

P.O. Box 119 GJOA HAVEN, NU X0B 1J0

TEL: (867) 360-6338 FAX: (867) 360-6369 DODA OF THE PROPERTY NUNAVUT WATER BOARD NUNAVUT IMALIRIYIN KATIMAYINGI

File No: NWB5FRA0209

June 11, 2002

Attention: Pete Quinn, M. Eng., P. Eng.

Project Manager, DLCU
Defence Construction Canada
Place de Ville, Tower B
112 Kent Street, Ottawa ON K1A 0K3
email: quinnpe@dcc-cdc.gc.ca

RE: NWB License No. NWB5FRA0209

Dear Mr. Quinn:

Please find attached Licence No. NWB5FRA0209 issued to Defence Construction Canada by the Nunavut Water Board (Motion #: 2001-48) pursuant to its authority under Article 13 of the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada. The terms and conditions of the attached Licence related to water use and waste disposal remain an integral part of this approval.

Sincerely,

Philippe di Pizzo Executive Director

Enclosure: Licence No. NWB5FRA0209

cc: Eva Schulz, UMA Engineering

Paul Smith, DIAND Iqaluit P. Lavallee, DIAND Inspector

Jack Kaniak, Kitikmeot Inuit Association

Gladys Joudrey, Nunavut Impact Review Board

Michele Bertol, Nunavut Planning Commission

Josee Gallipeau, Nunavut Wildlife Management Board

P. Pacholek, Environment Canada

P. Partridge, Department of Sustainable Development

J. DeGroot, Department of Fisheries and Oceans



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TEL: (867) 360-6338 NUNAVUT WATER BOARD

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DECISION

LICENCE NUMBER: NWB5FRA0209

This is the decision of the Nunavut Water Board (NWB) with respect to an application for a Licence dated November 9, 2001 made by:

Defence Construction Canada

for implementation of decommissioning and clean-up of the Lady Franklin Point (PIN-3) DEW Line Site.

With respect to this application, the NWB gave notice to the public that Defence Construction Canada had filed an application with the NWB, and no public concerns were expressed to the Board.

DECISION

After having been satisfied that the application had been screened pursuant Article 12 of the Nunavut Land Claims Agreement and pursuant to NIRB decision to allow licensing to proceed under Article 12,10.2 (b), the NWB decided that the application could proceed through the regulatory process. After reviewing the submission of the Applicant, the NWB, having given due regard to the facts and circumstances, and to the purpose, scope and intent of the Nunavut Land Claims Agreement, determined that:

Licence Number NWB5FRA0209 be issued subject to the terms and conditions contained therein.

SIGNED this day 30+1. day of May 2002 at Gjoa Haven, NU.

Philippe di Pizzo

Executive Director, Nunavut Water Board

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INTRODUCTION

Following an application filed by UMA Engineering Ltd. on behalf of Defense Construction Canada on November 9, 2001 to the Nunavut Water Board, the Nunavut Impact Review Board (NIRB) conducted an environmental screening of Defense Construction Canada's request for a Water Licence. The Licence is for water use and waste disposal in association with the implementation of the clean up of the Lady Franklin Point (PIN-3) Dew Line Site. The screening was conducted pursuant to Article 12, Section 12.4.4 of the Nunavut Land Claims Agreement and the NIRB concluded in its screening decision dated April 10, 2001 that the project, in accordance with Section 12.4.4 (a), the proposal may be processed without a review under Part 5 or 6; NIRB may further recommend terms and condition to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5 of the NLCA.

In accordance with the *Nunavut Land Claims Agreement*, Article 13, Section 13.7.2, the NWB shall hold a public hearing before approving any application. The NWB may, where there is no public concern expressed, waive the requirement for a public hearing. Notice of the application was posted in the News North newspaper. As no public concerns were expressed, the NWB determined that a public hearing was not required.

