

Water Licence 2AM-LUP1520

TABLE B - Licence Compliance Assessment and Status Report

Water Licence Amendment Application; July 2018

Licence Condition			Status of Compliance
PART A - SCOPE, DEFINITIONS and ENFORCEMENT			
Scope			
1	a	<p>This Licence authorizes Lupin Mines Incorporated (LMI or the Licensee) to use Water and deposit Waste during activities and undertakings carried out in support of the Care and Maintenance Phase and the Transition Phase at the Lupin Mine (Lupin or the Project), for an undertaking categorized as Mining under Schedule 1 of the Regulations. The Project is located on the west shore of Contwoyto Lake, approximately 285 kilometres southeast of Kugluktuk, within the Kitikmeot Region, Nunavut, at the following general geographical coordinates: Latitude: 65° 46' N and Longitude: 111° 44' W.</p> <p>Lupin Mines Incorporated is authorised to undertake the following activities during the Care and Maintenance Phase and Transition Phase of the Project:</p> <p>Use Water in accordance with thresholds established for each of the respective phases of the project;</p> <ul style="list-style-type: none"> • <input type="checkbox"/> Deposit of tailings slurry into the Tailings Containment Area (TCA); • <input type="checkbox"/> Deposit of tailings paste into underground works; • <input type="checkbox"/> Deposit and treatment of Sewage into the Sewage Disposal Facilities; • <input type="checkbox"/> Discharge of Effluent from Tailing Containment Area (TCA); • <input type="checkbox"/> Discharge of Effluent from Sewage Disposal Facilities; • <input type="checkbox"/> Progressive Abandonment and Reclamation of Mine facilities; • <input type="checkbox"/> Carryout the required Monitoring Program; • <input type="checkbox"/> Care and Maintenance of site facilities and infrastructure, including: <ul style="list-style-type: none"> o Mining and Milling structures o Water Supply Facility o Mine site camp facilities o Tailings Containment Area (TCA) o Tailings Line and associated facilities o Sewage Disposal Facilities o Mine site roads o Mine site airstrip o Breakwater and Causeway o Fuel Storage Facilities • <input type="checkbox"/> Construct and Operate an on-site Landfarm Facility to treat petroleum hydrocarbon contaminated soils generated by the Project; • <input type="checkbox"/> Changes to the frequency at which inspections of site infrastructure and site facilities are conducted to levels that are commensurate with the Care and Maintenance Phase and Transition Phase of the Project; • <input type="checkbox"/> Changes to the Monitoring Program associated with the Project to include minor updates to the description of monitoring stations, minor reductions and increases in the type of parameters being monitored and the frequency at which specific parameters are being monitored • <input type="checkbox"/> Changes in the frequency at which updated financial reclamation security assessments for the project must be submitted to the Board for review and/or approval; and • <input type="checkbox"/> Use of an existing or historical, on-site Landfill Facility to dispose of non-hazardous and non-combustible Waste generated by the Project. 	Compliant.
		<p>This Licence is issued subject to conditions contained herein with respect to the use of Water and the deposit 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 Act, or other statutes imposing more stringent conditions relating to the quantity, type or manner under which any such Waste may be so deposited, this Licence shall be deemed to be subject to such requirements.</p>	Compliant.
	c	Compliance with the terms and conditions of this Licence does not absolve the Licensee from the responsibility for compliance with all applicable legislation, guidelines and directives.	N/A
Definitions			
2	a	The Licensee shall refer to Schedule A for definitions of terms used in this Licence.	Compliant.

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Enforcement				
3	a	Failure to comply with this Licence may be a violation of the Act, subjecting the Licensee to the enforcement measures and the penalties provided for in the Act.	See AANDC Water Use Inspection Reports dated 2015, 2016 and 2017.	
	b	All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the Act.	Since issuance of the Licence renewal, no enforcement measures or penalties have been incurred under the Licence.	
	c	For the purpose of enforcing this Licence and with respect to the use of Water and deposit of Waste by the Licensee. Inspectors appointed under the Act hold all powers, privileges and protections that are conferred upon them by the Act or by other applicable laws.		
PART B - GENERAL CONDITIONS				
1		The Water use fees, payable to the Receiver General for Canada, shall be sent to the Board annually for the rights to the use of Waters in accordance with section 12 of the Regulations. Fees, which must be paid in advance, for the rights to use of Waters during the Care and Maintenance Phase and the Transition Phase of the Project, shall be based on maximum Water volumes authorized under Part D, Item 2, and Part D, Item 3 of the Licence, respectively.	Compliant	Water use fees are based on 5,000 m ³ of authorized water use per year.
		The Licensee shall file an Annual Report with the Board no later than the 31st of March, of the year following the calendar year being reported. The Annual Report for the project shall be developed and submitted in accordance with Schedule B of the Licence, unless otherwise approved by the Board in writing.	Compliant. 2015 Annual Report Submitted on March 31, 2016 2016 Annual Report Submitted on March 31, 2017 2017 Annual Report in preparation, to be submitted.	
	Schedule B Item 1	The Annual Report referred to in (Part B, Item 2), shall include:	2015 and 2016 Annual Reports; 2017 Annual Report to be submitted.	
2	a	The monthly and annual quantities in cubic metres of water pumped from Contwoyto Lake at Station Number LUP-01;	Compliant	
	b	The monthly and annual quantities in cubic metres of treated Tailings effluent discharged at Station Number LUP-10;		
	c	The monthly and annual quantities in cubic metres of Minewater discharged at Station Number LUP-11;		
	d	The monthly and annual quantities in cubic metres of treated Sewage effluent discharged at Station Number LUP-14;		
	e	Details on the types and quantities of Hazardous Waste and chemicals stored on site		
	f	Tabular summaries of all data generated under the "Monitoring Program";		
	g	A summary of actions taken to address concerns or deficiencies listed in the inspection reports and/or compliance reports filed by an Inspector;		
	h	A summary of modification and/or major maintenance work carried out on the Water supply and the Waste disposal facilities, including all associated structures;		
	i	A list and description of all unauthorized discharges including volumes, spill report line identification number and summaries of follow-up action taken;		
	j	Where applicable, revisions as Addendums, with an indication of where changes have been made, for Plans, Reports, and Manuals;		

