Ontario

Ministry of the Environment, Conservation and Parks
Ministère de l’Environnement et
de la Protection de la nature et des Parcs

Certificate of Property Use

Environmental Protection Act, R.S.O. 1990, c.E.19, s.168.6

Certificate of property use number: 4465-9XAKUL-1
Risk assessment number: 4465-9XAKUL

Owner: **Suncor Energy Inc.**
3275 Rebecca St
Oakville, Ontario, L6L 6N5 **(Registered Owner)**

And

Suncor Energy Products Partnership, **(Beneficial Owner)**
by its partners Suncor Energy Inc. and 1277136 Alberta Ltd.
150 6th Avenue S.W.
Calgary AB, T2P 3E3

Site: **755 Brookdale Ave., Cornwall, Ontario** **(Property)**

With a Legal Description of:

PART OF LOT 12, CONCESSION 1, Cornwall, BEING PARTS 4 & 5 ON REFERENCE PLAN 52R-348, SUBJECT TO AN EASEMENT IN S59591

Being all of PIN 60183-0006 (LT)

The conditions of this Certificate of Property Use (CPU) address the Risk Management Measures in the Risk Assessment noted above and as defined in Part 1 below.

Refer to Part 1 of this CPU, Interpretation, for the meaning of all the defined capitalized terms that apply to this CPU.

Summary:

The following is a summary of Risk Management Measures (RMMs) identified in Part 4 of this Certificate of Property Use, which are required to be implemented. This summary does not create any binding requirements and is being provided for convenience only. Key RMMs in Part 4 of the CPU include, but are not limited to:

- Prohibiting the construction of any new Building(s) on, in or under the Property unless the Building(s) are constructed as slab-on-grade buildings without a basement or similar below-grade space, as specified in Section 4.2(a) of this CPU;
- Prohibiting the planting, establishment or maintenance of deep-rooting vegetation, including trees, shrubs and similar species with root systems extending greater than 500 mm below ground surface, as specified in Section 4.2(g) of this CPU;
- Implementing a Soil Management Plan during any excavation, construction or intrusive activity that involves or may involve the disturbance of soil at depths of 1 m below ground surface or greater, as specified in Section 4.2(m) of this CPU;

- Implementing a Groundwater Management Plan prior to any intrusive activities that involve or may involve groundwater removal, dewatering, extraction, pumping, treatment, storage or discharge, as specified in Section 4.3 of this CPU;
- Implementing a Health and Safety Plan prior to any intrusive activities where workers may enter excavations, trenches or similar below-grade work areas that could result in exposure to contaminants of concern in soil, soil vapour or groundwater, as specified in Section 4.4 of this CPU;
- Preparing and maintaining records relating to the implementation of the Soil Management Plan, Groundwater Management Plan and Health and Safety Plan and making such records available to a Provincial Officer upon request, as specified in Part 4 of this CPU; and,
- Registering a certificate on the Property title in accordance with Section 197 of the *Environmental Protection Act* and that before dealing with the Property in any way, a copy of this CPU is to be given to any person who will acquire an interest in the Property as per Section 4.14, 4.15 and 4.16 of this CPU
- Duration of Risk Management Measures identified in Part 4 of this CPU is summarized as follows:

    a. The soil and groundwater management plan and the health and safety plan shall be required for the Property during any activities potentially in contact with or exposing site soils and/or groundwater for as long as the Contaminants of Concern are present on the Property.
    b. The prohibition on constructing buildings with basements or similar below-grade spaces and the prohibition on planting deep-rooting vegetation shall continue for as long as the Contaminants of Concern remain on, in or under the Property.
    c. All other Risk Management Measures shall continue indefinitely until the Director alters or revokes this CPU.

Part 1: Interpretation

In this CPU the following terms shall have the meanings described below:

"Act" means the *Environmental Protection Act*, R.S.O. 1990, c. E. 19;

"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;

"Applicable Site Condition Standards" and "ASCS" mean the applicable soil and groundwater standards identified in Table 3: Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for industrial, commercial or community property use and coarse-textured soil of the Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Act published by the Ministry and dated April 15, 2011;

"Building" means an enclosed structure occupying an area greater than ten square metres consisting of a wall or walls, roof and floor.

"Competent Person" as defined in the Ontario Occupational Health and Safety Act.

“Contaminant” has the same meaning as in the Act; namely any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them, resulting directly or indirectly from human activities that may cause an Adverse Effect;

“Contaminants of Concern” & “COC” has the meaning as set out in section 3.2 of this CPU;

“CPU” means this Certificate of Property Use Number No. 4465-9XAKUL-1 as it may be altered from time to time and bearing document # 4465-9XAKUL-1;

"Director" means the undersigned Director or any other person appointed as a Director for the purpose of issuing a certificate of property use;

“EBR” means the *Environmental Bill of Rights, 1993*, S.O. 1993, c.28;

“Impacted soil” is soil in which one or more contaminants are present at a concentration greater than the Property Specific Standard for the contaminant as specified in Table 1A – Schedule A of this CPU without incorporation of risk management measures;

“Intrusive Activities” means any intrusive activity undertaken at the Property, such as excavating or drilling into soil, which may disturb or expose COCs at the Property.

