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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: **2BE-HOP2232**

June 30, 2022

David Frenette
Environmental Coordinator
Agnico Eagle Mines Limited
C.P. 87-765 Chemin de la Mine Goldex
Val D'or, Quebec J6P 7G4

Email: david.frenette@agnicoeagle.com

RE: NWB Water Licence No: 2BE-HOP2232

Dear Mr. Frenette:

Please find attached Licence No: **2BE-HOP2232** issued to Agnico Eagle Mines Limited by the Nunavut Water Board (NWB or Board) 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 (Nunavut Agreement)*. The terms and conditions of the attached Licence related to the use of Water and the deposit of Waste are an integral part of this approval.

If the Licensee contemplates the renewal of this Licence, it is the responsibility of the Licensee to apply to the NWB for its renewal. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the Licence renewal. Note that if the Licence expires before the NWB issues a new one, then Water use and Waste disposal must cease, or the Licensee may be in contravention of the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (Act)*. However, the expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence. The NWB recommends that an application for the renewal of this Licence be filed at least **three (3) months** prior to the Licence expiry date.

It should be noted that in accordance with Section 75(1)(a) of the *Nunavut Planning and Project Assessment Act (NuPPAA)*, the Board is not allowed to issue a permit or authorization for any project proposal that has not been submitted to the Nunavut Planning Commission (NPC) in accordance with Section 76 of *NuPPAA*.

If the Licensee contemplates or requires an amendment to this Licence, the NWB may decide, in the public's interest, to hold a public hearing. The Licensee should submit applications for

amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process and timing may vary depending on the scope of the amendment; however, a minimum of **sixty (60) days** is required from time of acceptance by the NWB. It is the responsibility of the Licensee to ensure that all application materials have been received and are acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments received by interested persons on issues identified. This information is attached for your consideration.¹

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/as/rqd

Enclosure: Licence No: 2BE-HOP2232

Comments: CIRNA and ECCC

Cc: Distribution List – Kitikmeot

¹ Crown-Indigenous Relations and Northern Affairs (CIRNA) comments dated May 19, 2022; Environment and Climate Change Canada (ECCC) comments dated May 27, 2022.

Table of Contents

I.	BACKGROUND	6
II.	PROCEDURAL HISTORY	6
III.	FILE HISTORY	7
IV.	GENERAL CONSIDERATIONS	8
	Term of the Licence	8
	Annual Reports	8
	Water Use.....	9
	Waste Disposal.....	9
	Intervener Comments.....	10
PART A:	SCOPE, DEFINITIONS AND ENFORCEMENT	12
1.	Scope.....	12
2.	Definitions	12
3.	Enforcement	15
PART B:	GENERAL CONDITIONS	15
PART C:	CONDITIONS APPLYING TO WATER USE	17
PART D:	CONDITIONS APPLYING TO WASTE DISPOSAL	18
PART E:	CONDITIONS APPLYING TO CAMPS, ACCESS INFRASTRUCTURE AND OPERATIONS	21
PART F:	CONDITIONS APPLYING TO DRILLING OPERATIONS	22
PART G:	CONDITIONS APPLYING TO MODIFICATIONS	22
PART H:	CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING	23
PART I:	CONDITIONS APPLYING TO CLOSURE AND RECLAMATION OR TEMPORARY CLOSURE	24
PART J:	CONDITIONS APPLYING TO THE MONITORING PROGRAM	25

DECISION

LICENCE NUMBER: 2BE-HOP2232

This is the decision of the Nunavut Water Board (NWB) with respect to an application received on April 25, 2022 for the renewal of a Water Licence made by:

AGNICO EAGLE MINES LIMITED

to allow for the use of water and deposit of waste during camp operations and exploration activities prospecting, geological mapping, rock sampling, ground and airborne geophysics, and diamond drilling associated with the Hope Bay Regional Exploration Project within the Kitikmeot Region of Nunavut, generally at the geographical coordinates as follows:

Camp(s):

Latitude: 68° 3' 42.4" N Longitude: 106° 37' 6.09" W (Old Windy Camp)

Latitude: 68° 4' 17.6" N Longitude: 106° 36' 36.5" W (New or Future Windy Camp)

Project Extents

Latitude: 68° 12' 30.017" N Longitude: 106° 45' 00.001" W

Latitude: 68° 09' 33.886" N Longitude: 106° 28' 59.986" W

Latitude: 67° 29' 11.226" N Longitude: 106° 08' 03.172" W

Latitude: 67° 31' 39.992" N Longitude: 106° 42' 33.509" W

DECISION

After having been satisfied that the application is exempt from the *Nunavut Planning and Project Assessment Act* (NuPPAA) under section 235 of that Act, and exempt from the requirement for screening by the Nunavut Impact Review Board (NIRB) under section 12.4.3 of the *Nunavut Agreement* as per Nunavut Planning Commission (NPC) November 16, 2021², the NWB decided that the application could proceed through the regulatory process. The project proposal lies outside an applicable regional land use plan. In accordance with s. 55.1 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (Act)* and Article 13 of the *Nunavut Agreement*, public notice of the application was given and interested persons were invited to make representations to the NWB.

After reviewing the submission of the Applicant and considering the representations made by interested persons, the NWB, having given due regard to the facts and circumstances, the merits of the submissions made to it and to the purpose, scope and intent of the *Nunavut Agreement* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

² Nunavut Planning Commission (NPC) Conformity Determination, November 16, 2022.

