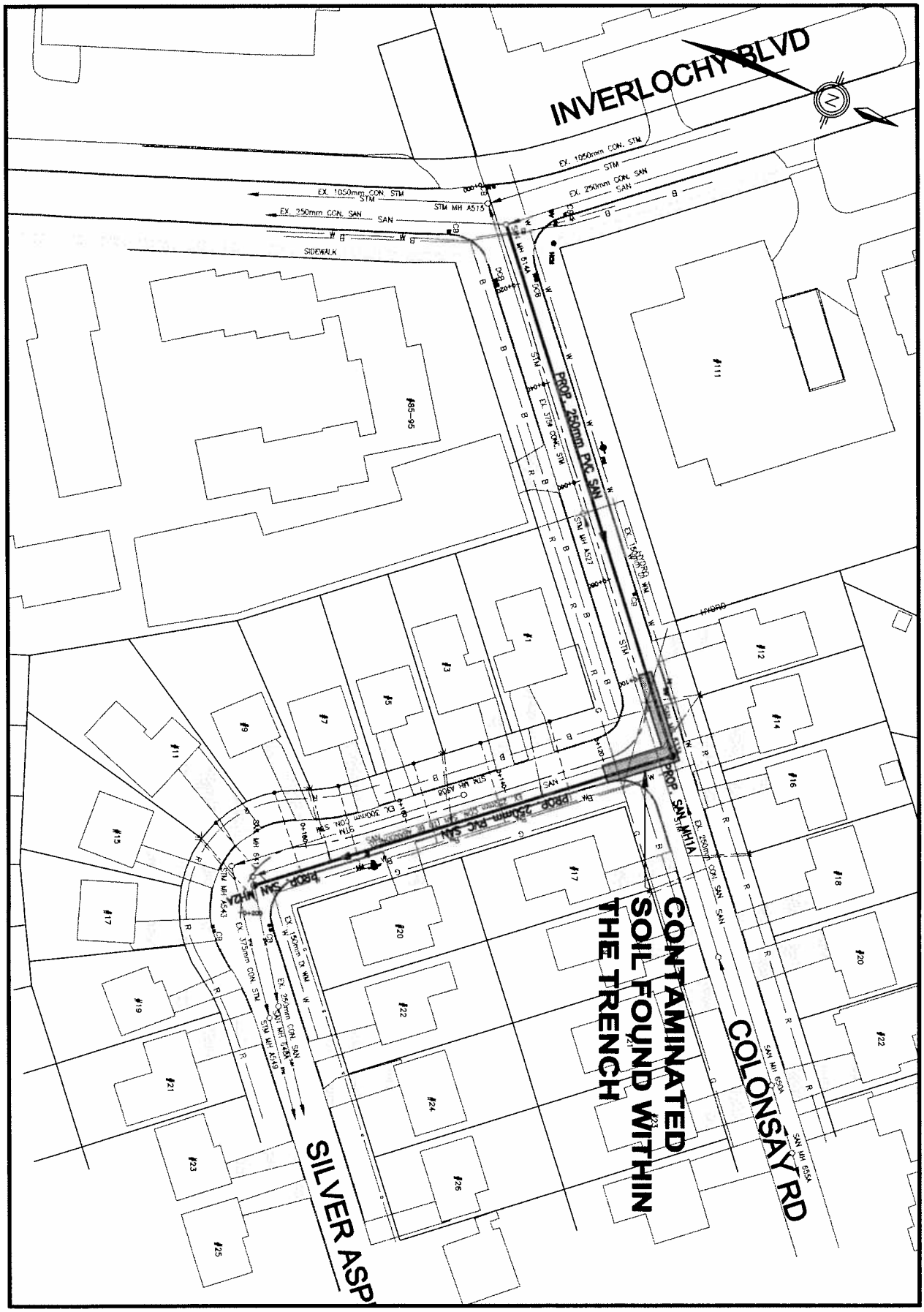
ATTACHMENT "A"



SANITARY SEWER EXTENSIONS IN THORNHILL AREA

Contract No: 144-T-09

Schedule "B"

