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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

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File No.: 1BR-EKA1017

March 1, 2010

Natalie Plato  
Director, Contaminated Sites  
Indian and Northern Affairs Canada  
P.O. Box 2200  
Iqaluit, NU X0A 0H0  
E-mail: [platon@inac-ainc.gc.ca](mailto:platon@inac-ainc.gc.ca)

**RE: NWB LICENCE No. 1BR-EKA1017**

Dear Ms. Plato:

Please find attached Licence No. **1BR-EKA1017** issued to Indian and Northern Affairs Canada – Contaminated Sites by the Nunavut Water Board **Motion #: 2009-21-L05** 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.

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 will be in contravention of the Nunavut Land Claims Agreement. 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 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 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 acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments<sup>1</sup> received by interested persons on issues identified. This information is attached for your consideration.

Sincerely,



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Thomas Kabloona  
Nunavut Water Board  
Chair

TK/dc

Enclosure: Licence No. **1BR-EKA1017**  
NPC Determination and NIRB<sup>2</sup>  
Comments

Cc: Distribution - Qikiqtani

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<sup>1</sup> Government of Nunavut – Department of Community, Language, Elders and Youth (GN-CLEY), May 29, 2009; Environment Canada (EC), June 2, 2009; Environment Canada (EC) April 27, 2009 and Indian and Northern Affairs Canada (INAC) – Water Resources Division, June 22, 2009.

<sup>2</sup> Nunavut Impact Review Board (NIRB), Screening Decision No. 05DN053, June 28, 2005; NIRB Additional term and condition, May 2, 2008 (amendment) and Nunavut Planning Commission, May 22, 2009.



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NUNAVUT WATER BOARD  
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OFFICE DES EAUX DU NUNAVUT

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## DECISION

### LICENCE NO.: 1BR-EKA1017

This is the decision of the Nunavut Water Board (NWB) with respect to an application, dated April 16, 2009, for the renewal of a Licence made by:

#### INDIAN AND NORTHERN AFFAIRS CANADA – CONTAMINATED SITES

to allow for the implementation of a Long-Term Monitoring Plan at the FOX-C Intermediate Distant Early Warning (DEW) Line Site, Ekalugad Fjord, located within the Qikiqtani Region, Nunavut (at general latitude of 68°42'00"N and general longitude 68°33'00"W).

### DECISION

After having been satisfied that the application conforms to the North Baffin Regional Land Use Plan through an NPC determination received May 22, 2009 and is in receipt of the June 28, 2005 initial Screening Decision and a subsequent decision of May 2, 2008 by the Nunavut Impact Review Board in accordance with Article 12, section 12.4.4(a) of the *Nunavut Land Claim Agreement (NLCA)*, on an amendment application, 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 (NWNSRTA)* and Article 13 of the *NLCA*, 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 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 *NLCA* and of the *NWNSRTA*, decided to waive the requirement to hold a public hearing and determined that:

**Licence Number 1BR-EKA1017 be issued subject to the terms and conditions contained therein. (Motion #: 2009-21-L05)**

SIGNED this 1<sup>st</sup> day of March, 2010 at Gjoa Haven, NU.

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Thomas Kabloona  
Nunavut Water Board  
Chair