Licence No: 2BE-HOP1222 be renewed as Licence No: 2BE-HOP2232 subject to the terms and conditions contained therein (Motion #: 2022-B1-008)

Signed this on the 30th day of June, 2022 at Gjoa Haven, NU.

Lootie Toomasie
Nunavut Water Board, Chair
LT/as/rqd

I. BACKGROUND

Hope Bay Regional Exploration Project (Project) is located on a property approximately 20 km × 80 km along the south shore of Melville Sound, 160 km south-west of Cambridge Bay, in the west Kitikmeot Region of Nunavut. It was being operated by TMAC Resources Inc. until February 2, 2021, when TMAC was purchased by Agnico Eagle Mines Limited (Agnico Eagle or Applicant).

The application is for renewal of Licence 2BE-HOP1222, which has been issued for a Project with a long history of exploration in the Hope Bay Greenstone Belt and is now referred to as the Hope Bay Regional Exploration Project. The NWB first issued a water licence for this Project in 1998. Since that time, several renewals, modifications and amendments have been processed and issued by the NWB.

The renewal application has some reductions in the scope of the Licence. These are summarized below:

- The existing Licence 2BE-HOP1222 allowed for a use of up to 343 m³ of water per day. Under the renewed Licence, the total water use per day will be 299 m³.
- Water for dust suppression activities is now drawn under the Licence 2AM-DOH1335.
- The temporary use of water from Windy Lake and transport to Doris camp for potable use is now removed from the scope of the renewed Licence.
- Monitoring requirements for effluent from the Old Bulk Fuel Storage Facilities located at the Windy Camp (HOP-5) and Patch Lake (HOP-6) location are removed as these facilities have been decommissioned.
- The term of the renewal is 10 years.

II. PROCEDURAL HISTORY

On **April 25, 2022**, the Agnico Eagle submitted a renewal Water Licence Application (Application). The following documents were submitted by the Applicant:

- Nunavut Water Board Annual Report
- Appendices 2021 Nunavut Water Board Annual Report
- Hope Bay 2021 NWB Annual Report Cover Letter
- NPC Letter
- Agnico Eagle - Articles of Amalgamation (January 1, 2022)
- Application for Water Licence Renewal
- Hope Bay Domestic Wastewater Treatment Management Plan March 2022
- Hope Bay Project Quarry Management and Monitoring Plan 2022
- Hope Bay Quality Assurance and Quality Control Plan
- Hope Bay Spill Contingency Plan
- Non-Technical Summary (English)
- Non-Technical Summary (Inuinnaqtun)
- Non-Technical Summary (Inuktitut)

- Updates Proposed
- Application for Water Licence Renewal (SIGNED)

On **May 03, 2022**, the NWB concluded that the Application generally met the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA or Act)* and forwarded notice of the Application to interested parties. All parties were invited to make representations to the NWB by **May 27, 2022**.

Submissions were received from Crown Indigenous Relations and Northern Affairs (CIRNA) on May 19, 2022 and Environment and Climate Change Canada (ECCC) on May 27, 2022. The Applicant was given until **June 06, 2022** to respond to the Interveners’ comments. The NWB received responses from the Applicant on June 6, 2022.

On June 06, 2022, CIRNA confirmed that they were satisfied by the response received from the Applicant. On June 9, 2022, ECCC confirmed that the Applicant’s responses were acceptable.

The NWB has placed in its Public Registry copies of the Application and all comments received from Interveners. This information can be accessed on the NWB’s FTP site using the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2B/2BE%20-%20Exploration/2BE-HOP2232%20AEM/1%20APPLICATION>

III. FILE HISTORY

According to information included on the NWB’s file transfer protocol (FTP) site, the first water licence for this site was issued in 1998. Since that time, several renewals, modifications and amendments have been processed and issued by the NWB. They are as follows:

Original Application	NWB2WIN for Windy Camp Only (additional water licence for NWB2WOL- wolverine camp).
Application for renewal	Request to combine the licences into one licence.
Renewal of NWB2HOP0002	Licence for Windy Camp only as the Wolverine camp has been remediated.
NWB2HOP0207 – February 21, 2002	Windy Camp and exploration activities.
Modification/Amendment 2003	Upgrade for the Sewage Treatment Facility.
Modification/Amendment 2005	Construction of Bulk Fuel Storage Facility.
2BE-HOP0712 issued May 20, 2007	Hope Bay Regional Exploration Project.
Assignment issued January 23, 2008	Assignment to Hope Bay Mining Ltd.
Amendment No.1 issued July 2, 2008	Increase in water use from 50 m ³ /day to 100 m ³ /day.
Amendment No.2 issued May 4, 2009	Temporary use of water from Windy Lake for Doris Camp.
Amendment No.3 issued July 20, 2010	Amend restriction of water sources.

Amendment No. 4 issued August 24, 2010	Discharge from quarries A, B and D.
Amendment No.5 issued December 15, 2010	Move of Windy Camp and relocation of Patch Lake Fuel Tank Farm to Quarry D upon decommissioning of Patch Lake Major Drilling infrastructure. The amendment also included the additional water use for dust control on the Windy/Doris all weather road of 200 m ³ /day when necessary for a total.
Application for renewal, March 13, 2012	Licence renewed on June 30, 2012 for 10 years with an expiry date of June 30, 2022.
Application for assignment, February 12, 2013	On June 18, 2013, the NWB approved the assignment of this water licence to TMAC Resources Inc.
TMAC purchased by Agnico Eagle Mines Limited	On February 2, 2021, TMAC was purchased by Agnico Eagle Mines Limited (Agnico Eagle) and became a wholly owned subsidiary of Agnico Eagle. Effective as of January 1st, 2022, Agnico Eagle and TMAC amalgamated and continued under the Agnico Eagle name.

