



P.O. Box 119  
GJOA HAVEN, NU X0B 1J0  
TEL: (867) 360-6338  
FAX: (867) 360-6369

ᓄᓇᓂᓪᓴ ᐃᓕᓕᓂᓪᓴ ᑲᑎᓕᓪᓴᓯ  
**NUNAVUT WATER BOARD**  
NUNAVUT IMALIRIYIN KATIMAYINGI

**File No: NWB5CAM0520**

July 5, 2005

Phil Warren, P. Eng.  
Environmental Officer  
Defence Construction Canada Ltd.  
Constitution Square, Suite 1720  
350 Albert Street  
Ottawa, ON K1A 0K3  
Email: [Philip.warren@dcc-cdc.gc.ca](mailto:Philip.warren@dcc-cdc.gc.ca)

**RE: NWB Licence No. NWB5CAM0520**

Dear Mr. Everest:

Please find attached Licence No. NWB5CAM0520 issued to defence Construction Canada by the Nunavut Water Board (**Motion #: 2005-01**) 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*. The terms and conditions of the attached Licence related to water use and waste disposal are an integral part of this approval.

Sincerely,

Philippe di Pizzo  
Executive Director

Enclosure: Licence No. **NWB5CAM0520**

cc: Jim Rogers, DIAND Iqaluit  
Scott Stewart, DIAND Inspector  
Jack Kaniak, Kitikmeot Inuit Association  
Gladys Joudrey, Nunavut Impact Review Board  
Josee Gallipeau, Nunavut Wildlife Management Board  
Colette Spagnuolo, Environment Canada  
Earle Baddaloo, GN-DOE  
Derrick Moggy, Department of Fisheries and Oceans  
Tania Gordanier, Department of Fisheries and Oceans



GJOA HAVEN, NU X0B 1J0

ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᑲᑎᓕᓂᓪ

Tel: (867) 360-6338

NUNAVUT WATER BOARD

Fax: (867) 360-6369

NUNAVUT IMALIRIYIN KATIMAYINGI

## DECISION

### LICENCE NUMBER: NWB5CAM0520 – Type “B”

This is the decision of the Nunavut Water Board (NWB) with respect to an application for a Licence dated January 26<sup>th</sup>, 2005 made by:

#### **Defence Construction Canada (DCC)**

to allow for DEW Line Monitoring Activities at the CAM-M DEW Line Site, Cambridge Bay, Nunavut. With respect to this application, the NWB gave notice to the public that DCC had filed an application for a water licence.

### DECISION

After having been satisfied that the application was exempt from the requirement for screening by the Nunavut Impact Review Board in accordance with Schedule 12.1, Paragraph 5 of the *Nunavut Land Claim Agreement* (NLCA), the NWB decided that the application could proceed through the regulatory process. In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* S. 55.1 and Article 13 of the *Nunavut Land Claims Agreement*, public notice of the application was posted. The application was then referred for review and comments to Federal, Territorial and local organizations. After reviewing the submission of the Applicant and written comments expressed by interested parties, 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 Land Claims Agreement* and of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA), decided to waive the requirement to hold a public hearing and furthermore to delegate its authority to approve the application to the Chief Administrative Officer pursuant to S. 13.7.5 of the NLCA and S. 49(a) of the NWNSRTA and determined that:

**Licence Number NWB5CAM0520 – Type “B” be issued subject to the terms and conditions contained therein. (Motion #: 2005-01)**

SIGNED this 5<sup>th</sup> day of July, 2005 at Gjoa Haven, NU.

Philippe di Pizzo  
Chief Administrative Officer

## TABLE OF CONTENTS

DECISION.....	i
TABLE OF CONTENTS .....	ii
<b>I. INTRODUCTION.....</b>	<b>1</b>
<b>II. GENERAL CONSIDERATIONS .....</b>	<b>1</b>
A. Term of the License .....	1
B. Annual Report.....	1
<b>III. LICENCE   NWB5CAM0420 - Type "B" .....</b>	<b>2</b>
PART A: SCOPE, DEFINITIONS, AND ENFORCEMENT .....	3
PART B: GENERAL CONDITIONS.....	4
PART C: CONDITIONS APPLYING TO MONITORING PROGRAMS.....	6

## **I. INTRODUCTION**

On January 26, 2005, DND filed an application with the Nunavut Water Board for approval of a landfill monitoring plan to be implemented at the CAM-M DEW Line Site located at Cambridge Bay, Nunavut. After having been satisfied that the application was exempt from the requirement for screening by the Nunavut Impact Review Board in accordance with Schedule 12.1, Paragraph 5 of the *Nunavut Land Claim Agreement* (NLCA), the NWB decided that the application could proceed through the regulatory process.

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* S. 55.1 and Article 13 of the *Nunavut Land Claims Agreement*, public notice of the application was posted. The application was then referred for review and comments to Federal, Territorial and local organizations, and interested persons were invited to make representations. No public concerns were expressed, and after reviewing the submission of the Applicant and written comments expressed by interested parties, 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 Land Claims Agreement* and of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA), decided to waive the requirement to hold a public hearing and furthermore to delegate its authority to approve the application to the Chief Administrative Officer pursuant to s.13.7.5 of the NLCA and S.49(a) of the NWNSRTA.

## **II. GENERAL CONSIDERATIONS**

### **A. Term of the License**

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* S. 45, the NWB may issue a license for a term not exceeding twenty-five years. The NWB believes that a term of fifteen years is appropriate. The 15-year license will allow the Licensee to properly carry out the terms and conditions of the license and will ensure that sufficient time is given to permit the Licensee to develop, submit, and implement the plans required under the license to the satisfaction of the NWB.

