

PER No.:	19-037
Tenant:	Wallenius Wilhelmsen Solutions Vehicle Services Canada Ltd.
Project:	WWL UST Removal Annacis Island - DEL
Project Location:	100 – 820 Dock Road, Delta, BC V3M 6A3
VFPA SID No.:	DEL365
Land Use Designation:	Port Terminal
Applicant/Permit Holder:	Wallenius Wilhelmsen Solutions Vehicle Services Canada Ltd.
Category of Review:	B
Date of Approval:	December 12, 2019
Date of Expiry:	December 31, 2020

1 INTRODUCTION

The Vancouver Fraser Port Authority (VFPA), a federal port authority, manages lands under the purview of the *Canada Marine Act*, which imparts responsibilities for environmental protection. VFPA accordingly conducts project and environmental reviews of works and activities undertaken on these lands to ensure that the works and activities will not likely cause significant adverse environmental effects. This project and environmental review report and project permit (the Permit) documents VFPA's project and environmental review of PER No. 19-037: Underground Storage Tank (UST) removal, Annacis Island project (the Project) proposed by Wallenius Wilhelmsen Solutions Vehicle Services Canada Ltd. (the Applicant).

This project and environmental review was carried out to address VFPA's responsibilities under the *Canada Marine Act*, and to meet the requirements of the *Impact Assessment Act*, as applicable. The proposed Project is not considered a "designated project" under the *Impact Assessment Act* and an impact assessment as described in the *Impact Assessment Act* is not required. However, VFPA authorization is required for the proposed Project to proceed and in such circumstances, where applicable, Section 82 of *Impact Assessment Act* requires federal authorities to assure themselves that projects will not likely cause significant adverse environmental effects. This review provides that assurance. In addition, VFPA considers other interests, impacts and mitigations through the project and environmental review.

The project and environmental review considered the application along with supporting studies, assessments and consultations carried out or commissioned by the Applicant, as well as other information provided by the Applicant. In addition, this project and environmental review considered other information available to VFPA and other consultations carried out by VFPA. A full list of information sources germane to the review is provided in the following pages of this report.

This Permit is the authorizing document allowing the Applicant to proceed with the Project subject to the listed project and environmental conditions.

2 PROJECT DESCRIPTION

Wallenius Wilhelmsen Solutions Vehicle Services Canada Limited (WWL) proposes to decommission a fueling facility consisting of a pump island, three underground storage tanks (USTs) and associated infrastructure (the Project Area), located at 100-820 Dock Road, Annacis Island, Delta, British Columbia.

Western Oil Services Limited has been retained by WWL to drain and remove the USTs and to provide onsite geotechnical and engineering oversight. D Kelly Environmental Consulting Limited has been retained as the Environmental Monitor. Canadian Dewatering L. P. will provide a dewatering plan to the VFPA for review and approval prior to the commencement of dewatering at the Project Site.

In 1997 a Phase II Environmental Site Investigation found that this historic fill was the source of sub-surface contamination beneath the Project Area, and some localized contamination near the tanks is anticipated. The following procedural documents for this project will be adhered to:

- Construction Environmental Management Plan;
- Sediment and Erosion Control Plan,
- Critical Task Procedure - Decommissioning, Removal and Disposal of Underground Petro Tanks;
- Excavation Hazard Assessment
- Crystalline Silica Exposure 2019
- Geotechnical Report (to be provided – Condition 14)
- Dewatering Plan (to be provided – Condition 33)

A future project permit application will address other contamination considerations, including proposed groundwater monitoring well installation. A Confirmation of Remediation Report prepared by a Qualified Environmental Professional will be provided to VFPA for review and approval within 60 business days of the completion of this project. If not all subsurface impacts associated with the USTs can be removed during the project, a supplemental site investigation will be provided to VFPA for review and approval within two years of the completion of this project.

In this project permit, the Project means the physical activities authorized by VFPA to be carried out pursuant to **PER No. 19-037**, as described below.

