS, including, at a minimum:

- i. the procedures and timing for implementing the program, by a person meeting the qualifications as set out in the program;
- ii. the locations and description of the devices and equipment used, or tested, for each monitoring event;
- iii. the procedures for undertaking the testing, measurement and evaluation during a monitoring event, including calibration of operational, monitoring and other equipment, as appropriate;
- iv. for each year, undertaking an assessment and preparation of a written monitoring report, by a Licenced Professional Engineer in consultation with a Qualified Person and to be retained by the Owner, and which is available for inspection upon request by a Provincial Officer, on the operational monitoring undertaken and its results and findings with respect to the integrity and effectiveness of the installed Passive SVIMS, including taking into account previous monitoring undertaken, and with recommendations and any follow-up actions to be taken, such as:
 - (a) the need to repeat or undertake additional or follow-up operational monitoring, and assessment, or additional inspections;
 - (b) changes to the frequency or nature of the monitoring;
 - (c) the need to make repairs or changes to the design or operation of the Passive SVIMS;
 - (d) and, if necessary, implementation of the contingency plan, including if the Passive SVIMS needs to be converted to operation as an Active SVIMS, in the event needed repairs or changes to the Passive SVIMS cannot be made promptly, including notification of the Ministry if the operational monitoring results, inspections and all additional lines of evidence, if any, suggest that soil vapour intrusion into the Building may occur, as determined by a Licenced Professional Engineer;

and which is,

- v. delivered to the Owner at least 30 days before use of all or any part of the Property begins, or within 90 days following completion of installation of the Passive SVIMS, whichever is earlier; and
- vi. updated and delivered to the Owner within 30 days of following making any alteration to the program.

INTRUSIVE ACTIVITIES CAUTION

- VI. Preparing and implementing written procedures, prepared by a Qualified Person and to be retained by the Owner, and which is 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 an installed Passive SVIMS, so as to ensure the persons are made aware of the presence and significance of the Passive SVIMS and the Property Specific Contaminants of Concern in that area of the Property and the precautions to be taken to ensure the continued integrity of the Passive SVIMS when undertaking the Intrusive Activities, and if damaged, to ensure the Passive SVIMS is repaired promptly to the original design specifications, or if it cannot be repaired promptly the contingency measures are implemented, and records kept, as specified in the inspection and maintenance program;

and which are,

- i. delivered to the Owner at least 30 days 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; and

BUILDING CODE

- VII. The Building complies with all applicable requirements of the Building Code, such as the provisions governing the following:
- i. soil gas control as set out in Division B, subsection 9.13.4 (Soil Gas Control);
 - ii. protection against depressurization as set out in Division B, Article 9.32.3.8 (Protection Against Depressurization); and
 - iii. separation of air intakes and exhaust outlet openings and protection against contamination of the ventilation air by the exhaust air as set out in Division B, Article 9.32.3.12. (Outdoor Intake and Exhaust Openings).

Indoor Air Quality / Sub-Slab Vapour Monitoring Program:

- f) An indoor air quality monitoring program or sub-slab vapour monitoring program shall be implemented for any enclosed Building that is constructed on the Property in accordance with Item 4.2.e) of this CPU. The indoor air quality monitoring requirements on the Property shall occur at least once prior to occupancy. All indoor air quality monitoring shall be in accordance to USEPA Method TO-15 (modified as appropriate) for the Contaminants of Concerns listed in Schedule A, Table 2 of the CPU with a summa canister, using an 8 hour regulator and the outdoor air sample shall be in accordance of The Ministry's "Operations Manual for Air Quality Monitoring in Ontario", dated March 2008 for the Contaminants of Concerns listed in Schedule A, Table 2. The monitoring program shall be carried out as follows:
- a. The indoor air quality or sub-slab vapor monitoring shall be carried out on a quarterly basis (every three months) for a minimum period of two years and continue thereafter until such time as the Director, upon application by the Owner, has reviewed the data available and either alters the frequency of the monitoring or eliminates the requirement altogether. The Owner shall ensure that for each calendar year one monitoring event is conducted in either January or February.
 - b. Sampling locations for the indoor air quality/ sub-slab vapour monitoring program shall be located at the lowest occupied level of the building and shall be identified by an industrial hygienist or