IV. GENERAL CONSIDERATIONS

The following sections provide background information relevant to the terms and conditions included in this Licence, in the context of submissions received and/or the Board’s rationale.

Term of the Licence

In accordance with s. 45 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA or Act)*, the NWB may issue a licence for a term not exceeding twenty-five (25) years. In determining an appropriate term for a renewal licence, the Board generally takes into consideration several factors including interveners’ comments, the Licensee’s compliance history, as well as the rationale contained in the application.

The Licensee requested in its Application, a ten (10) year term for the licence. The Interveners in their submissions did not comment on the term requested for the renewal licence. The Board, in examining the compliance history of the Licensee, felt that a ten-year term was appropriate. The Board has therefore granted the term requested by the Licensee. In so doing, the Board believes and expects that the **ten-year term** will provide the Licensee with significant opportunities to consistently abide by the terms and conditions in the Licence over time and provide ongoing compliance record prior to a need for renewal.

Annual Reports

Under Part B, Item 1 of the Licence, the Licensee is required to submit Annual Reports for the purpose of ensuring that the NWB has an accurate annual update of activities related to Water use

and deposit of Waste during each calendar year. This information is maintained on the Public Registry and is available to interested parties upon request. A “Standardized Form for Annual Reporting” is to be used by the Licensee and is available from the NWB FTP site under the Public Registry link at the NWB Website:

<ftp://ftp.nwb-oen.ca/other documents/Standardized Forms/>

Water Use

The total water use granted under the Licence 2BE-HOP1222 was three hundred and forty-three (343) cubic metres per day, with 200 m³/day being limited to seasonal withdrawal at Windy Lake for dust suppression purposes. In 2013, the *Nunavut Waters Regulations*³ (*Regulations*) were amended to redefine the maximum quantities of water use for different types of Licences. According to Schedule (2) of the *Regulations*, a Type B Licence authorizes the use of 50 m³ or more but less than 300 m³ per day. If the water use exceeds 300 m³ per day, then a Type A Water Licence is required.

In the existing Water Licence 2BE-HOP1222, 200 m³ per day of water is allocated for dust suppression, 63 m³ per day is allocated for camp use and 80 m³ per day is allocated to support drilling activities.

In the renewal Application, Agnico Eagle has requested a reduced water usage of 299 m³ per day. The proposed water volume allocated to drilling in the renewed licence is 284 m³ per day and for the Future Windy Camp is 15 m³ per day. The water allocated for dust suppression will now be covered under the Water Licence 2AM-DOH1335. The water volume and associated uses in this renewal Licence are described in Part C, Item 1.

Waste Disposal

All requirements pertaining to Waste management that were imposed by previous water licence have been carried forward into the current Licence. All solid waste should be brought to the Agnico Eagle’s Doris camp site. All Hazardous waste, bulky items, empty drums should be brought and treated at the Agnico Eagle’s facilities and shipped to a southern facility for disposal.

³ Nunavut Waters Regulations SOR/2013-69

Intervener Comments

The following comments were received from Interveners during the review of the Application:

CIRNA: May 19, 2022

- CIRNA requested clarifications regarding the removal of certain phrases from the Licence terms and conditions. These changes were related to water use for the Doris camp and for dust suppression activities.
 - Agnico Eagle responded that under the Licence 2AM-DOH1335 Amendment No. 2, they are permitted to obtain freshwater for domestic camp use from Windy Lake.

ECCC: May 27, 2022

- ECCC requested a proposed timeframe for stack testing in 2022.
 - Agnico Eagle replied that stack testing is scheduled for August 24-31, 2022.
- ECCC requested the location of the open burning site.
 - Agnico Eagle stated that open burning takes place in Quarry 2.



NUNAVUT WATER BOARD WATER LICENCE

Licence No: 2BE-HOP2232

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

AGNICO EAGLE MINES LIMITED

(Licensee)

145, KING STREET EAST, SUITE 400, TORONTO, ONTARIO M5C 2Y7

(Mailing Address)

hereinafter called the Licensee, the right to alter, divert or otherwise use water or dispose of waste for a period subject to restrictions and conditions contained within this Licence renewal:

Licence Number/Type: **2BE-HOP2232 TYPE "B"**

Water Management Area: **QUEEN MAUD GULF WATERSHED (30)**

Location: **KITIKMEOT REGION, NUNAVUT**

Classification: **MINING UNDERTAKING**

Purpose: **DIRECT USE OF WATER AND DEPOSIT OF WASTE**

Quantity of Water use not to Exceed: **TWO HUNDRED AND NINETY-NINE (299) CUBIC METRES PER DAY**

Effective Date: **JULY 01, 2022**

Expiry of Licence: **JUNE 30, 2032**

This Licence renewal, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

**Lootie Toomasie,
Nunavut Water Board, Chair**

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

This Licence allows for the use of Water and the deposit of Waste for a Mining undertaking classified as per Schedule I and II of the *Regulations* for the Hope Bay Regional Exploration Program, located within the Kitikmeot Region of Nunavut, within the geographic boundaries:

Camp(s):

Latitude: 68° 3'42.4" N Longitude: 106° 37'6.09" W (Old Windy Camp)
Latitude: 68° 4'17.6" N Longitude: 106° 36' 36.5" W (New or Future Windy Camp)