2.1 Proposed Works:

1. Utility Location
2. Dismantling and removing existing infrastructure
3. Removal and offsite disposal of concrete
4. Dewatering the excavation, if required
5. Excavation and onsite stockpiling of suspect overburden for analytical testing
6. Draining and disposal of fuel from three USTs
7. Removal of three USTs and associated lines. The products and sizes of these tanks are as follows:
 - 45,000 L fiberglass, single walled gasoline tank
 - 45,000 L fiberglass, single walled gasoline tank
 - 13,000 L fiberglass single walled diesel tank
8. Offsite disposal of fuel and contaminated material and wastewater at appropriately licensed facilities
9. Confirmatory testing of excavation

- 10. Return of clean material and aggregate into former tankhold
- 11. Compacting and re-instating ground surface to previous condition.

3 VANCOUVER FRASER PORT AUTHORITY INTERNAL REVIEWS

The following VFPA departments have undertaken and completed a review of these works and confirm that the proposal meets their requirements, subject to the listed project and environmental conditions.

- Planning
- Environmental Programs
- Engineering
- Marine Operations
- Public Engagement
- Transportation
- Indigenous Consultation

4 INDIGENOUS CONSULTATION

VFPA has reviewed the proposed works and determined that adverse impacts to Indigenous or Treaty rights are not expected.

5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as "Port Terminal" in the VFPA Land Use Plan (2014). The works proposed do not change the existing use of the site; therefore, the Project is considered to be compliant with the Land Use Plan.

6 NOTIFICATIONS

6.1 Municipal Notification

The proposed Project was assessed by VFPA to have potential impacts to municipal interests. A notification letter was sent to the City of Delta on October 29, 2019, notifying them of the proposed Project. The City of Delta had no comments.

6.2 Adjacent Tenant Notification

The proposed Project was assessed by VFPA to have minimal or no potential impacts to adjacent tenant interests. Therefore, it was determined that no notification to adjacent tenants was required.

6.3 Public Engagement

To meet requirements of section 86 of the *Impact Assessment Act*, VFPA posted a description of the Project and notice of public participation to the Canadian Impact Assessment Registry to provide the public 30 calendar days to comment on the project and provide community knowledge.

6.3 Summary of Public Engagement

No comments or community knowledge was provided by members of the public.

The proposed Project was assessed by VFPA to have minimal or no potential impacts to community interests in the surrounding area either during construction or once the project is completed. Therefore no construction notification was required.

7 INFORMATION SOURCES

VFPA has relied upon the following sources of information in its review of the Project.

- Application form and materials submitted by the Applicant on February 2, 2019.
- All Project correspondence from February 2, 2019 to December 12, 2019.

8 ENVIRONMENTAL REVIEW DECISION

In completing the environmental review, VFPA has reviewed and taken into account relevant information available on the proposed project and has considered any adverse impact that the project may have on the rights of the Indigenous peoples, Indigenous knowledge, community knowledge, comments received from the public, and measures that would mitigate any significant adverse environmental effects of the project. We conclude that with the implementation of proposed mitigation measures and conditions described in the project and environmental conditions section below, the Project is not likely to cause significant adverse environmental effects.

ORIGINAL COPY SIGNED

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

December 5, 2019
DATE OF DECISION

9 CONCLUSION

In completing the project and environmental review, VFPA concludes that with the implementation of proposed mitigation measures and conditions described in the project and environmental conditions section below, the Project has appropriately addressed all identified concerns.

PROJECT AND ENVIRONMENTAL REVIEW DECISION

Project Permit PER No. 19-037 is approved by:

ORIGINAL COPY SIGNED

ANDREA MACLEOD
MANAGER, ENVIRONMENTAL PROGRAMS

December 5, 2019
DATE OF APPROVAL

10 PROJECT AND ENVIRONMENTAL CONDITIONS

VFPA has undertaken and completed a review of the Project in accordance with the *Canada Marine Act* and Section 5 of the Port Authorities Operations Regulations and, as applicable, Section 82 of the *Impact Assessment Act*.

