

Record of Site Condition For Part XV.1 of the *Environmental Protection Act*

Record of Site Condition Summary

Registration Number	47512
Filing Date	March 16, 2009
Certification Date	April 14, 2005
Current Property Use	Industrial
Intended Property Use	Residential
Certificate of Property Use Number	No CPU
Applicable Standards	Full Depth Site Conditions Standard, with Nonpotable Ground Water, Coarse Textured Soil, for Residential/Parkland/Institutional property use
Property Municipal Address	1144 FIRST AVE W OWEN SOUND, ON, N4K 4K9

Notice to Readers Concerning Due Diligence

This record of site condition has been filed on the Environment Site Registry to which the public has access and which contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.

Contents of this Record of Site Condition

This record of site condition consists of this document which is available to be printed directly from the Environmental Site Registry as well as all documentation indicated in this document to have been submitted in paper format to the Ministry of the Environment.

Definitions

The following definitions are taken from the *Environmental Protection Act* or Regulation 153/04 under that Act and are included for ease of reference. The Act and Regulation should be referenced for other applicable definitions.

In this Record of Site Condition,

Act means the *Environmental Protection Act*, as amended;

Cleanup Guideline 1996 means the Ministry publication entitled Guideline for Use at Contaminated Sites in Ontario originally dated June 1996 and later revised;

Intended property use, in relation to a record of site condition, means the type of property use in respect of which the record of site condition is filed;

phase one environmental site assessment has the same meaning as defined in the Act at s. 168.1;

phase two environmental site assessment has the same meaning as defined in the Act at s. 168.1;

Regulation means Ontario Regulation 153/04, Records of Site Condition Part XV.1 of the Act, as amended;

risk assessment has the same meaning as defined in the Act at s. 168.1;

RSC means a record of site condition under Part XV.1 of the Act;

RSC property, in relation to a record of site condition, means the property in respect of which the record of site condition is filed;

SSRA means a site specific risk assessment conducted in accordance with the Cleanup Guideline 1996.

Part 1: Property Ownership, Property Information and Owners Certifications

Information about the owner who is filing or authorizing the filing of the RSC

Filing Owner	
Owner Name	Hansa Financial & Property Management Inc.
Corporate Contact (Authorized Officer)	Martin Kiener
Mailing Address	Suite 1201, 67 YONGE ST, TORONTO, ON, M5E 1J8
Telephone	416-3649247
Fax	416-9461202
Email	hansa@sympatico.ca

RSC Property Location Information

Property Address and Legal Descriptions	
Municipal Address	1144 FIRST AVE W, OWEN SOUND, ON, N4K 4K9
Municipality	OWEN SOUND
Legal Description	City of Own Sound, County of Grey and being Lot 1 and other lots, Plan 54, and other lands being described as firstly, secondly and thirdly as set out below. Firstly: Lots 1, 2, 3, 4, and 5, North of Beech Street, and Lots 6, 7, 8, 9, 10, 11, 12, 13, 14 15, 16, 17, 18, 19, East of West Street the 12 foot lane, Hopkins Avenue, the 6 inches and 18 inches reserves on Plan 54; and Lots 7, 8, 9, 10, 11, 12, 13, and 14, South of Payner Street, Plan 4; and Lots 6, 7, and 8 West of Stephens Street, North of Frost Street being Part 4 on Plan 16R-2436; Secondly: Part of Second Avenue West (West Street) being Part 1 on Plan 16R-6924; Thirdly: Part of 11th Street West (Beath Street or Beech Street) being Part 2 on Plan 16R-6924. All in the City of Owen Sound, in the County of Grey.
Assessment Roll Number	4259-020-014-04300-0000
Property Identification Number (PIN)	
RSC applies to entire legal property	Yes

Property Geo Reference	
UTM Coordinates	NAD83 17-504310-4935270
Latitude & Longitude	44.57075540N 80.94571890W (converted from UTM)
Accuracy Estimate	21 to 100 meters
Measurement Method	Digitized from a map

RSC Property Use Information

The following types of property uses are defined by the Regulation: Agricultural or other use, Commercial use, Community use, Industrial use, Institutional use, Parkland use, and Residential use.