II GENERAL CONSIDERATIONS

Term of the Licence

Based on Section 45 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, the NWB may issue a Licence for a term not exceeding twenty-five years. The NWB believes that a term of seven years is appropriate and will allow the Licensee to carry out its proposed work pending Article 12 review.

ii. Reporting Requirements

The NWB requests that the Licensee provide an executive summary in Inuktitut of all studies and reports prepared under this Licence. The Board feels that it is important that the information collected and analyzed as requirements of this Licence be summarized in the appropriate languages and given back to the residents of nearby communities potentially affected by the project.

iii. Spill Prevention

The Board generally requires that all Licensees prepare comprehensive Spill Contingency Plans to establish a state of readiness which will ensure prompt and effective response to possible spills or system failure events. The site-specific contingency plan will assist the Licensee in responding to emergencies such that the impacts to water in particular and the environment and public health in general are minimized.

iv. Surveillance Network Program

To measure the performance of the reclamation measures and to assess the mitigation of potential impacts to the environment associated with the appurtenant undertaking over the short and long term, the Board requests that the Licensee implement a site specific Surveillance Network Program. To accomplish these objectives, the NWB considers that additional detailed information from the Licensee is necessary.

LICENCE NWB5FRA0209

Pursuant to the Nunavut Waters and Nunavut Surface Rights Tribunal Act and the Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to

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	DEFENSE CONSTRUCTION CANADA
(Licensee)	
	Place de Ville, Tower B, 112 Kent Street, Ottawa, ON K1A 0K3
of	Ottavia, Oli Anni Vano
(Mailing Address)	
	Licensee, the right to alter, divert or otherwise use water for a period subject to cions contained within this Licence:
	NWB5FRA0209
Licence Number	
THE CONTRACTOR IN CONTRACTOR	
****	NUNAVUT
Water Management A	rea
	PIN-3 DEW LINE SITE, LADY FRANKLIN POINT,
	NUNAVUT (68°28' N / 113°13' W)
Location	
	WATER USE AND WASTE DISPOSAL
Purpose	
IF)	CAMP MOBILIZATION & OPERATION, NVIRONMENTAL CLEAN UP AND ASSOCIATED USES
	THE CHAIN OF THE TRANSPORTED COLD
	30 CUBIC METRES DAILY
Quantity of Water Not	to be Exceeded
	MAY 30, 2002
Date of Licence	171111 30, 2002
	MAY 30, 2009
Expiry Date of Licence)
Dated this 30th of Ma	y 2002 at Gjoa Haven, NU.
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1 (11)	17/2
Philippe di Pizzo	.) ()

Executive Director, Nunavut Water Board

PART A: SCOPE, DEFINITIONS & ENFORCEMENT

1. SCOPE

- i. This Licence entitles Defense Construction Canada (DCC) to use water and dispose of waste during operations required for the clean-up of the PIN-3 Distant Early Warning (DEW) Line Site, Lady Franklin Point, Nunavut (68°28' N / 113°13' W). Activities include: construction camp mobilization and operation; sewage treatment; landfill construction and remediation; petroleum impacted soil landfarm facility construction and operation; road construction and repairs including stream crossings; barrel and debris consolidation; blasting; and demolition of infrastructure no longer required for the operation of the North Warning System Short Range Radar site.
- This Licence is issued subject to the conditions contained herein with respect to the taking of water and the depositing of waste of any type in any waters or in any place under any conditions where such waste or any other waste that results from the deposits of such waste may enter any waters. Whenever new Regulations are made or existing Regulations are amended by the Governor in Council under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, or other statutes imposing more stringent conditions relating to the quantity or type of waste that may be so deposited or under which any such waste may be so deposited, this Licence shall be deemed, upon promulgation of such Regulations, to be subject to such requirements.
- Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with all applicable legislation, guidelines and directives.

