

APPENDIX "C"



February 8, 2016

Project No. 13-1134-0028

Mr. Jim Logan
Division Manager, Taxation and Revenue,
City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9

REQUEST FOR HISTORICAL SUMMARY OF THE PROCESS UNDERTAKEN BY GOLDER ASSOCIATES TO OBTAIN RECORDS OF SITE CONDITION FOR 34 INDUSTRIAL LOTS OWNED BY MR. JOHN SHIRLEY NEAR EXETER ROAD IN LONDON, ONTARIO

Dear Mr. Logan,

Further to your correspondence of February 1, 2016 requesting Golder Associates Ltd. ("Golder") to provide a historical summary of the process undertaken to obtain the Records of Site Condition for 34 industrial lots owned by Mr. John Shirley, please see the chronological summary provided below in table format.

In the province of Ontario, the Record of Site Condition (RSC) process involves a strict application of the *Environmental Protection Act*. The acknowledgment of RSC applications is provided by the Ministry of the Environment and Climate Change (MOECC). The MOECC has authority under the *Environmental Protection Act* to acknowledge RSC applications once the Ministry is satisfied that the RSC application is fully compliant with the *Environmental Protection Act*. Once the RSC application is acknowledged by MOECC, the RSC is filed to the Environmental Site Registry for Ontario.

Date	Action	Result
May 14, 2014	Golder Associates Ltd. submitted a RSC application for 34 industrial lots owned by Mr. John Shirley near Exeter Road in London, Ontario. The submission included Lots 1 to 8, 10 to 12, 14 to 26, 28 to 36, and all adjacent roadways on Registered Plan 33M-272 in London, Ontario.	The MOECC provided confirmation to Golder that the RSC application was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on May 15, 2014 stating that by June 27, 2014 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .



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Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America



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June 24, 2014	<p>A letter was issued by MOECC on June 24, 2014 stating that the RSC could not be filed for the following reasons.</p> <ul style="list-style-type: none"> i) The legal description in the lawyer's letter did not state the nature of the owner's interest in the property. ii) The property identification numbers for Durrow Road, Shamrock Road, and Hamley Road were not listed as being owned by Mr. Shirley. Golder determined in consultation with Mr. Shirley that although he previously owned the Durrow Road, Shamrock Road, and Hamley Road properties, the ownership of these properties was transferred to the City of London at some point prior to the RSC application on May 14, 2014. iii) The table submitted for Areas of Potential Environmental Concern in the Phase Two Conceptual Site Model (CSM) required some clarification by Golder to be fully compliant with the <i>Environmental Protection Act</i>. iv) The table submitted for Past and Current Land Uses in the Phase Two CSM required some clarification by Golder to be fully compliant with the <i>Environmental Protection Act</i>. v) Additional descriptions and figures were requested regarding locations on the Phase Two Property where the soil concentrations did not meet the applicable Site Condition Standards. MOECC requested clarification of this information by Golder in order for the RSC application to be fully compliant with the <i>Environmental Protection Act</i>. 	<p>Golder facilitated a teleconference call with the City of London on July 17, 2014 to discuss the results of the MOECC correspondence from June 24, 2014 and to review possible approaches for obtaining an RSC for the entire 34 lots plus the three adjacent road properties.</p> <p>On August 6, 2014, Golder provided a letter to the City of London requesting that the City consider providing temporary ownership of the Durrow Road, Shamrock Road, and Hamley Road properties to Mr. Shirley until such time that the RSC application was approved by MOECC for all 37 lots defined by Registered Plan 33M-272.</p> <p>A follow-up teleconference call was held with the City of London on August 26, 2014, and it was determined that the pursuit of four separate RSC applications for the contiguous lot groupings on Registered Plan 33M-272 was likely the best approach and would provide the property owner with the greatest amount of certainty in obtaining approvals from MOECC for the RSC applications.</p> <p>On September 16, 2014, Mr. Shirley authorized a budget request by Golder to pursue four separate RSC applications for the contiguous lot groupings on Registered Plan 33M-272, namely the lot groupings for Lots 1 to 8, Lots 10 to 12, Lots 13 to 26, and Lots 28 to 36.</p>
April 13, 2015	<p>Golder Associates obtained the additional information requested by MOECC in their June 24, 2014 letter for Lots 1 to 8 and</p>	<p>The MOECC provided confirmation to Golder that the RSC application for Lots 1 to 8 was received and in accordance with subsection</p>