“Licensed Professional Engineer” means a person who holds a license, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c.P.28;

"Ministry" means the Ministry of the Environment, Conservation and Parks;

“O. Reg. 153/04” means *Ontario Regulation 153/04 (Records of Site Condition – Part XV.1 of the Act)* made under the Act.

“Reg. 347” means *R.R.O. 1990, Reg. 347 (General - Waste Management*) made under the Act.

“O. Reg. 406/19” means Ontario Regulation 406/19 (On-Site and Excess Soil Management) made under the Act.

“Owner” means the owner(s) of the Property, described in the “Owner” section on Page 1 above, and any subsequent registered or beneficial owner(s) of the Property;

“Property” means the property that is the subject of this CPU and described in the “Site” section 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” means the property specific standards established for the Contaminants of Concern set out in the Risk Assessment and in section 3.2 of this CPU and are the same standards specified in the Risk Assessment;

"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 prescribed in O. Reg. 153/04, made under the Act;

"Risk Assessment" (RA) means the Risk Assessment No. **4465-9XAKUL** accepted by the Director on June 23, 2026, and set out in the following documents:

- **“Risk Assessment Pre-submission Report, 755 Brookdale Avenue, City of Cornwall”, report prepared by Terrapex on May 25, 2015**

- **“Site-Specific Risk Assessment, 755 Brookdale Avenue, Cornwall, Ontario”, prepared by Terrapex Environmental Ltd., dated February 24, 2016**

- **“Revised Site-Specific Risk Assessment Report for 755 Brookdale Avenue, Cornwall, Ontario”, report prepared by Terrapex, dated March 15, 2017**
- **“Revised Site-Specific Risk Assessment Report for 755 Brookdale Avenue, Cornwall, Ontario”, report prepared by Terrapex, dated August 11, 2020**
- **“Revised Site-Specific Risk Assessment Report for 755 Brookdale Avenue, Cornwall, Ontario”, report prepared by Terrapex, dated November 20, 2024**
- **“Revised Site-Specific Risk Assessment Report for 755 Brookdale Avenue, Cornwall, Ontario”, report prepared by Terrapex, dated September 5, 2025**
- **“Revised Site-Specific Risk Assessment Report for 755 Brookdale Avenue, Cornwall, Ontario”, report prepared by Terrapex, dated January 15, 2026**
- **“RE: Request for Additional Information - RA for 755 Brookdale Avenue, Cornwall [4465-9XAKUL; IDS#7686-CTLK7E]”, email from Ivy YuXia Liu, M.Sc., P.Geo., Terrapex Environmental LTD., received by Regional Engineer on August 28, 2026, and September 11, 2026, with following document[s] attached:**
    - **3a. Final version of recommended property specific standards.pdf**
    - **3b. CO307.05 FIG 3 CSM STUDY AREA.pdf**
    - **3c. Sur22949 - signed legal survey - with labels All RMMs.pdf**
    - **4. Full-size of the signed Registered Plan of Survey.pdf**
    - **5. CO307.05 Revised SSRA_755 Brookdale Cornwall 2026 For CPU.pdf**
    - **Letter of Assessment - 755 Brookdale Avenue Cornwall ON - Sept 4 2026.pdf**

“Risk Management Measures" means the risk management measures specific to the Property described in the Risk Assessment and/or Part 4 of this CPU;

“Risk Management Plan” (RMP) means the risk management plan specific to the Property contained in Appendix H for the Risk Assessment and/or Part 4 of this CPU;

“Soil and Groundwater Management Plan” means the soil and groundwater management plan specified in section 4.2(m) and 4.3 of this CPU;

“Tribunal” has the same meaning as in the Act; namely, the Ontario Land 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:

a. 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.
b. 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 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 196(1) of the Act states that the authority to make an order under the Act includes the authority to require the person or body to whom the order is directed to take such intermediate action or such procedural steps or both as are related to the action required or prohibited by the order and as are specified in the order.

2.8 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.

2.9 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.

2.10 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.

2.11 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 to assess the human health risks and ecological risks associated with the presence or discharge of Contaminants 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: **Commercial** as defined in O. Reg. 153/04.

3.2 The Contaminants on, in or under the Property that are present either above **Table 3: Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition of the Ministry's *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** for coarse textured soils and groundwater or for which there are no such standards, are defined as the Contaminants of Concern. The Property Specific Standards for these Contaminants of Concern are set out in **Table 1A and Table 1B of Schedule "A",** which is attached to and forms part 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 this CPU are necessary to prevent, eliminate or ameliorate an Adverse Effect on the Property.

3.4 I believe for the reasons set out in the Risk Assessment that it is also advisable to require the disclosure of the CPU and the registration of notice of the CPU on title to the Property, as set out in Part 4 of the CPU.