RELEASE

TO: **Suncor Energy Inc., amalgamated successor of Petro-Canada**

RE: **Former Fuel Oil Distribution System ("CDS") 35384**
Intersection of Silver Aspen Drive and Colonsay Road,
Markham, ON (the "Property")
Town of Markham Sanitary Sewer Extensions in Thornhill Area -
Contract No. 144-T-09 (the "Contract")

IN CONSIDERATION of the payment by Suncor Energy Inc. ("Suncor") in the amount of **Seventy Three Thousand and Sixty Seven Dollars and Thirty Cents Canadian ($73,067.30)**, as reimbursement to **The Corporation of the Town of Markham** (the "**Town**") for additional costs incurred for the removal and offsite disposal of petroleum hydrocarbon and benzene impacted soil ("Remediation") resulting from the CDS that was encountered in the contaminated sites of the Property identified in the Trow Associates report attached hereto as Schedule "C" ("Contaminated Sites") during the undertaking and completion of the Contract, the Town and its heirs, executors, administrators, predecessors, successors and assigns (hereinafter collectively referred to as the "**Releasor**"), do hereby release and forever discharge Suncor, and each of its officers, directors, agents, shareholders, employees, predecessors, successors, assigns and other legal representatives (hereinafter collectively referred to as the "**Releasee**") of and from any and all costs associated with the Remediation of the Contaminated Sites in connection with the Contract.

IT IS EXPRESSLY UNDERSTOOD AND AGREED by the Releasor that:

1. The settlement herein is a compromise of a disputed claim and the consideration herein shall not be construed as an admission of liability on the part of Suncor by whom liability is expressly denied.

2. The Releasor acknowledges that the facts in respect of which this Release is made may prove to be other than or different from the facts in that connection now known by any of the parties or one or more of them or believed by any of them to be true. The Releasor expressly accepts and assumes the risk of the facts being different and agrees that all of the terms of this Release shall be in all respects effective and not subject to termination or rescission by any discovery of any difference of facts.

3. The Releasor hereby represents and declares that the Releasor has had an opportunity to seek independent legal counsel, and that an authorized signatory of the Releasor has read this Release, fully understands the terms of this settlement, agrees that the consideration stated herein is the sole consideration for this Release, agrees that the said consideration is accepted voluntarily, and agrees that the Release contains the entire agreement between the parties for the full and final compromise, adjustment and settlement of all costs relating to Remediation of the Contaminated Sites in connection with the Contract.

4. For the consideration expressed herein, the Releasor agrees not to make any claim or take any proceedings against any other person or corporation relating to the matters dealt with in this

Release who might claim contribution or indemnity from the Releasee or any of their officers, directors, agents, shareholders, employees, predecessors, successors, assigns and other legal representatives.

5. If the Releasor commences any proceeding involving any claim, complaint or demand against Releasee for any cause, matter or thing relating to the matters dealt with in this Release, this Release may be raised as a complete bar to any such claim, complaint or demand in the proceeding with the express exceptions of the consideration for this Release.

6. The provisions hereof shall enure to the benefit of the Releasee, and its officers, directors, agents, shareholders, employees, predecessors, successors, assigns and other legal representatives and shall be binding upon the Releasor, and each of its heirs, executors, administrators, predecessors, successors, assigns, predecessors, and other legal representatives.

IN WITNESS WHEREOF, the Releasor has executed this Release on this ____ day of _____, 2010.

_____

THE CORPORATION OF THE TOWN OF MARKHAM

Name: _____

Title: _____

Name: _____

Title: _____

We have the authority to bind the corporation.

SCHEDULE "C"

Trow Associates Inc.

70 Gibson Drive, Unit 12
Markham, Ontario
L3R 4C2

Telephone: (905) 470-0073
Facsimile: (905) 470-9848

Reference: BRGE00393961A

August 31, 2009

Mr. Prathapan Kumar, P. Eng.
Town of Markham
101 Town Centre Boulevard
Markam, Ontario
L3R 9W3

Via Email:
pkumar@markham.ca

Dear Mr. Kumar:

Analytical Testing – Excess Soil Disposal
Silver Aspen Drive and Colonsay Road
Markham, Ontario

Trow Associates Inc. (Trow) is pleased to present the analytical results for the soil samples collected from the above captioned site on August 25, 2009. The chemical analysis was required to establish disposal options for the excess soils generated by the excavation activities at the site.

