



Water Resources Division
Nunavut Regional Office
Iqaluit, NU X0A 0H0

Our File: 9545-3-5EKAG / CIDMS 159521

Your File: 1BR-EKA0607

August 3, 2007

Richard Dwyer
Licensing Trainee
Nunavut Water Board
Gjoa Haven, NU X0B 1J0

Re: 1BR-EKA / Indian and Northern Affairs Canada / FOX-C Ekalugad Fjord Project / Qikiqtani Region / modification to landfarm

On behalf of Indian and Northern Affairs Canada (INAC), I have reviewed the above mentioned notification of a modification to the FOX-C Ekalugad Fjord Project's landfarm facility. The following advice has been provided pursuant to INAC's mandated responsibilities for the enforcement of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NW&NSRT) and the *Department of Indian Affairs and Northern Development Act* (DIAND Act).

The INAC Nunavut Regional Office (NRO) Contaminated Sites Directorate has provided notification that it intends to modify the design of its FOX-C Ekalugad Fjord Project's landfarm facility. This modification includes an expansion of the facility to accommodate the treatment of recovered hydrocarbon contaminated soils and relocating the eastern berm to improve its stability.

The Water Resources Division of the INAC NRO recommends that the following comments be considered when reviewing the proposed modification to this landfarm facility:

- The submitted Landfarm Plan and Cross Section drawing C11 should be incorporated into an operations and maintenance manual specific to the landfarm facility. As-built drawings should be provided to the NRB and included within this manual once the modifications have been completed.
- The proponent should submit an operations and maintenance manual for review. This manual should include all information pertaining to the landfarm facility's design, its capacity to treat hydrocarbon contaminated soils, maintenance procedures, and any other information applicable to its operation. A copy of the manual should be kept on site as well.

- INAC Water Resources notes that a letter was submitted to Sarah Gagne, a technical advisor to the Nunavut Water Board, on March 31, 2006 by Natalie Plato of the INAC NRO Contaminated Sites Directorate regarding outstanding information requirements for this project. The letter provided information pertaining to the landfarm facility's design and required operation and maintenance procedures. The proponent should use the information provided within this letter as well as new information to design an operations and maintenance manual.
- In the above-mentioned March 31, 2006 letter, INAC Water Resources notes that landfarm precipitation runoff which does not meet licence criteria for discharge will be treated to ensure that is acceptable for release. If the runoff criteria cannot be treated, it will be containerized and disposed of off-site as hazardous waste. The proponent should explain how it intends to treat landfarm precipitation runoff that does not meet licence criteria.

Indian and Northern Affairs Canada requests notification of any changes in the proposed project, as further review may be necessary. Please contact me should you have any questions or comments with regards to the foregoing. I can be reached by telephone at (867) 975-4555 or by email at abernethyd@inac-ainc.gc.ca.

Regards,

ORIGINAL SIGNED BY

David W. Abernethy
Water Resources Coordinator

Cc. Jim Rogers, Manager of Water Resources – Indian and Northern Affairs Canada,
Nunavut Regional Office