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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: 1BR-BER2527

August 6, 2025

Charlotte Lamontagne
Regional Director – Contaminated Sites Nunavut
Crown-Indigenous Relations and Northern Affairs Canada
969 Sivumugiaq St,
Iqaluit, NU, X0A 3H0

Email: Charlotte.lamontagne@rcaanc-cirnac.gc.ca

RE: NWB Licence No: 1BR-BER2527

Dear Ms. Lamontagne,

Please find attached Licence No: **1BR-BER2527** (Licence) issued to the Crown-Indigenous Relations and Northern Affairs Canada – Contaminated Sites Nunavut (CIRNAC-CSN or Licensee) for the Bernard Harbour PIN-C Contaminated Site Remediation Project 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 water use and waste disposal 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*. 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.

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.

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 licence or authorization for any project proposal that has not been submitted to the Nunavut Planning Commission (NPC) in accordance with Section 76 of *NuPPAA*.

The NWB strongly recommends that the Licensee consult the comments¹ received from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Fisheries and Oceans Canada (DFO), and Environment and Climate Change Canada (ECCC) and comply with their requirements as recommended. Submissions from parties are attached for your consideration.

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/aj/rh

Enclosure: Licence No: **1BR-BER2527**
Comments – CIRNAC, ECCC and DFO

Cc: Kitikmeot Distribution List

¹ Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), May 29, 2025; Fisheries and Oceans Canada (DFO), June 2, 2025 and July 14, 2025; Environment and Climate Change Canada (ECCC), July 14, 2025.



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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

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DECISION

LICENCE NUMBER: 1BR-BER2527

This is the decision of the Nunavut Water Board (NWB or Board) with respect to an application received on April 29, 2025 for a new Water Licence made by:

CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA – CONTAMINATED SITES NUNAVUT (CIRNAC-CSN)

to allow for the use of Water and deposit of Waste during camp operations and activities related to remediation activities for the Bernard Harbour PIN-C Contaminated Site Remediation Project located approximately 100 km north of the Hamlet of Kugluktuk within the Kitikmeot Region, Nunavut, generally located at the geographical coordinates as follows:

Project Extents:

Main Station Area	Latitude: 68° 46' 54.55" N	Longitude: 114° 49' 56.54" W
Beach Area	Latitude: 68° 46' 31.85" N	Longitude: 114° 45' 53.67" W

Camp:	Latitude: 68° 55' 15.32" N	Longitude: 114° 30' 39.20" W
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DECISION

After having been satisfied that the Application is for a proposal that falls outside of an area with an approved land use plan² and as such, a conformity determination is not required, and as determined by the Nunavut Impact Review Board (NIRB), a review of the project is not required in accordance with s. 92(1)(a) of *Nunavut Planning and Project Assessment Act (NuPPAA)* subject to the terms and conditions recommended by NIRB's Screening Decision Report³ in accordance with Article 12 of the Nunavut Agreement and s.88, 92(1) and 92(2)(a) of *NuPPAA*, the NWB decided that the Application could proceed through the regulatory process. 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:

Licence No: 1BR-BER2527 be issued subject to the terms and conditions contained therein (Motion #: 2025-B1-015)

Signed this 6th day of August, 2025 at Gjoa Haven, NU.

Lootie Toomasie
Nunavut Water Board, Chair

LT/aj/rh

² Nunavut Planning Commission (NPC) Confirmation Determination, August 15, 2024.

³ Nunavut Impact Review Board (NIRB) Screening Decision, December 20, 2024.

I. BACKGROUND

Bernard Harbour PIN-C Contaminated Site Remediation Project (Project) is a former intermediate Distant Early Warning (DEW) Line site located approximately 100 km north of the Hamlet of Kugluktuk, in the Kitikmeot Region of Nunavut. The site was constructed in 1958 and subsequently abandoned in 1963. CIRNAC became the custodian of the site in 1965. A limited cleanup program was completed in 1985 on behalf of the Department of National Defense (DND), Environment Canada (ECCC), and CIRNAC. During the program, the former petroleum, oil, and lubricants (POL) tanks at the Main Station and Beach, equipment, and hazardous materials were removed from the site. The site is composed of two distinct areas: the Main Station Area and the Beach area.