Two (2) soil samples were collected from the north end of the excavation, adjacent to the gas line at a depth of about 1.52 and 1.82 m below existing grade. The samples comprised brown silty sand fill and clayey silt till. Hydrocarbon odours were detected in both of the soil samples recovered, and staining was observed in the silty sand fill sample.

The soil samples were submitted to an environmental laboratory and analyzed for benzene, toluene, ethylbenzene, xylenes (BTEX) and petroleum hydrocarbon (PHC). The analytical results are compared to the applicable criteria from Ministry of the Environment's "*Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act*", dated March 9, 2004 ("Soil and Ground Water Standards").

The analytical results indicated that the level of benzene in the soil sample identified as "North Wall – WS" (silty sand fill sample) was found to exceed the Table 2:

Regulation 558/00. The analytical results indicated that the leachate samples were within the Schedule 4 Leachate Quality Criteria from O. Reg. 558/00. As such, the petroleum hydrocarbon impacted soils may be disposed of at any licensed landfill or treatment facilities as a non-hazardous solid waste.

We trust this letter is satisfactory for your purposes. Please do not hesitate to contact us if further assistance is required.

Yours truly,

Trow Associates Inc.

Stacy Meek, B.Eng.
Geotechnical Division, Markham Office

Simon Lan, P.Eng.
Project Engineer, Markham Office

Encl: Certificates of Analyses

Cc: Mr. Simon Leung, Chisholm Fleming and Associates,
Via Electronic Mail: simon.leung@chisholmfleming.com

Your Project #: BRGE0039B961A
Your C.O.C. #: 595821

Attention: Stacy Meek
Trow Associates Inc
70 Gibson Dr
Unit 12
Markham, ON
L3R 4C3

Report Date: 2009/08/28

CERTIFICATE OF ANALYSIS

MAXXAM JOB #: A9B0068
Received: 2009/08/25, 13:41

Sample Matrix: Soil
Samples Received: 3

Analyses	Quantity	Date Extracted	Date Analyzed	Laboratory Method	Method Reference
Cyanide (WAD) in Leachates	1	N/A	2009/08/27	CAM SOP-00457	SM 4500 CN-I
Petroleum Hydro. CCME F1 & BTEX in Soil	2	2009/08/25	2009/08/26	CAM SOP-00315	CCME CWS
Petroleum Hydrocarbons F2-F4 in Soil	2	2009/08/25	2009/08/26	CAM SOP-00316	CCME CWS
Fluoride by ISE in Leachates	1	2009/08/26	2009/08/26	CAM SOP-00456	SM 4500FC
Mercury (TCLP Leachable) (mg/L)	1	N/A	2009/08/26	CAM SOP-00453	EPA 7470
Total Metals in TCLP Leachate by ICPMS	1	2009/08/26	2009/08/26	CAM SOP-00447	EPA 6020
MOISTURE	2	N/A	2009/08/25	CAM SOP-00445	McKeague 2nd ed 1978
Nitrate(NO3) + Nitrite(NO2) in Leachate	1	N/A	2009/08/27	CAM SOP-00440	SM 4500 NO3I/NO2B
Polychlorinated Biphenyl in Leachate	1	2009/08/27	2009/08/28	CAM SOP-00309	SW846 8082
TCLP - % Solids	1	2009/08/25	2009/08/26	CAM SOP-00401	EPA 1311 (TCLP)
TCLP - EXTRACTION FLUID	1	N/A	2009/08/26	CAM SOP-00401	EPA 1311
TCLP-INITIAL AND FINAL PH	1	N/A	2009/08/26	CAM SOP-00401	EPA 1311
TCLP Zero Headspace Extraction	1	2009/08/27	2009/08/27	CAM SOP-00430	EPA 1311
VOCs in ZHE Leachates	1	2009/08/28	2009/08/28	CAM SOP 00226	EPA 8260 modified

* RPDs calculated using raw data. The rounding of final results may result in the apparent difference.
* Results relate only to the items tested.