Property Use Information	
Current Property Use	Industrial
Intended Property Use	Residential
Certificate of Property Use has been issued under section 168.6 of the Act	No

Additional Documentation

The following documents have been submitted to the Ministry of the Environment as part of the record of site condition:

Additional Documentation Provided by Property Owner or Agent
Additional Documentation List
Deed or Transfer for the property
Certificate of Status

Signature and Statements of Property Owner or Agent

As owner of the RSC property, or agent acting on behalf of the owner of the RSC property:

1. I acknowledge that the RSC will be filed in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.
2. I have conducted reasonable inquiries to obtain all information relevant to this RSC, including information from the other current owners of the RSC property named in this part of the RSC.
3. I have disclosed all information referred to in paragraph 2 to any qualified person named in this RSC.
4. To my knowledge, the statements made in this part of the RSC are true as of _____.

Name of Authorized

Officer _____ Signature _____ Date _____

A signed and dated copy of this Part of the record of site condition has been received by the Ministry of the Environment prior to the filing of this record of site condition in the Environmental Site Registry.

Part 2 List of Reports, Summary of Site Conditions, Qualified Persons Certifications

Qualified Person Information

Qualified Person Information	
Name	David Robert Ketcheson
Company	Azimuth Environmental Consulting, Inc.
Job Title	
Business Address	Suite 400, 85 BAYFIELD ST, BARRIE, ON, L4M 3A7
Phone	705-7218451x217
Fax	705-7218926
Email	David@azimuthenvironmental.com

Additional Documentation Provided by the Qualified Person

The following documents have been submitted to the Ministry of the Environment as part of the record of site condition:

Additional Documentation Provided by the Qualified Person
Additional Documentation List
Certificate of Status in relation to the employer of the qualified person

Municipal Information

Local or Single-Tier Municipality	
Municipality	OWEN SOUND
Municipal Clerk	Marion Koepe C.M.O.
Mailing Address	808 2ND AVE E, OWEN SOUND, ON, N4K 2H4
Phone	519-3761440x221
Fax	519-3710511
Email	mkoepke@e-owensound.com
Upper Tier Municipality	
Municipality	GREY
Municipal Clerk	Sharon Vokes
Mailing Address	595 9TH AVE E, OWEN SOUND, ON, N4K 3E3
Phone	519-3762205x227
Fax	519-3768998
Email	svokes@greycountry.on.ca

Ministry of the Environment District Office

Ministry of the Environment District Office	
District Office	OWEN SOUND AREA
District Office Address	1180 20th ST E, Owen Sound, ON, N4K 6H6

Reports Supporting Record of Site Condition

The following types of assessments have been conducted in support of this record of site condition:

- A phase one environmental site assessment
- A phase two environmental site assessment

Previous RSCs applying to any part of the RSC property			
Acknowledgement Date	RSC/TRN Number		
<i>No Documents Provided</i>			
Previous risk assessments or SSRA applying to any part of the RSC property			
Acceptance Date	Risk Assessment Number	SSRA Developed Using the Cleanup Guideline 1996	
<i>No Documents Provided</i>			
Assessments or other reports have been relied upon in certifying the information set out in this Part			
Date	Report Title	Author	Affiliation
February 09, 2009	Site Remediation Report Former Black Clawson Kennedy Property Owen Sound, ON	David Ketcheson	Azimuth Environmental Consulting, Inc
January 01, 2006	** unknown date ** Statement of Marilyn Gilmore - Investigator	Marilyn Gilmore	Ontario Ministry of the Environment
August 02, 2004	Site Remediation Report - former Black Clawson Kennedy site - Hydro Vault Corridor prepared for the Ministry of the Environment p.58	David Ketcheson	Azimuth Environmental Consulting, Inc
June 07, 2004	Site Remediation Progress - former BCK correspondence to Martin Kiener (Hansa)	David Ketcheson	Azimuth Environmental Consulting, Inc
February 26, 2004	Conceptual Site Remediation Plan for PCB Detections - Former BCK Site correspondence to Mr. Martin Kiener (Hansa)	David Ketcheson	Azimuth Environmental Consulting, Inc
February 13, 2004	Former BCK site - Site Assessment Action Plan correspondence to Dr. KAm Elguindi	Ian Mitchell	Ontario Ministry of the Environment
July 04, 2003	Former Black Clawson Kennedy property - Status Report prepared for Brownfield Solutions Limited Report R4378	Paul Rew	Rubicon Environmental Inc.
June 10, 2003	Former Black Clawson Kennedy property - correspondence to Mr. I. Mitchell (MOE)	Dr. Kam Elguindi	IMASAR Engineering Inc.
April 10, 2003	Environmental Sampling - Wells and Vault on 2nd Avenue West adjacent Black-Clawson-Kennedy Property letter report prepared for the City of Owen Sound	N.A. Bell	Henderson Paddon Environmental Inc.
April 01, 2003	R4381 - Oil Monitoring correspondence to Mr. C. Curtis (City of Owen Sound)	Paul Rew	Rubicon Environmental Inc.
March 26, 2003	Oil Monitoring correspondence to file	C. Curtis	City of Owen Sound
March 26, 2003	R4378 - Former Black Clawson Kennedy property correspondence to Mr. I Mitchell	Paul Rew	Rubicon Environmental Inc.