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	k	Updated status of any progressive reclamation as it relates to tailings cover remediation and justification for not proceeding to full reclamation under Part I, Item 7;	Compliant
	l	A summary of public consultation and participation with local organizations and the residents of the nearby communities, including a schedule of upcoming community events and information sessions.	
	m	A summary of any abandonment and reclamation work completed during the year and an outline of any work anticipated for the next year; and	
	n	Any other details on Water use or Waste disposal requested by the Board by the Board by November 1 of the year being reported.	
3		The Licensee shall, install, operate and maintain meters, devices or other such methods used for measuring the volumes of Water used and Waste discharged to the satisfaction of an Inspector.	Compliant
4		The Licensee shall maintain to the satisfaction of an Inspector, all the signs necessary to identify the stations of the "Monitoring Program", detailed in Schedule J.	Compliant
5		The Licensee shall maintain a copy of this Licence at the site of operation at all times in English, Inuinnaqtun and Inuktitut.	Compliant LMI does require copies of the Licence in Inuinnaqtun and Inuktitut from the NWB.
6		Any communication with respect to this Licence shall be made in writing to the attention of: Manager of Licensing Nunavut Water Board P. O. Box 119 Gjoa Haven, NU X0B 1J0 Telephone: (867) 360-6338 Fax: (867) 360-6369 Email: licensing@nwb-oen.ca	Compliant
7		Any notice made to an Inspector shall be made in writing to the attention of: Water Resources Officer Crown-Indigenous Affairs and Northern Development Nunavut District, Nunavut Region P.O. Box 100 Iqaluit, NU X0A 0H0 Telephone: (867) 975-4295 Fax: (867) 979-6445	Compliant
8		The Licensee shall submit one (1) paper copy and one (1) electronic copy of all reports, studies, and plans required under this Licence. Reports and/or studies and plans submitted to the Board by the Licensee shall include an executive summary in English, Inuinnaqtun and Inuktitut.	Complaint with electronic copies
9		The Licensee shall ensure that any document or correspondence submitted by the Licensee to the Board is received and acknowledged by the Manager of Licensing.	Compliant
10		This Licence is assignable as provided in section 44 of the Act.	Compliant
11		The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted that require approval or acceptance, cannot be undertaken without subsequent written Board approval and/or direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection, or alteration of the Plan. Plans or drawings submitted to the Board for information purposes only, generally do not require the Board's approval prior to implementation; however, the Board reserves the right to accordingly request revisions to those Plans or drawings.	Compliant
12		In the event that a Plan is found unacceptable to the Board, the Licensee shall provide a revised version of the Plan to the Board for review and/or approval within sixty (60) days following notification by the Board, or within the timeframe specified in Board's notification to the Licensee.	
13		The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board.	

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14		Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and condition imposed upon the Licensee through the approval of a Plan by the Board, shall become part of this Licence. Alterations and additions to the Licence shall be contemplated in the development of	Plans were submitted to the Board for approval with the submission on Security Assessment October 2017. Plans Dated March 2016
15		The Licensee shall review the Plans and/or Manuals referred to in this Licence as required by changes in operation and/or technology and modify the Plans and/or Manuals accordingly. Revisions to the Plans or Manuals are to be submitted in the form of an Addendum to be included with the Annual Report required by Part B, Item 2, complete with a revisions list detailing where significant content changes are made.	
16		The expiry or cancellation of this Licence does not relieve the Licensee from any obligations imposed by the Licence, or any other regulatory requirement.	Compliant
17		The Licensee shall refer to the Schedules included as appendices in this Licence for instructive details regarding relevant requirements associated with specific terms and conditions in the main body of the Licence as well as for assistance with aspects of clarity and interpretation of respective Licence terms and conditions.	Compliant
18		The Licensee shall submit to the Board for processing, at least nine (9) months prior to the proposed date for recommencing the Operations Phase of the Project and associated activities, an application to renew and/or amend the Licence that includes but is not limited to updated management plans, any changes to monitoring and inspection requirements, an updated security assessment, and other requirements stipulated in this Licence.	N/A Final Closure and Reclamation Plan submitted with amendment application, updated security/cost assessment
PART C - CONDITIONS APPLYING TO SECURITY			
1		The Licensee shall, within sixty (60) days following approval of the Licence by the Minister, furnish and maintain reclamation security with the Minister, in the amount of \$25.5 million dollars, in the form that is satisfactory to the Minister.	Compliant
2		The Licensee shall furnish and maintain such further or other amounts as may be required by the Board based on required periodic estimates of current mine reclamation liability.	The security amount has been adjusted twice since licence approval. Amendments No. 1 and 2 completed, adjusting the amount of security according to the decision of the Board.
3		The Licensee or the Minister may apply to change the amount of security held under Part C, Item 1 and/or Part C, Item 2 of the Licence. Any request to change the amount of security shall be supplemented by submission(s) that include supporting evidence to justify the request and will be processed by the Board as an amendment to the terms and conditions of the Licence.	Amendment No.1 issued and approved by the Minister May 12, 2017.
4		The Licensee shall, in the year 2017, reassess and update the reclamation security for the Project and submit to the Board for review a copy of the updated assessment on or before September 30, 2017.	Compliant, submission dated October 2017 with Amendment No.2 issued and approved by the Minister May 30, 2018
5		The Licensee shall, with the exception of an amendment application submitted by the Minister under Part C, Item 3, submit an updated security assessment as part of any application to renew and/or amend the Licence, or notification to commence active reclamation of the Project site, if the application is submitted prior to, or subsequent to the assessment required under Part C, Item 5. The updated security assessment shall take into consideration the latest version of RECLAIM and address any changes to the reclamation security previously assigned under Part C, Items 1, 2, 3, 4, and 5 as well as any changes in the Project scope associated with the application.	Final Closure and Reclamation Plan submitted with amendment application, updated security/cost assessment included.