Encryption Key

Dunja Tisler
28 Aug 2009 17:23:39 -04:00

Please direct all questions regarding this Certificate of Analysis to your Project Manager.

KRISTEN BURMEISTER, Project Manager
Email: Kristen.Burmeister@maxxamanalytics.com
Phone# (905) 817-5700 Ext:5816

==========

Maxxam has procedures in place to guard against improper use of the electronic signature and have the required "signatories", as per section 5.10.2 of ISO/IEC 17025:2005(E), signing the reports. SCC and CALA have approved this reporting process and electronic report format.

For Service Group specific validation please refer to the Validation Signature Page

Total cover pages: 1

Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

O'REG 153 PETROLEUM HYDROCARBONS (SOIL)

Maxxam ID		DM2712	DM2713	DM2713		
Sampling Date		2009/08/25	2009/08/25	2009/08/25		
	Units	**NORTH WALL-WS**	**NORTH WALL**	**NORTH WALL Lab-Dup**	**RDL**	**QC Batch**
Inorganics						
Moisture	%	15	13	14	0.2	1918402
BTEX & F1 Hydrocarbons						
Benzene	ug/g	<0.02	<0.02		0.02	1918220
Toluene	ug/g	<0.02	<0.02		0.02	1918220
Ethylbenzene	ug/g	0.80	<0.02		0.02	1918220
o-Xylene	ug/g	0.57	<0.02		0.02	1918220
p+m-Xylene	ug/g	0.80	<0.04		0.04	1918220
Total Xylenes	ug/g	1.4	<0.04		0.04	1918220
F1 (C6-C10)	ug/g	240	<10		10	1918220
F1 (C6-C10) - BTEX	ug/g	240	<10		10	1918220
F2-F4 Hydrocarbons						
F2 (C10-C16 Hydrocarbons)	ug/g	21000	1200		10	1918213
F3 (C16-C34 Hydrocarbons)	ug/g	8700	490		10	1918213
F4 (C34-C50 Hydrocarbons)	ug/g	64	<10		10	1918213
Reached Baseline at C50	ug/g	YES	YES			1918213
Surrogate Recovery (%)						
1,4-Difluorobenzene	%	95	99			1918220
4-Bromofluorobenzene	%	65	98			1918220
D10-Ethylbenzene	%	122	113			1918220
D4-1,2-Dichloroethane	%	89	91			1918220
o-Terphenyl	%	126	113			1918213

RDL = Reportable Detection Limit
QC Batch = Quality Control Batch

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Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

O'REG 558 TCLP VOLATILE ORGANICS (SOIL)

Maxxam ID		DM2714		
Sampling Date		2009/08/25		
	Units	**NORTH WALL-WS**	**RDL**	**QC Batch**
Charge/Prep Analysis				
Amount Extracted (Wet Weight) (g)	N/A	25	N/A	1920921
Volatile Organics				
Leachable Benzene	mg/L	<0.01	0.01	1921569
Leachable Carbon Tetrachloride	mg/L	<0.01	0.01	1921569
Leachable Chlorobenzene	mg/L	<0.01	0.01	1921569
Leachable Chloroform	mg/L	<0.01	0.01	1921569
Leachable 1,2-Dichlorobenzene	mg/L	<0.02	0.02	1921569
Leachable 1,4-Dichlorobenzene	mg/L	<0.02	0.02	1921569
Leachable 1,2-Dichloroethane	mg/L	<0.02	0.02	1921569
Leachable 1,1-Dichloroethylene	mg/L	<0.01	0.01	1921569
Leachable Methylene Chloride(Dichloromethane)	mg/L	<0.05	0.05	1921569
Leachable Methyl Ethyl Ketone (2-Butanone)	mg/L	<0.5	0.5	1921569
Leachable Tetrachloroethylene	mg/L	<0.01	0.01	1921569
Leachable Trichloroethylene	mg/L	<0.01	0.01	1921569
Leachable Vinyl Chloride	mg/L	<0.02	0.02	1921569
Surrogate Recovery (%)				
Leachable 4-Bromofluorobenzene	%	99		1921569
Leachable D4-1,2-Dichloroethane	%	101		1921569
Leachable D8-Toluene	%	103		1921569