If at any time Wallenius Wilhelmsen Solutions Vehicle Services Canada Ltd. (the Permit Holder) fails to comply with any of the project and environmental conditions set out in the project permit (the Permit) below, or if VFPA determines that the Permit Holder has provided any incomplete, incorrect or misleading information in relation to the Project, VFPA may, in its sole and absolute discretion, cancel its authorization for the Project or change the project and environmental conditions to which such authorization is subject.

Pursuant to Section 29 of the *Port Authorities Operations Regulations*, VFPA may also cancel its authorization for the Project, or change the project and environmental conditions to which such authorization is subject, if new information is made available to VFPA at any time in relation to the potential adverse environmental and other effects of the Project.

The following are the minimum conditions that must be followed by the Permit Holder to mitigate potential or foreseeable adverse environmental and other effects.

All VFPA Guidelines and Record Drawing Standards referenced in this document can be located at: <https://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/technical-guidelines/>.

No.	GENERAL CONDITIONS
1.	The Permit Holder must have a valid lease, licence, or access agreement for the Project site prior to accessing the Project site or commencing construction or any other physical activities on the Project site. This Permit shall in no way limit any of the Permit Holder's obligations, or VFPA's rights, under such lease, licence, or access agreement.
2.	The Permit Holder shall at all times and in all respects, comply with and abide by all applicable statutes, laws, regulations and orders from time to time in force and effect, including all applicable environmental, labour and safety laws and regulations.
3.	This Permit in no way endorses or warrants the design, engineering, or construction of the Project and no person may rely upon this Permit for any purpose other than the fact that VFPA has permitted the construction of the Project, in accordance with the terms and conditions of this Permit.
4.	The Permit Holder shall indemnify and save harmless VFPA in respect of all claims, losses, costs, fines, penalties or other liabilities, including legal fees, arising out of: (a) any bodily injury or death, property damage or any loss or damage arising out of or in any way connected with the Project; and (b) any breach by the Permit Holder of its obligations under this Permit.
5.	The Permit Holder is responsible for locating all existing site services and utilities including any located underground. The Permit Holder is responsible for repair or replacement of any damage to existing site services and utilities, to the satisfaction of VFPA, that result from construction and operation of the Project.
6.	The Permit Holder shall undertake and deliver the Project to total completion in a professional, timely and diligent manner in accordance with applicable standards and specifications set out in the sections above entitled Project Description and Information Sources. The Permit Holder shall not carry out any other physical activities unless expressly authorized by VFPA.

7.	The Permit Holder shall cooperate fully with VFPA in respect of any review by VFPA of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by VFPA. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit. Accordingly, the Permit Holder shall be familiar with VFPA's compliance and enforcement program: https://www.portvancouver.com/development-and-permits/compliance/	
8.	The Permit Holder shall review the Permit with all employees, agents, contractors, licensees and invitees working on the Project site, prior to such parties participating in any construction or other physical activities on the Project site. The Permit Holder shall be solely responsible for ensuring that all such employees, agents, contractors, licensees and invitees comply with this Permit.	
9.	The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.	
10.	Unless otherwise specified, the Permit Holder shall provide all plans, documents, and notices required under this Permit to the following email address: per@portvancouver.com and referencing PER No.19-037 .	
11.	Unless otherwise specified, all plans, schedules, and other Project-related documentation that the Permit Holder is required to provide under this Permit must be to VFPA's satisfaction.	
12.	VFPA shall have unfettered access to environmental compliance documentation and the Project site at all times during construction without notice.	
13.	The Permit Holder must maintain and retain any records associated with, or produced by, actions or activities undertaken to achieve compliance or that indicate non-compliance with project permit conditions. These records must be made available at the request of VFPA.	
	CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	SUBMISSION TIMING (business days)
14.	The Permit Holder shall submit signed and sealed geotechnical report prepared by a Professional Engineer outlining recommendations for excavation slope stability, and specifications for backfill material and compaction procedure. The Engineer shall provide assurance that the design of the excavation and backfill works conform with applicable codes or regulations, and that the works have been carried in accordance with his recommendations	20 business days before commencing construction or any physical activities
15.	The Permit Holder shall provide a draft construction notice to VFPA's satisfaction in accordance with VFPA's Public Consultation Guidelines.	20 business days before commencing construction or any physical activities
16.	The Permit Holder shall distribute an approved construction notice to residents and businesses to an area to VFPA's satisfaction. The Permit Holder shall notify VFPA when such distribution has been completed.	10 business days before commencing construction or any physical activities