### **B. Annual Report**

The requirements imposed on the Licensee in this license are for the purpose of ensuring that the NWB has an accurate annual update of the monitoring program during a calendar year. This information is maintained on the public registry and is available to any interested parties upon request.

**LICENCE NWB5CAM0520 – Type “B”**

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

**DEFENCE CONSTRUCTION CANADA (DCC)**

(Licensee)

**CONSTRUCTION SQUARE, SUITE 1720,  
350 ALBERT STREET,  
OTTAWA, ONTARIO K1A 0K3**

of

(Mailing Address)

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

**NWB5CAM0520 – Type “B”**

Licence Number

**NUNAVUT 07**

Water Management Area

**CAM-M DEW LINE SITE, CAMBRIDGE BAY, NUNAVUT (69°07' N; 105°07' W)**

Location

**LANDFILL MONITORING PROGRAM**

Purpose

**ENVIRONMENTAL AND GEOTECHNICAL SITE INVESTIGATION AND  
MONITORING**

Description

**0 CUBIC METRES DAILY**

Quantity of Water Not to be Exceeded

**JULY 5, 2005**

Date of Licence

**OCTOBER 1, 2020**

Expiry Date of Licence

Dated this 5<sup>th</sup> day of July 2005 at Gjoa Haven, NU.



Philippe di Pizzo

Chief Administrative Officer

## **PART A: SCOPE, DEFINITIONS & ENFORCEMENT**

### **1. SCOPE**

- i This Licence entitles Defence Construction Canada (DCC) to implement the Landfill Monitoring Program for the CAM-M Distant Early Warning (DEW) Line Site, Cambridge Bay, Nunavut (69°07' N; 105°07' W).
- i 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.
- ii Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with all applicable legislation, guidelines and directives.

### **2. DEFINITIONS**

In this Licence: **NWB5CAM0520 – Type “B”**

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

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

“**Board**” means the Nunavut Water Board established under the *Nunavut Land Claims Agreement*;

“**Chief Administrative Officer**” means the Executive Director of the Nunavut Water Board;

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

“**Licensee**” means the individual or organization to whom Licence NWB5CAM0520 is issued or assigned;

**“Nunavut Land Claims Agreement”** (NLCA) 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;

**“Landfill Monitoring Program”** means the document titled “Landfill Monitoring Program, CAM-M Cambridge Bay” dated January 2005, prepared by UMA Engineering Ltd. for Defence Construction Canada.

**“Spill Contingency Plan”** means a plan submitted to deal with unforeseen events

**“Waste”** means waste as defined in Section 85 (1) of the *Act*;

### **3. ENFORCEMENT**

- i. Failure to comply with this Licence will be a violation of the *Act*, exposing the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- ii. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*; and
- iii. Inspectors appointed under the *Act* enjoy-with respect to this Licence, and for the purpose of enforcing this Licence, and with respect to the use of water and deposit or discharge of waste by the licensee-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 31 of the year following the calendar year reported, which shall contain the following information:
  - i. Tabular summaries for all data and information generated under the “Monitoring Program”;
  - ii. An analysis of data collected during the “Monitoring Program” and a brief description of any future studies planned by the Licensee;
  - iii. A summary of any abandonment and restoration work undertaken during the year and an outline of any work anticipated for the next year;

- iv. 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;
  - v. A list of unauthorized discharges and summary of follow-up actions taken;
  - vi. A public consultation/participation report describing consultation with local organizations and the residents of the nearby communities;
  - vii. A brief summary of work done to address concerns or deficiencies listed in the inspection reports and/or compliance reports prepared by an Inspector;
  - viii. An executive summary in English and Inuktitut of all plans, reports, or studies conducted under this Licence; and
  - ix. Any other details on water use or waste disposal requested by the Board by November 1<sup>st</sup> of the year being reported.
2. Flow meters or other such devices used for measuring the volumes of water used shall be installed by the Licensee, and operated and maintained to the satisfaction of an Inspector.
  3. Modifications to the “Monitoring Program” may be made only upon written approval of the Chief Administrative Officer.
  4. The Licensee shall, within sixty (60) days of issuance of this Licence, post signs in the appropriate area to inform the public of the location of the Landfill Facilities and the stations of the “Monitoring Program”. All postings shall be in the Official Languages of Nunavut and located and maintained to the satisfaction of an Inspector.
  5. The Licensee shall ensure a copy of this Licence is maintained at the camp site office and at the site of operation at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

**(i) Chief Administrative Officer:**

Executive Director  
 Nunavut Water Board  
 P.O. Box 119  
 Gjoa Haven, NU X0B 1J0  
 Telephone: (867) 360-6338  
 Fax: (867) 360-6369



**(ii) Inspector Contact:**

Water Resources Officer  
Nunavut District, Nunavut Region  
P.O. Box 100  
Iqaluit, NU X0A 0H0  
Telephone: (867) 975-4298  
Fax: (867) 979-6445

6. The Licensee shall submit one paper copy and one 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.

**PART C: CONDITIONS APPLYING TO THE MONITORING PROGRAM**

1. The Licensee shall implement the Landfill Monitoring Plan as approved by the Board.
2. An Inspector may request additional sampling and analysis.
3. The Licensee shall include all of the data and information required by the “Monitoring Program” in the Licensee's Annual Report, as required *per* Part B, Item 1.
4. Modifications to the Monitoring Program may be made only upon written approval of the Chief Administrative Officer.
5. The Licensee shall notify the Board if the Monitoring Program indicates that the landfills are not performing as anticipated.