N/A = Not Applicable
RDL = Reportable Detection Limit
QC Batch = Quality Control Batch

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Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

O'REG 558 TCLP INORGANICS PACKAGE (SOIL)

Maxxam ID		DM2714		
Sampling Date		2009/08/25		
	Units	**NORTH WALL-WS**	**RDL**	**QC Batch**
Inorganics				
Leachable Fluoride (F-)	mg/L	0.3	0.1	1919127
Leachable Free Cyanide	mg/L	<0.002	0.002	1919163
Leachable Nitrite (N)	mg/L	<0.01	0.01	1919165
Leachable Nitrate (N)	mg/L	<0.1	0.1	1919165
Leachable Nitrate + Nitrite	mg/L	<0.1	0.1	1919165
Metals				
Leachable Mercury (Hg)	mg/L	<0.001	0.001	1918944
Leachable Arsenic (As)	mg/L	<0.2	0.2	1919183
Leachable Barium (Ba)	mg/L	<0.2	0.2	1919183
Leachable Boron (B)	mg/L	0.1	0.1	1919183
Leachable Cadmium (Cd)	mg/L	<0.05	0.05	1919183
Leachable Chromium (Cr)	mg/L	<0.1	0.1	1919183
Leachable Lead (Pb)	mg/L	<0.1	0.1	1919183
Leachable Selenium (Se)	mg/L	<0.1	0.1	1919183
Leachable Silver (Ag)	mg/L	<0.01	0.01	1919183
Leachable Uranium (U)	mg/L	<0.01	0.01	1919183

O'REG 558 TCLP LEACHATE PREPARATION (SOIL)

Maxxam ID		DM2714		
Sampling Date		2009/08/25		
	Units	**NORTH WALL-WS**	**RDL**	**QC Batch**
Inorganics				
Final pH	pH	6.12		1919007
Initial pH	pH	9.45		1919007
TCLP - % Solids	%	100	0.2	1918991
TCLP Extraction Fluid	N/A	FLUID1		1919006

N/A = Not Applicable
RDL = Reportable Detection Limit
QC Batch = Quality Control Batch

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Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

O'REG 558 TCLP PCBS (SOIL)

Maxxam ID		DM2714		
Sampling Date		2009/08/25		
	Units	**NORTH WALL-WS**	**RDL**	**QC Batch**
PCBs				
Leachable Total PCB	ug/L	<3	3	1921379
Surrogate Recovery (%)				
Leachable 2,4,5,6-Tetrachloro-m-xylene	%	81		1921379
Leachable Decachlorobiphenyl	%	99		1921379

RDL = Reportable Detection Limit
QC Batch = Quality Control Batch

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Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

