

Table of Contents

400.0	OPERATIONS INFRASTRUCTURE	2
400.1	OPERATIONS - GENERAL	3
400.1.1	Responsibility For Operations.....	3
400.1.2	Maintenance And Rehabilitation Requirements.....	4
400.1.3	Alternative Inspection and Testing Methods	4
400.1.4	Imminent Danger Repairs	4
400.1.5	Lane Closure	5
400.1.6	In-Service Road Safety Review	7
400.1.7	Record (As-Built) Drawings	7
400.2	INSPECTION, EMERGENCY AND ROUTINE MAINTENANCE REQUIREMENTS	8
400.2.1	Routine Observations	8
400.2.2	Emergency Maintenance.....	8
400.2.3	OM&R Limits	9
400.2.4	Crossroads.....	10
400.2.5	Ministry Interim Maintenance Plan.....	12
400.2.6	Project Co Interim Maintenance Standards.....	13
400.3	Road Traffic Noise Mitigation (New Bypass Infrastructure Only)	15
400.3.1	Measuring for Compliance	15
400.3.2	Completing Repairs	16

Appendix A – OM&R Limits

Appendix B – Snow Plowing Segments

Appendix C – WRB Interim Maintenance Section

400.0 OPERATIONS INFRASTRUCTURE

400.1 OPERATIONS - GENERAL

This Section 400 (Operations - Infrastructure) covers the operations, maintenance and rehabilitation requirements applicable to roadways and bridge constituting the OM&R Work.

Section 400 has been subdivided into the following sub-sections:

- Section 401- Operation and Maintenance
- Section 402- Asset Preservation

400.1.1 Responsibility For Operations

Project Co is responsible for the supply of all management, supervision, professional and technical services, quality control and assurance, labour, materials, utilities and equipment for performing all of the duties and obligations to operate, maintain and rehabilitate the Bypass Infrastructure during the Operational Term.

These responsibilities include the supply and payment for electrical power for roadway lighting and signalization, and any other utilities required for the Bypass Infrastructure. Project Co is responsible for safe and efficient site traffic accommodation during the Operational Term.

The operational and performance requirements described in the Technical Requirements represent the requirements that shall be met throughout the Operational Term. Project Co shall measure Roadway and Structure conditions and assure compliance to the operational and performance requirements throughout the Operational Term. Where specific operational and performance requirements are not given, Project Co is expected to operate and maintain roadway elements and Structures to a standard of safety, effectiveness and operation equal to, or better than, what is currently being provided on other roadway systems of similar age and type on the Ministry's National Highway System.

Reduction of or restrictions to allowable legal load(s), during spring time thawing conditions or at any other time, is not permitted for any Roadway within the Bypass Infrastructure, during the Operational Term.

Project Co shall display during the Operational Term Project Co's name and phone number on 8 signs located safely adjacent to within the Project Limits, located at either end of the Project and at key access locations. Project Co. shall also provide 2 signs indicating where its OM&R Work responsibilities end at the main lanes Project Limits. The final design of the sign shall be completed in consultation with the Ministry's Communications Branch and with the Ministry's Provincial Signing Manager. Each sign panel shall be 4' x 8' and shall be manufactured on 3/4" plywood or extruded aluminum and the sheeting and sign supports shall be in accordance with the Ministry's recognized products list for signs. Lettering and symbols shall be clear and legible with minimum lettering size to be 200 mm. Reflective sheeting shall meet or exceed the minimum requirements as specified in the ASTM-4956, Performance

Requirements Type IX or Type XI Unmetalized Cube Corner Microprismatic Retroreflective Element Material. All signs are to be installed prior to Substantial Completion. Signs shall be erected in accordance with Ministry sign installation standards.

When a response time is specified, other than in Section 401.8 Winter Operations and Maintenance of this Schedule 15-3, Operations Infrastructure, and a Storm Event occurs during such time, the time shall be extended by the length of the Storm Event, plus 24 hours.

400.1.2 Maintenance And Rehabilitation Requirements

The requirements to be met in the maintenance of the Bypass Infrastructure during the Operational Term shall conform to the requirements of these Technical Requirements and Project Co's Operation and Maintenance Plan provided pursuant to Section 401.4.2 of Schedule 15-3 - OM&R and Handback.

The Project Agreement requirements relating to design and construction, including Schedule 15-2 – Design and Construction and Schedule 15-3 - OM&R and Handback, apply mutatis mutandis to any design and Construction Activities carried out as part of the OM&R Work by Project Co during the Operational Term.