- other appropriately qualified person to be protective of human health for any persons using or occupying the buildings on the Property.
- c. The Owner shall keep a copy of all sampling data available for inspection by a Provincial Officer upon request.
 - d. If the indoor air concentration or the sub-slab vapour concentration for the Contaminants of Concern exceeds a respective target concentration identified in Schedule A, Table 2, the Owner shall immediately notify the District Engineer in writing of the exceedance, and then the indoor air quality / sub-slab vapour monitoring shall be repeated for all Contaminants of Concern within 30 days of receipt of the analytical results and be carried out as follows:
 - i. If none of the concentrations of the Contaminants of Concern exceed the target levels identified in Schedule A, Table 2 on the resampled monitoring event, then the monitoring shall continue on a quarterly basis (every three months) for a minimum of four additional monitoring events,
 - ii. If any of the concentrations of the Contaminants of Concern exceeds the sub-slab vapour target levels identified in Schedule A, Table 2 on the resampled sub-slab vapour monitoring event then quarterly indoor air quality monitoring program shall be implemented within 15 business days, or
 - iii. If any of the concentrations of the Contaminants of Concern exceeds the indoor air target levels identified in Schedule A, Table 2, on the resampled indoor air quality monitoring event, then a professional engineer shall, within 30 days of the receipt of the analytical results, either
 - 1. develop and submit a detailed contingency plan to the Director (as outlined in the RMP); or
 - 2. develop and submit a report to the Director that details these indoor air exceedances are due to background sources.

The indoor air quality monitoring shall continue on a monthly basis (every month) until such time as the Director, upon application by the Owner, has reviewed the data available and either alters or revokes the CPU. However, if, during this time, concentrations are below the target levels for three consecutive months of sampling, the sampling frequency shall revert to quarterly until such time as the Director directs otherwise.

Storm Water Management Plan:

- g) A storm water management plan shall be developed and implemented to prevent the release of contaminated soil to the adjacent creek during the completion of any development construction at the Site. The post developed site will have measures (i.e., capping, etc.) that mitigate the migration of soils to an off-site water body.

The storm water management plan shall consist of, but not be limited to, the installation of the following:

- a. employing best management practices during design and construction work such as grading to no steeper than 2:1;
- b. employing retaining walls, benches on long slopes, and using appropriate soils for backfilling and grading where necessary;
- c. developing a silt management plan for future construction which includes exposing as little soil for as little time as possible, using silt fences/screens, monitoring turbidity in the creek, covering soil stockpiles, directing temporary water flow away from the creek, compacting, stabilizing and seeding areas as soon as possible, and;
- d. providing drafts of any new redevelopment plans for submission to be approved by the local Conservation Authority; the plans will have to satisfy their requirements for working within the flood plain.

The storm water management plan shall be designed by a Licenced Professional Engineer or other qualified person that has expertise in the development of these types of plans.

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; and
 - b. except, as may be required for continued use as a monitoring well, as defined in the OWRA:
 - (i) properly abandon on the Property any wells, as described or defined in the OWRA, according to the requirements set out in Regulation 903 of the Revised Regulations of Ontario 1990 (Wells) made under the OWRA; and,
 - (ii) refrain from constructing on the Property any wells as described or defined in the OWRA.

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.

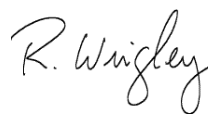
Further information on the requirements of the Tribunal regarding an appeal can be obtained directly from the Tribunal by:

Tel: (416) 212-6349

Fax: (416) 326-5370

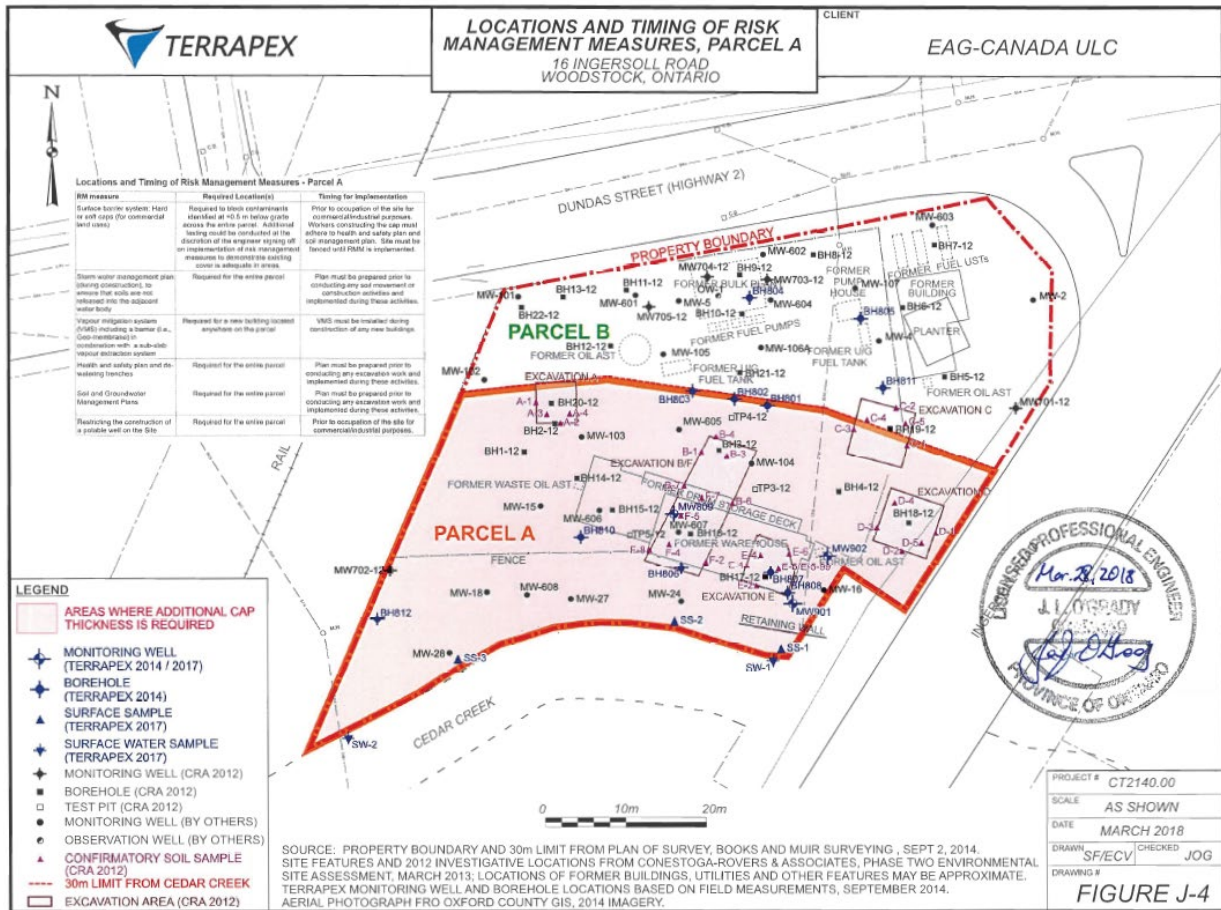
www.elto.gov.on.ca

Issued at London this 16th day of June, 2021.