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PART D - CONDITIONS APPLYING TO WATER USE			
1		The Licensee shall obtain all fresh Water for the mining undertaking, from Contwoyto Lake, at monitoring station LUP-01 using the Water Supply Facility.	The Water Supply Facility pumps and pipeline have not been utilized since prior to the approval of the renewal Licence in 2015. Water is obtained from the monitoring station LUP-01, using a portable pump and water truck.
2		The annual volume of Water withdrawn from Contwoyto Lake for all uses under this Licence, during the current Care and Maintenance Phase of the Project, shall not exceed 5,000 cubic metres..	Compliant. The 2015 annual report indicates that a total of 173 m ³ of water was pumped from Contwoyto Lake in 2015. The 2016 annual report indicates that a total of 371.33 m ³ of water was pumped from Contwoyto Lake in 2016. The 2017 annual report (to be submitted) indicates that a total of 359.3 m ³ of water was pumped from Contwoyto Lake in 2017. (All well below the 5,000m ³ /year approval)
3		The annual volume of Water withdrawn from Contwoyto Lake for all uses under this licence, during the Transition Phase of the Project, shall not exceed 500,000 cubic metres.	Compliant. Not applicable during care and maintenance
4		The Licensee shall equip the fresh water intake structure with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw water at a rate such that fish do not become impinged on the screen.	Compliant Water is currently being withdrawn at Contwoyto Lake via a portable submersible pump, equipped with screen, to fill the water truck on an as needed basis.
5		The Licensee shall, during the Care and Maintenance Phase of the Project, conduct inspections of water and Waste management structures on a bi-weekly basis during freshet (approx. May and June), and on a monthly basis during the remainder of the open water period (approx. July - October). All records of the inspections and findings must be maintained for review, upon the request of the Board or an Inspector	This Licence requirement has been incorporated into the Liquid Waste Management Plan, March 2016 Section 5.1 Updated Monitoring and Inspection Schedule (Care and Maintenance), March 2016. See compliance status of Part E Item 6 (g) regarding frequency of TCA inspection.
6		The Licensee shall provide at least sixty (60) days' notice to the NWB and an Inspector indicating the date on which the project will shift from the Care and Maintenance Phase to the Transition Phase. The notice shall include, at a minimum, the duration of the Transition Phase, the purposes for which Water will be used during the Transition Phase, and the amount of fees prorated and paid in advance of the maximum volume of water authorized for the Transition Phase (Refer to Schedule D).	N/A
	Schedule D, 1	If the Licensee decides to amend and/or renew the Licence, the Licensee should include the following information as part of any Application to the Board: a. The quantity of Water required for under the proposed renewed and/or amended licence; b. Proposed sources or Water bodies from which the Water will be withdrawn; c. Hydrology assessment of the Water sources or bodies from which all Water will be withdrawn;	Compliant Information included in the July 2018 Application for Amendment (Closure and Reclamation)
7		The Licensee shall, during the Transition Phase of the Project, conduct weekly inspections of all Water and Waste management structures during periods of flow and maintain records of the inspections and findings for review, upon the request of the Board and/or Inspector.	N/A
8		The Licensee shall implement measures to prevent the generation and deposition of dust and/or sediment into Water arising from road use.	NA Road use is limited during care and maintenance. Mitigation measures in place during active hauling and road use during progressive reclamation.
PART E- CONDITIONS APPLYING TO WASTE DISPOSAL AND MANAGEMENT			
1		The Licensee shall discharge all Tailings into the Tailings Containment Area, underground as Backfill or to other locations in accordance with the Guide to the Management of Tailings Facilities (Mining Association of Canada September 1998), or as otherwise approved by the Board in writing.	N/A Facility in Care and Maintenance, therefore no tailings have been generated or discharged (deposited) to the TCA or underground during the term of the Licence renewal.
2		The discharge of Effluent from the Tailings Containment Area at Monitoring Station LUP-10 shall commence no sooner than July 15 of any calendar year unless otherwise approved by the Board in writing.	Compliant Licence requirement is incorporated into sections 5.1 and 5.3.2 of the Liquid Waste Management Plan, dated March 2016 submitted with the Security assessment information on Amendment No.1. Discharge last occurred in 2015. Discharge planned to take place July-September, 2018.

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3		The discharge of Effluent from the Tailings Containment Area shall not exceed a rate of 70,000 cubic metres per day, unless otherwise approved by the Board in writing.	<p>Compliant</p> <p>Licence requirement is incorporated into sections 5.1 and 5.3.2 of Liquid Waste Management Plan, dated March 2016 submitted with the Security assessment information on Amendment No.1.</p> <p>See 2015 Annual Report, Appendix A for daily, monthly and annual discharge volumes.</p>
4		The Licensee shall provide at least ten (10) days' notice to an Inspector prior to any planned Discharge from any facilities design to contain, withhold, divert or retain Water or Wastes. The notice shall include an estimated volume proposed for Discharge, duration of Discharge and the receiving location.	<p>Compliant</p> <p>Licence requirement is incorporated into sections 3.3, 4.2.1, 5.3.1 and Tables 2.2, 2.3 of Liquid Waste Management Plan, dated March 2016 submitted with the Security assessment information on Amendment No.1.</p> <p>Notification provided prior to discharge from LUP-14 and LUP-27 in 2015 Emergency Discharge directed by AANDC July 22, 2015.</p> <p>Notification provided prior to discharge from LUP-14 and LUP-27 in 2016</p> <p>Notification provided prior to discharge from LUP-14 and LUP-27 in 2017, and</p> <p>Notification provided prior to discharge from LUP-14 and LUP-27 in 2018</p>
5		All Effluent discharged from the Tailings Containment Area at Monitoring Program station LUP-10, shall not exceed the following Effluent quality limits: (refer to Table in Licence)	<p>Compliant</p> <p>Effluent discharged from LUP-10 from August 25, 2015 until the end of September, 2015. See 2015 annual report for details on effluent quality.</p> <p>No Effluent was discharged from LUP-10 in 2016 or 2017.</p> <p>Discharge planned again in 2018 in anticipation of final closure activities</p>
6		The Tailings Containment Area shall be constructed, operated and maintained to engineering standards such that:	See sub-items (a) - (i)
	a	A minimum Freeboard of 1.0 metre shall be maintained at all times or as recommended by a Geotechnical Engineer and as approved by the Board in writing;	<p>Compliant</p> <p>2015 required an inspector's direction to complete discharge as the process for renewing the site's water licence had not yet been finalized and discharge was required prior to the end of the open water season.</p> <p>2016 Geotechnical Inspection, DamK erosion at HWM, repairs required; Cell 5 tension cracks repaired; Dam M, Join buttresses to form continuous repair of tension cracks; Dam N, minor wave action erosion at HWM, monitor and lower water levels to >1m freeboard.</p> <p>2017 Geotechnical inspection, noted water levels behind Dam N, monitor and lower to achieve the minimum 1m freeboard. LMI reduces the water levels in Cell 5 annual in preparation for the next year's freshette.</p> <p>Discharge required in 2018 in order to carry out planned final closure and reclamation activities in 2019.</p>
	b	Seepage from the Tailings Containment Area is minimized;	<p>Compliant</p> <p>2015 AANDC Inspection report did not note any seepages.</p> <p>2015 Annual Geotechnical Inspection of Perimeter Dams noted seepage at toe of Dam 2. <1L/min and recommended monitoring, pumpback if necessary</p> <p>2016 Annual Geotechnical Inspection noted to monitor for any seepage, pumpback if necessary.</p> <p>2017 Annual Geotechnical Inspection noted to monitor for any seepage, pumpback if necessary.</p>
	c	Any Seepage that occurs is collected and returned immediately to the Tailings Containment Area;	<p>Compliant</p> <p>2015, 2016 and 2017 Annual Geotechnical Inspection recommended that LMI monitor for any seepage at Dam 2 and at Dam 4</p>