Part 4: Director Requirements

Pursuant to my authority under section 168.6(1) 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 Section 4.1, carry out or cause to be carried out the following key elements of the Risk Management Measures:

<u>Prohibition on Constructing Buildings with Basements:</u>

a. Refrain from constructing any new Building(s) on, in or under the Property unless the Building(s) are constructed as slab-on-grade buildings without a basement or similar below-grade space, in accordance with Section 7.2.1 of the RMP.

b. The construction of any new Building(s) on, in or under the Property is permitted provided that:

   i) The Building(s) are constructed as slab-on-grade buildings;

   ii) The Building(s) do not include a basement or similar below-grade space;

   iii) No portion of the Building(s) intended for occupancy is located below final grade; and,

   iv) The design and construction of the Building(s) remain consistent with the assumptions used in the Risk Assessment's evaluation of potential risks to future building occupants through the inhalation of indoor air originating from soil and groundwater, as detailed in Section 7.2.1 of the RMP.

c. Prior to the construction of any new Building(s) on the Property, the Owner shall ensure that the final design drawings and specifications for the Building(s) clearly demonstrate that the Building(s) will be constructed in accordance with Section 7.2.1 of the RMP and Sections 4.2(a) and 4.2(b) of this CPU.

d. Within 90 calendar days of completion of the construction of any new Building(s) on the Property and prior to first occupancy, the Owner shall submit to the Director as-built drawings and detailed design specifications prepared by an appropriately qualified Licensed Professional Engineer, along with written confirmation signed by the appropriately qualified Licensed Professional Engineer that the Building(s) have been constructed in accordance with Section 7.2.1 of the RMP and Sections 4.2(a) and 4.2(b) of this CPU.

e. The prohibition on constructing Building(s) with basements or similar below-grade spaces shall be maintained for as long as the COCs are present on, in or under the Property.

f. The Owner shall keep records of the final design drawings, specifications, as-built drawings and written confirmations required by Sections 4.2(c) and 4.2(d) of this CPU and make them available for review by a Provincial Officer upon request.

Prohibition on Deeper-Rooting Vegetation:

g. The Owner shall refrain from planting, establishing or permitting deeper-rooting vegetation on the Property, including trees, shrubs or similar species that would be expected to have, or potentially have, significant root mass at depths greater than 500 millimetres below ground surface, in accordance with Section 7.2.2 of the RMP.

h. The prohibition on deeper-rooting vegetation shall be maintained for as long as the COCs are present in groundwater beneath the Property so as to prevent exposure of deeper-rooting vegetation to the COCs in groundwater through direct contact.

i. Prior to implementing any landscaping plan on the Property, the Owner shall ensure that the landscaping plan is reviewed by a Qualified Person to confirm that:

   i) The vegetation proposed for the Property is not expected to have significant root mass at depths greater than 500 millimetres below ground surface;
   ii) The proposed vegetation will not result in exposure to the COCs in groundwater through direct contact; and,
   iii) The landscaping plan complies with Section 7.2.2 of the RMP and Sections 4.2(g) and 4.2(h) of this CPU.

j. Where deeper-rooting vegetation is identified on the Property following the issuance of this CPU, the Owner shall retain a Qualified Person to:

   i) Assess the type, location and expected rooting depth of the vegetation;
   ii) Determine whether the vegetation may come into direct contact with impacted groundwater;
   iii) Identify the measures necessary to prevent or mitigate contact between the vegetation and impacted groundwater; and,
   iv) Prepare a written record of the assessment and the measures recommended.

k. Any measures recommended by the Qualified Person pursuant to Section 4.2(j) of this CPU shall be implemented forthwith.

l. The Owner shall keep records of any landscaping plan reviews, vegetation assessments and measures implemented pursuant to Sections 4.2(i), 4.2(j) and 4.2(k) of this CPU and make them available for review by a Provincial Officer upon request

Soil Management Plan:

m. A property-specific soil management plan shall be developed for the Property and implemented during all intrusive activities that will or may involve the excavation or disturbance of soils at a depth of 1.0 metre below ground surface or deeper, as detailed in Section 7.2.3 of the RMP. A copy of the soil management plan shall be maintained on the Property for the duration of all planned intrusive activities.

n. The soil management plan required by Section 4.2(m) of this CPU shall be prepared by, or under the supervision of, a Qualified Person per Section 5 of O. Reg. 153/04 and shall comply with Sections 30 to 39 of Schedule E of O. Reg. 153/04 and any other applicable regulatory requirements.

o. The soil management plan required by Section 4.2(m) of this CPU 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, including, but not limited to:

a. Wetting of soil with potable water;

b. Reduced speeds for vehicles operating on the Property;

c. Tire washing stations or other appropriate vehicle-cleaning measures; and,

d. Restricting working areas during high-wind conditions;

iii) Management of excavated soils including cleaning equipment, placement of materials for stockpiling on designated areas lined and covered with polyethylene sheeting, bermed and fenced to prevent access, runoff control to minimize contact and provisions for the collection, treatment and disposal of water coming into contact with stockpiled materials;

iv) Sampling of soil received at the Property in accordance with the requirements set out in Section 34 of Schedule E of O. Reg. 153/04;

v) Characterization of excavated soils to determine if the excavated soils exceed the Property Specific Standards and to determine the appropriate management, reuse or disposal requirements;

vi) Management of excavated soils proposed for reuse on the Property, including the following:

a. Excavated soils meeting the Property Specific Standards may be placed on the Property below a depth of 1.0 metre below ground surface, if deemed suitable by the Qualified Person in consideration of the requirements of the Risk Assessment;