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	submitted a RSC application for these 8 industrial lots owned by Mr. John Shirley on April 13, 2015.	168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on April 14, 2015 stating that by May 27, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
April 29, 2015	<p>A letter was issued by MOECC on April 29, 2015 stating that the RSC could not be filed for the following reasons:</p> <ul style="list-style-type: none"> i) The UTM coordinates provided for a surveyed corner post on the property needed to be revised to report the UTM coordinates for the centroid of the RSC property; ii) The MOECC requested clarification from Golder regarding the certification date for the RSC application; iii) The MOECC requested clarification from Golder regarding the soil excavation figures and cross sections in the Phase Two CSM that was submitted with the RSC application; and iv) The MOECC requested clarification from Golder regarding the verification soil sampling program in the Phase Two CSM that was submitted with the RSC application. 	Golder discussed the comments from MOECC in the April 29, 2015 letter with Mr. Shirley, and Golder was subsequently authorized by Mr. Shirley to prepare an updated RSC application for Lots 1 to 8 to address the MOECC comments.
June 17, 2015	Golder Associates obtained the additional information requested by MOECC in their April 29, 2015 letter for Lots 1 to 8 and submitted a RSC application for these 8 industrial lots owned by Mr. John Shirley on June 17, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 1 to 8 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on June 18, 2015 stating that by July 31, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
July 3, 2015	Golder Associates obtained the additional information requested by MOECC in their June 24, 2014 letter for Lots 13 to 26 and submitted a RSC application for these 14	The MOECC provided confirmation to Golder that the RSC application for Lots 13 to 26 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A

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	industrial lots owned by Mr. John Shirley on July 3, 2015.	letter was issued by MOECC on July 3, 2015 stating that by August 17, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
July 21, 2015	A letter was issued by MOECC on July 21, 2015 providing written acknowledgment that RSC number 218427 has been filed in the Environmental Site Registry for Lots 1 to 8 owned by Mr. John Shirley on Registered Plan 33M-272 in London, Ontario.	Golder notified Mr. Shirley of the July 21, 2015 letter from MOECC, and provided Mr. Shirley with an electronic copy of RSC number 218427 as filed in the Environmental Site Registry for Lots 1 to 8 on Registered Plan 33M-272 in London, Ontario.
August 4, 2015	A letter was issued by MOECC on August 4, 2015 providing written acknowledgment that RSC number 218590 has been filed in the Environmental Site Registry for Lots 13 to 26 owned by Mr. John Shirley on Registered Plan 33M-272 in London, Ontario.	Golder notified Mr. Shirley of the August 4, 2015 letter from MOECC, and provided Mr. Shirley with an electronic copy of RSC number 218590 as filed in the Environmental Site Registry for Lots 13 to 26 on Registered Plan 33M-272 in London, Ontario.
September 2, 2015	Golder Associates obtained the additional information requested by MOECC in their June 24, 2014 letter for Lots 28 to 36 and submitted a RSC application for these 9 industrial lots owned by Mr. John Shirley on September 2, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 28 to 36 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on September 3, 2015 stating that by October 19, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
September 15, 2015	Golder Associates obtained the additional information requested by MOECC in their June 24, 2014 letter for Lots 10 to 12, and also completed additional field sampling of soil and groundwater on Lots 10 to 12, before submitting a RSC application for these 3 industrial lots owned by Mr. John Shirley on September 15, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 10 to 12 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on September 16, 2015 stating that by October 29, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
October 22, 2015	Golder Associates received verbal feedback from MOECC regarding the RSC application submitted on September 2, 2015 for Lots 28 to 36, and as a result of the provided feedback Golder re-submitted	The MOECC provided confirmation to Golder that the RSC application for Lots 28 to 36 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on October 23,