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	d	Erosion of constructed facilities is addressed immediately;	<p>Compliant</p> <p>2015, 2016 and 2017 geotechnical inspection reports note minor erosion issues. 2015 Annual Geotechnical inspection report noted erosion at Dam 3 crest, repairs completed after inspection. Dam 4, some erosion gullies and minor exposed geogrid, repair as required. Internal dikes had minor surface and crest erosion, Dams K, L, M and N had minor erosion, Dam M observed tension cracks, requires proper mitigation repairs. 2016 Annual geotechnical inspection report notes minor erosion issues with perimeter dams. Internal dams were noted in good condition with the exception of Dams K, M and L, and water elevations in Dam N pond. Recommended to repair the eroded toe at Dam K, connect east and west buttresses at Dam M and monitor water elevation in Cell 4 and lower as necessary. 2017 Annual Geotechnical Inspection: 2017 Geotechnical inspection, noted water levels behind Dam N, monitor and lower to achieve the minimum 1m freeboard. LMI reduces the water levels in Cell 5 annual in preparation for the next year's freshette.</p>
	e	The solids fraction of the mill Tailings shall be permanently contained within the Tailings Containment Area or underground as Backfill;	<p>Compliant</p> <p>Care and Maintenance Plan , dated March 2016 section 4.3 has been revised to propose measures to address windblown tailings. In response to the 2014 Inspection Report, a study was completed in 2015 (December 31, 2015 by SRK) to address INAC noted concern. This report was filed with the NWB and can be found in the appropriate folder of the NWB's ftp site</p>
	f	Implement measures to ensure that the Tailings Containment Area is adequately covered or managed, including the use of approved binding agents, so as to prevent windblown tailings from impacting other areas of the project site;	<p>Compliant</p> <p>On-going progressive reclamation during Care and Maintenance, continued covering of exposed tailings solids in areas that are not anticipated for future tailings disposal. With the decision to move to final closure, these areas will now be covered based on the time scheduled presented in the FCRP.</p>
	g	During care and maintenance, inspections shall be carried out on a bi-weekly basis during freshet (approx. May and June), and monthly during the remainder of the open water period (approx. July - October) of the following: i. collection and return of seepage in Dam 2; ii. water levels in ponds 1 and 2, and cells 3 and 5; iii. general surface erosion and anomalies on dams; iv. tension crack in Dam M. If water levels in the ponds rise, then inspections shall be carried out bi-weekly during the open water season (approx. May - October); and v. Records of these inspections shall be kept for review upon the request of an Inspector, or as otherwise approved by the Board.	<p>Compliant.</p> <p>Additional inspections are carried out under the approved Care and Maintenance Plan.</p>
	h	More frequent inspections shall be performed at the request of an Inspector; and	Compliant
	i	An inspection of the Tailings Containment Area shall be carried out annually during ice free, open-water conditions by a Geotechnical Engineer. The Engineer's report shall be submitted to the Board within sixty (60) days following the inspection, and shall include a cover letter from the Licensee outlining an implementation plan to respond to the Engineer's recommendations.	<p>Compliant</p> <p>Annual Geotechnical inspection reports and cover letters were submitted for 2015, 2016 and 2017 of all structures designed to contain water or waste, including the TCA perimeter dams.</p>
7		The Licensee shall continue to implement measures to ensure that the Tailings Containment Area is adequately covered or managed, including the use of approved binding agents, so as to prevent windblown from impacting other areas of the project site.	<p>Compliant</p> <p>Progressive reclamation carried out in accordance with the approved ICRP, for areas not anticipated for future use.</p>
8		The Licensee shall direct all Sewage to the Sewage Lakes Disposal Facilities or as otherwise approved by the Board in writing.	Compliant.
9		All Effluent discharged from the Sewage Lakes Disposal Facilities at Monitoring Program monitoring station LUP-14, shall not exceed the following Effluent quality limits: (Refer to Table in Licence)	<p>Compliant.</p> <p>Effluent was discharged under inspector's direction in 2015 from LUP-27, in 2016 and 2017 under the renewal licence issued 2015. Please refer to the annual reports for details on effluent quality.</p>
10		All Effluent discharged from the Bulk Fuel Storage Facility and the Landfarm Facility at Monitoring Program stations LUP-27 and LUP-28, respectfully, shall not exceed the following Effluent quality limits: (Refer to Table in Licence)	<p>Compliant</p> <p>No effluent has been released from the Landfarm facility since operation began in 2017. Refer to Annual Reports for details on the Bulk Fuel Storage Facility effluent quality.</p>