The proposed Project is the result of multiple years of assessment (1995-2022) and remediation activities that were completed at the site since its abandonment. The objective of the Project is to demolish old buildings and structures, remove all remaining hazardous and non-hazardous debris, contaminated soil, and dispose of materials at offsite facilities. Some contaminated soil will also be treated on-site during the licence term.

It is assumed that the Project will take 2 seasons to complete with site work occurring from approximately late August 2025 to September 30, 2025, and June 2, 2026 to September 15, 2026. Access to the site will be by sealift/barge and air. A temporary seasonal camp will be set-up at the site for project personnel (approximately 25 people) to be on site at various stages to complete the cleanup activities.

Site remediation activities will include:

- Mobilization/demobilization of equipment, materials/wastes and personnel;
- Enhancement of access routes and site routes;
- Camp set-up and operation;
- Hazardous material removal and off-site disposal;
- Building and structure demolition, removal and disposal off-site;
- Non hazardous materials/debris consolidation and off-site disposal;
- Excavation and treatment/off-site disposal of contaminated soils;
- Quarrying of gravel and overburden materials;
- Temporary landfarm construction/operation/decommissioning;
- Wastewater treatment facility for process/contact water; and
- Site regrading, excavation and stabilization of former buried debris areas.

II. PROCEDURAL HISTORY

On April 29, 2025, the Nunavut Water Board (NWB or Board) received the Application for type B Water Licence for Bernard Harbour Contaminated Site Remediation Project (Project). The following documents were submitted with the Application:

- NPC File No. 150257 [Bernard Harbour PIN-C Contaminated Site Remediation Project]
- 241220-24KN042-Cover Letter Re Screening Decision Report
- 241220-24KN042-Screening Decision Report
- PIN C BERNARD HARBOUR Community Engagement Presentation and Responses
- PIN C Bernard Harbour Project Site Map
- PIN C Bernard Harbour Remediation 140619 Exploration-Remote Camp Questionnaire
- PIN C Bernard Harbour Remediation General Water Licence Application-signed
- PIN C Bernard Harbour Remediation Project NWB Application Cover Letter signed
- PIN C Executive Summary Plain Language NWB English
- PIN C Executive Summary Plain Language NWB-Inuinnaqtun
- PIN C Executive Summary Plain Language NWB-Inuktitut
- PIN C Remediation Project Spill Contingency Plan - April 2025
- PIN-C Project Proposal Report-FINAL No Photos
- Remedial Action Plan PIN-C-6068814-Final

On May 2, 2025, 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. Parties were invited to make representations to the NWB by June 2, 2025. Submissions were received from CIRNAC and DFO, on May 29, 2025 and June 2, 2025, respectively. CIRNAC in their submission, stated that they had no comments at this time. DFO provided a number of recommendations summarized in the section: [Summary of Comments](#).

The Applicant submitted the following as supplementary information:

- PIN C Bernard Harbour Remediation Project NWB Supplemental Information Cover Letter
- PIN C Bernard Harbour Contaminated Soil Treatment Facility Plan
- PIN C Bernard Harbour Wastewater Facility Design, OM Plan FINAL
- PIN-C Bernard Harbour Remediation 100210-Final-NWB-I3-Landfarm-SIG-kt

On June 30, 2025, parties were invited to review and provide their comments on the supplementary information. Environment and Climate Change Canada (ECCC) and DFO provided their comments on July 14, 2025. CIRNAC stated they did not have any comments at this time.

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 Public Registry through the following link:

<https://public.nwb-oen.ca/registry/1%20INDUSTRIAL/1B/1BR%20-%20Remediation/1BR-BER2527%20PIN%20C/>

III. GENERAL CONSIDERATIONS

The following sections provide general overview of the rationale for some of the main terms and conditions included under this Water Licence.