May 31, 2002	Status Report - Former Black Clawson Kennedy property 1144-1st Avenue West, Owen Sound, Ontario prepared for the Ministry of the Environment Report R4378	Paul Rew	Rubicon Environmental Inc.
January 07, 2002	Suspected Leak of Transformer Oil correspondence to Mr. C. Hughes (City of Owen Sound)	G.C. Wilson	McClymont & Rak Engineers Inc.
October 31, 2001	Remedial Action Plan prepared for the Ministry of the Environment p.3	Gary C. Wilson	McClymont & Rak Engineers Inc.
October 31, 2001	Supplementary Environmental Investigation prepared for LAw Office of Harvey Freedman Report E2161 p.7	Gary C. Wilson	McClymont & Rak Engineers Inc.
August 21, 2001	Former Black Clawson Kennedy property, 1144 - 1st Avenue West, Owen Sound, Ontario - Site Status Report prepared for Aranedia Limited as referenced in the McClymont & Rak Engineers Inc. "Supplementary Environmental Investigation" report (2001)	Paul Rew	Rubicon Environmental Inc.
February 08, 2000	Phase II Environmental Assessment prepared for Santokh Sing & Associates Ltd	Paul Rew	Rubicon Environmental Inc.
June 16, 1995	Phase II Environmental Site Assessment Report Black-Clawson-Kennedy - Main Plant Property	N.A. Bell	Henderson Paddon Environmental Inc.
September 01, 1994	Phase I Environmental Assessment and Bill 208 (Designated Substances) Report Black-Clawson-Kennedy Main Plant	N.A. Bell	Henderson Paddon Environmental Inc.
November 03, 1992	Soil Examination - BCK property correspondence to Mr. D. Armstrong	A. Clark	Ontario Ministry of the Environment
September 04, 1992	PCB Transformers and Capacitors - BCK property correspondence to Mr. D. Armstrong	A.R. Clark	Ontario Ministry of the Environment
July 03, 1992	PCB Cleanup - 2nd Avenue West correspondence to Mr. D. Armstrong	N.A. Bell	Henderson Paddon Environmental Inc.

Site Condition Information

Site Condition Information	
Total area of the RSC property (in hectares)	3.6
Phase Two Environmental Site Assessment applies to the entire RSC property	Yes
A Risk Assessment has been prepared and accepted by the Director in support of this RSC	No
Environmentally Sensitive Area	No
Sediment Present	No
Soil Texture	Coarse
Assessment/Restoration Approach	Full Depth

Property Use for Site Condition Standards Determination	Residential/Parkland/Institutional
Ground Water Condition	Nonpotable
Contaminant testing on the Ground Water	Yes
Local Municipality Non-Potable Water Notification Date	March 17, 2005
Upper Tier Municipality Non-Potable Water Notification Date	May 12, 2005
Certification Date	April 14, 2005

The applicable site condition standards applied for the purpose of this record of site condition are: Full Depth Site Conditions Standard, with Nonpotable Ground Water, Coarse Textured Soil, for Residential/Parkland/Institutional property use.