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11		The Licensee shall confirm compliance with respective Effluent quality limits in Part E, Items 5, 9 and 10, prior to Discharge.	Compliant see notifications, annual reports
12		The Licensee shall Discharge all Minewater to the Tailings Containment Area or to the Sewage Lakes Disposal Facilities, unless otherwise approved by the Board in writing.	NA No minewater discharged has occurred during the term of the renewal Licence. Planned pumping of open pits (crown pillars) for 2018-19 closure activities. This effluent however will likely be directed to the mine openings for disposal underground.
13		The Licensee shall submit to the Board for approval in writing, a proposal for the disposal of Minewater at a location other than that specified in Part E, Item 12. The proposal shall describe options for the Discharge of Minewater, data on the quantity and quality of the Minewater, and the alternative options for Minewater treatment and disposal.	NA No alternative minewater disposal has been proposed.
14		The Licensee shall implement the proposal specified in Part E, Item 13, as approved by the Board in writing.	NA.
15		The Licensee shall remove or backhaul Hazardous Wastes generated during all phases of the Project so as to prevent excessive buildup. Hazardous waste shall be stored and transported to an approved Hazardous Waste disposal facility for disposal, in accordance with the Government of Nunavut – Department of Environment, Environmental Guidelines for the General Management of Hazardous Waste (revised 2010) and the Transportation of dangerous Goods Regulation (SOR/2014-206).	Compliant See 2015, 2016 and 2017 Annual Reports GNID Number NUG10047
16		The Licensee shall maintain records of all Waste backhauled and confirmation of proper disposal through the use of Waste manifest tracking systems and registration with the Government of Nunavut, Department of Environment.	Compliant Waste Generator ID Number NUG10047
17		The Licensee is authorized to dispose of relevant inert, non-hazardous and non-combustible waste generated by the Project at the existing Landfill Facility.	Compliant Disposal in accordance with the approved Landfill Management Plan, 2014; a revised version dated March 2016 has been submitted, awaiting approval.
18		The Board has approved the Plan entitled Lupin Mine, Nunavut, Canada Landfill Management Plan, dated July 2014 and submitted for the Landfill Facility authorized in Part E, Item 17.	Compliant See above, Item 17.
19		All Effluent discharged from the Landfill Facility at Monitoring Station LUP-31, into the Receiving Environment, shall not exceed the following Effluent quality limits: (Refer to Table in Licence)	Compliant See monitoring results in Annual Reports
20		Effluent exceeding the limits set out in Part E, Item, 19 shall be collected and treated or disposed of at an approved facility, or as otherwise approved by the Board.	Compliant
21		The Licensee is authorized to treat petroleum hydrocarbon contaminated soil generated by the Project at the proposed on-site Landfarm Facility, included as part of the scope of the Application, or as otherwise approved by the Board in writing. All soil must be treated to meet the appropriate post-treatment, land-use criteria outlined in the Canadian Council of Ministers of the Environment's (CCME) Canada-Wide Standards for Petroleum Hydrocarbons (PHC) in Soil (2008) and the Government of Nunavut – Department of Environment's Guidelines for Contaminated Site Remediation (Revised 2009).	Compliant LMI has prepared, constructed and is currently operating (as of 2017) a Landfarm to treat hydrocarbon contaminated soil from the STF in accordance with the Waste Management Plan, Appendix Landfarm Management Plan, and NWB approvals. Approximately 500m ³ of material was excavated from the STF and placed in the Landfarm, late August 2017.
22		The Board has approved the Plan entitled, Lupin Mine, Nunavut, Canada, Landfarm Management Plan, dated December 2014, submitted for the Landfarm Facility authorized in Part E, Item 21.	Compliant
23		The Licensee shall, in consultation with an with an Inspector, establish Discharge locations, as required, for the facilities authorized under Part E, Item 17 and 21 in this Licence.	Compliant Monitoring station LUP-31 established for the Landfill; LUP-28 established for the Landfarm. No monitoring well locations have been established due to the design of the Landfarm, with secondary containment and leak detection system. In the event of water entering the secondary containment/leak detection system, this water would be sampled and analyzed prior to disposal/treatment. In addition, wells would be considered to determine if effluent had migrated from the Landfarm Facility.
24		The Licensee shall treat, as required, the Effluent generated by the Landfarm Facility such that the Effluent discharged shall not exceed the Effluent quality limits established under Part E, Item 10, prior to Discharge into the Receiving Environment.	Compliant no effluent has been released from the Landfarm facility since operation began in 2017.
25		The Licensee shall, in consultation with an Inspector and an Engineer, at least sixty (60) days prior to the initial use of the facilities, install monitoring wells consisting of at least one (1) up gradient and two (2) down gradient wells, at the Landfill Facility and the Landfarm Facility. Water samples collected from the monitoring wells shall be analyzed for criteria included under Part E, Item 19, and Part E, Item 10, respectively.	Compliant Modification No.1 issued August 17, 2017, allowed the implementation of the engineered leak detection system in lieu of installation of monitoring wells. Management plans (Solid Waste and Landfarm Management), 2016 will be updated to reflect the change in Landfarm operations.