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 licence, the Board generally takes into consideration several factors including Interveners' comments, the Licensee's compliance history, as well as the rationale provided in the Application.

The Licensee requested in its Application, a two (2) year term for this Licence. The Interveners in their submissions did not comment on the requested term for the Licence. The Board has decided to approve the Licence for a **two (2) years term**. In doing so, the Board believes and expects that this two-year term will provide the Licensee with opportunities to remediate the site and consistently abide by the terms and conditions in the Licence over time and provide ongoing compliance record prior to completion.

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 Waste disposal 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 Public Registry link at:

<https://public.nwb-oen.ca/other%20documents/Standardized%20Forms/>

Water Use

The total quantity of water use authorized under this Licence is six (6) cubic metre *per* day. The Applicant requested water use of about 3 cubic metre (m³) per day for camp activities, and up to 3 m³ *per* day for construction activities.

The Applicant stated that water will be sourced from either of the two lakes located onsite, one located 1 km northwest of the Station Area buildings known as the West Lake, and the other known as East Lake, is located approximately 0.9 km southeast of the Station Area buildings. Each of these lakes have sufficient capacity to meet water needs. A mesh screen designed to prevent fish from being drawn into the pump will be used during pumping operations. The contractors will also be required to use a pump that is contained within a rigid containment unit with a liner to contain any leaks.

Deposit of Waste

Greywater will be directed to a sump excavated away from the camp, any natural drainage course, or any water body. Solid waste from the camp and sewage waste will be incinerated and remains will be packed and removed off-site for disposal. All other non-hazardous waste and hazardous waste such as waste oil, liquid contaminated water, Type A hydrocarbon soils, and Tier I and II soils will be containerized and disposed of in approved facilities. A temporary landfarm is planned to be constructed to treat Type B hydrocarbon soils on site. The soil will be excavated and treated in temporary landfarm, clean soil will be used to backfill excavations. Wastewater treatment facility will be installed to treat process/contact water.

The Applicant has submitted *Type B PHC Contaminated Soil Treatment Facility Plan*, dated June 9, 2025. This Plan provides details on the construction, methodology, schedule, monitoring, and decommissioning of the proposed Landfarm. The Plan also provides information on the excavation of Type B PHC Soil. The Applicant also submitted a *Wastewater Treatment Facility Design, Operation and Maintenance Details* [Operations and Maintenance Plan], dated June 17, 2025. This Plan outlines details related to wastewater sources and volumes specifically for process/contact water and provides information on the sampling and discharge criteria, discharge methodology, and decommissioning. The Board has approved these plans with the issuance of this Licence.

The conditions applying to waste and waste management are included in Part D of the Licence. The criteria in Part D, Item 9 was developed by CIRNAC for the clean-up of contaminated sites in Nunavut, and is derived using the *Canadian Environmental Protection Act* (CEPA), Canadian Council of Ministers of the Environment (CCME) and DEW-Line Clean-up (DLCU) criteria. Additionally, effluent discharge limits or criteria for any discharge associated with landfarm facility are included under Part D. It should also be noted that the Government of Nunavut (GN) Guideline for the Burning and Incineration of Solid Waste lists materials that may be open burned in the Territory.

Camp

A temporary seasonal camp will be set-up at the site for project personnel. It is anticipated that the Project will require approximately 20-25 people to be on site at various stages to complete the cleanup activities. The camp will have all utilities and services required for camp facilities including, but not limited to, heating, electricity, lighting, fuel, potable water and camp hygiene wash water systems. The camp shall be removed after completion of the Project. Conditions applying to camp use are included in Part E of the Licence.