QUALITY ASSURANCE REPORT

			Matrix Spike		Spiked Blank		Method Blank		RPD		Leachate Blank	
QC Batch	Parameter	Date	% Recovery	QC Limits	% Recovery	QC Limits	Value	Units	Value (%)	QC Limits	Value	Units
1918213	o-Terphenyl	2009/08/25	113	30 - 130	103	30 - 130	121	%				
1918213	F2 (C10-C16 Hydrocarbons)	2009/08/26	98	60 - 130	91	60 - 130	<10	ug/g	24.0	50		
1918213	F3 (C16-C34 Hydrocarbons)	2009/08/26	98	60 - 130	91	60 - 130	<10	ug/g	16.7	50		
1918213	F4 (C34-C50 Hydrocarbons)	2009/08/26	98	60 - 130	91	60 - 130	<10	ug/g	NC	50		
1918220	1,4-Difluorobenzene	2009/08/26	99	60 - 140	99	60 - 140	99	%				
1918220	4-Bromofluorobenzene	2009/08/26	99	60 - 140	100	60 - 140	100	%				
1918220	D10-Ethylbenzene	2009/08/26	112	30 - 130	108	30 - 130	109	%				
1918220	D4-1,2-Dichloroethane	2009/08/26	93	60 - 140	96	60 - 140	93	%				
1918220	Benzene	2009/08/26	91	60 - 140	89	60 - 140	<0.02	ug/g	NC	50		
1918220	Toluene	2009/08/26	93	60 - 140	88	60 - 140	<0.02	ug/g	NC	50		
1918220	Ethylbenzene	2009/08/26	102	60 - 140	96	60 - 140	<0.02	ug/g	NC	50		
1918220	o-Xylene	2009/08/26	103	60 - 140	100	60 - 140	<0.02	ug/g	NC	50		
1918220	p+m-Xylene	2009/08/26	98	60 - 140	91	60 - 140	<0.04	ug/g	NC	50		
1918220	F1 (C6-C10)	2009/08/26	104	60 - 140	74	60 - 140	<10	ug/g	NC	50		
1918220	Total Xylenes	2009/08/26					<0.04	ug/g	NC	50		
1918220	F1 (C6-C10) - BTEX	2009/08/26					<10	ug/g	NC	50		
1918402	Moisture	2009/08/25							9.7	50		
1918944	Leachable Mercury (Hg)	2009/08/26	103%	75 - 125	102%	84 - 113	<0.001	mg/L	NC	25	<0.001	mg/L
1918991	TCLP - % Solids	2009/08/26							0	35		
1919127	Leachable Fluoride (F-)	2009/08/26	96	80 - 120	100	80 - 120	<0.1	mg/L	NC	25	<0.1	mg/L
1919163	Leachable Free Cyanide	2009/08/27	124	75 - 125	103	75 - 125	<0.002	mg/L	NC	20	<0.002	mg/L
1919165	Leachable Nitrite (N)	2009/08/27	98	75 - 125	104	80 - 120	<0.01	mg/L	NC	25	<0.01	mg/L
1919165	Leachable Nitrate (N)	2009/08/27	97	75 - 125	102	80 - 120	<0.1	mg/L	NC	25	<0.1	mg/L
1919165	Leachable Nitrate + Nitrite	2009/08/27					<0.1	mg/L	NC	25	<0.1	mg/L
1919183	Leachable Arsenic (As)	2009/08/26	100	75 - 125	100	86 - 119			NC	25	<0.2	mg/L
1919183	Leachable Barium (Ba)	2009/08/26	94	75 - 125	98	83 - 115			NC	25	<0.2	mg/L
1919183	Leachable Boron (B)	2009/08/26	97	75 - 125	93	78 - 133			NC	25	<0.1	mg/L
1919183	Leachable Cadmium (Cd)	2009/08/26	97	75 - 125	96	85 - 116			NC	25	<0.05	mg/L
1919183	Leachable Chromium (Cr)	2009/08/26	94	75 - 125	99	76 - 120			NC	25	<0.1	mg/L
1919183	Leachable Lead (Pb)	2009/08/26	96	75 - 125	97	80 - 123			NC	25	<0.1	mg/L
1919183	Leachable Selenium (Se)	2009/08/26	100	75 - 125	95	82 - 118			NC	25	<0.1	mg/L
1919183	Leachable Silver (Ag)	2009/08/26	93	75 - 125	91	75 - 125			NC	25	<0.01	mg/L
1919183	Leachable Uranium (U)	2009/08/26	97	75 - 125	95	82 - 124			NC	25	<0.01	mg/L
1921379	Leachable2,4,5,6-Tetrachloro-m-xylene	2009/08/28	93	40 - 130	85	40 - 130	85	%				
1921379	Leachable Decachlorobiphenyl	2009/08/28	106	40 - 130	98	40 - 130	96	%				
1921379	Leachable Total PCB	2009/08/28	103	40 - 130	98	40 - 130	<3	ug/L	NC	40		
1921569	Leachable4-Bromofluorobenzene	2009/08/28	107	70 - 130	106	70 - 130	92	%				
1921569	Leachable D4-1,2-Dichloroethane	2009/08/28	93	70 - 130	94	70 - 130	100	%				
1921569	Leachable D8-Toluene	2009/08/28	103	70 - 130	101	70 - 130	101	%				
1921569	Leachable Benzene	2009/08/28	95	70 - 130	103	70 - 130	<0.01	mg/L	NC	40		