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26		The Licensee shall, during 2015, conduct a detailed sampling program within the vicinity of the Tailings Containment Area and other areas identified or suspected of being impacted by windblown Tailings associated with the Project. A written report detailing the sampling results along with relevant analyses shall be submitted to the Board for review by December 31, 2015.	Compliant A study was completed in 2015 (Report December 31, 2015 by SRK) to address lthis condition. The report was filed with the NWB and can be found in the appropriate folder of the NWB's ftp site
27		The Licensee shall determine, prior to disposal at the Landfill Facility, that residue generated from the incineration or combustion of waste is non-hazardous. If the residue is determined unsuitable for disposal at the Landfill facility, the Licensee shall direct the Waste to an appropriate facility for disposal. The records of any analytical results and volume of ash generated and deposited shall be maintained and provided to the Board or an Inspector upon request.	Complaint Landfill not currently in use.
1		The Licensee may, without written consent from the Board, carry out Modifications provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:	Compliant One modification was requested with respect to the construction of the Landfarm and incorporation of a leak detection system, requesting that the installation of monitoring wells be waived due to the design. Modification No.1 was issued August 17, 2017.
	a	The Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications, that includes the requirements of Part F, Item 3;	
	b	Such modifications do not place the Licensee in contravention of the Licence or the Act;	
	c	Such Modifications are consistent with the NIRB Project Certificate;	
	d	The Board has not, within sixty (60) days following notification of the proposed Modifications informed the Licensee that review of the proposal will require more than sixty (60) days; and	
	e	The Board has not rejected the proposed Modifications.	
2		Modifications, for which all of the conditions referred to in Part F, Item 1 have not been met, may be carried out only with approval of the Board in writing.	
3		Applications for modifications shall contain:	
	a	A description of the facilities and/or works to be constructed;	
	b	The proposed location of the structure(s);	
	c	Identification of any potential impacts to the Receiving Environment;	
	d	A description of any monitoring required, including sampling locations, parameters measured and frequencies of sampling;	
	e	Schedule for construction;	
	f	Drawings of engineered structures stamped by a Professional Engineer; and	
	Proposed sediment and erosion control measures.		
4		The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.	
PART G - CONDITIONS APPLYING TO CONSTRUCTION			
1		Prior to construction of any dams, dykes or structures intended to contain, withhold, divert or retain Water or Wastes, the Licensee shall submit to the Board, for review, final design specifications and for construction drawings, signed and stamped by an Engineer.	Compliant No new dams, dykes or structures have been constructed. Maintenance had been carried out on a number of the facilities during the licence term as recommended by the engineer of record conducting the geotechnical inspections for the Water Licence.
2		The construction of engineered earthworks shall be supervised and field-checked by an Engineer. Construction records shall be maintained and made available at the request of the Board.	
3		The Licensee shall submit a Construction Summary Report to the Board for review, within ninety (90) days following the completion of all new structures designed to contain, withhold, divert or retain Waters or Wastes. The Construction Summary Report shall be prepared by a qualified Engineer(s) in accordance with Schedule G, Item 1.	Complaint

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	Schedule G, 1	The Construction Monitoring Report referred to in Part G, Item 3 shall include: a. A summary of construction activities including photographic records before, during and after construction; b. As-built drawings; c. Documentation of field decisions that deviate from original plans and any data used to support these decisions; d. Discussion of mitigation measures implemented during construction as well as their effectiveness; e. Monitoring undertaken in accordance with Part G; f. Blast vibration monitoring for any quarrying activity carried out in close proximity to fish bearing waters; and g. Monitoring for sediment release from construction areas.	Complaint
4		The Licensee shall submit to the Board for review, at least sixty (60) days prior to construction of the Landfarm Facility, for-construction design drawings and specifications, signed and stamped by an Engineer.	Complaint
5		The Licensee shall only use fill material for construction that is derived from an approved source and that has been demonstrated to be non-potentially acid generating (Acid Rock Drainage) and have non-metal leaching characteristics.	Compliant Fill used at the minesite for construction, maintenance and repairs is sourced from the historical esker borrow area located near Fingers Lake.
6		The Licensee shall, when carrying out construction activities and other undertakings under this licence, implement sediment and erosion control measures to prevent entry of sediment into Water.	Compliant Conditions also considered in Care and Maintenance Plan, March 2016, submitted to the NWB as part of the Amendment No. 1 submission.
7		The Licensee shall inspect daily, all activities related to construction, for signs of erosion in order to prevent the entry of sediment into Water and maintain the measures required under Part G, Item 6.	
8		The Licensee shall minimize disturbance to terrain, permafrost and drainage during movement of the Licensee's and its contractor's equipment and personnel around the site during construction activities.	
9		The Licensee shall not store material on the surface of frozen streams or lakes except what is for immediate use.	
10		The Licensee shall locate new equipment storage areas on gravel, sand or other durable land, a distance of at least thirty (30) metres above the ordinary high Water mark of any Water body in order to minimize impacts on surface drainage and Water quality.	
11		The Licensee shall undertake necessary corrective measures to mitigate impacts on surface drainage resulting from the Licensee's activities.	N/A No in-stream activities have been conducted during open water
12		The Licensee shall limit any in-stream activity to low Water periods. In-stream activity is prohibited during fish migration.	
13		For the purposes of culvert and bridge installations, the Licensee shall not encroach on the natural channel width by the placement of abutments, footings or armoring below the ordinary High Water Mark of any water body.	N/A No culverts or bridges have been installed during the term of this Licence renewal.
PART H - CONDITIONS APPLYING TO EMERGENCY RESPONSE AND CONTINGENCY PLANNING			
1		The Board has approved the plan entitled Lupin Mine Site Nunavut, Canada, Spill Contingency Plan (Care and Maintenance), dated March 2013 and submitted on February 28, 2014 as additional information with the Application.	Compliant
2		The Licensee shall submit to the Board for review, within ninety (90) days of Approval of the Licence by the Minister, an update to the plan referred to in Part H, Item 1, to address relevant interveners' comments and recommendations including changes to Appendix 1 of the Plan to include a complete inventory of fuel and chemicals stored on site.	Compliant An updated SCP dated March 2016 was submitted March 25, 2016 and again during the Amendment process dated November 2017
3		The Licensee shall submit to the Board for review, at least ninety (90) days prior to hauling material and supplies in support of the Project, a current copy of the Tibbit to Contwoyto Winter Road Joint Venture Spill Contingency Plan	Compliant LMI currently does not have plans to utilize the Tibbit to Contwoyto Winter Road, and if required, a spill plan would be the responsibility of the Joint Venture group.
4		The Licensee shall keep an up-to-date copy of the spill contingency plans at each site, at all times.	Compliant A copy of the Lupin Spill Contingency Plan is available on-site
5		The Licensee shall prevent any chemicals, fuel or Wastes associated with the undertaking from entering any Water body.	Compliant Inspection Reports for 2015, 2016 and 2017 did not note any issues with spills of chemicals, fuels or wastes at site. No spills were reported during the current licence term. Concerns raised with respect to the historical spill at the STF and potential for migration of contamination from the facility. LMI has since constructed a Landfarm and moved approximately 500m ³ of material from the STF to the Landfarm to reduce the potential for migration from the facility.