b. Excavated soils meeting the applicable Table 3 Site Condition Standards for industrial, commercial or community property use may be placed on the Property at any depth, if deemed suitable by the Qualified Person in consideration of the requirements of the Risk Assessment; and,

c. Any soils imported to the Property shall meet the applicable Table 3 Site Condition Standards for industrial, commercial or community property use and may be placed on the Property at any depth, if deemed suitable by the Qualified Person in consideration of the requirements of the Risk Assessment;

vii) Characterization of excavated excess soils not intended for reuse on the Property to determine the appropriate receiving location and disposal requirements;

viii) Management of excavated excess soils removed from the Property in accordance with the applicable provisions of Reg. 347 and O.Reg. 406/19 made under the Act; and,

ix) Record keeping. Record keeping is to include, but not be limited to:

a. Dates and duration of work;

    b. Weather and site conditions;
    c. Location and depth of excavation activities;
    d. Dust control measures;
    e. Stockpile management and drainage;
    f. All soil characterization results obtained as part of the soil management plan;
    g. The source, volume, environmental quality and final placement location of any soils imported to the Property;
    h. The volume, environmental quality and final placement location of any excavated soils reused on the Property;
    i. The volume and environmental quality of any excavated excess soils removed from the Property;
    j. Names of the Qualified Persons, contractors, haulers and receiving sites for any excavated excess soils removed from the Property;
    k. Bills of lading, manifests, weigh tickets and other applicable soil movement records;
    l. Any complaints received relating to site activities and the measures taken to address the complaints; and,
    m. A copy of the soil management plan, any amendments to the plan and the records kept thereunder, which shall be made available for review by the Ministry upon request.

p. The soil management plan required by Section 4.2(m) of this CPU shall be prepared by, or under the supervision of, a Qualified Person per Section 5 of O. Reg. 153/04 and shall comply with Sections 30 to 39 of Schedule E of O. Reg. 153/04 and any other applicable regulatory requirements.

q. Excavated soils meeting the Property Specific Standards shall only be placed on the Property below a depth of 1.0 metre below ground surface, if deemed suitable by the Qualified Person in consideration of the requirements of the Risk Assessment.

r. Excavated soils meeting the applicable Table 3 Site Condition Standards for industrial, commercial or community property use may be placed on the Property at any depth, if deemed suitable by the Qualified Person in consideration of the requirements of the Risk Assessment.

s. Any soils imported to the Property shall:

    i) Meet the applicable Table 3 Site Condition Standards for industrial, commercial or community property use;
    ii) Be sampled and characterized in accordance with Section 7.2.3 and Table 7-3 of the RMP and any applicable regulatory requirements;
    iii) Be deemed suitable for placement on the Property by the Qualified Person in consideration of the requirements of the Risk Assessment; and,
    iv) Be accompanied by records identifying the source, volume, environmental quality and final placement location of the soils.

t. Potential risks to terrestrial plants and soil organisms shall be mitigated by implementing the soil management plan required by Section 4.2(m) of this CPU to prevent impacted soils from being moved into the ecologically accessible zone.

u. The Owner shall keep the soil management plan, any amendments to the plan and all records required by Section 4.2(o)(ix) of this CPU and make them available for review by a Provincial Officer upon request.

Minimum Soil Sampling Requirements:

v. The soil management plan required by Section 4.2(m) of this CPU shall include, at minimum, the environmental sampling requirements set out in Section 7.2.3 and Table 7-3 of the RMP.

w. Excavated Site soils proposed for shipment off-Site to a licensed waste receiver shall be:

i) Analyzed for Petroleum Hydrocarbons, BTEX parameters, Polycyclic Aromatic Hydrocarbons and Volatile Organic Compounds I in accordance with Sections 1.1.6, 1.1.11, 1.1.8 and 1.1.10 of the Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act; and,

ii) Sampled at a minimum frequency of one sample per 1,000 cubic metres.

x. Excavated Site soils proposed for shipment off-Site to a property other than a licensed waste receiver shall be:

i) Analyzed for Petroleum Hydrocarbons, BTEX parameters, Polycyclic Aromatic Hydrocarbons and Volatile Organic Compounds I; and,

ii) Sampled at a minimum frequency of one sample per 160 cubic metres, with a minimum of three samples analyzed regardless of volume.

y. Excavated Site soils proposed for placement underneath a Fill Cap or Hard Cap barrier shall be:

i) Analyzed for Petroleum Hydrocarbons, BTEX parameters, Polycyclic Aromatic Hydrocarbons and Volatile Organic Compounds I; and,

ii) Sampled at a minimum frequency of one sample per 1,000 cubic metres.

z. Excavated Site soils proposed for placement as part of a Fill Cap or Hard Cap barrier shall be:

i) Analyzed for Petroleum Hydrocarbons, BTEX parameters, Polycyclic Aromatic Hydrocarbons and Volatile Organic Compounds I; and,

ii) Sampled at a minimum frequency of one sample per 160 cubic metres, with a minimum of three samples analyzed regardless of volume.

aa. Imported soils originating from a pit licensed under the Aggregate Resources Act and proposed for placement underneath a Fill Cap or Hard Cap barrier shall be sampled at a minimum frequency of one sample per 1,000 cubic metres.