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Maxxam Job #: A9B0068
Report Date: 2009/08/28

Trow Associates Inc
Client Project #: BRGE0039B961A

QUALITY ASSURANCE REPORT

			Matrix Spike		Spiked Blank		Method Blank		RPD		Leachate Blank	
QC Batch	Parameter	Date	% Recovery	QC Limits	% Recovery	QC Limits	Value	Units	Value (%)	QC Limits	Value	Units
1921569	Leachable Carbon Tetrachloride	2009/08/28	88	70 - 130	97	70 - 130	<0.01	mg/L				
1921569	Leachable Chlorobenzene	2009/08/28	102	70 - 130	109	70 - 130	<0.01	mg/L				
1921569	Leachable Chloroform	2009/08/28	91	70 - 130	98	70 - 130	<0.01	mg/L				
1921569	Leachable 1,2-Dichlorobenzene	2009/08/28	102	70 - 130	111	70 - 130	<0.02	mg/L				
1921569	Leachable 1,4-Dichlorobenzene	2009/08/28	120	70 - 130	129	70 - 130	<0.02	mg/L				
1921569	Leachable 1,2-Dichloroethane	2009/08/28	92	70 - 130	100	70 - 130	<0.02	mg/L				
1921569	Leachable 1,1-Dichloroethylene	2009/08/28	87	70 - 130	96	70 - 130	<0.01	mg/L				
1921569	Leachable Methylene Chloride(Dichloromethane)	2009/08/28	82	70 - 130	90	70 - 130	<0.05	mg/L				
1921569	Leachable Methyl Ethyl Ketone (2-Butanone)	2009/08/28	62	60 - 140	77	60 - 140	<0.5	mg/L				
1921569	Leachable Tetrachloroethylene	2009/08/28	106	70 - 130	114	70 - 130	<0.01	mg/L				
1921569	Leachable Trichloroethylene	2009/08/28	97	70 - 130	105	70 - 130	<0.01	mg/L				
1921569	Leachable Vinyl Chloride	2009/08/28	85	70 - 130	95	70 - 130	<0.02	mg/L				

N/A = Not Applicable
RPD = Relative Percent Difference
Duplicate: Paired analysis of a separate portion of the same sample. Used to evaluate the variance in the measurement.
Matrix Spike: A sample to which a known amount of the analyte of interest has been added. Used to evaluate sample matrix interference.
Leachate Blank: A blank matrix containing all reagents used in the leaching procedure. Used to determine any process contamination.
Spiked Blank: A blank matrix to which a known amount of the analyte has been added. Used to evaluate analyte recovery.
Method Blank: A blank matrix containing all reagents used in the analytical procedure. Used to identify laboratory contamination.
Surrogate: A pure or isotopically labeled compound whose behavior mirrors the analytes of interest. Used to evaluate extraction efficiency.
NC (RPD): The RPD was not calculated. The level of analyte detected in the parent sample and its duplicate was not sufficiently significant to permit a reliable calculation.

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Validation Signature Page

Maxxam Job #: A9B0068

The analytical data and all QC contained in this report were reviewed and validated by the following individual(s).

BRAD NEWMAN, Scientific Specialist

CHARLES ANGNER, B.Sc., M.Sc., C.Chem, Senior Analyst

CRISTINA CARRIERE, Scientific Services

MAMDOUH SALIB, Analyst, Hydrocarbons

Maxxam has procedures in place to guard against improper use of the electronic signature and have the required "signatories", as per section 5.10.2 of ISO/IEC 17025:2005(E), signing the reports. SCC and CALA have approved this reporting process and electronic report format.

Maxxam Analytics International Corporation o/a Maxxam Analytics 6740 Campobello Road, Mississauga, Ontario, L5N 2L8 Tel (905) 817-5700 Toll-Free 800-563-6266 Fax (905) 817-5777 www.maxxam.ca