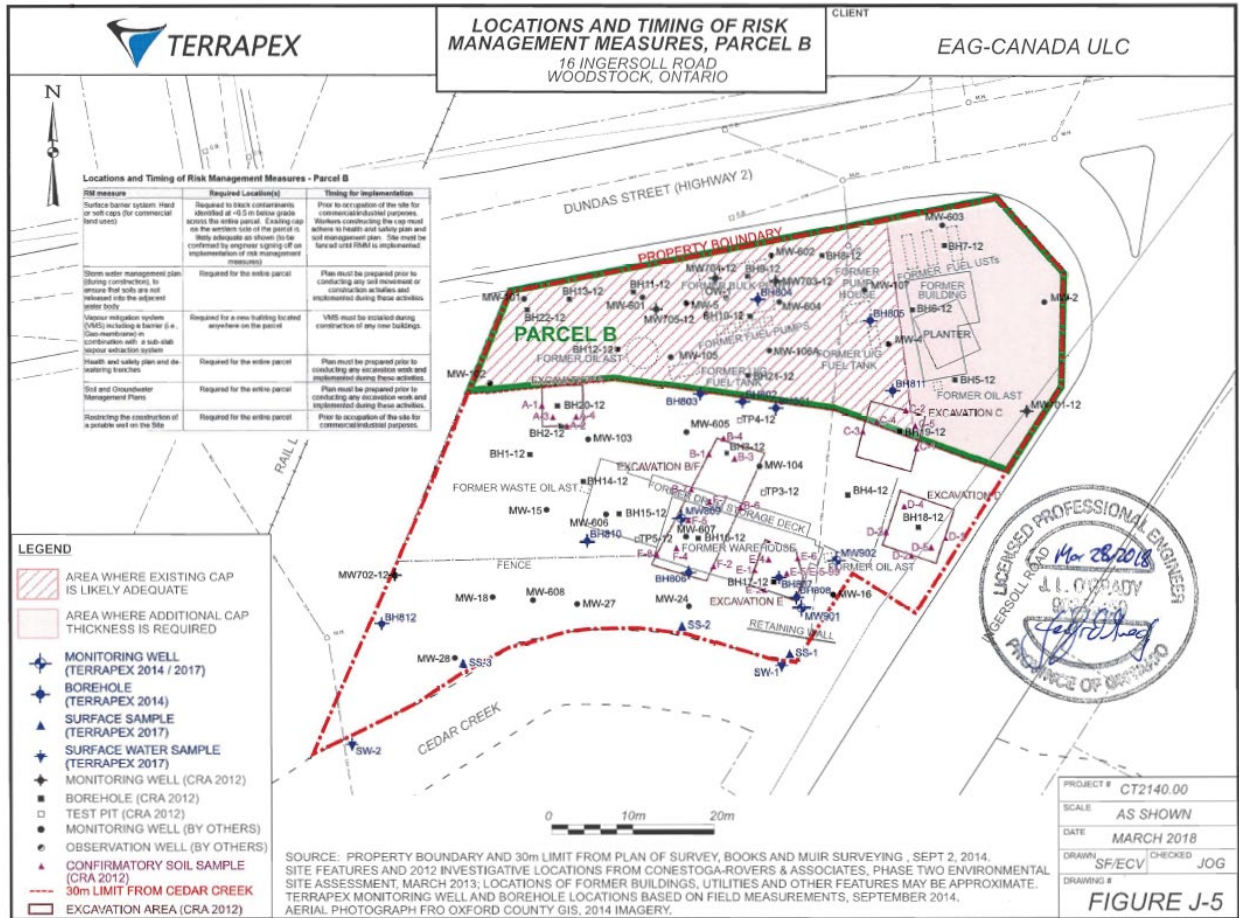


Rob Wrigley,
Director, section 168.6 of the Act

Schedule 'A': Figure 1- Site Plan Showing RMM – Parcel A



Schedule 'A': Figure 2- Site Plan Showing RMM – Parcel B



Schedule A: Table 1-1

Property Specific Standards (PSSs) Parcel A

NovaTox

Table 1-1: Proposed Property Specific Standards – Parcel A

COCs	Max. conc.	Table 8 SCS	Final PSS	Basis of PSS	Pathways/receptors requiring RMM	RMM	Potential to exceed off-site SCS
Soil COCs (µg/g)							
Antimony	13	1.3	15.6	Max.+20%	-	-	No
Barium	290	220	348	Max.+20%	-	-	No
Copper	97	92	116.4	Max.+20%	Sediment	Stormwater management plan	No
Lead	330	120	396	Max.+20%	Construction workers	OH&S measures	No
					Outdoor workers	Surface barrier	
					Birds	Surface barrier	
					Sediment	Stormwater management plan	
Molybdenum	3.7	2	4.4	Max.+20%	-	-	No
Zinc	310	290	372	Max.+20%	Birds	Surface barrier	No
					Sediment	Stormwater management plan	
Acenaphthene	0.69	0.072	0.828	Max.+20%	-	-	No
Acenaphthylene	0.57	0.093	0.684	Max.+20%	-	-	No
Anthracene	0.37	0.22	0.444	Max.+20%	Sediment	Stormwater management plan	No
Benz[a]anthracene	1.2	0.36	1.44	Max.+20%	Outdoor workers	Surface barrier	No
					Terrestrial plants & soil invertebrates	Surface barrier	
					Sediment	Stormwater management plan	
Benzo[a]pyrene	1.5	0.3	1.8	Max.+20%	Outdoor workers	Surface barrier	No
					Sediment	Stormwater management plan	
Benzo[b]fluoranthene	2.1	0.47	2.52	Max.+20%	Outdoor workers	Surface barrier	No
Benzo[ghi]perylene	1.3	0.68	1.56	Max.+20%	Sediment	Stormwater management plan	No
Benzo[k]fluoranthene	0.72	0.48	0.864	Max.+20%	Sediment	Stormwater management plan	No
Dibenzo[a,h]anthracene	0.27	0.1	0.324	Max.+20%	Outdoor workers	Surface barrier	No
					Sediment	Stormwater management plan	
Fluoranthene	2.1	0.69	2.52	Max.+20%	Sediment	Stormwater management plan	No
Fluorene	1.9	0.19	2.28	Max.+20%	Sediment	Stormwater management plan	No
Indeno[1,2,3-cd]pyrene	1.3	0.23	1.56	Max.+20%	Outdoor workers	Surface barrier	No
					Terrestrial plants & soil invertebrates	Surface barrier	
					Sediment	Stormwater management plan	
Methylnaphthalene, 2-,1-	8.3	0.59	9.96	Max.+20%	-	-	No
Phenanthrene	2.4	0.69	2.88	Max.+20%	Sediment	Stormwater management plan	No
Pyrene	1.9	1	2.28	Max.+20%	Sediment	Stormwater management plan	No
Benzene	0.28	0.02	0.336	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
Ethylbenzene	1.8	0.05	2.16	Max.+20%	-	-	No