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	a RSC application for Lots 28 to 36 owned by Mr. John Shirley on October 22, 2015.	2015 stating that by December 7, 2015 a notice or an acknowledgement of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
October 27, 2015	<p>A letter was issued by a new MOECC reviewer on October 27, 2015 stating that the RSC application for Lots 10 to 12 could not be filed for the following reasons:</p> <ul style="list-style-type: none"> i) The MOECC requested an updated letter from the municipality regarding their consent to use non-potable groundwater Site Condition Standards for the RSC application; ii) The table for Areas of Potential Environmental Concern in the Phase Two CSM that was submitted with the RSC application required some clarification by Golder in order to be fully compliant with the <i>Environmental Protection Act</i>; iii) The MOECC requested clarification from Golder regarding the soil excavation figures and cross sections in the Phase Two CSM that was submitted with the RSC application; and iv) The MOECC requested clarification from Golder regarding the depth to groundwater measurements, and estimates of hydrogeological characteristics from the new groundwater monitoring wells installed on Lots 10 to 12 in August 2015. 	Golder discussed the comments from MOECC in the October 27, 2015 letter with Mr. Shirley, and Golder was subsequently authorized by Mr. Shirley to prepare an updated RSC application for Lots 10 to 12 to address the MOECC comments.
November 3, 2015	Golder Associates obtained the additional information requested by MOECC in their October 27, 2015 letter for Lots 10 to 12 and submitted a RSC application for these 3 industrial lots owned by Mr. John Shirley on November 3, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 10 to 12 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on November 3, 2015 stating that by December 16, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the

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		<i>Environmental Protection Act.</i>
November 3, 2015	Based on the written feedback that Golder received from the new MOECC reviewer on October 27, 2015 for Lots 10 to 12, Golder re-submitted the RSC application for Lots 28 to 36 owned by Mr. John Shirley on November 3, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 28 to 36 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on November 5, 2015 stating that by December 18, 2015 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
December 15, 2015	<p>A letter was issued by MOECC on December 15, 2015 stating that the RSC application for Lots 28 to 36 could not be filed for the following reasons:</p> <ul style="list-style-type: none"> i) The figure showing the Areas of Potential Environmental Concern in the Phase Two CSM that was submitted with the RSC application required further clarification by Golder, in order to be fully compliant with the <i>Environmental Protection Act</i>; ii) The MOECC requested additional soil sampling results be obtained by Golder for two sidewall sample locations in one of the excavation areas described in the Phase Two CSM that was submitted with the RSC application; and iii) The MOECC requested clarification from Golder regarding the legal description for Lots 35 and 36 that was submitted with the RSC application on November 3, 2015. 	Golder discussed the comments from MOECC in the December 15, 2015 letter with Mr. Shirley, and Golder was subsequently authorized by Mr. Shirley to prepare an updated RSC application for Lots 28 to 36 to address the MOECC comments.
December 18, 2015	A letter was issued by MOECC on December 18, 2015 providing written acknowledgment that RSC number 220166 has been filed in the Environmental Site Registry for Lots 10 to 12 owned by Mr. John Shirley on Registered Plan 33M-272 in London, Ontario.	Golder notified Mr. Shirley of the December 18, 2015 letter from MOECC, and provided Mr. Shirley with an electronic copy of RSC number 220166 as filed in the Environmental Site Registry for Lots 10 to 12 on Registered Plan 33M-272 in London, Ontario.

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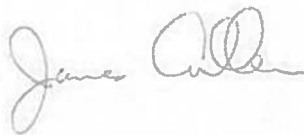
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December 22, 2015	Golder Associates obtained the additional information requested by MOECC in their December 15, 2015 letter for Lots 28 to 36 and submitted a RSC application for these 9 industrial lots owned by Mr. John Shirley on December 22, 2015.	The MOECC provided confirmation to Golder that the RSC application for Lots 28 to 36 was received and in accordance with subsection 168.4(2) of the <i>Environmental Protection Act</i> . A letter was issued by MOECC on December 23, 2015 stating that by February 8, 2016 a notice or an acknowledgment of the RSC filing would be forthcoming under subsection 168.4(3.1) of the <i>Environmental Protection Act</i> .
January 14, 2016	A letter was issued by MOECC on January 14, 2016 providing written acknowledgment that RSC number 220631 has been filed in the Environmental Site Registry for Lots 28 to 36 owned by Mr. John Shirley on Registered Plan 33M-272 in London, Ontario.	Golder notified Mr. Shirley of the January 14, 2016 letter from MOECC, and provided Mr. Shirley with an electronic copy of RSC number 220631 as filed in the Environmental Site Registry for Lots 28 to 36 on Registered Plan 33M-272 in London, Ontario.

Please contact the undersigned at (519) 620-1222 if you have any questions or need any further information regarding this request.

GOLDER ASSOCIATES LTD.



James Cullen, P.Geo., P.Eng., QPESA
Senior Environmental Engineer / Project Manager

JCC/II