Project Extents

Latitude: 68° 12' 30.017" N Longitude: 106° 45' 00.001" W
Latitude: 68° 09' 33.886" N Longitude: 106° 28' 59.986" W
Latitude: 67° 29' 11.226" N Longitude: 106° 08' 03.172" W
Latitude: 67° 31' 39.992" N Longitude: 106° 42' 33.509" W

This includes the Future Windy Camp and associated infrastructure (fuel storage) including water intake at Windy Lake and a Wastewater Treatment Facility for treatment of camp sewage and greywater, Patch Lake Major Drilling facilities (and bulk fuel storage facility) at the north end of Patch Lake, closure of the Old Windy Camp and Patch Lake Major Drilling infrastructure with the relocation of the bulk fuel storage facility tanks to the Future Windy Camp site at Quarry Site D.

- a. 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; and
- b. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

2. Definitions

“Act” means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Addendum**” means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report;

“**Amendment**” means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms of the set terms and conditions of the Licence;

“**Appurtenant Undertaking**” means an undertaking in relation to which a use of water or a deposit of waste is permitted by a licence issued by the Board;

“**Board**” means the Nunavut Water Board established under the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Old Bulk Fuel Storage Facility**” means the fuel storage facilities, both at the Windy Camp and at Patch Lake, as described in the Renewal Application and supporting documents submitted March 12, 2007 or, upon closure of Patch Lake, means the fuel storage facility as described in SRK Consulting drawings WTF-01 to 06 dated April 20, 2010 submitted with the Amendment No.5 Application dated May 26, 2010. The Windy Camp and Patch Lake bulk fuel storage facilities have been decommissioned in 2012 and are in the process of reclamation;

“**Closure and Reclamation Plan**” means a Plan developed to reach the closure goal and taking in account the “Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories” 2013;

“**Effluent**” means treated or untreated liquid Waste material that is discharged into the environment from a structure such as a settling pond, landfarm or a treatment plant;

“**Engineer**” means a professional engineer registered to practice in Nunavut in accordance with the *Consolidation of Engineers and Geoscientists Act S. Nu 2008, c.2* and the *Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12*;

“**Greywater**” means all liquid wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet wastes;

“**Hazardous Waste**” means Waste classified as “hazardous” by Nunavut Territorial or Federal legislation, or as “dangerous goods” under the *Transportation of Dangerous Goods Act*;

“**High Water Mark**” means the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land (ref. Department of Fisheries and Oceans Canada, Operational Statement: Mineral Exploration Activities);

“**ICP Scan**” means the laboratory method for determining trace metals in water through Emission Spectroscopy using inductively coupled plasma (including up to approximately 32 elements depending on the laboratory performing the analysis);

“**Inspector**” means an Inspector designated by the Minister under Section 85 (1) of the *Act*;

“**Landfarm**” means the storage facility as described in the Renewal Application and supporting documents (Landfarm questionnaire) submitted March 12, 2007, designed for the treatment of hydrocarbon contaminated soils;

“**Licensee**” means the holder of this Licence;

“**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;

“**New Bulk Fuel Storage Facility**” means the fuel storage facilities planned at the New Windy Camp, as described in the Renewal Application and supporting documents;

“**New or Future Windy Camp**” means the proposed camp to be constructed at the site of Quarry D, 1.2 km north-east of the Old Windy Camp location;

“**Nunavut Agreement**” 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;

“**Old Windy Camp**” means the camp site located on the eastern shore of Windy Lake, approximately 10 km south of Doris Camp. Windy Camp ceased operation in October 2008 and is in the process of reclamation;

“**Regulations**” means the *Nunavut Waters Regulations SOR/2013-69* 18th April, 2013;

“**Sewage**” means all toilet wastes and greywater;

“**Sludge**” means accumulated and concentrated solids removed from the Wastewater Treatment Facility;

“**Spill Contingency Plan**” means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

“**Sump**” means an excavation in impermeable soil for the purpose of catching or storing water or waste;

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

“**Waste**” or “**Wastes**” means, as defined in S.4 of the *Act*, any substance that, by itself or in combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its

use by people or by any animal, fish or plant, or any water that would have that effect because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means;

“Wastewater Treatment Facility” means the Rotating Biological Contact (ROTODISK™) facility as described in the Renewal Application and supporting documents submitted March 12, 2007, designed for the treatment of camp sewage and greywater, when completed with the relocation of the Old Windy Camp to Quarry Site D (Future Windy Camp), comprises the membrane bio-reactor and UV disinfection system and associated engineered structures and effluent discharge area designed to treat Sewage and greywater as described in the Amendment No. 5 Application, dated May 26, 2010;

“Water” or **“Waters”** means waters as defined in section 4 of the *Act*.

3. Enforcement

- a. Failure to comply with this Licence will be a violation of the *Act*, subjecting the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*; and
- c. For the purpose of enforcing this Licence and with respect to the use of water and deposit or discharge 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 law.