bb. Imported soils originating from a pit licensed under the Aggregate Resources Act and proposed for placement as part of a Fill Cap or Hard Cap barrier shall be:

i) Analyzed for Petroleum Hydrocarbons, BTEX parameters, Polycyclic Aromatic Hydrocarbons and Volatile Organic Compounds I;

ii) Analyzed for any other parameters deemed necessary by a Qualified Person per Section 5(2) of O. Reg. 153/04 based on a review of current and historical activities at and in the vicinity of the generating location; and,

iii) Sampled at a minimum frequency of one sample per 160 cubic metres, with a minimum of three samples analyzed regardless of volume.

cc. Imported soils originating from a location that is not licensed under the Aggregate Resources Act and proposed for placement underneath a Fill Cap or Hard Cap barrier shall be sampled at a minimum frequency of one sample per 450 cubic metres, with a minimum of three samples analyzed regardless of volume

dd. Where soils are to be removed from the Property, the sampling shall also meet:

i) The requirements of the proposed receiving location;

ii) The applicable requirements of O. Reg. 406/19;

iii) The applicable requirements of Reg. 347; and,

iv) Any other regulatory requirements applicable to the proposed movement, reuse or disposal of the soils.

ee. Compliance with the minimum sampling requirements identified in Section 4.2(v) of this CPU and Table 7-3 of the RMP does not guarantee acceptance of the soils by the proposed receiving location.

ff. All soil samples collected pursuant to Section 4.2(v) of this CPU shall be submitted to an accredited laboratory for analysis. The Owner shall keep:

i) The analytical results;

ii) Laboratory certificates of analysis;

iii) Field sampling records,

iv) Chain-of-custody documentation; and,

v) Associated quality assurance and quality control documentation

gg. The records required by Section 4.2(ff) of this CPU shall be made available for review by a Provincial Officer upon request.

Groundwater Management Plan:

4.3 A property-specific groundwater management plan shall be developed for the Property and implemented during all intrusive activities that will or may involve the removal of groundwater from the subsurface, including construction dewatering activities, as detailed in Section 7.2.4 of the RMP. A copy of the groundwater management plan shall be maintained on the Property for the duration of all intrusive activities involving or potentially involving groundwater removal. The Plan shall include, but not be limited to, the following key components as deemed necessary by a Qualified Person:

a. The groundwater management plan shall be developed and overseen by, or under the supervision of, a Qualified Person per Section 5 of O. Reg. 153/04 and 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) Management of groundwater removals, including temporary containment, environmental quality characterization, treatment and final disposition requirements;

iii) Measures to prevent the direct or indirect discharge of impacted groundwater to the natural environment or to a storm sewer;

iv) Measures to mitigate potential contaminant off-gassing from impacted groundwater that could contribute to odour concerns; and,

v) Record keeping.

b. Where dewatering or other groundwater removal is required, the activities shall be conducted by an appropriately qualified contractor. Groundwater removed from the subsurface shall be:

i) Temporarily stored on the Property prior to off-Site disposal at an approved wastewater treatment facility in accordance with Reg. 347 made under the Act;

ii) Treated and discharged to a sanitary sewer in accordance with an applicable sanitary sewer use agreement, permit and municipal sewer use by-law; or,

iii) Removed directly from the Property by an appropriately licensed waste management system.

c. Prior to discharge to a sanitary sewer, all necessary permits and approvals shall be obtained and the groundwater shall be sampled and analyzed to confirm compliance with the applicable municipal sewer use by-law and any conditions of the applicable permit or sanitary sewer use agreement.

d. Where groundwater removed from the subsurface is temporarily stored on the Property, the temporary storage system shall be designed, operated and maintained to prevent spills, leaks, uncontrolled discharges, unauthorized access and contaminant off-gassing. Open storage totes shall not be used where off-gassing from impacted groundwater may contribute to odour concerns.

e. The Owner shall retain the groundwater management plan and the records kept thereunder and make them available for review by the Ministry upon request.

f. Include record keeping. Record keeping is to include, but not to be limited to:

   i) Dates and duration of work;
   ii) Location, depth and volume of groundwater removed;
   iii) Groundwater characterization results;
   iv) Temporary storage, treatment and final disposition records;
   v) Names of the Qualified Persons, contractors, waste haulers and receiving locations for groundwater removed from the Property;
   vi) Permits, approvals, sanitary sewer use agreements, manifests, bills of lading and disposal records;
   vii) Any complaints received relating to groundwater management activities and the measures taken to address the complaints; and,
   viii) A copy of the groundwater management plan and any amendments thereto.

Health and Safety Plan:

4.4 A property-specific health and safety plan (HASP) 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. A copy of the HS Plan shall be maintained on the Property for the duration of all intrusive activities. The Owner shall ensure that the HASP 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 HASP shall be prepared in accordance with applicable Ministry of Labour health and safety regulations, along with all potential risks identified in the RA 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 soils and or groundwater on the Property. The HASP shall be overseen by a Competent Person to review the provisions of the HASP with respect to the proposed site work and conduct daily inspections. The Owner shall retain a copy of the HS Plan to be available for review by the Ministry upon request.

