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LOWER MAINLAND REGION  
FILE NO. 26250-20/0530 SITE 944

IN THE MATTER OF THE  
*WASTE MANAGEMENT ACT*, R.S.B.C. 1996, C. 482

AND

IN THE MATTER OF  
LOT 193, EXCEPT: PART ON HIGHWAY PLAN 68300; DISTRICT LOT 19,  
GROUP 1, NEW WESTMINSTER DISTRICT, PLAN 55386  
PID: 005-308-607

DECLARATION  
(Section 28.4(2))

WHEREAS in December 1993, a drinking water well was contaminated by migration of hydrocarbons from 7010 Pioneer Avenue, Agassiz, The Corporation of the District of Kent, Province of British Columbia, which lands are more particularly known and described as:

Lot 193, Except: Part on Highway Plan 68300; District Lot 19, Group 1, New Westminster District, Plan 55386

(hereinafter the "Site")

AND WHEREAS the Regional Waste Manager issued a Pollution Abatement Order (OS-12798) to J.K. Park on January 28, 1994, to require subsurface assessment and implementation of a site remediation plan for the Site and affected properties;

AND WHEREAS J.K. Park was not willing to carry out the requirements of the Pollution Abatement Order;

AND WHEREAS the property was sold through tax default to 564324 B.C. Ltd. on December 10, 1998;

AND WHEREAS the Regional Waste Manager issued Pollution Abatement Order (OS-16170) to 564324 B.C. Ltd. on November 8, 1999, to require implementation of a quarterly monitoring and sampling program for the Site and affected properties;

AND WHEREAS 564324 B.C. Ltd. is not willing to carry out the requirements of the Pollution Abatement Order;

AND WHEREAS the Regional Waste Manager has determined the Site to be a high risk orphan site;

I HEREBY DECLARE, pursuant to section 28.4(2) of the *Waste Management Act*, that it is necessary for the protection of human health and the environment for the government to undertake remediation at the Site and affected properties.

IT IS FURTHER DECLARED that the Regional Waste Manager for the Lower Mainland Region is hereby authorized to carry out remediation at the Site and affected properties on behalf of the government.

Dec 7, 2000  
Date

[Signature]  
Minister of Environment, Lands and Parks

WHEREAS in December 1997, a drinking water well was contaminated by a spill of  
hydrocarbons from 7019 Pioneer Avenue, Agassiz, the spill of which is the subject of the  
Province of British Columbia, which leads to more particularly known and described as  
the 1997 spill, located on Highway 1 near 18300 District 10, Group 1, New

AND WHEREAS the Regional Waste Manager for the Lower Mainland Region (RWM) was  
appointed on January 28, 1998, to carry out remediation at the Site and affected properties  
in accordance with the remediation plan for the Site and affected properties

AND WHEREAS the RWM is not willing to carry out the remediation of the Site and  
affected properties

AND WHEREAS the property was sold through a public sale to 2072 H.C. Eby on  
December 10, 1998;

AND WHEREAS the RWM is not willing to carry out the remediation of the Site and  
affected properties and the RWM is not willing to carry out the remediation of the Site and  
affected properties

AND WHEREAS the RWM is not willing to carry out the remediation of the Site and  
affected properties

AND WHEREAS the Regional Waste Manager for the Lower Mainland Region has the authority to  
carry out the remediation of the Site and affected properties