## TABLE OF CONTENTS

<b>DECISION</b>	.....	<b>i</b>
<b>LICENCE NO.: 1BR-EKA1017</b>	.....	<b>i</b>
<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>II.</b>	<b>PROCEDURAL HISTORY.....</b>	<b>2</b>
<b>III.</b>	<b>GENERAL CONSIDERATIONS .....</b>	<b>3</b>
A.	Term of the Licence.....	3
B.	Annual Report.....	3
C.	Water Use .....	3
D.	Deposit of Waste .....	3
E.	Conditions of the Undertaking .....	4
F.	Monitoring .....	4
<b>WATER LICENCE</b>	.....	<b>5</b>
<b>PART A:</b>	<b>SCOPE, DEFINITIONS AND ENFORCEMENT.....</b>	<b>6</b>
<b>PART B:</b>	<b>GENERAL CONDITIONS.....</b>	<b>8</b>
<b>PART C:</b>	<b>CONDITIONS APPLYING TO WATER USE .....</b>	<b>10</b>
<b>PART D:</b>	<b>CONDITIONS APPLYING TO WASTE DISPOSAL.....</b>	<b>10</b>
<b>PART E:</b>	<b>CONDITIONS APPLYING TO THE UNDERTAKING.....</b>	<b>10</b>
<b>PART F:</b>	<b>CONDITIONS FOR CAMPS, ACCESS INFRASTRUCTURES AND OPERATIONS .....</b>	<b>11</b>
<b>PART G:</b>	<b>CONDITIONS APPLYING TO MODIFICATIONS.....</b>	<b>11</b>
<b>PART H:</b>	<b>CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING .....</b>	<b>12</b>
<b>PART I:</b>	<b>CONDITIONS APPLYING TO ABANDONMENT, RESTORATION AND CLOSURE.....</b>	<b>12</b>
<b>PART J:</b>	<b>CONDITIONS APPLYING TO THE MONITORING PROGRAM .....</b>	<b>12</b>
<b>Table No.1</b>	.....	<b>14</b>

## **I. INTRODUCTION**

The Former FOX-3 (Ekalugad Fjord) Intermediate DEW Line Site is located approximately 240 km northwest of Qikiqtarjuaq and 260 km south of Clyde River on the south shore of Ekalugad Fjord, within the Qikiqtani Region, Nunavut (at general latitude of 68°42"N and general longitude 68°33"W).

The terrain at FOX-C consists of high rugged hills cut by rock outcrops. The site is accessible primarily by barge; due to the uneven terrain on site, an airstrip was never constructed at FOX-C. A nearby freshwater lake has previously been used as a landing strip in the winter and there was a helipad located at the Upper Station.

The facility was constructed in 1957 and abandoned in 1963. A hazardous materials removal program was completed in 1985 and an environmental assessment was completed in 1994. A further site investigation augmented work carried out in previous years during the summer of 2004. At the same time a geotechnical investigation and human health and ecological risk assessment was completed. Following the investigations and information from the public consultation process a FOX-C Remedial Action Plan was finalized. The Remedial Action Plan was implemented in 2005 and continued through 2006 to 2008. Equipment and materials were demobilized from the site in September 2008. Site remediation included the following activities:

- Demolition and removal of existing facilities;
- Collection and disposal of scattered surface debris on the site;
- Remediation of existing site landfills, and construction of a Non-Hazardous Waste Landfill;
- Cleaning and disposal of drums;
- Contaminated soil excavation including construction, operation and closure of a Landfarm;
- Construction, operation and closure of two sewage lagoons;
- Hazardous waste removal;
- Installation of monitoring wells at the Non-Hazardous Waste Landfill; and
- Restoration of disturbed areas to a stable condition, shaped to match existing terrain.

The site can be broken down into three main areas: Upper Station, Mid Station and Lower Station. The upper station is located on a summit at an elevation of 770 metres above mean sea level. The main site facilities were located here and included a module train, warehouse, garage, a former Quonset building, Inuit house, bulk fuel storage tanks and a radar tower.

The Mid Station is located at the base of the summit approximately 500 metres east of the Upper Station. A glacier located across from the Mid Station feeds a river that flows alongside the access road to the Lake. A dump area, barrel storage pad, four former Quonset buildings and numerous barrel and debris areas were located here.

At the Lower Station near the Lake area the access road from the Upper Station splits into two parts; one section heads southwest to the Lake Area and the other sections of the road heads north to the Beach Area (Qarmaralik Cover). A river flows out of the lake and empties into the ocean at the beach. At the Beach Area there were two bulk fuel storage tanks, barrel caches and abandoned construction equipment. The landing area at the beach was used to allow ships to transfer fuel to the POL storage tanks.

The Applicant has stated it is their intention that long term monitoring of the site be undertaken, and will continue for a period of 25 years, after which these monitoring requirements will be re-evaluated.