Annual Reporting:

4.5 The Owner shall prepare, on or before March 31 of each year, an annual report documenting activities relating to the Risk Management Measures undertaken during the previous calendar year, in accordance with Section 7.4.1 of the RMP. The annual report shall be maintained on file and made available for review by a Provincial Officer upon request.

4.6 Where no activities relating to the soil management plan, groundwater management plan or health and safety plan were undertaken during the previous calendar year, the annual report shall include written confirmation that no such activities were undertaken and shall confirm continued compliance with Sections 4.1 to 4.4 of this CPU.

Contingency Measures:

4.7 In the event that unexpected soil, groundwater, vapour or odour conditions are encountered during intrusive activities, the Owner shall suspend the affected activities where necessary to prevent exposure to the COCs or an Adverse Effect and shall retain a Qualified Person and, where applicable, a Competent Person to evaluate the conditions and recommend appropriate contingency measures, in accordance with Section 7.5 of the RMP.

4.8 Contingency measures may include additional soil or groundwater sampling and characterization, modification of excavation or management procedures, additional dust, vapour or odour controls, temporary covering or containment of impacted materials, additional personal protective equipment, ventilation or vapour monitoring and removal of affected soils or groundwater to an appropriately approved receiving facility.

4.9 The Owner shall document the conditions encountered, the sampling, monitoring or assessment undertaken, the contingency measures implemented and the outcome of those measures. The information shall be included in the annual report required by Section 4.5 of this CPU.

4.10 Where an unexpected condition results in or may result in an Adverse Effect, the Owner shall notify the Director forthwith and implement any additional measures required by the Director.

Site Changes

4.11 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, 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. An amendment to this CPU will be issued to address the changes set out in the notice received and any further changes that the Director considers necessary in the circumstances.

Reports

4.12 Retain a copy of any reports required under this CPU, the Risk Assessment and any reports referred to in the Risk Assessment (until otherwise notified by the Director) and within ten (10) days of the Director or a Provincial Officer making a request for a report, provide a copy to the Director or Provincial Officer.

4.13 The reports and records required to be retained under Section 4.12 of this CPU shall include, but not be limited to, building design and as-built records, landscaping reviews, soil and groundwater management plans, health and safety plans, analytical results, laboratory certificates of analysis, transportation and disposal records, records of complaints and contingency measures and the annual reports required by Section 4.7 of this CPU.

Property Requirement

4.14 For the reasons set out in this 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 this 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

4.15 Within fifteen (15) days from the date of receipt of a certificate of requirement signed by the Director under subsection 197(2) of the Act and as set out in Schedule B, register the certificate of requirement on title to the Property in the appropriate land registry office.

4.16 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 for the Property confirming that registration has been completed.

Owner / Occupant Change

4.17 While this CPU is in effect, 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 related common elements on the Property.

Part 5: General

5.1 The requirements of this CPU are severable. If any requirement of this 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 this CPU.

5.2 An application under subsection 168.6(3) of the Act to,

a. alter any terms and conditions in this CPU or impose new terms and conditions; or

b. revoke this CPU;

shall be made in writing to the Director, with reasons for the request.

5.3 The Director may amend this 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 this CPU constitutes an offence.

5.5 The requirements of this CPU are minimum requirements only and do not relieve you from,

a. complying with any other applicable order, statute, regulation, municipal, provincial or federal law; or

b. obtaining any approvals or consents not specified in this CPU.

5.6 Notwithstanding the issuance of this 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 this 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 this CPU by the date specified does not absolve you 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 provisions of Sections 4.15 and 4.16 of this 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 may be carried out and satisfied by the condominium corporation by and on behalf of the new Owners of the Property.

5.10 In the event of a conflict between this CPU and the Risk Assessment, the requirements and conditions of this CPU take precedence.

5.11 Where there is more than one Owner, each person is jointly and severally liable to comply with any requirements of the CPU unless otherwise indicated.

Part 6: Information regarding a Hearing before the Ontario Land Tribunal

With respect to those provisions relating to my authority in issuing a certificate of property use under section 168.6 and an order under section 197 of the Act:

6.1 Pursuant to section 139 of the Act, you may require a hearing before the Tribunal, if within fifteen (15) days after being served 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 in respect of which the hearing is required, and the grounds on which you intend to rely at the hearing. Except by with 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 contact information for the Director and the Tribunal are:

Registrar
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, ON, M5G 1E5

Email: OLT.Registrar@ontario.ca

and

Tracy Hart, Director
Ministry of the Environment, Conservation and Parks
2430 Don Reid Drive, Unit 103
Ottawa, ON K1H 1E1

Email: Tracy.Hart@ontario.ca

The contact information of the Ontario Land Tribunal and further information regarding its appeal requirements can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or Toll Free 1 (866) 448-2248 or www.olt.gov.on.ca.

Further information regarding service can be obtained from e-Laws at www.ontario.ca/laws. Please note where service is made by mail, it is deemed to be made on the fifth day after the date of mailing and choosing service by mail does not extend any timelines.