PART B: GENERAL CONDITIONS

1. The Water use fees for the right to the use of Water shall be paid in accordance with Section 12 of the *Regulations*.
2. The Licensee shall file an Annual Report on the Appurtenant Undertaking with the Board no later than March 31st of the year following the calendar year being reported, containing the following information:
 - a. A summary report of Water use and Waste disposal activities for the reporting period including the following:
 - i. quantity of Water (in cubic metres/year) obtained for domestic and other purposes from sources on, in or flowing through Inuit-Owned Lands;
 - ii. quantity of Water (in cubic metres/year) obtained for domestic and other purposes from sources on, in or flowing through Crown Lands;
 - iii. quantity of Waste disposed of at on-site Waste disposal facility; and
 - iv. quantity of Waste backhauled to approved facility for disposal;

- b. A list of unauthorized discharges and summary of follow-up actions taken;
 - c. Any revisions to the Spill Contingency Plan, Closure and Reclamation Plan and other Plans, as required by Part B, Item 7, submitted in the form of an Addendum;
 - d. Description of all progressive and/ or final reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations;
 - e. Report all artesian flow occurrences as required by Part F, Item 3;
 - f. Details pertaining to location of sump(s) and drill holes;
 - g. Summary of all information requested and results of the Monitoring Program;
 - h. Summary of public consultation/participation, describing consultation with local organizations and residents of the nearby communities, if any were conducted; and
 - i. Any other details on Water use and Waste deposit requested by the Board by November 1 of the year being reported.
3. The Licensee shall notify the NWB of any changes in operating plans or conditions associated with this Project at least thirty (30) days prior to any such change.
 4. The Licensee shall install flow meters or other such devices, or implement suitable methods required for the measuring of Water volumes as required under Part J, Item 1.
 5. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and 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.
 6. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
 7. The Licensee shall review the Plans referred to in this Licence, as required by changes in operation and/or technology, and modify the Plan accordingly. Revisions to the Plans shall be submitted in the form of an Addendum to be included with the Annual Report.
 8. 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 conditions imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
 9. The Licensee shall ensure a copy of this Licence is maintained at the site of operations at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

(a) 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

(b) Inspector Contact:

Manager of Field Operations, CIRNA
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4284
Fax: (867) 979-6445

10. The Licensee shall submit an 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.
11. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the NWB is received and acknowledged by the Manager of Licensing.
12. This Licence is assignable as provided for in Section 44 of the *Act*.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all Water for domestic camp use from Windy Lake for the Windy Camp not exceeding fifteen (15) cubic metres per day. Drill water shall be obtained from local water source(s) proximal to the drilling targets. The volume of water for drilling purposes shall not exceed two hundred and eighty-four (284) cubic metres per day. Total water use from all sources, for all purposes shall not exceed two hundred and ninety-nine (299) cubic metres per day.
2. The use of Water from streams or any water bodies not identified in Part C, Item 1 is prohibited unless authorized or approved by the Board in writing.
3. The withdrawal of Water from any stream shall not exceed ten (10) per cent of the low flow of that stream unless approved by the Board in writing.
4. If the Licensee requires water in sufficient volume that the source water body may be drawn down the Licensee shall, at least thirty (30) days prior to commencement of use of water, submit to the Board for approval in writing, information on the water body that includes, but is not limited to: volume of water required, hydrological overview of the water body, details of impacts, and proposed mitigation measures.
5. The Licensee shall equip all water intake hoses 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.

6. The Licensee shall not remove any material from below the ordinary High Water Mark of any water body unless authorized.
7. The Licensee shall not cause erosion to the banks of any water body and shall provide necessary controls to prevent such erosion.
8. Sediment and erosion control measures shall be implemented prior to and maintained during the operation to prevent entry of sediment into water.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall locate areas designated for Waste disposal, a minimum distance of thirty-one (31) metres from the ordinary High-Water Mark of any water body such that the quality, quantity or flow of water is not impaired, unless otherwise authorized by the Board.
2. The Licensee shall not practice open burning or on-site land filling of domestic Waste, unless otherwise approved by the Board in writing.
3. The Licensee is authorized to dispose of all acceptable food Waste, paper Waste and untreated wood products in an incinerator.
4. The Licensee shall not open burn plastics, wood treated with preservatives, electric wire, Styrofoam, asbestos or painted wood to prevent the deposition of waste materials of incomplete combustion and/or leachate from contaminated ash residual, from impacting any surrounding waters, unless otherwise approved by the Board in writing.
5. The Licensee shall provide to the Board, documented authorization from the receiving community, prior to the backhauling of any non-hazardous Waste for disposal at that community.
6. The Licensee shall backhaul and dispose of all hazardous Wastes, Waste oil and non-combustible Waste generated through the course of the operation at a licensed Waste disposal site.
7. The Licensee shall maintain records of all Waste backhauled and records of confirmation of proper disposal of backhauled Waste. These records shall be made available to an Inspector upon request.
8. The Licensee shall direct all sewage and greywater to the Wastewater Treatment Facility (“WWTF”) upon its completion, as described in the Application, unless otherwise approved by the Board.

9. The Licensee shall direct all effluent from the WWTF to a surge tank, prior to pumping and discharging the Effluent approximately 300 metres over the ridge to the east of the camp facilities as described in the Application.
10. The Licensee shall discharge the Effluent referred to in Part D, Item 9 in such a manner to prevent surface erosion.
11. All Effluent being discharged from the WWTF, at Monitoring Program Station HOP-2 shall meet the following Effluent quality limits:

Parameter	Maximum allowable grab sample concentration
BOD5	80 mg/L
Total Suspended Solids	100 mg/L
Fecal Coliforms	10,000 CFU/100 ml
pH	Between 6-9
Oil and grease	No visible sheen