Management Plans

The following plans were submitted with the Application:

- *Spill Contingency Plan, PIN-C Remediation Project*, dated April 10, 2025;
- *Remedial Action Plan, PIN-C, Bernard Harbour Intermediate DEW Line Site*, dated March 31, 2023;
- *Type B PHC Contaminated Soil Treatment Facility Plan*, dated June 9, 2025; and
- *Wastewater Treatment Facility Design, Operation and Maintenance Details [Operations and Maintenance Plan]*, dated June 17, 2025.

The Board has approved these plans with the issuance of the Licence. The Applicant is expected to adhere to and implement these plans.

Monitoring

The Applicant noted in the *Type B PHC Contaminated Soil Treatment Facility Plan* that after the soil is successfully remediated, sampling will be performed to determine if the underlying soil has been contaminated as a result of the remediation activities. The sampling will follow the same protocol for baseline sampling and the samples will be taken in the same relative location as determined by a total station (each sample will be marked relative to a reference monument during the baseline sampling). Test pits will be dug with an excavator to sample soil at the appropriate depth of 0.15 m. With regards to groundwater quality monitoring, baseline samples will be taken prior to the commissioning of the facility at all of the monitoring wells (three wells) and analyzed for total PHC. The results will be the baseline values upon which the monitoring program will be based. Sampling and analysis will be carried out again at the end of the treatment process. Values obtained will be compared to the baseline values.

Other monitoring requirements have been included in Part J of the Licence.

Summary of Comments

Submissions were received from CIRNAC and DFO, on May 29, 2025 and June 2, 2025, respectively. CIRNAC in their submission, stated that they had no comments at this time. DFO provided the following recommendations:

- Complete and submit a request for review form as the Application meets the criteria for a site-specific review;
- Follow DFO's protective measures for fish and fish habitat and standard codes of practice in order to comply with the *Fisheries Act*;
- Respect the NU in-water works restricted activity timing windows;
- Refer to DFO's Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater when using fish screens and if the water intake flow is up to 0.150 m³/s, or 150 liters per second (L/s);
- Follow the DFO Protocol for Winter Water Withdrawal in the NWT (2010) and not withdrawal more than 10% of under-ice water volumes;
- With regards to vessel operation and marine mammals, comply with the following Acts and Regulations:
 - Marine Mammals Regulations;
 - Species at Risk Act (SARA);
 - Marine Protected Areas;
 - Parks Canada in Nunavut; and
 - Aquatic Invasive Species Regulations.

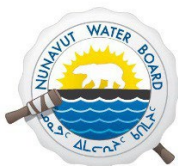
ECCC in their submission with regards to supplementary information provided the following recommendations:

- Retention Pond Water Quality Monitoring and Decommissioning – ECCC recommends that the report be revised to include the following clarifications and additional information regarding the management of the retention pond and potential soil contamination:
 - More detailed information on the specific discharge criteria that will be applied to water from the retention pond. This includes identifying the regulatory standards or guidelines that will be used to determine whether the water is suitable for discharge, and the parameters that will be tested (e.g., PHCs, metals, etc.);
 - Clarify whether the retention pond will be subject to regular water quality sampling. If so, it should specify how often samples will be collected, what analytical methods will be used, and which contaminants will be monitored;
 - A rationale should be provided to address the potential presence of metals—such as lead and other heavy metals—within the treated PHC-impacted soils. Given the historical nature of the site, it is important to assess whether these metals could

leach into the retention pond or surrounding environment, and whether additional treatment or monitoring measures are necessary.

- Retention Pond Decommissioning – ECCC recommends that the report include a comprehensive description of the discharge location. This should specify whether the site is near an aquatic receiving environment—such as a river, lake, stream, or wetland—and, if so, indicate the distance to the nearest water body. This information is essential for assessing the potential environmental impact of the discharge.

The Licensee is advised to refer to the original submissions by DFO and ECCC for detailed discussion on their recommendations and comply with the requirements.