17.	The Permit Holder shall submit a construction parking and traffic management plan to VFPA's satisfaction. The Permit Holder shall carry out the Project in accordance with the construction parking and traffic management plan, and any subsequent amendments approved by VFPA.	20 business days before commencing construction or any physical activities
18.	The Permit Holder shall submit an Archaeological Chance Find Procedure for the Project site, to VFPA's satisfaction. The Permit Holder shall carry out the Project in accordance with this Procedure, and any subsequent amendments approved by VFPA.	30 business days before commencing construction or any physical activities
CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		
19.	The Permit Holder shall notify VFPA upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).	
20.	No in-water works or activities below the top of bank shall be conducted as part of the Project.	
21.	All general construction and physical activities related to the Project shall be conducted from Monday to Saturday between the hours of 7:00 am and 8:00 pm . No construction and physical activities shall take place on Sundays or holidays. These hours shall not be modified without prior approval of VFPA. To request permission to conduct activities outside these hours, the Permit Holder must submit a written request no less than 20 business days prior to the desired start date.	
22.	The Permit Holder shall notify VFPA within two business days of any complaints received from the community and stakeholders during construction and indicate how the Permit Holder has responded to such complaints.	
23.	The Permit Holder shall remove all abandoned utilities and fuel dispensing infrastructure (i.e. piping etc.) from the project site, both underground and aboveground.	
24.	If the Permit Holder encounters, expects to encounter, or should expect to encounter an actual or potential archaeological resource, the Permit Holder shall: <ul style="list-style-type: none"> a) Immediately stop any activities that may disturb the archaeological resource or the site in which it is contained (Site); b) Not move or otherwise disturb the archaeological resource or other remains present at the Site; c) Stake or flag the Site to prevent additional disturbances; and, d) Immediately notify VFPA by email and phone. 	
25.	The Permit Holder shall carry out the Project in accordance with the construction environmental management plan provided by the Permit Holder, and any subsequent amendments approved by VFPA.	
26.	The Permit Holder shall engage a qualified environmental professional to monitor the Project in order to ensure that the works are carried out in compliance with this Permit. Monitoring events shall take place as required by the environmental monitor, the construction environmental management plan, or VFPA, provided that monitoring will be full time when works are under way that have the potential to adversely affect fish or fish habitat.	

27.	The Permit Holder shall dispose of any soils excavated from the project site that are not suitable for backfill at appropriate off-site facilities and maintain records of off-site disposal.
28.	Without limiting the generality of permit condition #2, if suspect contaminated materials are encountered, the Permit Holder shall contain, test and dispose of such materials at appropriate licensed off-site facilities and maintain records of off-site disposal. VFPA shall be notified of such activities and provided relevant documentation upon completion.
29.	The Permit Holder shall not dewater excavations unless a dewatering plan has been reviewed and accepted by VFPA.
30.	The Permit Holder shall conduct all activities involving the use of concrete, cement, mortars and other Portland cement or lime-containing construction materials in a manner that shall not deposit sediments, debris, concrete (cured or uncured), and concrete fines into the aquatic environment, either directly or indirectly. Water that has contacted uncured or partly cured concrete or Portland cement or lime-containing construction materials (such as the water that may be used for exposed aggregate wash-off, wet curing, equipment and truck washing) shall not be permitted to enter the aquatic environment. The Permit Holder shall provide containment facilities at the site for the wash-down water from concrete delivery trucks, concrete pumping equipment, and other tools and equipment, as required.
31.	Without limiting the generality of permit condition #2, materials brought onto the project site to be used for backfilling, site preparation, or other uses shall be from sources demonstrated to be clean and free of environmental contamination, invasive species and noxious weeds. The Permit Holder shall maintain records to verify this.
32.	Without limiting the generality of permit condition #2, the Permit Holder shall not, directly or indirectly: (a) deposit or permit the deposit of a deleterious substance of any type in water frequented by fish in a manner contrary to Section 36(3) of the Fisheries Act; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the Fisheries Act.
33.	The Permit Holder shall carry out all activities in a manner that prevents the release of sediment, sediment-laden waters, and turbid waters to the aquatic environment. Sediment and erosion control measures shall be implemented prior to the start of ground disturbance activities and should meet or surpass the standards outlined in the 1992 Fisheries and Oceans Canada (DFO) "Land Development Guidelines for the Protection of Aquatic Habitat".
34.	Without limiting the generality of permit condition #2, storage tank removal, installation and operation shall meet the requirements of the Petroleum Products and Allied Petroleum Products Storage Tank Systems Regulations and the CCME Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products.
35.	Air emissions from vehicle/equipment exhaust, dust and vapours shall be minimized and managed to avoid effects on and off the Project site. More detailed guidance is available in Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities prepared for Environment Canada (Cheminform Services Inc. March 2005).