12. The Licensee shall collect as required, all sludge generated by the Wastewater Treatment Facility in appropriate containment and transport to the Doris Camp site for proper disposal unless otherwise approved by the Board in writing.
13. The Licensee shall provide to the Board for approval in writing, at least four (4) months prior to any alternative means of sludge disposal, a proposal which shall address, but not be limited to:
 - a. Location of disposal area;
 - b. Quantities and composition of sludge;
 - c. Mitigation measures to control run-off and restrict access;
 - d. A program for water quality monitoring;
 - e. An implementation schedule;
 - f. An executive summary of the proposal in English and Inuktitut.
14. If the Board does not approve the proposal referred to in Part D, Item 13, the Licensee shall withdraw or revise this proposal and resubmit it to the Board for approval within two (2) months of receiving notification of the Board's decision.
15. The Licensee shall provide at least ten (10) days written notice to the Inspector prior to any planned discharges from the bulk fuel storage facility and Quarries A, B and D. This notice shall include the volume proposed for discharge and location, or intended use of Effluent that meets the discharge criteria referred to in Part D, Item 16 and Item 17, respectively.
16. All Effluent from the New Bulk Fuel Storage Facility, at Monitoring Program Station HOP-8 shall meet the following Effluent quality limits:

Parameter	Maximum allowable grab sample concentration (µg/L)
Oil and grease	15,000 and no visible sheen
Benzene	370
Toluene	2.0
Ethylbenzene	90
Lead	1.0

17. All drainage water being discharged from quarries A, B & D, at Monitoring Program Stations HOP-7A, B & D respectively, shall not exceed the following Effluent quality limits:

Parameter	Maximum average concentration	Maximum allowable grab sample concentration
pH	6.0 to 9.0	9.0
Electrical conductivity	500 µS/cm	500 µS/cm
Total Ammonia	2.0 mg/L	4.0 mg/L
Total Suspended Solids	15 mg/L	30 mg/L
Oil and grease	5 mg/L and no visible sheen	10 mg/L and no visible sheen
Total Aluminium	1.0 mg/L	2.0 mg/L
Total Arsenic	0.05 mg/L	0.10 mg/L
Total Copper	0.02 mg/L	0.04 mg/L
Total Iron	0.30 mg/L	0.60 mg/L
Total Lead	0.01 mg/L	0.02 mg/L
Total Nickel	0.05 mg/L	0.10 mg/L
Total Zinc	0.01 mg/L	0.02 mg/L

18. The Licensee shall establish and confirm compliance with Effluent quality limits referred to in Part D, Items 11, 16 and 17 prior to discharge.
19. All discharges shall be released in such a manner to minimize surface erosion. Upon confirming compliance required under Part D, Item 20, water to be released to the environment may be used for other industrial purposes upon written request to the Board, including use for dust suppression activities on roads and quarries as well as drilling.
20. In the event that Effluent planned for discharge exceeds the limits provided in Part D, Items, 11, 16 and 17, the Licensee shall investigate the cause of the noted exceedance and report any findings, along with planned mitigation measures to meet these limits, prior to any discharge.

21. The Licensee shall implement the “Hope Bay Project Quarry Management Plan”, dated March 2022, which was submitted with the Application and has been approved by the Board.
22. The Licensee shall operate and maintain all facilities to the satisfaction of an Inspector.

PART E: CONDITIONS APPLYING TO CAMPS, ACCESS INFRASTRUCTURE AND OPERATIONS

1. The Licensee shall not erect camps or store material on the surface of frozen streams or lakes including immediate banks except what is for immediate use. Camps shall be located such as to minimize impacts on surface drainage.
2. The Licensee shall provide at least thirty (30) days notification to the Board of plans to relocate and construct of the New Windy Camp, to be placed within the Quarry Site D, as indicated in the Amendment No. 5 Application to Licence 2BE-HOP0712.
3. All activities shall be conducted in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage.
4. Winter lake and stream crossings, including ice bridges, shall be constructed entirely of water, ice or snow. The Licensee should minimize disturbance by locating ice bridges in an area that requires the minimum approach grading and the shortest crossing route. Stream crossings shall be removed or the ice notched prior to spring break-up.
5. With respect to access road, pad construction or other earthworks, the deposition of debris or sediment into or onto any water body is prohibited. These materials shall be disposed a distance of at least thirty-one (31) metres from the ordinary high-water mark in such a fashion that they do not enter the water.
6. The Licensee shall, at least sixty (60) days prior to the construction of the Wastewater Treatment Facility, submit to the Board for review a revised Operation and Maintenance Manual that is specific to the facilities in use, prepared in accordance with the “Guidelines for the Preparation of an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories; 1996” and adapted for the use of a mechanical sewage treatment facility.
7. The Licensee shall, at least sixty (60) days prior to commencing construction of the New Bulk Fuel Storage Facility at the Future Windy Camp (Quarry Site D), submit to the Board for review, for construction design drawings of the New Bulk Fuel Storage Facility, stamped and signed by a Professional Engineer registered in Nunavut.

8. The Licensee shall, within ninety (90) days of completion of the construction of the New Bulk Fuel Storage Facility at the Future Windy Camp, submit to the Board for review all design drawings and construction reports, including as-built drawings, documentation of field decisions that deviate from original plans and any data used to support these decisions.