NUNAVUT WATER BOARD WATER LICENCE

Licence No: 1BR-BER2527

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

**CROWN-INDIGENOUS RELATIONS & NORTHERN AFFAIRS CANADA –
CONTAMINATED SITES NUNAVUT (CIRNA-CSN)**

(Licensee)

969 SIVUMUGIAQ, IQALUIT, NUNAVUT X0A 3H0

(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:

Licence Number/Type: **1BR-BER2527 TYPE B**

Water Management Area: **AMUNDSEN GULF WATERSHED (27)**

Location: **KITIKMEOT REGION, NUNAVUT**

Classification: **INDUSTRIAL UNDERTAKING (REMEDIATION)**

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

Quantity of Water use not
To Exceed: **SIX (6) CUBIC METERS PER DAY**

Effective Date: **AUGUST 06, 2025**

Expiry of Licence: **AUGUST 05, 2027**

This Licence 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 an Industrial (remediation) Undertaking classified as per Schedule 1 of the *Regulations* at the Bernard Harbour PIN-C Contaminated Site Remediation Project, located approximately 100 km north of the Hamlet of Kugluktuk, in the Kitikmeot Region of Nunavut.

- 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” or “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*;

“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.2d* the

Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12;

“Geotechnical Engineer” means a professional engineer registered with the Association of Professional Engineers, Geologist and Geophysicists of Nunavut and whose principal field of specialization with the engineering properties of earth materials in dealing with man-made structures and earthworks that will be built on a site. These can include shallow and deep foundations, retaining walls, dams, and embankments;

“Grab Sample” means an undiluted quantity of material collected at a particular time and place that may be representative of the total substance being sampled at the time and place it was collected;

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

“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);

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

“Licensee” means the holder of this Licence;

“Landfarm” means the area designated to contain and biologically treat hydrocarbon impacted Type B soils as indicated in the Application;

“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;

“Monitoring Program” means a monitoring program established to collect data on surface water and groundwater quality to assess impacts to the freshwater aquatic environment of an appurtenant undertaking;

“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;

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

“Sewage” means all toilet Wastes and greywater;

“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” or “Sumps” a structure or depression that collects, controls, and filters liquid Waste before it is released to the environment. This structure should be designed to prevent erosion while allowing percolation of liquid 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;

“Waste Disposal Facilities” means all facilities designated for the disposal of waste including temporary and permanent storage and sorting areas; and

“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 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;
 - i. Quantity of water used for sampling purposes;
 - ii. Quantity and quality of Effluent discharged from Landfarm;

- iii. Quantity and characterization of soils placed within the Landfarm for treatment.
 - b. Quantity of water (in cubic metres/day) obtained for all purposes from sources on, in or flowing through Crown Lands during the reporting period;
 - c. A list of unauthorized discharges and summary of follow-up actions taken;
 - d. A summary of all waste backhauled to approved facility for disposal;
 - e. A summary of any construction work, modification and major maintenance work (including as-built drawings), carried out on the landfarm facility and wastewater treatment facility, including all associated structures;
 - f. Tabular summaries and analyses of all data and information generated under the Monitoring Program and a brief description of any future studies planned by the Licensee;
 - g. The results of any review conducted and any recommendations regarding any changes to the Monitoring Program and/or remediation requirements;
 - h. A summary of any studies requested by the Board that relate to waste disposal, water use or reclamation, and a brief description of any future studies planned;
 - i. A description of all progressive and or final reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations;
 - j. If applicable, a description of any trenches and sumps excavated, including the following: GPS coordinates, dimensions, depth below active layer, and secondary containment features;
 - k. A public consultation/participation report describing consultation with local organizations and the residents of the nearby communities;
 - l. A brief summary of work done to address concerns or deficiencies listed in the inspection reports and/or compliance reports prepared by an Inspector;
 - m. An executive summary in English, Inuktitut and Inuinnaqtun of all plans, reports, or studies conducted under this Licence; and
 - n. Any other details on water use or waste disposal requested by the Board by November 1st of the year being reported.
2. 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.
 3. 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.
 4. The Licensee shall implement suitable methods required for measuring the volumes of Water associated with the Project as required under Part I, Item 1.
 5. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.