Final RSC Property Profile - Site Condition Standards

Soil			
Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
ACENAPHTHENE	0.09	1000	µg/g
ACENAPHTHYLENE	0.06	100	µg/g
ANTHRACENE	0.24	28	µg/g
ANTIMONY	< 1.6	13	µg/g
ARSENIC	9.1	20	µg/g
BARIUM	239	750	µg/g
BENZO(A)ANTHRACENE	0.77	40	µg/g
BENZO(A)PYRENE	0.63	1.2	µg/g
BENZO(B)FLUORANTHENE	1.05	12	µg/g
BENZO(G,H,I)PERYLENE	0.8	40	µg/g
BENZO(K)FLUORANTHENE	0.73	12	µg/g
BERYLLIUM	1.1	1.2	µg/g
CADMIUM	0.9	12	µg/g
CHROMIUM (TOTAL)	98.1	750	µg/g
CHRYSENE	0.87	12	µg/g
COBALT	7.2	40	µg/g
COPPER	223	225	µg/g
DIBENZO(A,H)ANTHRACENE	0.16	1.2	µg/g
FLUORANTHENE	1.73	40	µg/g
FLUORENE	0.13	350	µg/g
INDENO(1,2,3-CD)PYRENE	0.66	12	µg/g
LEAD	187	200	µg/g
MERCURY	0.27	10	µg/g
MOLYBDENUM	9.5	40	µg/g
NAPHTHALENE	0.07	40	µg/g
NICKEL	80.7	150	µg/g

PETROLEUM HYDROCARBONS F1 (C6 - C10)	<	0.2	30	µg/g
PETROLEUM HYDROCARBONS F2 (>C10 - C16)		100	150	µg/g
PETROLEUM HYDROCARBONS F3 (>C16 - C34)		100	400	µg/g
PETROLEUM HYDROCARBONS F4 (>C34)		470	2800	µg/g
PHENANTHRENE		1.32	40	µg/g
POLYCHLORINATED BIPHENYLS	<	0.05	5	µg/g
PYRENE		1.46	250	µg/g
SELENIUM		1.5	10	µg/g
SILVER		0.4	20	µg/g
THALLIUM		0.5	4.1	µg/g
VANADIUM		26	200	µg/g
ZINC		598	600	µg/g

Sediment

Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
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No Measurements Provided

Ground Water

Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
ARSENIC	< 3	480	µg/l
BARIUM	101	23000	µg/l
BORON (AVAILABLE)	339	50000	µg/l
CADMIUM	< 2	11	µg/l
CHROMIUM (TOTAL)	< 3	2000	µg/l
COPPER	22	23	µg/l
LEAD	4	32	µg/l
MERCURY	< 0.05	0.12	µg/l
MOLYBDENUM	14	7300	µg/l
NICKEL	19	1600	µg/l
NITRITE	< 50	2000	µg/l
SELENIUM	< 4	50	µg/l
THALLIUM	< 60	400	µg/l
VANADIUM	4	200	µg/l
ZINC	44	1100	µg/l

Soil Remediation Process

Estimated Quantity of Soil (in-situ m³)

Estimate of quantities of soil, if any, originating and remaining on the RSC property that have been remediated, at a location either on or off the RSC property, to reduce the concentration of contaminants in the soil.

No Actions Provided

Removed Soils

Estimated quantity of soil or sediment, if any, removed from and not returned to the RSC property (in-situ cubic meters)	17269
Deposited Soils	
Estimated quantity of soil or sediment, if any, being brought to and deposited at the RSC property not including any soil that has been remediated off the RSC property (identified in the Soil Remediation Process above) (in-situ cubic meters)	300
Remediated or Removed Soil or Ground Water from Near Property Boundary	
Has any soil, sediment or ground water at the RSC property that is or was located within 3 meters of the RSC property boundary been remediated or removed for the purpose of remediation?	Yes
Ground Water Control or Treatment Measures	
Ground Water Control or treatment measures that were required for the RSC property prior to the certification date for the purpose of filing the RSC:	
<i>No comments entered.</i>	
Other than the activities previously identified, constructed works to control or otherwise mitigate release or movement of known existing contaminants that are required for the RSC property after the certification date:	
<i>No comments entered.</i>	
Other Activities Including Risk Management Measures	
Other than the activities identified above, constructed works to control or otherwise mitigate release or movement of known existing contaminants that were required for the RSC property prior to the certification date for the purpose of filing the RSC:	
<i>No comments entered.</i>	
Other than the activities identified above, constructed works to control or otherwise mitigate release or movement of known existing contaminants that are required for the RSC property after the certification date:	
<i>No comments entered.</i>	
Monitoring or Maintenance	
Monitoring requirements, or any requirements for care, maintenance, or replacement of any monitoring control works, for known existing contaminants, if any, on the RSC property, after the certification date.	
Soil Management Measures	
<i>No comments entered.</i>	
Ground Water Management Measures	
<i>No comments entered.</i>	