Provisions in Section 100.8 of Schedule 15-1 - General, Sections 200.5.7 and 200.6.1.9 of Schedule 15-2 and Section 300.2.2 of Schedule 15-3 - OM&R and Handback shall apply for traffic management during the Operational Term.

400.1.3 Alternative Inspection and Testing Methods

During the Operational Term, new technological developments may result in alternative inspection and testing methods and techniques that are more accurate, effective or economical. Subject to Section 18 of the Project Agreement mutually agreeable alternative inspection and testing methods and techniques may be introduced during the Operational Term.

400.1.4 Imminent Danger Repairs

In instances where Project Co and/or the Ministry determines an Imminent Danger exists on the Infrastructure, Project Co shall have representation within the Project Limits, on route to the Imminent Danger, within 30 minutes of becoming aware of, or of the time Project Co should have been aware of, the Imminent Danger and shall immediately initiate action to protect traffic and the public from the Imminent Danger and shall continue the action until the Imminent Danger is eliminated. This action may take the form of a temporary solution, including the Lane Closures, until permanent repairs are able to be undertaken or the Imminent Danger is removed. Temporary solutions may also include events that require support to other jurisdictions on their road network such as temporary detours.

400.1.5 Lane Closure

Under no circumstance, except for an Excepted Lane Closure, shall Project Co carry out Full Closures during the Project Term unless agreed in writing by the Ministry acting in its sole discretion or implement measures to require or to seek to encourage the public to use an alternative route away from the Infrastructure.

If as a result of an Excepted Lane Closure the need arises to use signs or other measures to require the public to use an alternative route away from the Infrastructure, Project Co may effect such measures, provided that Project Co shall as soon as reasonably practicable advise the Ministry of such measures and the reasons therefore. Project Co shall take all reasonable steps to minimize the duration of such measures.

Project Co shall pursuant to Schedule 9 - Review Procedure, submit to the Ministry with a Schedule of Lane Closures (the “**Schedule of Lane Closures**”)no later than 30 days prior to the commencement of the applicable Lane Closure. For each scheduled Lane Closure, the Contractor shall give details of the proposed lanes of Lane Closure, start and end dates for each period of Lane Closure, and the OM&R Work to be carried out. Project Co shall update the Lane Closure status a minimum of every 5 days.

The Ministry may raise comments in respect of any period of Lane Closure requested in a Schedule of Lane Closures. Project Co shall consider the comments in regards to the Schedule of Lane Closures and re-submit the same to the Ministry in accordance with the Review Procedure.

Project Co shall not affect any Lane Closures save:

- in accordance with the Schedule of Lane Closures; or
- in an Excepted Lane Closure.

If the need arises for unscheduled maintenance or repair work requiring Lane Closures, Project Co shall effect such Lane Closures provided that Project Co shall as soon as reasonably practicable advise the Ministry of such closure and the reasons therefore and shall take all reasonable steps to minimize the duration of such Lane Closure.

All Lane Closures shall be subject to the Availability Failure Deductions as described in Schedule 18 – Payment Mechanism, except Excepted Lane Closures.

Project Co shall provide to the Ministry such information (including without limitation details of proposed Lane Closures and information about its traffic safety and management measures on the Infrastructure) as may be required for purposes of any information service operated by or on behalf of the Ministry from time to time.

Project Co shall operate during the Operational Term a telephone service answered by a knowledgeable person of Project Co to respond to questions from the public in relation to the Infrastructure and integrate the services with the Ministry's Communications Branch.

The following parameters shall apply to the Availability Deduction mechanism:

- No single Lane Closure shall exceed 5 km in length and no subsequent lane closure shall exist in the next 5 km of travel.
- Except for bridge deck repairs, no Lane Closure shall remain in effect for 2 consecutive nights between the hours of 7 pm and 6 am.
- Mobile operations, such as line painting or Lane Closures lasting less than 1 hour shall not count towards the Lane Closure hours.
- Multiple Lane Closures within the same hour shall be considered as being multiple hours.

Conclusion of Lane Closure is defined as:

- Continuous, smooth, paved intact travel surface;
- Temporary traffic control removed and traffic fully restored; and
- Cause of closure has been removed and all safety requirements have been satisfied.

For planned maintenance and rehabilitation activities on Roadways or Structures that have 2 lanes in each direction, Project Co must have at least 1 lane open to traffic in each direction at all times.