6. The Licensee shall review the Plans referred to in this Licence, as required by changes in operation and/or technology, and modify the Plans accordingly. Revisions to the Plans shall be submitted in the form of an Addendum to be included with the Annual Report.
7. 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.
8. 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
918 Nunavut Drive
Iqaluit, NU X0A 3H0
Telephone: (867) 975-4284
9. The Licensee shall submit one (1) 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.
10. 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.
11. This Licence is assignable as provided for in Section 44 of the *Act*.
12. The expiry or cancellation of this Licence does not relieve the Licensee from any obligation imposed by the Licence, or any other regulatory requirement.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all Water for domestic camp use and industrial use from West Lake and/or East Lake as outlined in the Application. The volume of Water used for the purposes of this Licence shall not exceed six (6) cubic metres *per* day.

2. The use of Water from streams or any water body not identified in Part C, Item 1, is prohibited unless authorized and approved by the Board in writing.
3. 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.
4. The Licensee shall not remove any material from below the ordinary High Water Mark of any water body unless authorized by the Board.
5. The Licensee shall not cause erosion to the banks of any water body and shall provide necessary controls to prevent such erosion.
6. The Licensee shall implement and maintain sediment and erosion control measures prior to and during the operation to prevent entry of sediment and/or dust into Water.

PART D: CONDITIONS APPLYING TO WASTE AND WASTE MANAGEMENT

1. The Licensee shall implement the Plan entitled *Wastewater Treatment Facility Design, Operation and Maintenance Details* [Operations and Maintenance Plan], dated June 17, 2025, that was submitted as additional information with the Application and was approved by the Board with the issuance of this Licence.
2. The Licensee shall locate areas designated for Waste disposal at 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 approved by the Board in writing.
3. The Licensee shall not practice on-site landfilling of domestic Waste, unless otherwise approved by the Board in writing.
4. 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.
5. 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.
6. The Licensee shall provide to the Board, documented authorization from the Hamlet of Kugluktuk, or any other community in Nunavut, prior to the backhauling and disposal of any Waste in that community.
7. The Licensee may contain all greywater in a Sump located at a distance of at least thirty-one (31) metres above the ordinary High Water Mark of any water body, at a site where

direct flow into a water body is not possible and no additional impacts are created, unless otherwise approved by the Board in writing.

8. The Licensee is authorized to dispose and treat, to the Treatment Objective, petroleum hydrocarbon contaminated soils within the Landfarm Facility. The Licensee shall limit this treatment to those soils as acceptable for treatment, outlined in the Remedial Action Plan dated March 31, 2023, and *Type B PHC Contaminated Soil Treatment Facility Plan*, dated June 9, 2025.
9. Surface contact water and seepage collected from the perimeter of the Landfarm Facility shall not exceed the following Effluent discharge criteria prior to being released into the receiving environment:

Parameter	Maximum Allowable Concentration (µg/L)
pH	6 to 9 (pH units)
Oil and Grease	No visible sheen
Total Lead	1
Benzene	370
Toluene	2
Ethylbenzene	90

10. All contact water from equipment decontamination, tank and drum cleaning and associated with the storage and cleaning of contaminated areas shall not exceed the following Effluent discharge criteria prior to releasing into the receiving environment:

Parameter	Maximum Allowable Concentration (µg/L)
pH	6 to 9 (pH units)
Total Suspended Solids (mg/L)	50
Arsenic (total)	100
Cadmium (dissolved)	10
Chromium (dissolved)	100
Cobalt (dissolved)	50
Copper (dissolved)	200
Lead (dissolved)	50
Mercury (total)	0.6
Nickel (dissolved)	200
PCB (total)	1000
Zinc (total)	500
Benzene (µg/L)	370