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6		The Licensee shall provide secondary containment for fuel and chemical storage as required by applicable regulations, standards and industry practice.	Compliant
7		Licensee shall operate the Bulk Fuel Storage Facilities in accordance with all applicable legislation, guidelines, and industry practices, including:	Compliant
	a	<i>Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products. (CCME, 2003)</i>	
	b	<i>National Fire Code of Canada, 2010, and</i>	
	c	<i>Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations (SOR/2008-197, June 12, 2008).</i>	
8		The Licensee shall conduct emergency maintenance and servicing on equipment in designated areas, and shall implement measures to collect vehicle fluids and other Waste in order to prevent and/or contain spills.	Requirement has been incorporated into Fuel Containment Management Strategy, 2013
9		If, during the term of this licence, an unauthorized Discharge of Waste and or Effluent occurs, or if such a discharge is foreseeable, the Licensee shall:	Compliant Licence requirement is incorporated into Spill Contingency Plan, 2016.
	a	Employ as required, the contingency Plan referred to in Part H, Item 1;	
	b	Report the incident immediately via the 24-Hour Spill Reporting Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and	
	c	For each spill occurrence, submit a detailed report to the Inspector, no later than thirty (30) days after initially reporting the event, which includes the amount and type of spilled product, the GPS location of the spill, and the measures taken to contain, clean up and restore the spill site.	
10		The Licensee shall, in addition to Part H, Item 9, regardless of the quantity of releases of harmful substances, report to the NWT/NU Spill Line if the release is near or into a Water body.	Compliant
PART I - CONDITIONS APPLYING TO ABANDONMENT, RECLAMATION AND CLOSURE PLANNING			
1		The Board has approved the Plan entitled Lupin Mine Site, Nunavut, Canada, Interim Abandonment and Restoration Plan (Care and Maintenance), dated March 2013, submitted as additional information with the Application and consisting of the following: a. Figures; b. Closure Plan for Tailings Containment Area; c. Studies Related to Water Licence Requirements and in Support of Reclamation Planning; d. Ecological Risk Assessment for Lupin Mine Tailings; e. Response to Technical Review Comments on Lupin TCA A&R Plan; and f. Cycle 3 Environmental Effects Monitoring Report, Investigation of Cause Reports and Addendum	Compliant.
2		The Licensee shall, within ninety (90) days of approval of the Licence by the Minister, submit to the Board for review, an update to the plan referred to in Part I, Item 1, to address relevant comments and recommendations provided by intervening parties and the Board during the review process for the Application. Revisions to all plans should take into consideration the Mine Site Reclamation Guidelines for the Northwest Territories (INAC, 2007) and the Mine Site Reclamation Policy (INAC, 2002).	An updated and revised Interim Abandonment and Restoration Plan dated October 2017 was submitted as a requirement of Part I, Item 2 and approved by the Board on July 18, 2018
3		The Board has approved the Plan entitled Lupin Mine Site Nunavut, Canada Care and Maintenance Plan (Care and Maintenance), dated March 2013, which was submitted as additional information with the Application and consisting of the following: a. Lupin Mine Waste Management Plan (Solid and Hazardous) a. Incinerator Operation and Maintenance Procedure b. Lupin Mine Liquid Waste Management Plan a. Water Quality Monitoring Plan Quality Assurance/ Quality Control Plan c. Lupin Mine Wildlife Management Plan; and d. Lupin Mine Fuel Containment Management Strategy	Compliant