For planned maintenance and rehabilitation activities on Roadways or Structures that have 3 lanes or 4 lanes in each direction, Project Co must have at least 2 lanes open to traffic in each direction at all times.

The following requirements shall apply throughout the Project Term to all detours as if all detours were New Bypass Infrastructure:

- Section 400.1.4 (Imminent Danger Repairs)
- Except with the prior written approval of the Ministry, acting reasonably, and except for an Excepted Lane Closure, Project Co shall not close all lanes in either direction or close any lanes for an extended period of time (as determined by the Ministry acting reasonably). For planned maintenance activities on detours with 2 lanes in each direction Project Co shall have at least 1 lane in each direction open to traffic at all times, unless otherwise approved in writing and in advance by the Ministry, acting reasonably.
- Section 400.2.1 (Routine Observations);
- Section 400.2.2 (Emergency Maintenance);
- Section 401 (Operations and Maintenance), except for Subsections 401.3 (Key Performance Measures), 401.4 (Documentation Requirements), 401.5 (Operational Communications) and the crack sealing component of 401.6.1 (Highway Pavement Maintenance).
- Any rutting greater than 20 mm in depth as measured using a 1.8 m straight edge in accordance with ASTM E1703/E1703M shall be repaired within 5 days of discovery.

400.1.6 In-Service Road Safety Review

Project Co shall be required to conduct In-Service Road Safety Reviews, within 6 months of the second and fifth anniversary of Substantial Completion. The Ministry may also require 2 other In-Service Road Safety Reviews, at a time selected by the Ministry within the Operational Term. The In-Service Road Safety Review shall be undertaken following the Canadian Road Safety Audit Guide published by the Transportation Association of Canada.

The In-Service Road Safety Review shall be undertaken by a Road Safety Audit team who shall have the same qualifications and experience as described in Section 200.5.7.1, Road Safety Audit Team of Schedule 15-2 – Design and Construction.

Project Co shall provide a copy of the In-Service Road Safety Review Response Report to the Ministry. Project Co shall implement any minor operational recommendations of the Road Safety Audit Team at Project Co's cost within 6 months of the completion of the review. The minor operational recommendations shall include but not be limited to the following:

- Provision and installation of delineators;
- Revised snow clearing and ice control procedures;
- Bridge deck icing plan procedures;
- Revised pavement markings;
- Revised directional, regulatory and warning signing (does not include sign structures);
- Revised traffic signal timings; and
- Guardrail adjustment or installation of new guardrail.

400.1.7 Record (As-Built) Drawings

Project Co shall produce record (as-built) drawings including all shop fabrication drawings for all rehabilitation work carried out during the Operational Term. The production of the drawings will generally take the form of the design drawings with addendums showing changes.

Project Co shall supply drawings in accordance with Section 300.2.11 As-Built Information of Schedule 15-3 - OM&R and Handback.

In addition, Project Co shall supply to the Ministry a Project Completion Report relating to rehabilitation work undertaken during the OM&R Work, compiling all technical design information and other relevant documentation. The final scope of information required for this report will be agreed with the Ministry. The maximum time for completion and the providing of the updated record information to the Ministry shall be 2 months after completion of the maintenance or rehabilitation activity.

400.2 INSPECTION, EMERGENCY AND ROUTINE MAINTENANCE REQUIREMENTS

400.2.1 Routine Observations

During the performance of Roadway inspections, emergency maintenance, and routine maintenance or at any other time Project Co's personnel are travelling on the Roadway, such personnel shall observe conditions of the roadway surface, appurtenances, and the Lands for the purpose of identifying any deficiencies and scheduling such work as required to maintain compliance with the Technical Requirements.

Items of OM&R Work which would typically be identified during routine observations include but are not limited to the following:

- Damaged signs and delineators;
- Drainage problems including blockages, erosion or lack of capacity of ditches, culverts and drainage grates, particularly during spring thaw and run-off. Project Co shall make interim repairs in these areas when possible;
- Any required cleaning, litter removal or snow removal;
- Damage to structures or appurtenances;
- Roadside or median barriers which have been damaged or moved from the original position, or any other condition that prevents, or reduces the effectiveness of the barrier from performing its intended function;
- Graffiti;
- Burned out lights on the roadway lighting systems;
- Non-functioning, malfunctioning or burned out lights on traffic control lighting systems; and
- Condition of Structure components, e.g. bridge rail, bridge deck, bridge deck joints and MSE Wall panel movement.

400.2.2 Emergency Maintenance

Any OM&R Work identified which falls under the category of emergency maintenance or otherwise results in an unsafe condition shall be immediately addressed by Project Co at Project Co's cost.