2. DEFINITIONS

In this Licence: NWB5QIK0207 NWB5FRA0207

"Act" means the Nunavut Waters and Nunavut Surface Rights Tribunal Act

"Analyst" means an Analyst designated by the Minister under Section 85 (1) of the Act;

"Appurtenant undertaking" means an undertaking in relation to which a use of waters or a deposit of waste is permitted by a licence issued by the Board;

"Board" means the Nunavut Water Board established under the Nunavut Land Claims Agreement;

"Chief Administrative Officer" means the Executive Director of the Nunavut Water Board;

- "<u>Demolition Rinse Water</u>" means water and associated waste generated by the operation of decontamination and decommissioning activities;
- "Freeboard" means the vertical distance between water line and crest on a dam or dyke's upstream slope;
- "Grab Sample" means a single water or wastewater sample taken at a time and place representative of the total discharge;
- "Greywater" means all liquid wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet wastes;
- "Inspector" means an Inspector designated by the Minister under Section 85 (1) of the Act;
- "Landfarm Facility" means an area designed to biologically treat Type B soils;
- "Licensee" means the individual or organization to who Licence NWB5QIK0207 is issued or assigned;
- "Modification" means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion;
- "Hazardous waste" means waste which is classified as "hazardous" by Nunavut Territorial or Federal Legislation, or as "dangerous goods" under the Transportation of Dangerous Goods Act at the time of clean-up;
- "Nunavut Land Claims Agreement" (NLCA) means the "Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada," including its preamble and schedules, and any amendments to that agreement made pursuant to it;
- "Sewage" means all toilet wastes and greywater;
- "Sewage Disposal Facility" comprises the area and engineered structures designed to contain and treat sewage;
- "Solid Waste" means non-hazardous waste, Type A soil, Tier I soil and Tier II soil;
- "Solid Waste Disposal Facility" comprises the area and associated structures designed to contain solid waste and to permanently isolate the contents of the disposal facility from the environment;
- "Surveillance Network Program" means a monitoring program established to collect data on surface water and groundwater quality to assess impacts to the environment of an appurtenant undertaking.

"Tier I Soil" means soil containing contaminant concentrations within the types and ranges defined as DCC Tier I in Appendix E of the "Agreement Between Nunavut Tunngavik Incorporated and Her Majesty the Queen in the Right of Canada, as Represented by the Minister of National Defence for the Clean-up and Restoration of Distant Early Warning Sites within the Nunavut Settlement Area-Environmental Provisions" including its preamble and schedules, and any amendments to that agreement made pursuant to it (see Table I);

"<u>Tier II Soil</u>" means soil containing contaminant concentrations within the types and ranges defined as DCC Tier II in Appendix E of the "Agreement Between Nunavut Tunngavik Incorporated and Her Majesty the Queen in the Right of Canada, as Represented by the Minister of National Defence for the Clean-up and Restoration of Distant Early Warning Sites within the Nunavut Settlement Area-Environmental Provisions" including its preamble and schedules, and any amendments to that agreement made pursuant to it (see Table I);

"Type A Soil" means soil contaminated with hydrocarbons in which the primary petroleum product present in the soil as determined by laboratory analysis consists of lubricating oil and grease;

"Type B Soil" means soil contaminated with hydrocarbons in which the primary petroleum product present in the soil as determined by laboratory analysis consists of fuel oil and/or diesel fuel and /or gasoline;

"Toilet Wastes" means all human excreta and associated products, but does not include greywater;

"Waste" means waste as defined in Section 85 (1) of the Act;

"Water Supply Facilities" comprises the Water Supply Lake area and associated infrastructure designed to collect and supply water.

3. ENFORCEMENT

- i. Failure to comply with this Licence will be a violation of the *Act*, exposing the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the Act; and
- iii. Inspectors appointed under the *Act* enjoy-with respect to this Licence, and for the purpose of enforcing this Licence, and with respect to the use of water and deposit or discharge of waste by the licensee-all powers, privileges and protections that are conferred upon them by the *Act* or by other applicable law.