PART F: CONDITIONS APPLYING TO DRILLING OPERATIONS

1. The Licensee shall not conduct any land-based drilling within thirty-one (31) metres of the ordinary high-water mark of any water body, unless otherwise approved by the Board in writing.
2. The Licensee shall dispose of all drill waste, including Water, chips, muds and salts (CaCl₂) in any quantity or concentration from land-based and on-ice drilling in a properly constructed Sump or an appropriate natural depression located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body, where direct flow into a water body is not possible and no additional impacts are created.
3. If artesian flow is encountered, drill holes shall be immediately sealed and permanently capped to prevent induced contamination of groundwater or salinization of surface waters. The Licensee shall report all artesian flow occurrences within the Annual Report, including the location (GPS coordinates) and dates.
4. Where drilling activity has penetrated below the permafrost layer, the NWB requests that the proponent records the depth of permafrost and location of the drill hole, to be included within the Annual Report.
5. Drilling additives or mud shall not be used in connection with holes drilled through lake ice unless they are re-circulated or contained such that they do not enter the Water, or are demonstrated to be non-toxic.
6. For “on-ice” drilling where drill additives are not being used, return Water released must be nontoxic, and not result in an increase in total suspended solids in the immediate receiving waters above the Canadian Council of Ministers for the Environment, Guidelines for the Protection of Freshwater Aquatic Life (i.e., 10 mg/L for lakes with background levels under 100 mg/L, or 10% for those above 100 mg/L).
7. The Licensee shall establish water quality conditions prior to and upon completion of any drilling program through lake ice.

PART G: CONDITIONS APPLYING TO MODIFICATIONS

1. The Licensee may, without written consent from the Board, carry out Modifications 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:

- a. the Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications;
 - b. such Modifications do not place the Licensee in contravention of the Licence or the Act;
 - c. 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 than sixty (60) days; and
 - d. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part G, Item 1 have not been met can be carried out only with written approval from the Board.
 3. 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 H: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Licensee shall implement the “Hope Bay Spill Contingency Plan”, dated March 2022, which was submitted with the Application and has been approved by the Board.
2. The Licensee shall review the Plan referred to in Part H, Item 1 as required by changes in operation and/or technology and modify the Plan accordingly. Revisions to the Plan are to be submitted in the form of an Addendum, to be included with the Annual Report.
3. The Licensee shall prevent any chemicals, petroleum products or Wastes associated with the Project from entering Water. All Sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body and inspected on a regular basis.
4. The Licensee shall conduct any equipment maintenance and servicing in designated areas and shall implement special procedures (such as the use of drip pans) to manage motor fluids and other Waste and contain potential spills.
5. If during the term of this Licence, an unauthorized discharge of Waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - a. Employ the Spill Contingency Plan;
 - b. Report the spill immediately to the NWT/NU 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4284; and
 - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount and type of spilled product, the GPS location of the spill, and the measures taken to contain and clean up the spill site.

6. The Licensee shall, in addition to Part H, Item 5, regardless of the quantity of releases of harmful substances, report to the NWT/NU 24-Hour Spill Line, if the release is near or into a water body.

PART I: CONDITIONS APPLYING TO CLOSURE AND RECLAMATION OR TEMPORARY CLOSURE

1. The Licensee shall implement the “*Hope Bay Project Windy Camp and Patch Lake Facility Updated Closure Plan*”, dated May 2014, which was previously approved by the Board.
2. The Licensee shall, upon re-establishing the Future Windy Camp at Quarry D or any other location as approved by the Board in writing, submit to the Board for approval in writing, within ninety (90) days of commencing activity at the Camp, a Closure and Reclamation Plan for the New Windy Camp. The Plan is to be prepared in accordance with the “Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories, 2013” and consistent with the INAC “Mine Site Reclamation Policy for Nunavut, 2002”.
3. The Licensee shall complete all restoration work prior to the expiry of this Licence.
4. The Licensee shall carry out progressive reclamation of any components of the Project no longer required for the Licensee’s operations related to Water use, deposition of Waste to Water and/or Appurtenant Undertaking, subject to the *Act* and *Regulations*.
5. The Licensee shall backfill and restore, to the satisfaction of an Inspector, all sumps to the pre-existing natural contours of the land when possible.
6. The Licensee shall remove from the site infrastructures and site material, including but not limited to, all fuel caches, drums, barrels, buildings and contents, docks, water pumps and lines, material and equipment before the expiry of this Licence.
7. The Licensee shall ensure that all rinse water, used in the cleaning of drums that are crushed for final disposal, meets the effluent requirements of, and is discharged according to Part D, Item 16 or as otherwise approved by the Board.
8. All roads and airstrip, if any, shall be re-graded to match natural contour to reduce erosion.
9. The Licensee shall remove all culverts and restore the drainage to match the natural channel. Measures shall be implemented to minimize erosion and sedimentation.
10. In order to promote growth of vegetation and the needed microclimate for seed deposition, all disturbed surfaces shall be prepared by ripping, grading, or scarifying the surface to conform to the natural topography.

11. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to meet objectives as outlined in the *Government of Nunavut's Environmental Guideline for Site Remediation, 2010*. The use of reclaimed soils for the purpose of back fill or general site grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.
12. The Licensee shall restore all drill holes and disturbed areas to natural conditions immediately upon completion of the drilling. The reclamation of drill holes must include the removal of any drill casing materials and, if having encountered artesian flow, the capping of holes with a permanent seal. Where drill casings cannot be removed the Licensee shall cut off the casings at ground level and identify with signage.
13. The Licensee may leave the casings on site, if it intends to continue drilling in existing casings, but shall add signaling to keep the area safe for the other territory users. The drill casings left cannot stay on the field for more than 2 years after the drilling.
14. The Licensee may store drill core produced by the appurtenant undertaking in an appropriate manner and location at least thirty-one (31) metres above the ordinary high-water mark of any adjacent water body, where any direct flow into a water body is not possible and no additional impacts are created, or as directed by an Inspector.
15. The Licensee shall contour and stabilize all disturbed areas to reduce erosion and sedimentation to Water upon completion of work at the undertaking and as per Part I, Item 4.