Emergency maintenance activities, requiring Project Co's immediate response by having representation within the Lands, on route to the emergency, within 30 minutes of becoming aware of, or of the time Project Co should have become aware of, include but are not limited to, the following:

- Repairing or replacing critical regulatory signs (STOP and YIELD) or performing temporary repairs of signs;
- Debris Removal in accordance with Section 401.6.4 Pavement Surface Cleaning and Debris Removal;

- Repairing traffic signals and advanced warning devices, including without limitation:
 - Resetting signals if the lights are in flash mode;
 - Replacing burned-out bulbs;
 - When the lights are completely out of service, setting up portable STOP signs from all directions until permanent repairs occur; or
 - Establish traffic signal trouble call requirements as detailed in Package I in Appendix G of Schedule 15-2 – Design and Construction;
- Highway incidents in accordance with Section 401.12.2 Highway Incident and Vandalism Response;
- Notification of and cooperation with the relevant emergency and/or regulatory authorities in the containment and clean-up of all spills, including those in ditches and ponds. Project Co shall also notify the Ministry of any spills within 24 hours of any occurrence;
- Providing adequate marking of any conditions on the roadway surface or in the Road Right-of-Way which are a hazard to the travelling public, including:
 - Emergency repair and marking of unsafe or poor pavement conditions; and
 - Emergency repair and/or marking of unsafe or poor bridge structure conditions.

All traffic signal timings, after they are implemented by Project Co, shall be subject to inspection by the Ministry. Project Co shall make necessary adjustments to the signal timing to meet traffic signal operation requirements outlined in Packages A through E in Appendix G to Schedule 15-2 – Design and Construction.

All actions taken related to this Section shall be reported within 12 hours to the Ministry.

Project Co shall record conditions identified during roadway inspections, and any work performed as a result of the observations. Such information shall be reported to the Ministry. The report shall make a distinction between conditions that required immediate response and those that could be scheduled as future OM&R Work.

Project Co shall record and report monthly, all routine maintenance performed, including segments worked and activities performed.

These reports shall include:

- Segment(s) worked; and
- Action(s) taken.

400.2.3 OM&R Limits

The sketches contained in Appendix A to Schedule 15-3 - OM&R and Handback show the OM&R Limits associated with the interchange ramps, cross roads and service road that are included as part of the OM&R Work.

400.2.4 Crossroads

The responsibility for the maintenance and rehabilitation of all Crossroads which cross over or under the Infrastructure is allocated between Project Co and the Ministry as set out herein. This section does not apply to the Crossroads at Highway 46, Highway 48 and Pilot Butte, whose OM&R Limits are shown on the sketches contained in Appendix A to Schedule 15-3 - OM&R and Handback.

Where a single drainage structure is located under a cross section that has both Project Co and Ministry obligations, Project Co is responsible for the maintenance and rehabilitation of the entire drainage structure.

Where a rail structure is located under a cross section that has both Project Co and Ministry obligations, Project Co is responsible for the maintenance and rehabilitation of the entire rail structure.

400.2.4.1 Underpass Structures

In the case of underpass structures (i.e. the mainline runs under the intersecting highway), the Ministry will be responsible for the routine maintenance and rehabilitation of the Crossroad (the full roadway cross-section from toe of slope to toe of slope) from the boundary of the right-of-way to the structure deck.

The responsibilities of the Ministry are as follows:

- All routine roadway maintenance on the Crossroad, including all cross culverts and property accesses, but excluding the repair and or replacement of the structures' deck surfaces;
- All regulatory and warning signs associated with the Crossroad;
- All guide rails on the Crossroad excluding the last section attached to the structure and its associated posts;
- Settlements up to 20 mm of the roadway surface located at the structures' ballast walls;
- All fill embankments associated with the Crossroad to toe of slope;
- Snow removal from the Crossroad, the structures and all associated sidewalks; and
- Sweeping structures once each spring to remove winter sand deposits.

The responsibilities of Project Co are as follows:

- All maintenance of the structures including, without limitation, the asphalt surface and the last section of guide rail attached to the structure and its associated posts;
- Settlements over 20 mm of the roadway surface located at the structures' ballast walls;
- All signing pertaining to the Infrastructure except for regulatory and warning signs on Crossroads;
- All intersection lighting servicing the Infrastructure;

- All reconstruction and or repair of underground drainage systems associated with the structures;
- All slope protection at the structures;
- All ditches and back slopes for the intersecting roadway;
- All roadway curbing and drainage structures associated with deck drainage;
- All guide rail that is required for the ramps and radius at ramp ends; and
- All traffic signals at the ramp terminals.