6.4 Unless stayed by the Tribunal under section 143 of the Act, this CPU is effective from the date of issue.

6.5 If you commence an appeal before the Tribunal, under section 47 of EBR, you must give notice to the public in the Environmental Registry of Ontario. The notice must include a brief description of this 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 Ministry of the Environment, Conservation and Parks, College Park 5th Flr, 777 Bay St, Toronto, ON M7A 2J3 by the earlier of:

a. two (2) days after the day on which the appeal before the Tribunal was commenced; and
b. fifteen (15) days after service on you of a copy of this 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 this CPU may seek leave to appeal this CPU. Under section 40 of the EBR, the application for leave to appeal must be made to the Tribunal by the earlier of:

a. fifteen (15) days after the day on which notice of the decision to issue the CPU is given in the Environmental Registry of Ontario; and
b. if you appeal, fifteen (15) days after the day on which your notice of appeal is given in the Environmental Registry of Ontario.

6.8 The procedures and other information provided in this Part 6 are intended as a guide. The legislation should be consulted for additional details and accurate reference. Further information can be obtained from e-Laws at www.ontario.ca/laws.

Issued at Ottawa, Ontario this XX day of XXX 2026.

____
Tracy Hart
Director, section 168.6 of the Act

Schedule 'A': Figure 1 (Signed Legal Survey with Labels)
(not to scale)

278 CORN-1B

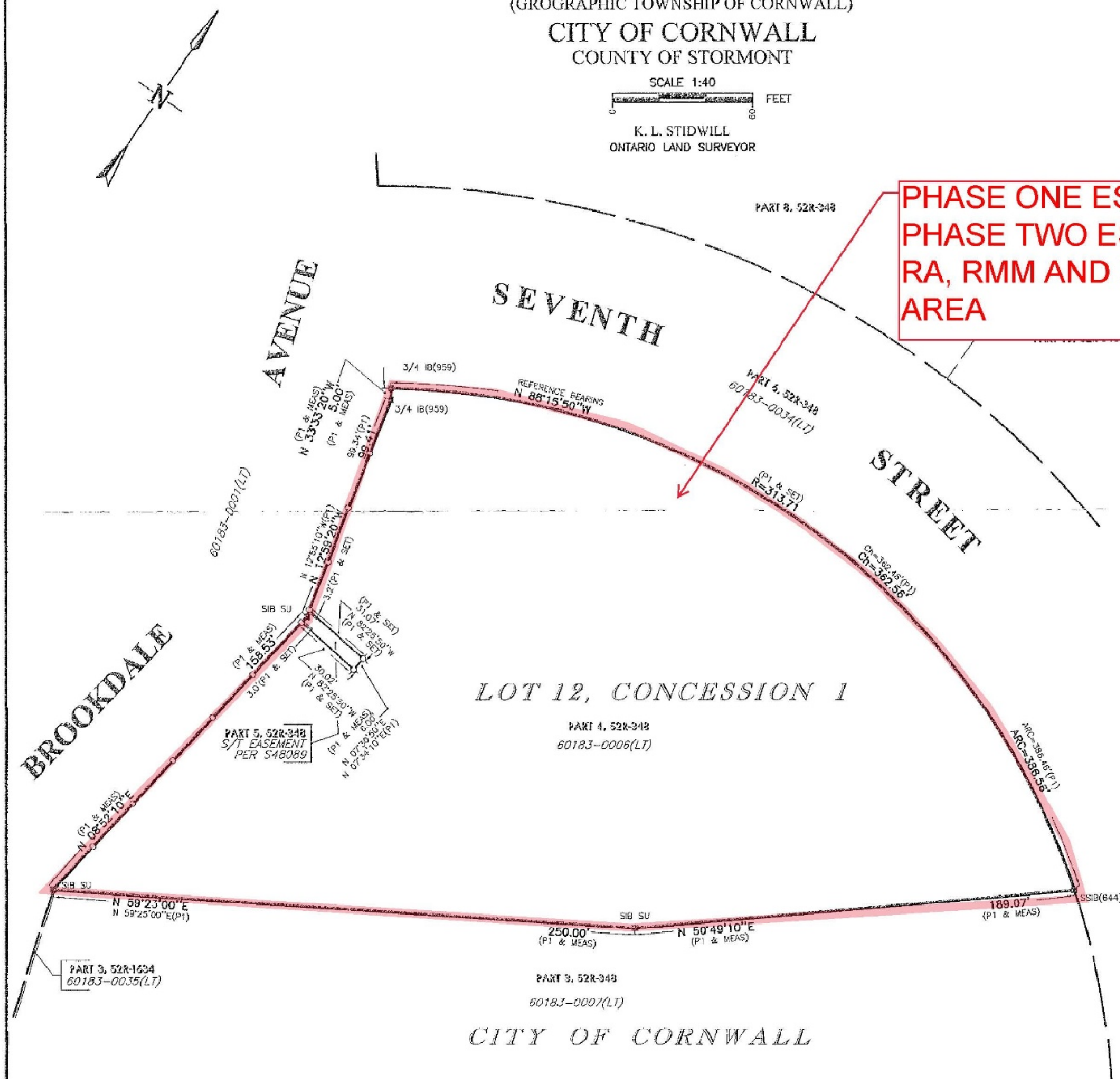
PLAN OF SURVEY
SHOWING
PART OF LOT 12, CONCESSION 1
(GROGRAPHIC TOWNSHIP OF CORNWALL)
CITY OF CORNWALL
COUNTY OF STORMONT

SCALE 1:40

K. L. STIDWILL
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
1911884
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3).