Risk Assessment for 4-16 Ingersoll Road, Woodstock, Ontario (IDS No. 4481-9485M3)
October 2018 – NovaTox Ref. No. 14-243

(3)

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COCs	Max. conc.	Table 8 SCS	Final PSS	Basis of PSS	Pathways/receptors requiring RMM	RMM	Potential to exceed off-site SCS
Toluene	4.1	0.2	4.92	Max.+20%	-	-	No
Xylene Mixture	7.8	0.05	9.36	Max.+20%	-	-	No
PHC F1	280	25	336	Max.+20%	Terrestrial plants & soil invertebrates	Surface barrier	No
PHC F2	2,300	10	2,760	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
					Terrestrial plants & soil invertebrates	Surface barrier	
PHC F3	1,700	240	2,040	Max.+20%	Terrestrial plants & soil invertebrates	Surface barrier	No
PHC F4	1,200	120	1,440	Max.+20%	-	-	No
Acetone	1.6	0.5	1.92	Max.+20%	-	-	No
(n)-Hexane	0.21	0.05	0.252	Max.+20%	-	-	No
Tetrachloroethylene	0.13	0.05	0.156	Max.+20%	-	-	No
Dieldrin	0.23	0.05	0.276	Max.+20%	Terrestrial plants & soil invertebrates	Surface barrier	No
					Sediment	Stormwater management plan	
Groundwater COCs (µg/L)							
Methylnaphthalene, 2-(1-)	56	3.2	67.2	Max.+20%	Indoor workers	Drinking water restriction	Yes
Naphthalene	43	11	51.6	Max.+20%	-	-	Yes
Phenanthrene	1.4	1	1.7	Max.+20%	-	-	Yes
Benzene	25	5	30	Max.+20%	Indoor workers	Drinking water restriction	Yes
						Vapour mitigation system (IA: BwB + SOG)	
Ethylbenzene	620	2.4	744	Max.+20%	-	-	Yes
Xylenes	420	300	504	Max.+20%	-	-	Yes
PHC F1	1,300	420	1,560	Max.+20%	Indoor workers	Vapour mitigation system (IA: BwB + SOG)	Yes
						Drinking water restriction	
PHC F2	1,800	150	2,160	Max.+20%	Indoor workers	Vapour mitigation system (IA: BwB + SOG)	Yes
						Drinking water restriction	

BwB – Building with Basement; CV – Component value; GW1 – Potable groundwater ingestion pathway; GW2 – Groundwater to indoor air pathway; GW3 – Groundwater to surface water pathway; NA – Not applicable; S2 – Soil ingestion pathway (outdoor worker); S3 – Soil ingestion pathway (construction worker); S-GW1 – Soil leaching to potable groundwater ingestion pathway; S-IA – Soil to indoor air pathway; SOG – Slab on Grade building
Proposed PSS for COCs that have the potential to exceed the applicable off-site SCS identified in Sections 4.4.5 and 5.5.4.3.