Note: Where the structure extends beyond the Road Right-of-Way, Project Co shall be responsible for the entire Structure as described above.

400.2.4.2 Overpass Structures

In the case of overpass structures (i.e. the mainline runs over the Crossroad), the Ministry or Local Authority as the case may be will be responsible for the routine maintenance and rehabilitation of the Crossroad (the roadway cross-section from top of ditch to toe of ditch) for the entire length of the Crossroad through the right-of-way. Project Co will be responsible for the inspection, maintenance, environmental mitigation, and rehabilitation of all other improvements within the right-of-way including structures and interchange ramps.

The responsibilities of the Ministry or the relevant Local Authority as the case may be are as follows:

- All maintenance of the Crossroad;
- All guide rails on the Crossroad. Where guide rail on the Crossroad is attached to the overpass structure, the Ministry is not responsible for the last section of guide rail attached to the structure and associated posts;
- Shoulders, foreslopes and ditches of the Crossroad;
- Maintenance of drainage structures associated with the Crossroad; and
- All regulatory and warning signs associated with the Crossroad.

The responsibilities of Project Co are as follows:

- All maintenance of the structures including, without limitation, the asphalt surface;
- Where guide rail on the Crossroad is attached to the overpass structure, the last section of guide rail attached to the structure and associated posts;
- All fill embankments associated with the main lanes to toe of slope;
- All signing pertaining to the Infrastructure except regulatory and warning signs on the Crossroad;
- All intersection lighting servicing the Infrastructure;
- All back slopes beyond the ditch line;
- All repair and or reconstruction of underground drainage systems associated with the structures;

- All traffic signals at the ramp terminals.
- All slope protection at structures; and
- All guide rail that is required for the ramps and radius at ramp ends

400.2.4.3 Level Intersections

The responsibilities of the Ministry or the relevant Local Authority as the case may be are as follows:

- All routine roadway maintenance on the Crossroad up to the right-of-way property line or extension of the normal right-of-way property line across the intersecting road,
- All regulatory and warning signs associated with the Crossroad;
- All guide rails on the Crossroad excluding the guide rail on the intersection radii;
- Snow removal from the Crossroad, up to the intersection.

The responsibilities of Project Co are as follows:

All pavement in the intersection as shown on the sketches contained in Appendix A to Schedule 15-3 - OM&R and Handback.

- All signing pertaining to the Infrastructure except for regulatory and warning signs on Crossroads;
- All intersection lighting servicing the Infrastructure; and
- All guide rail that is required for the intersection and turning radius.

400.2.5 Ministry Interim Maintenance Plan

The activities to be undertaken by the Ministry in respect to the Ministry's Interim Maintenance Sections during the Ministry's Interim Maintenance Period are as set out in this Section and are limited to routine winter and summer maintenance services.

400.2.5.1 Routine Maintenance Activities

All such services set out in this Section shall be undertaken in accordance with current Ministry's maintenance practices and shall comply with current Ministry policies and procedures. The Ministry will not undertake or cause the Ministry to undertake any major rehabilitation, recapping or bitumen sealing to correct any pavement deficiencies. Such services relate to safety and driver comfort only, not improvements.

400.2.5.2 Routine Winter Maintenance

- Winter control;
- Snow plowing; and
- Sand and salt application.

400.2.5.3 Routine Summer Maintenance

- Maintenance of pavements and shoulders - pothole and minor defect repair only;
- Maintenance of culverts and underground drainage - retaining function only; and
- Bridge maintenance – safety related issues only;

400.2.5.4 Roadside Management

- Vegetation management and grass control to a minimal level in accordance with Ministry standards ;
- Litter removal in accordance with Ministry standards; and
- Debris removal in accordance with Ministry standards.

400.2.5.5 Traffic Services

- Pavement markings;
- Highway illumination and other traffic control devices, function maintenance only; and
- Guide rail and barrier maintenance including crash attenuators and end posts – damage by motor vehicles accidents only.

400.2.6 Project Co Interim Maintenance Standards

400.2.6.1 Interim Maintenance

The operation, maintenance and other services to be carried out by Project Co in respect of Interim Maintenance Sections during the Works (“Project Co Interim Operation and Maintenance Standards”) are set out in this Section and will not derogate from Project Co’s obligations under the Project Agreement including Schedule 15-2 – Technical Requirements, Design and Construction.