COPIES OF THIS PLAN MUST HAVE SURVEYOR'S EMBOSSED SEAL THEREON.



BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF PART 4, HAVING A BEARING OF N 88°15'50"W AS SHOWN ON PLAN 52R-348

(644) DENOTES L.P.STIDWILL O.L.S.
(959) DENOTES H.B.MELDRUM O.L.S.
(P1) DENOTES PLAN PER L.P.STIDWILL FILE 274-CORN-1B
WOODEN MARKER SHOWN . . . . o
CUT CROSS SHOWN CC
SHORT STANDARD IRON BARS SHOWN . . . . SSIB
STANDARD IRON BARS SHOWN . . . . SIB
IRON BARS (SQUARE) SHOWN . . . . IB
IRON BARS (ROUND) SHOWN . . . . IBØ
FOUND SURVEY MONUMENTS SHOWN . . . .
WIT. DESIGNATES A WITNESS MONUMENT
NTS DESIGNATES 'NOT TO SCALE'
SU DENOTES SOURCE UNKNOWN
CP DENOTES CONCRETE PIN

IMPERIAL

DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE . . 19th . . DAY OF . . . . NOVEMBER . . . 2014

. NOVEMBER 20, 2014 K.L.Stidwill . . . . .
DATE

K . L . STIDWILL
ONTARIO LAND SURVEYOR

FROM THE OFFICE OF
K. L. STIDWILL
PROFESSIONAL ENGINEERS AND ONTARIO LAND SURVEYORS
107-109 SYDNEY STREET
CORNWALL, ONTARIO

Schedule 'A': Figure 2 (CSM Study Area)
(not to scale)

LEGEND

- SITE BOUNDARY
- PHASE ONE STUDY AREA
- WATERCOURSE
- RAILWAY
- MECP WATER WELL RECORDS LOCATION

0 50 100 150 200
Metres

DATA SOURCE: ESRI
MAP PROJECTION: NAD 1983 UTM ZONE 18N

CLIENT: SUNCOR ENERGY

SITE LOCATION: 755 BROOKDALE AVENUE CORNWALL, ONTARIO

TERRAPEX

TITLE: CONCEPTUAL SITE MODEL - PHASE ONE STUDY AREA

DRAWN BY:	PROJECT NO.	CHECKED BY:
SW	CO307.05	JM
REVISION:	DATE:	FIGURE:
00	MAY 2025	3

Schedule “A” – Table 1A: Property Specific Standards – Soil

Chemical of Concern	*Maximum Concentration (µg/g)*	*Proposed PSS (µg/g)*	*Basis for Proposed Property Specific Standard*
Benzene	1.4	1.68	Maximum + 20%
Ethylbenzene	40	48	Maximum + 20%
Xylenes	170	204	Maximum + 20%
PHC F1	1200	1440	Maximum + 20%
PHC F2	500	600	Maximum + 20%

Schedule “A” – Table 1B: Property Specific Standards – Groundwater

Chemical of Concern	*Maximum Concentration (µg/L)*	*Proposed PSS (µg/L)*	*Basis for Proposed Property Specific Standard*
Benzene	5000	6000	Maximum + 20%
Bromodichloromethane	<10	12	Maximum + 20%
Dibromochloromethane	<10	12	Maximum + 20%
cis-1,2-dichloroethylene	<0.50	0.6	Maximum + 20%
Ethylbenzene	1200	1440	Maximum + 20%
Hexane	76	91.2	Maximum + 20%

Tetrachloroethylene	1.6	1.92	Maximum + 20%
Toluene	2000	2400	Maximum + 20%
Trichloroethylene	<0.20	0.24	Maximum + 20%
Vinyl chloride[d]	0.5	0.6	Maximum + 20%
Xylenes	3900	4680	Maximum + 20%
PHC F1	7800	9360	Maximum + 20%
PHC F2	3400	4080	Maximum + 20%
Fluorene	0.4	0.48	Maximum + 20%
Methylnaphthalene, 1- & 2-	69	83	Maximum + 20%
Naphthalene	84	100.8	Maximum + 20%
Phenanthrene	0.1	0.12	Maximum + 20%

Schedule ‘B’

CERTIFICATE OF REQUIREMENT

s.197(2)
Environmental Protection Act

This is to certify that pursuant to Item 4.14 of Certificate of Property Use number 4465-9XAKUL-1 issued by Tracy Hart, Director of the Ministry of the Environment, Conservation and Parks, under sections 168.6 and 197 of the Environmental Protection Act, on XXX 2026, being a Certificate of Property Use and order under subsection 197(1) of the *Environmental Protection Act* relating to the property municipally known as 755 Brookdale Avenue, Cornwall, Ontario and legally described as Part of Lot 12, Concession 1, City of Cornwall, being Parts 4 and 5 on Reference Plan 52R-348, Subject to an Easement as in Instrument No. S59591; Cornwall, being the whole of PIN 60183-0006 (LT) (the “Property”) with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property.

SUNCOR ENERGY INC.

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.