Toluene (µg/L)	2
Ethylbenzene (µg/L)	90
Oil & Grease (mg/L)	15 and no visible sheen

11. The Licensee shall maintain the Landfarm Facility to the satisfaction of the Inspector.
12. The Licensee shall collect and temporarily store in preparation for future off-site disposal, all water generated from the storage and segregation of solid waste, rinse water resulting from decontamination processes or procedures as well as water derived from excavation activities that does not meet the Effluent quality limits in Part D, Item 10.
13. The Final Discharge point for the Effluent described in Part D, Item 10 shall be situated at a minimum of thirty-one (31) metres from the ordinary High Water Mark of any water body and where direct or indirect flow into a water body is not possible and no additional impacts are created.
14. The Licensee shall backhaul all hazardous Waste, Waste oil, in accordance with the Transportation of *Dangerous Goods Act*, for disposal at an approved Waste disposal facility.
15. 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.

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

1. The Licensee shall implement the Plan entitled *Type B PHC Contaminated Soil Treatment Facility Plan*, dated June 9, 2025, that was submitted as additional information with the Application and was approved by the Board with the issuance of this Licence.
2. The Licensee shall not erect camps or store material on the surface of frozen streams or lakes including the immediate banks except what is for immediate use. Camps shall be located such as to minimize impacts on surface drainage.
3. Stream crossings shall be a minimum of five hundred (500) meters from spawning areas.
4. 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.
5. The Licensee shall implement appropriate measures prior to, during, and following excavation of soil from the Landfarm, to prevent or minimize impact to water.

6. The Licensee shall implement proper handling, storage and transportation procedures for the management of hazardous materials during execution of the Project.
7. The Licensee shall minimize disturbance to terrain, permafrost and drainage during extraction of granular material, movement of contractor's equipment and personnel around the site and removal of site debris.

PART F: CONDITIONS APPLYING TO DRILLING

1. The Licensee is authorized to drill for the purpose of installing groundwater monitoring wells and other instrumentation related to monitoring.
2. 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.
3. The Licensee shall ensure that all drill waste, including water, chips, muds and salts (CaCl₂) in any quantity or concentration, from land-based drilling, shall be disposed of 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.
4. 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 required by Part B, Item 1, including the location (GPS coordinates) and dates.
5. Licensee shall, where drilling activity has penetrated below the permafrost layer, record the depth of permafrost and location of the drill hole for inclusion in the Annual Report required by Part B, Item 1.

PART G: CONDITIONS APPLYING TO MODIFICATIONS AND CONSTRUCTION

1. The Licensee may, without written consent from the Board, carry out Modifications to the Water Supply Facilities 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. such Modifications do not constitute "significant modifications" that require conformity assessment by the Nunavut Planning Commission and/or impact assessment by the Nunavut Impact Review Board before consideration by the NWB;

- d. within sixty (60) days following notification of the proposed Modifications, the Licensee, Nunavut Planning Commission, Nunavut Impact Review Board, designated Inuit organization or responsible regulatory authority has not indicated that any conformity determination, impact assessment, compensation negotiations or other consideration of the Modification that must be completed before the NWB can consider the Modification will take longer than 45 days; and
 - e. the Board has not, within sixty (60) days following notification of the proposed Modifications, informed the Licensee that the NWB's consideration of the proposed Modification will require more than sixty (60) days.
- 2. Modifications for which all of the conditions referred to in Part F, 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 Plan entitled *Spill Contingency Plan, PIN-C Remediation Project*, dated April 10, 2025, that was submitted as additional information with the Application and was approved by the Board with the issuance of this Licence.
- 2. 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.
- 3. The Licensee shall carry out 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.
- 4. 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 approved 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.
- 5. The Licensee shall, in addition to Part G, Item 4, 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

