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## Re: 1BR-CLI0914 and 1BR-LOR0813 Request Status on Submission

1 message

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**Cynthia Ene** <cynthia.ene@nwb-oen.ca>  
To: Jean.Allen@aandc-aadnc.gc.ca  
Cc: Valerie Kogvek <valerie.kogvek@nwb-oen.ca>

Fri, Oct 28, 2016 at 10:41 AM

Good Afternoon Jean,

I have included my responses below (in blue) to the questions you put forward in your email dated, October 27<sup>th</sup> 2016.

Please do not hesitate to reach out to me if you have any further questions or comments.

Sincerely,

Cynthia Ene  
867 983 5173

----- Forwarded message -----

From: **Jean Allen** <Jean.Allen@aandc-aadnc.gc.ca>  
Date: Thu, Oct 27, 2016 at 1:37 PM  
Subject: Re: 160218 1BR-CLI0914 and 1BR-LOR0813 Request Status on Submission of PP to NPC  
To: [cynthia.ene@nwb-oen.ca](mailto:cynthia.ene@nwb-oen.ca)  
Cc: [licensing@nwb-eon.ca](mailto:licensing@nwb-eon.ca)

Good afternoon Cynthia,

I received your email from Charlotte Lamontagne regarding 1BR-CLI0914 and 1BR-LOR0813 water licence amendment and renewal applications. I am the Acting Contaminants Specialist and thus taking over the long term monitoring files at INAC Contaminated Sites Division.

To answer your question, I would like to proceed with the applications for these sites since they are both currently expired and we are planning to return to both sites in 2017 to complete the year 7 monitoring, as indicated in both long term monitoring plans.

If possible, there are a couple changes I would like to make to both applications, including:

- 1) Box 1 - The licensee - can we make it more general to include the Director of Lands and Contaminated Sites. The address and contact information (i.e. phone and fax numbers) would remain the same.  
[The Licensee is noted on file as "The Department of Indian Affairs and Northern Development", the License therefore is stating the legal name of the entity which holds and is responsible for the Licence. Let me know if you have any further concerns with this.](#)
- 2) Box 2 - The licensee representative contact would be the Contaminants Specialist (also to remain general if possible). The address is the same as the licensee and the phone number is [867-975-4732](tel:867-975-4732).  
[The licensee representative needs to be a specific individual that we can name/contact specifically on subject matters relating to the application. Please note that you are invited to simply email the NWB with the new name/contact information of whomever you prefer to be the new "Licensee Representative", such a change does not require a new application. The Licensing department at the NWB will take note of your communication, make the necessary changes in our system and upload your notification email to the NWB ftp site, as a reference for all stakeholders.](#)
- 3) Box 13 - Water sources should be more general to include both groundwater and surface water as required (from pooling water at or near the non-hazardous waste landfills). This change would not alter our request to use a total of 1 m3 of water/day.  
[If water use is limited to only water sampling activities, then the sampling well identification names \(i.e MW1, etc.\) you currently have in the application, and in the submitted annual report/long term monitoring reports for 2015, is acceptable. If you are sampling surface waters/runoffs, please provide general locations for these sampling points.](#)

4) Box 23 - 2015 long term monitoring report can be included and was submitted with the 2015 annual report (located on the ftp site under monitoring).

Though Phase I long term monitoring activities were completed in 2015, it appears that none of the 4 monitoring wells were sampled on site for 1BR-LOR0813, can you confirm what the basis was for progressing to less frequent monitoring of the site with the Phase II monitoring plans? Have you considering alternative measures for collecting samples, even with the water being frozen?

5) Box 25 - The requested expiry dates should be changed to 2036 to allow time to provide the NWB with a long term monitoring report and an annual report for monitoring to be conducted in 2035.

Your licence duration request is noted and will be put forward to the Board. The Board will access all submitted information and indicate their decision in the issued Licence.

Please let me know if you require a new application form to incorporate these changes.

Upon review of these files on the ftp site, it appears there is confusion whether or not we need to submit a proposal to the NPC because it is unclear whether this is a new project under NuPPAA or whether it is a licence that has not been significantly modified. These two projects were screened by NPC and NIRB (where required) prior to NuPPAA and are being renewed and amended to reduce the scope of these projects from remediation activities to monitoring activities only. Therefore, it is in our opinion that it is not a new project under NuPPAA and that a project proposal should not be required because while we are significantly modifying the project, we are significantly reducing the scope of the project and as such, significantly reducing potential impacts to the environment. I've reviewed the correspondence between NWB and NPC on the NWB ftp site but I don't see any response from NPC to the NWB request (dated September 4, 2016) other than the email dated January 7, 2016 from Peter Scholz. If there are additional correspondence regarding these files, it would be greatly appreciated if you could forward them to me.

All correspondence with NPC regarding this file is on the NWB ftp site. As indicated in the communication that was sent to your department on October 20, 2015, completed applications for the two aforementioned files, were only received after July 9th 2015, after the NuPPAA amendments were in effect. Please be advised that under the Nunavut Land Claims Agreement (NLCA), Article 11, Section 11.5.9 and s. 76 (1) of Nunavut Planning and Project Assessment Act (NuPPAA), the proponent of a project governed by NuPPAA is also required to submit a project proposal document (which may include the water licence application) directly to the Nunavut Planning Commission (NPC or Commission) for the NPC's determination. In particular, please note that as established under Articles 11, 12 and 13 of the NLCA, NuPPAA and Part 3 of the Nunavut Waters and Nunavut Surface Rights Tribunal Act, until the project has completed the applicable land use planning and assessment process required by the NPC and the NIRB, the NWB cannot issue a water licence. In the past year we've typically noticed that the NPC process these within a short period of time, a good example for you to reference would be 1BR-RES0916 (NPC File # 148275) and the NPC determination letter issued on April 20, 2016.

Please advise on how we can proceed with these applications. There are 2 additional water licence applications for renewal (1BR-SAR0916) and renewal/amendment (1BR-ROS11116) that need to be submitted to the NWB in the near future so any information regarding these applications would be greatly appreciated.

Sincerely,

Jean Allen  
A/Contaminants Specialist  
Indigenous and Northern Affairs Canada  
Nunavut Regional Office  
969 Qimugjuk Building  
PO Box 2200, Iqaluit, NU X0A 0H0  
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**Cynthia Ene, MBA, P.Eng. - ᑦᐅᓚᑦᐸᓂᓐ ᑖᐱᓂᓐ**

Technical Advisor - Conseillère Technique

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