PART B: GENERAL CONDITIONS

- 1. The Licensee shall file an Annual Report with the Board no later than March 31 of the year following the calendar year reported, which shall contain the following information:
 - The monthly and annual quantities (in cubic metres) of fresh water obtained from all sources;
 - The monthly and annual quantities (in cubic metres) of sewage deposited in Sewage Disposal Facilities;
 - The monthly and annual quantities (in cubic metres) of material deposited in Solid Waste Disposal Facilities;
 - iv. A summary of any construction work, modification and major maintenance work carried out on the Water Supply, Sewage Disposal and Solid Waste Disposal Facilities, including all associated structures;
 - v. Tabular summaries for all data and information generated under the "Surveillance Network Program";
 - vi. An analysis of data collected during the "Surveillance Network Program" and a brief description of any future studies planned by the Licensee;
 - vii. A summary of any abandonment and restoration work undertaken during the year and an outline of any work anticipated for the next year;
 - viii. A summary of any studies requested by the Board that relate to waste disposal, water use or reclamation, and a brief description of any future studies planned;
 - A list of unauthorized discharges and summary of follow-up actions taken;
 - Any revisions to the approved "Operation and Maintenance Plan";
 - xi. Any revisions to the approved "Spill Contingency Plan";
 - xii. If applicable, a description of any trenches and sumps excavated, including but not limited to the following: GPS coordinates, dimensions, depth below active layer, and secondary containment features;
 - xiii. A public consultation/participation report describing consultation with local organizations and the residents of the nearby communities;

- xiv. A brief summary of work done to address concerns or deficiencies listed in the inspection reports and/or compliance reports prepared by an Inspector;
- xv. An executive summary in English and Inuktitut of all plans, reports, or studies conducted under this Licence; and
- xvi. Any other details on water use or waste disposal requested by the Board by November 1st of the year being reported.
- Meters, devices, or such methods as approved by the Board for measuring the volumes of water used and waste discharged shall be installed, utilized and maintained by the Licensee to the satisfaction of an Inspector.
- 3. Modifications to the "Surveillance Network Program" may be made only upon written approval of the Chief Administrative Officer.
- 4. The Licensee shall, within sixty (60) days of issuance of this Licence, post signs in the appropriate area to inform the public of the location of the Water Supply Facility, Solid Waste Disposal Facilities, Landfarm Facility, and the stations of the "Surveillance Network Program". All postings shall be in the Official Languages of Nunavut and located and maintained to the satisfaction of an Inspector.
- 5. The Licensee shall ensure a copy of this Licence is maintained at the site of operation at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

Philippe di Pizzo Executive Director Nunavut Water Board P. O. Box 119

Gjoa Haven, NU X0B 1J0 Telephone: (867) 360-6338 Fax: (867) 360-6369

Inspector Contact:

Water Resources Officer

Nunavut District, Nunavut Region

P.O. Box 100

Iqaluit, NU X0A 0H0

Telephone: (867) 975-4298 Fax: (867) 979-6445 The Licensee shall submit two paper copies and one electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.

PART C: CONDITIONS APPLYING TO WATER USE

- The Licensee shall obtain all freshwater for domestic and contractor-use purposes from the lake known as Water Supply Lake using the Water Supply Facilities or as otherwise approved by the Board.
- 2. The daily quantity of water obtained for all purposes shall not exceed 30 cubic metres.
- The freshwater intake shall be equipped with a screen with a mesh size sufficient to ensure no entrainment of fish.

PART D: CONDITIONS APPLYING TO SEWAGE DISPOSAL

- The Licensee shall direct and contain all piped and pumpout sewage to the Sewage Disposal Facility or as otherwise approved by the Board.
- All waste discharged from the Sewage Disposal Facility shall not exceed the following effluent quality standards at the point of discharge to the receiving water as defined in Part J, Item I:

PARAMETER 1	MAXIMUM AVERAGE	MAXIMUM CONCENTRATION OF ANY GRAB SAMPLE	
	CONCENTRATION		
Oil and Grease	no visible sheen	no visible sheen	
Total Suspended Solids	s 120 mg/l	150 mg/l	
BOD	80 mg/l	100 mg/l	
Faecal Coliforms	10000 CFU/dl	12000 CFU/dl	

The waste shall have a pH between 6.0 and 9.0.

- The Licensee shall collect and temporarily store, in preparation for future disposal, all Demolition Rinse Water from decontamination procedures.
- All pumpout water from excavation and borrow pits shall be pumped to an area approved by an Inspector.