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4		The Licensee shall, within ninety (90) days of approval of the Licence by the Minister, update and submit to the Board for review the plan(s) referred to in Part I, Item 3 to address relevant comments and recommendations provided by intervening parties during the review process for the Application. Revisions to all plans should take into consideration applicable regulations and guidelines.	Compliant A revised C&M Plan was submitted March 25, 2016 (Dated March 2016), and included the plans a through c, with appendices. Note: the revised C&M plan includes an appendix d, Monitoring and Inspection Schedule The Lupin Mine Fuel Containment Management Strategy was developed in 2012 for maintenance and upgrades to the fuel containment facilities. Work on the fuel systems was conducted in 2014 and reported in the 2014 annual report.
5		The Licensee shall notify the Board in writing, at least sixty (60) days prior to, or upon initiating the process to achieve Recognized Closed Mine status.	Compliant LMI will provide the required notice upon confirming and finalizing the process.
6		The Licensee shall submit to the Board for approval, at least two (2) years prior to the final closure of the mine, a Final Abandonment, Reclamation and Closure Plan. The Plan shall be prepared in accordance with Schedule I, Item 1.	Compliant A Final Closure and Reclamation Plan was submitted to the NWB as a component of the Amendmnet Application, July 27, 2018
	Schedule I, 1	<p>The Final Abandonment, Reclamation and Closure Plan referred to in Part I, Item 6 shall, be developed in accordance with the Mine Site Reclamation Guidelines for the Northwest Territories, 2007 and be consistent with the INAC Mine Site Reclamation Policy for Nunavut, 2002 as well as address the following:</p> <p>a. Disposal information for unsold accommodation facilities;</p> <p>b. Disposal of contaminated soils;</p> <p>c. Inspections for fuel/oil spills and inspection of fuel containment facilities;</p> <p>d. Information on the geotechnical requirements, slope and the placement of rip rap along the downstream side of Dam 4;</p> <p>e. Detailed drawings, activities, construction schedules and techniques for the breakwater and causeway; and</p> <p>f. Incorporation of recommendation made in the report entitled "Closure Cost Estimate and Scoping of Mine Closure Issues Lupin Mine NWT" (Golder Associates, 1997);</p> <p>g. An outline of methods to contain potential pore water expulsion from the TCA;</p> <p>h. Identification of contaminated soil sites at the mine site;</p> <p>i. A summary of existing data for background levels of metals in the area, and identification of needs for verification of data or reassessment with modern detection limits;</p> <p>j. Soil Quality Remediation Objectives along with CCME Guidelines and the Government of Nunavut Environmental Guideline for Site Remediation;</p> <p>k. Environmental Site Assessment plans in accordance Canadian Standards Association (CSA) criteria;</p> <p>l. An evaluation of the Human Health and Ecological Risk associated with closure options;</p> <p>m. Description of reclamation activities outlined in the Interim Abandonment, Reclamation and Closure Plan.</p> <p>n. An implementation schedule for the completion of reclamation; and</p> <p>o. A detailed monitoring program.</p>	Compliant Details of the conformance with Schedule I, Item 1 are included in Appendix B, of the Amendment Application
7		The Licensee shall notify the Board in writing, as soon as is practically possible, of any change in the status of the mine or activities associated with the Mine. This notice shall include a summary of Plans and a Schedule for anticipated activities related to the Care and Maintenance, the Transition Phase or the Final Closure of the Mine and associated infrastructure.	Compliant
8		Notwithstanding the time schedule referred to in the Interim Abandonment, Reclamation and Closure Plan, in Part I, Item 1, the Licensee shall implement Progressive Reclamation, including progressive covering of the tailings and re-vegetation where feasible, as soon as is realistically possible.	Compliant Progressive reclamation on-going, refer to annual reports 2015, 2016 and 2017.
9		The Licensee shall submit to the Board for review, as part of any application to amend and/or renew the Licence, or to commence active reclamation of the Project site, an updated or revised version of the Environmental Site Assessment conducted for the Project in 2006.	Compliant An updated Phase I, II Environmental Site Assessment was completed in 2017 with the report submitted October 18, 2017, submitted along with documents for the Amendment No.2 process.
10		The Licensee shall, as part of the updated Environmental Site Assessment required under Part I, Item 9, conduct a detailed rock characterization study or program to determine the total quantity (inventory) of Potentially Acid Generating (PAG) material associated with the Project site and identify any potential contamination that may be linked to such material. A written report of the results obtained and analyses conducted shall be submitted to the Board for review as part of any application to amend and/or renew the Licence, or notification to commence active reclamation of the Project site.	Compliant

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PART J - CONDITIONS APPLYING TO MONITORING			
1		The Licensee shall carry out the Monitoring Program as per Table 1 of Schedule J.	Compliant Provided in Water Quality Monitoring Plan and Quality Assurance/ Quality Control Plan, March 2016; Section 2.1.1 Tables 2.1 and 2.2, and Figure 2, Monitoring Program Stations. (Appendix A of the Liquid Waste Management Plan). Can be found on the NWB ftp site under both the Waste Disposal folder and the care and maintenance folder.
2		The Licensee shall provide the GPS co-ordinates, in degrees, minutes and seconds of latitude and longitude, of all locations where sources of Water are utilized for all purposes.	Compliant Provided in Water Quality Monitoring Plan and Quality Assurance/ Quality Control Plan, March 2016; Section 2.1.1 Table 2.4 and Figure 2, Monitoring Program Stations.
3		The Licensee shall determine the GPS co-ordinates, in degrees, minutes and seconds of latitude and longitude, of all locations where Wastes associated with the Project are deposited.	Compliant Provided in Water Quality Monitoring Plan and Quality Assurance/ Quality Control Plan, March 2016; Section 2.1.1 Table 2.4 and Figure 2, Monitoring Program Stations.
4		The quantity of ore milled shall be measured in tonnes and recorded monthly. The total volume of solids and the solid-to-solution ratio (%) of Waste discharged to the Tailings Containment Area and underground disposal as paste Backfill shall be recorded monthly.	NA. The mine has remained in care and Maintenance since Licence renewal, therefor no ore has been milled or tailings disposed of at the TCA or underground.
5		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 approved by the Board in writing.	Compliant. Requirements included in the Water Quality Monitoring Plan and Quality Assurance/ Quality Control Plan, March 2016; Section 2.1.1 Table 2.4 and Figure 2, Monitoring Program Stations.
6		All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.	
7		The Board has accepted the Plan, entitled "Lupin Mine Site, Nunavut, Canada, Water Quality Monitoring Plan and Quality Assurance/Quality Control Plan, included as a subset of the Care and Maintenance Plan in Part I, Item 3.	Compliant
8		The Licensee shall submit to the Board for review, as part of any application to amend and/or renew this Licence or notification to commence active reclamation, a revised version of the Plan referred to in Part J, Item 7 that addresses the appropriate phase of the Project.	Compliant. Submitted as Appendix A "Water Quality Monitoring Plan and Quality Assurance/Quality Control Plan of the March 2016 Appendix 2 "Liquid Waste Management Plan", included with the updated March 2016 Care and Maintenance Plan.
9		Additional monitoring requirements may be requested by the Inspector.	Compliant.
10		The Licensee shall include in the Annual Report required under Part B, Item 2, all data, monitoring results and information required by this Part and the associated Schedules.	Compliant Annual Reports submitted in 2015, 2016 and 2016 (in progress).
11		The NWB may modify the Monitoring Program under Schedule J without a public hearing. Requests for changes to the Monitoring Program should be forwarded to the NWB in writing, and should include the justification and appropriate evidence to support the change.	Compliant A modification request was submitted with respect to the Landfarm, constructed in 2017, regarding the requirement for monitoring wells and sampling. A secondary containment with leak detection was incorporated into the design, therefor monitoring wells were not required. No other modifications were requested, nor made by the Board.
12		The Licensee is responsible for all monitoring required during the Care and Maintenance Phase and the Transition Phase of the Project as set out in this Part. In the event the Licensee fails to carry out the monitoring requirements set out in this Part that are essential to ensuring the integrity of significant site components, including fuel storage, general site maintenance, Tailings Containment Area, Water and Sewage management, Canada shall carry out such monitoring during periods of highest risk to fresh Water.	N/A