PART J: CONDITIONS APPLYING TO THE MONITORING PROGRAM

1. The Licensee shall maintain Monitoring Program Stations at the following locations:

Monitoring Program Station Number	Description	Status
HOP-1	Raw water supply intake at Windy Lake.	Active (Volume)
HOP-2	WWTF discharge at the surge tank prior to being pumped over the ridge east of the Future Windy Camp facilities.	Active
HOP-3	WWTF Effluent at a point of entry into Windy Lake.	Active
HOP-4	Discharge from the Landfarm Treatment Facility pumped to the WWTF surge tank	Inactive (Landfarm removed in 2008)

HOP-5	Effluent from the Old Bulk Fuel Storage Facility located at the Windy Camp, prior to release	Inactive (Facility decommissioned in 2008)
HOP-6	Effluent from the Bulk Fuel Storage Facility located at the Patch Lake location, prior to release to a location approved by an Inspector	Inactive (Facility decommissioned in 2008)
HOP-7A, B, and D	Discharge from Quarries A, B and D respectively	Active
HOP-8	Effluent from the New Bulk Fuel Storage Facility located at the New Windy Camp, prior to release	Active upon commissioning

2. Licensee shall sample at Monitoring Program Stations HOP-2 and HOP-3 monthly during discharge. Samples shall be analyzed for the following parameters:

Biochemical Oxygen Demand - BOD	Fecal Coliforms
Total Suspended Solids	pH
Oil and Grease (visual)	

3. The Licensee shall conduct toxicity testing to demonstrate Non-Acute Toxicity of the Effluent discharged from the WWTF, at Monitoring Program Station HOP-3, to be conducted in accordance with the following test procedures and carried out once annually during open water season:

- a. Acute lethality to Rainbow Trout, *Oncorhynchus mykiss* (as per Environment Canada's Environmental Protection Series Biological Test Method EPS/1/RM/13); and
- b. Acute lethality to the crustacean, *Daphnia magna* (as per Environment Canada's Environmental Protection Series Biological Test Method EPS/1/RM/14).

4. The Licensee shall sample at Monitoring Program Station HOP-8 monthly during removal of water from the facilities. Samples shall be analyzed, for the following:

TPH (Total Petroleum Hydrocarbons)
PAH (Polycyclic Aromatic Hydrocarbons)
BTEX (Benzene, Toluene, Ethylbenzene, Xylene)

Nitrate-Nitrite	Oil and Grease
Total Phenols	Total Alkalinity
Total Hardness	Calcium
Magnesium	Potassium
Sodium	Sulphate

Total Arsenic	Total Cadmium
Total Copper	Total Chromium
Total Iron	Total Lead
Total Mercury	Total Nickel

5. The Licensee shall carry out an annual inspection of the quarries associated with Monitoring Program Stations HOP-7A, B and D, and in the event that the inspection identifies ponded water, carry out the monitoring as identified in the approved “Hope Bay Project Quarry Management Plan”, referred to in Part D, Item 21.
6. The Licensee shall sample at Monitoring Program Stations HOP-7A, B & D prior to discharge of ponded water from quarries A, B & D to confirm compliance. Samples shall be analyzed for the following parameters:
 - a. For compliance purposes, those parameters listed under Part D, Item 17; and
 - b. Total Sulphate, Nitrate, Alkalinity, ICP Metals analysis, and Reduction potential (Eh).
7. The Licensee shall obtain representative samples of the Water column below any ice where required under Part F, Item 7. Monitoring shall include but not be limited to the following:
 - Total Suspended Solids
 - pH
 - Electrical Conductivity, and
 - Total Trace Metals as determined by a standard ICP Scan (to include at a minimum, the following elements: Al, Sb, Ba, Be, Cd, Cr, Co, Cu, Fe, Pb, Li, Mn, Mo, Ni, Se, Sn, Sr, Tl, Ti, U, V, Zn), and
 - Trace Arsenic and Mercury
8. The Licensee shall measure and record, in cubic metres, the daily quantities of Water used for camp, drilling and all other purposes. The daily quantities of Water used for drilling shall be recorded for each Water source used in accordance with Part C, Item 1.
9. The Licensee shall measure and record, in cubic metres, the daily quantities of Effluent discharged at Monitoring Program Station HOP-3 as well as volumes pumped at Monitoring Program Stations HOP-7A, B and D and HOP-8.
10. The Licensee shall measure and record, in cubic metres, the annual quantity of Sludge removed from the WWTF.
11. 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.
12. The Licensee shall determine the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where Wastes associated with camp, exploration and drilling operations are deposited.

13. The Licensee shall implement the “Quality Assurance and Quality Control Plan”, dated March 2022, which was submitted with the Application and has been accepted by the Board.
14. The Licensee shall annually review the approved Quality Assurance/Quality Control Plan and modify it as necessary.
15. 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.
16. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
17. An Inspector may impose additional monitoring requirements.
18. A Monitoring Program summary report shall be submitted to the Board for review within thirty (30) days following the month being reported. This summary shall include, at a minimum, the monitoring results of Part J, Items 2 through 9 inclusive.
19. The Licensee shall include in the Annual Report required under Part B, Item 2, all data, monitoring results and information required by this Part.