PART E: CONDITIONS APPLYING TO SOLID WASTE DISPOSAL

- The Licensee shall dispose of Tier I soil, Tier II soil, Type A soil, non-hazardous waste and
 waste generated during site construction and remediation activities in landfills constructed
 according to the Plans contained in the application submitted to the Board by the Licensee.
- The Licensee shall dispose of material coated with Polychlorinated Biphenyl (PCB) amended paints, hazardous materials and soils containing contaminants in excess of
 Canadian Environmental Protection Agency (CEPA) Guidelines off site at an approved
 treatment facility.

PART F: CONDITIONS APPLYING TO THE UNDERTAKING

- 1. The Licensee shall ensure that the location and construction parameters of the Tier II contaminated soil and non-hazardous waste landfills, petroleum-impacted soil land-farms, roads including stream crossings, active layer monitoring wells, thermal monitoring sites and any other associated structures conform to the plans submitted to the Board by the Licensee, and contained in PIN-3 Lady Franklin Point Tender Drawings (February 2002; Drawings No. H-L13/1-9101-101 to H-L13/1-9101-119, inclusive and No. H-L13/1-9101-201 to H-L13/1-9101-201, inclusive).
- The Licensee, if any constructed facilities were to fail, shall repair such facilities immediately.
- 3. The Licensee shall implement proper handling, storage and transportation procedures for hazardous materials during clean-up activities.
- 4. The Licensee shall minimize disturbance to terrain, permafrost and drainage during extraction of granular material, development and closure of landfills, movement of contractor's equipment and personnel around the site and removal of site debris.
- Stream crossings shall be appropriately designed and constructed to minimize erosion or contamination of waterways.
- 6. The Licensee shall ensure that the existing creek channels are maintained at their normal width and depth to the extent possible, both during and after construction.
- Granular materials and rock rip-rap used for any temporary stream crossings, approaches or as may be required for bank stabilization must be obtained from a source approved by an Inspector, and be clean and free of contaminants. Such material must not be removed or gathered from below the ordinary high water mark of the creek, stream or from any nearby water body.

- All sites affected by construction or removal activities shall be stabilized, landscaped as
 necessary, and suitable erosion control measures implemented to minimize sediment
 deposition into watercourses located on or adjacent to the site, to the satisfaction of an
 Inspector.
- 9. The Licensee shall restore and stabilize all areas affected by the undertaking upon completion of the work, to the satisfaction of an Inspector.
- 10. The Licensee shall not deposit any waste in any body of water, or on the banks thereof, which may impair the quality, quantity, or flow of water.
- 11. Areas designated for waste disposal shall not be located within thirty (30) metres of the ordinary high water mark of any body of water, unless otherwise authorized.
- 12. All scrap metal, discarded machinery and parts, and other bulky material shall be disposed of in a manner which conforms to the Plans submitted to the Board by the Licensee.
- 13. The Licensee shall ensure that:
 - Any in-stream construction is carried out during low water periods;
 - In-stream activity is limited and machinery is prohibited from traveling up the streambed;
 - iii. Fording of streams is minimized;
 - iv. Equipment used in in-stream construction is clean and free of oil and grease;
 - Mechanized clearing is not permitted within thirty (30) metres of the normal high water mark of on-site streams in order to maintain a vegetative mat for bank stabilization; and
 - vi. Debris from clearing activities should not be dragged or skidded across watercourses and all slash and debris is to be disposed of above the high water mark so that it does not enter the water.

PART G: CONDITIONS APPLYING TO SPILL PREVENTION AND CONTINGENCY PLANNING

1. The Licensee shall ensure that any fuels, chemicals, or wastes associated with this undertaking do not enter any waters. All fuel is to be stored at a location that is a minimum of thirty (30) metres from the ordinary high water mark of any water source.