The Operation and Maintenance Standards described in Section 400.2.6.2 of this Schedule 15-3 - OM&R and Handback apply to the Interim Maintenance Sections throughout the Interim Maintenance Period.

During the Interim Maintenance Period, Project Co shall not be required to undertake any operation, maintenance, repair or rehabilitation other than as specified in Project Co Interim Operation and Maintenance Standards described in Section 400.2.6.2 of this Schedule 15-3 - OM&R and Handback.

Project Co shall not disturb the travelled lanes and shoulders of the Existing Bypass Infrastructure until the O&M Handover Date unless agreed in writing by the Ministry.

400.2.6.2 Operation and Maintenance Standards

The services to be provided during Project Co Interim Operation and Maintenance Period are to be performed in accordance with the requirements identified below.

400.2.6.2.1 Routine Winter Maintenance

- Winter control in accordance with Section 401.8 [Winter Operation and Maintenance].

400.2.6.2.2 Routine Summer Maintenance

- Maintenance of pavements and shoulders – Pot-hole repair in accordance with Section 401.6.1 [Highway Pavement Maintenance] and other defect repairs required for safety and driver comfort;
- Maintenance of culverts and underground drainage – safety and asset protection related issues only;
- Bridge maintenance – safety and asset protection related issues only; and
- Bridge cleaning and washing – in accordance with Section 401.11.3 [Bridge and Structures Cleaning].

400.2.6.2.3 Roadside Management

- Vegetation management and grass control– mow 1 swath (minimum 1.5 m width) adjacent to shoulders once per year;
- Litter removal and graffiti removal– in accordance with Section 401.9.2 [Litter Collection and Graffiti Removal]; and
- Debris removal – in accordance with Section 401.6.4 [Pavement Surface Cleaning and Debris Removal].

400.2.6.2.4 Traffic Services

- Pavement markings – in accordance with Section 401.10.3 [Pavement Marking];
- Highway illumination – in accordance with Section 401.10.7 [Electrical Infrastructure] and Section 401.10.8 [Power Distribution];
- Guide rail and barrier maintenance (including crash attenuators and end posts) – any missing or damaged guide rail (including crash attenuators and end posts) creating a safety hazard to be repaired or replaced within 10 days of discovery;
- Guide signs – damaged or missing guide signs to be repaired or replaced within 20 days of discovery; and
- Regulatory and warning signs – damaged or missing regulatory and warning signs to be repaired or replaced within 24 hours of discovery.

400.2.6.2.5 Road Patrol / Traffic Control / Accident Response

- Road patrol in accordance with Section 401.13.2 [Highway Patrol] and Section 401.5.1 [Highway Condition Reporting];
- Highway traffic control in accordance with Section 401.10.10 [Highway Traffic Control]; and
- Highway incident response in accordance with Section 401.12.2 [Highway Incident and Vandalism Response] and Section 401.12.4 [Incident Response].

400.2.6.2.6 Corridor Management

- Access control.

400.2.6.2.7 Granular Roadway Surfaces

Project Co shall perform reshaping where the crown and super-elevation of the granular roadway surface requires re-establishment to protect highway users from situations that are unsafe or have the potential to become unsafe:

- All potholes greater than 25 mm in depth per 25 m of roadway shall be repaired within 8 hours of discovery.
- Rutting or wash boarding greater than 30 mm in depth per 25 m of roadway shall be repaired within 8 hours of discovery.
- Dust impacting visibility or causing nuisance to adjacent properties shall be repaired within 4 hours of discovery.

400.3 Road Traffic Noise Mitigation (New Bypass Infrastructure Only)

This Section 400.3 applies to the New Bypass Infrastructure only and does not apply to the Existing Bypass Infrastructure.

400.3.1 Measuring for Compliance

Project Co shall measure noise levels to confirm noise levels are in compliance with Section 200.6.14 of Schedule 15-2. Noise measurements will generally be made in response to public complaints but will not be required more than once in any 12 month period. All test and measurement results shall be provided to the Ministry forthwith, upon its request.

400.3.2 Completing Repairs

When measurements indicate noise exceeds the limiting noise level, Project Co shall undertake remedial action to either reduce the noise levels generated or to effectively screen the areas as required to reduce noise levels. Project Co shall complete repairs required to result in compliance with the limiting noise level within 180 days of becoming aware of the non-compliance. All test and measurement results shall be provided to the Ministry forthwith, upon its request.

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