Schedule A: Table 1-2

Property Specific Standards (PSSs) Parcel B

NovaTox

Table 1-2: Proposed Property Specific Standards – Parcel B

COCs	Max. conc.	Table 2 SCS	Final PSS	Basis of PSS	Pathways/receptors requiring RMM	RMM	Potential to exceed off-site SCS
Soil COCs (µg/g)							
Lead	400	120	480	Max.+20%	Construction workers	OH&S measures	No
					Outdoor workers	Surface barrier	
					Birds	Surface barrier	
Zinc	690	340	828	Max.+20%	Birds	Surface barrier	No
					Terrestrial plants & soil invertebrates	Surface barrier	
Acenaphthylene	0.19	0.15	0.228	Max.+20%	-	-	No
Benzo[a]pyrene	0.57	0.3	0.684	Max.+20%	Outdoor workers	Surface barrier	No
Naphthalene	26	9.6	31.2	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
					Terrestrial plants & soil invertebrates	Surface barrier	
Benzene	7.3	0.32	8.76	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
Ethylbenzene	150	1.1	180	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
Toluene	15	6.4	18	Max.+20%	-	-	No
Xylene Mixture	590	26	708	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
					Terrestrial plants & soil invertebrates	Surface barrier	
PHC F1	5,100	55	6,120	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
					Terrestrial plants & soil invertebrates	Surface barrier	
PHC F2	4,800	230	5,760	Max.+20%	Indoor workers	Vapour mitigation system (IA: SoG & BwB)	No
					Terrestrial plants & soil invertebrates	Surface barrier	
Groundwater COCs (µg/L)							
Methylnaphthalene, 2-(1-)	92	3.2	110.4	Max.+20%	Indoor workers	Drinking water restriction	Yes
Naphthalene	230	11	276	Max.+20%	Indoor workers	Drinking water restriction	Yes
Benzene	1,400	5	1,680	Max.+20%	Construction workers	OH&S measures	Yes
					Indoor workers	Drinking water restriction	
						Vapour mitigation system (IA: SoG & BwB)	
Ethylbenzene	960	2.4	1,152	Max.+20%	Indoor workers	Drinking water restriction	Yes
Toluene	1,600	24	1,920	Max.+20%	Indoor workers	Drinking water restriction	Yes
Xylenes	3,700	300	4,440	Max.+20%	Indoor workers	Drinking water restriction	Yes
PHC F1	5,600	750	6,720	Max.+20%	Indoor workers	Drinking water restriction	Yes
PHC F2	2,600	150	3,120	Max.+20%	Indoor workers	Drinking water restriction	Yes

BwB – Building with Basement; CV – Component value; GW1 – Potable groundwater ingestion pathway; GW2 – Groundwater to indoor air pathway; GW3 – Groundwater to surface water pathway; NA – Not applicable; S2 – Soil ingestion pathway (outdoor worker); S3 – Soil ingestion pathway (construction worker); S-GW1 – Soil leaching to potable groundwater ingestion pathway; S-IA – Soil to indoor air pathway; SOG – Slab on Grade building; VMS – Vapour mitigation system
Proposed PSS for COCs that have the potential to exceed the applicable off-site SCS identified in Sections 4.4.5 and 5.5.4.3.

Schedule A: Table 2

MECP Acceptable Air Criteria, obtained from the Approved MGRA Model (2011)

COC		Industrial indoor air criteria Sub-slab vapour criteria			
		Protective of non-cancer risk ($\mu\text{g}/\text{m}^3$)	Protective of cancer risk ($\mu\text{g}/\text{m}^3$)	Protective of non-cancer risk ($\mu\text{g}/\text{m}^3$)	Protective of cancer risk ($\mu\text{g}/\text{m}^3$)
Benzene		2.15E+01	1.63E+00	5.38E+03	4.08E+02
Ethylbenzene		7.15E+02	–	1.79E+05	–
Xylene Mixture		5.01E+02	–	1.25E+05	–
PHC F1	Aliphatic C6-C8	3.29E+04	–	8.23E+06	–
	Aliphatic C>8-C10	1.79E+03	–	4.48E+05	–
	Aromatic C>8-C10	3.58E+02	–	8.95E+04	–
	Total F1*	8.54E+03	–	2.13E+06	–
PHC F2	Aliphatic C>10-C12	1.79E+03	–	4.48E+05	–
	Aliphatic C>12-C16	1.79E+03	–	4.48E+05	–
	Aromatic C>10-C12	3.58E+02	–	8.95E+04	–
	Aromatic C>12-C16	3.58E+02	–	8.95E+04	–
	Total F2*	2.65E+00	–	4.03E+05	–
Naphthalene		2.65E+00	–	6.63E+02	–

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 4646-BLBJBJ 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 June 16, 2021, being a Certificate of Property Use and order under subsection 197(1) of the *Environmental Protection Act* relating to the property municipally known as **4-16 Ingersoll Road, Woodstock, Ontario, being all of PIN 00100-0917 (LT) (the “Property”)** with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property

**UCANCO General Partners Inc. as general partner for and on
behalf of Canure Limited Partnership**

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.