- The Licensee shall submit to the Board for approval sixty (60) days prior to the commencement of operations a revised "Spill Contingency Plan" in accordance with the Board's "Guidelines for Contingency Planning, January 1987".
- The Licensee shall revise the "Spill Contingency Plan" referred to in Part G, Item 2, if not
 acceptable to the Board. The Revised Plan shall be submitted to the Board for approval
 within thirty (30) days after notification.
- 4. The Licensee shall revise the "Spill Contingency Plan" annually to reflect changes in operation, technology and personnel. Any proposed modification shall be re-submitted to the Board for approval.
- 5. If, during the period of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - Employ the "Spill Contingency Plan";
 - Report the spill immediately to the 24-Hour Spill Reporting Line (867) 920-8130 and to an Inspector; and
 - iii. Submit to an Inspector a detailed report on each occurrence no later than thirty (30) days after initially reporting the event.

PART H: CONDITIONS APPLYING TO MODIFICATIONS

- The Licensee may, without written approval from the Board, carry out modification to the
 water supply and waste disposal facilities provided that such modifications are consistent
 with the terms of this Licence and the following requirements are met:
 - The Licensee has notified the Board in writing of such proposed modifications at least sixty (60) days prior to beginning the modifications;
 - Such modifications do not place the Licensee in contravention of the Licence and/or Act:
 - iii. The Board has not, during the sixty (60) days following notification of the proposed modifications, informed the Licensee that review of the proposal will require more that sixty (60) days; and
 - iv. The Board has not rejected the proposed modification.

- 2. Modifications for which all of the conditions referred to in Part H, Item 1 have not been met may be carried out only with written approval from the Board.
- 3. The Licensee shall provide to the Board as-built plans and drawings of the modifications referred to in Part H, Item 1 within ninety (90) days of completion of the modifications.

PART I: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

- The Licensee shall submit to the Board six (6) months prior to the completion of onsite activities an Abandonment and Reclamation Plan to address contractor demobilization and site remediation operations.
- The Licensee shall implement the Plan referred to in Part I, Item 1, as and when approved by the Board.
- The Licensee shall revise the Abandonment and Reclamation Plan referred to in Part I, Item
 if not acceptable to the Board. The Revised Plan shall be submitted to the Board for approval within thirty (30) days after notification.
- 4. The Licensee shall complete all reclamation work within the time schedule specified in the Plan submitted to the Board, unless otherwise approved by the Board.

PART J: CONDITIONS APPLYING TO SURVEILLANCE NETWORK PROGRAMS

- The Licensee shall within sixty (60) days of issuance of this Licence submit to the Board for approval a "Surveillance Network Program" which shall include but not be limited to the following:
 - GPS coordinates of all surface and subsurface sampling points;
 - ii. Specific components of the visual, soil/water and thermal monitoring program;
 - iii. Sampling frequency and reporting requirements; and
 - iv. Biological, physical and chemical parameters for analyses;
- 2. The Licensee shall implement the Plan referred to in Part J, Item 1, as and when approved by the Board.

- The Licensee shall revise the "Surveillance Network Program" referred to in Part J, Item 1 if
 not acceptable to the Board. The Revised Plan shall be submitted to the Board for approval
 within thirty (30) days after notification.
- The Licensee shall sixty (60) days prior to any sampling, submit to the Board a Quality Assurance/Quality Control (QA/QC) Plan approved by an Analyst which addresses both field and laboratory requirements.
- 5. The QA/QC Plan referred to in Part J, Item shall be implemented as approved by the Board.
- All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of "Standard Methods for the Examination of Water and Wastewater", or by such other methods as approved by the Board.
- All analyses shall be performed in a Canadian Association of Environmental Analytical Laboratories (CAEAL) Certified Laboratory, or as approved by the Board.

Table I
Tier I and Tier II
DEW Line Clean-up Criteria

Substance	Units	DCC Tier I	DCC Tier II*
Arsenic	ppm	H	30
Cadmium	ppm		5.0
Chromium	ppm		250
Cobalt	ppm	-	50
Copper	ppm		100
Lead	ppm	200**	500
Mercury	ppm	-	2.0
Nickel	ppm	-	100
Zinc	ppm		500
PCB's	ppm	1.0***	5.0

- concentrations exceeding these limits are classified as Tier II soils except when the concentrations exceed federal regulations (CEPA soils)
- ** concentrations between 200 and 500 ppm are classified as Tier I soils
- *** concentrations between 1.0 and 5.0 ppm are classified as Tier I soils