36.	All non-road diesel equipment in use within VFPA jurisdiction shall be reported as required under the Non-Road Diesel Equipment Program (http://www.portvancouver.com/environment/air-energy-climate-action/cargo-handling-equipment/nrde/).	
37.	The Permit Holder shall contain and collect debris and waste material in the immediate working area within the Project site. The Permit Holder shall dispose of waste material at suitable upland locations and maintain records of off-site disposal.	
38.	Prior to commencing construction or any physical activities, the Permit Holder shall have in place a spill prevention, containment and clean-up plan for hydrocarbon products (including fuel, oil and hydraulic fluid) and any other deleterious substances. Appropriate spill containment and clean-up supplies shall be available on the Project site at all times and all personnel working on the Project shall be trained on the spill prevention, containment and clean-up plan. The Permit Holder shall carry out the Project in accordance with the spill prevention, containment and clean-up plan.	
39.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.	
40.	During upland construction activities, the Permit Holder shall not conduct refuelling or maintenance activities on nonroad equipment within 30 metres of any waterbody, or in an area where run-off may potentially reach surface waterbodies. Fuel and other hydrocarbon inventories shall not be stored in such areas, temporarily or otherwise.	
	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
41.	The Permit Holder shall notify VFPA upon completion of the Project.	Upon substantial completion
42.	The Permit Holder shall provide environmental monitoring reports to VFPA's satisfaction as specified in the construction environmental management plan or more frequently if VFPA requires. In addition, a summary report for the whole monitoring period shall be forwarded to VFPA within six weeks of the conclusion of the monitoring period.	Within six weeks of the conclusion of the monitoring period
43.	The Permit Holder shall provide record drawings in accordance with VFPA's Record Drawing Standards (available at: http://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/technical-guidelines/), in both AutoCAD and Adobe (PDF) format to VFPA, including a Project site plan that clearly identifies the location of works.	Within 40 business days of completion
VFPA reserves the right to rescind or revise these conditions at any time that new information warranting this action is made available to VFPA.		
LENGTH OF PERMIT VALIDITY		
The Project must be completed no later than December 31, 2020 .		

AMENDMENTS

- Details of any material proposed changes to the Project, including days and hours when construction and any physical activities will be conducted, must be submitted to VFPA for consideration of an amendment to this Permit.
- For an extension to the Expiry Date, the Permit Holder must apply in writing to VFPA no later than 30 days prior to that date.

Failure to apply for an extension as required may, at the sole discretion of VFPA, result in termination of this Permit.

CONTACT INFORMATION

Vancouver Fraser Port Authority (VFPA)
100 The Pointe, 999 Canada Place
Vancouver BC V6C 3T4 Canada

Project & Environmental Review
Tel.: 604-665-9047
Fax: 1-866-284-4271
Email: PER@portvancouver.com
Website: www.portvancouver.com

After normal business hours:

In the event of any land or marine construction incidents or concerns related to works carried out on-site under this permit, please contact the 24/7 Port Operations Centre 604-665-9086. In the event of an emergency requiring 'First Responders', please call 911 first.