1. The Board has approved the Plan entitled *Remedial Action Plan, PIN-C, Bernard Harbour Intermediate DEW Line Site*, dated March 31, 2023, that was submitted as additional information with the Application.
2. The Licensee shall carry out progressive reclamation of any components of the Project no longer required for the Licensee's operations.
3. The Licensee shall remove from the site, all infrastructure and site materials, including all fuel caches, drums, barrels, material and equipment prior to the expiry of this Licence.
4. The Licensee shall backfill and restore, all temporary containment sumps, to the preexisting natural contours of the land.
5. All roads shall be re-graded to match natural contours to reduce erosion.
6. All disturbed areas shall be stabilized and re-vegetated as required, upon completion of work, and restored as practically as possible to a pre-disturbed state

PART J: CONDITIONS APPLYING TO MONITORING PROGRAM

1. The Licensee shall measure and record the volume of Water used for all purposes under this Licence.
2. The Licensee shall measure and record the volume of all soil deposited and/or removed from the landfarm facility.
3. The Licensee shall maintain groundwater quality monitoring stations as per *Type B PHC Contaminated Soil Treatment Facility Plan*, dated June 9, 2025, and conduct sampling and analysis as described below:

Monitoring Station ID	Description	Frequency
Groundwater Monitoring Well 1	To determine groundwater quality baseline and compare values after the treatment process is completed.	Prior to commissioning of the landfarm and at the end of treatment process.
Groundwater Monitoring Well 2		
Groundwater Monitoring Well 3		

4. The Licensee shall assess and record the concentration of F1 – F4 fractions in petroleum hydrocarbon contaminated soil, according to the CCME *Canada-Wide Standard for Petroleum Hydrocarbons (PHC) in Soil* that is entering and/or removed from the Landfarm Facility.

5. The Licensee shall record the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where wastes associated with camp operations are deposited.
6. The Licensee shall confirm the locations and GPS coordinates for all Monitoring Program Stations with an Inspector.
7. All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*, or by such other methods approved by the Board.
8. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
9. The Licensee shall submit to the Board for review, at least 30 days prior to the first release of Effluent, a Quality Assurance/Quality Control (QA/QC) Plan. The Plan shall include up-to-date sampling methods to all applicable standards and acceptable to an accredited laboratory.
10. Additional monitoring requirements may be requested by the Inspector.
11. The Licensee shall include in the Annual Report required under Part B, Item 1 all data, monitoring results and information required by this Part.

TABLES

Table 1 Remediation Requirements

	Soil Texture	Agricultural Land Use	Residential or Parkland Land Use	Commercial Land Use	Industrial Land Use
Fraction 1	Fine	210 (170 ^a)	210 (170 ^a)	320 (170 ^a)	320 (170 ^a)
	Coarse	30 ^b	30 ^b	320 (240 ^a)	320 (240 ^a)
Fraction 2	Fine	150	150	260 (230 ^a)	260 (230 ^a)
	Coarse	150	150	260	260
Fraction 3	Fine	1300	1300	2500	2500
	Coarse	300	300	1700	1700
Fraction 4	Fine	5600	5600	6600	6600
	Coarse	2800	2800	3300	3300
Benzene	Fine	0.0068	0.0068	0.0068	0.0068
	Coarse	0.03	0.03	0.03	0.03
Toluene	Fine	0.08	0.08	0.08	0.08
	Coarse	0.37	0.37	0.37	0.37
Ethylbenzene	Fine	0.018	0.018	0.018	0.018
	Coarse	0.082	0.082	0.082	0.082
Xylene	Fine	2.4	2.4	2.4	2.4
	Coarse	11	11	11	11
Lead	Fine	70	140	260	600
	Coarse				
Polychlorinated Biphenyls	Fine	0.5	1.3	33	33
	Coarse				

Notes: All values are in parts per million (ppm)

a = Where applicable, for protection of potable groundwater

b = Assumes contamination near residence

Data from CCME *Canada-Wide Standards for Petroleum Hydrocarbons (PHC) in Soil*, (2001) Revised January 2008 and the Government of Nunavut *Environmental Guideline for Site remediation* (2009).