Certifications

As the qualified person, and in relation to this Part of the RSC, I certify that:

1. A phase one environmental site assessment of the RSC property, which includes the evaluation of the information gathered from a records review, site visit and interviews, has been conducted in accordance with the Regulation by or under the supervision of a qualified person as required by the Regulation.
2. I have conducted or supervised a phase two environmental site assessment, which includes the evaluation of information gathered through the sampling and analysis of soil and other site investigation or assessment activities, of all or part of the RSC property with respect to one or more contaminants, in accordance with the Regulation.
3. The information represents the site conditions at the sampling points at the time of sampling only and the conditions between and beyond the sampling points may vary.

4. As of April 14, 2005, in my opinion, based on the phase one environmental site assessment and the phase two environmental site assessment, and any confirmatory sampling, there is no evidence of any contaminants in the soil, ground water or sediment on, in or under the RSC property that would interfere with the type of property use to which the RSC property will be put, as specified in the RSC.
5. If non-potable ground water standards have been applied,
 - a. I have given written notice of intention to apply non-potable ground water site condition standards to the clerk of the local municipality in which the property is located and the clerk of any upper-tier municipality in which the property is located.
 - b. The owner of the property has informed me that either,
 - i. the owner did not receive a notice of objection from either the local municipality or the upper-tier municipality within 30 days of the municipality or upper-tier municipality receiving the notice described in paragraph a, or
 - ii. after receiving a notice of objection from the municipality, the municipality has withdrawn its objection and given written consent to the application of non-potable ground water standards.
 - c. I did not receive a notice of objection from either the local municipality or the upper-tier municipality within 30 days of the municipality receiving the notice described in paragraph a, or, after I received a notice of objection from the municipality, the municipality gave written consent to the application of non-potable ground water standards.
6. As of April 14, 2005, in my opinion, based on the phase one and phase two environmental site assessments and any confirmatory sampling, the RSC property meets the applicable Full Depth site condition standards prescribed by section 37 of the Regulation for all contaminants prescribed by the Regulation in relation to the type of property use for which this RSC is filed, except for those contaminants (if any) specified in this RSC at Part 2, Final RSC Property Profile - Risk Assessment Standards.
7. As of April 14, 2005, the maximum known concentration of each contaminant in soil, sediment and ground water at the RSC property for which sampling and analysis has been performed is specified in this RSC at Final RSC Property Profile.
8. In relation to any contaminant excepted from the certification mentioned above and as specified in this RSC at Part 2, Final RSC Property Profile - Risk Assessment Standards, or in relation to any other contaminant that in my opinion is likely to cause an adverse effect:
 - a. A risk assessment was prepared for the contaminant with respect to the property for which the phase two environmental site assessment was conducted.
 - b. The Director has accepted the risk assessment under clause 168.5 (1) (a) of the Act.
 - c. As of April 14, 2005, the property for which the phase two environmental site assessment was conducted meets the standards specified in the risk assessment for the contaminant.

As the qualified person, and in relation to this Part of the RSC, I also certify that:

1. I am a qualified person and have the qualifications required by section 5 of the Regulation.
2. I have in place an insurance policy that satisfies the requirements of section 7 of the Regulation.
3. I acknowledge that the RSC will be filed in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.
4. The opinions expressed in this RSC are engineering or scientific opinions made in accordance with generally accepted principles and practices as recognized by members of the environmental engineering or science profession or discipline practising at the same time and in the same or similar location.
5. To the best of my knowledge, the certifications and statements in this part of the RSC are true as of April 14, 2005.
6. By signing this RSC, I make no express or implied warranties or guarantees.

I, the qualified person named below, on the date stated below, make all of the stated certifications applicable to the qualified person in this Part of the record of site condition.

Name of Qualified Person _____ Signature _____ Date _____

A signed and dated copy of this Part of the record of site condition has been received by the Ministry of the Environment prior to the filing of this record of site condition in the Environmental Site Registry.

ver. 1.3.15 January 02, 2018 R68



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