## **II. PROCEDURAL HISTORY**

On June 12, 2004 a water licence application was filed with the Nunavut Water Board by Indian and Northern Affairs Canada for water use and waste disposal activities associated with the environmental site assessment, site stabilization and contaminant delineation activities at the FOX-C Ekalugad Fjord DEW Line Site. Following a 30 day public review period, the Board issued a two year License (NWB5EKA0406) on August 4, 2004 that expired July 31, 2006.

An application for renewal was submitted on March 24, 2005 for activities that included the operation of a camp and site remediation activities. The applicant requested that the issuance of the Licence be delayed on July 25, 2005. The Licensee supplemented additional information on February 11, March 3, April 6 and May 31, 2006. The Licence renewal was then issued on June 19, 2006 with an expiry date of December 31, 2007.

An emergency amendment application to Licence No. 1BR-EKA0607 was received by the NWB and Amendment No.1 was issued on August 18, 2006 for the culvert installation at River Crossings #1 and #2 in place of the proposed porous embankments as proposed in the original licence renewal application.

On September 25, 2007 a renewal was filed with the Nunavut Water Board for the continued water use and disposal of waste during remediation activities at the FOX-C Ekalugad Fjord site. No changes to the existing Licence were requested with a Licence term to be extended through to December 31, 2008.

On April 21, 2009 a further water licence renewal application was filed with the Nunavut Water Board for the implementation of a Long Term Monitoring Plan for the FOX-C Ekalugad Fjord site.

### **III. GENERAL CONSIDERATIONS**

#### **A. Term of the Licence**

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* S. 45, the NWB may issue a licence for a term not exceeding twenty-five years. The NWB has taken into consideration the Long Term Monitoring Program put forward by the applicant and the request for a twenty four (24) year licence term and believes that a term of approximately seven (7) years is appropriate. This duration is consistent with other Long Term Monitoring Licences and will allow the Licensee to properly carry out the terms and conditions of the licence including the submission of a Long Term Monitoring Report, to the satisfaction of the NWB. The Report, required under Part J, Item 3 which will coincide with a renewal, will give the Board confidence that facilities are functioning as intended and following expiry of this licence, a longer term licence could potentially be issued with minimal risk to the environment.

#### **B. Annual Report**

The requirements imposed on the Licensee in this licence are for the purpose of ensuring that the NWB has an accurate annual update of water use and depositions of waste during a calendar year. This information is maintained on the public registry and is available to any interested persons upon request. The requirements of this Annual Report can be found in Part B, Item 1. A standard form for annual reporting can be downloaded from the NWB ftp site at <http://nunavutwaterboard.org/ftp/> in the administration folder.

As part of the next Annual Report, the NWB requires detailed information on the closure of the Landfarm and the Sewage Lagoons. This information should include a photographic record if available, disposal details for Landfarm soil with testing data confirming its level of treatment and for the sewage lagoons, testing data for the final discharge verifying compliance with prior licence limits and sludge disposal information.

#### **C. Water Use**

The Licensee has stated that water will only be required for sampling purposes to support monitoring operations. As such, five (5) cubic metres per annum for sampling purposes is authorized during the term of this Licence.

#### **D. Deposit of Waste**

All waste generated though the monitoring activities is to be backhauled for proper disposal.

### **E. Conditions of the Undertaking**

The remediation activities at the FOX-C Ekalugad Fjord DEW Line site have been completed and long term monitoring of the site is on-going. Monitoring of remaining facilities will be on-going for at least twenty five years. In order to better understand the remaining facilities and the application of the monitoring program, final as-built drawings are considered necessary and an important part of the public record. Part E requires the submission of Final As-built drawings for the Non-Hazardous Waste Landfill, stamped and signed by a professional Engineer, to be submitted to the NWB.

### **F. Monitoring**

The long term monitoring to be carried out under this licence shall be conducted in accordance with the approved Plan entitled “FOX-C Ekalugad Fjord Long-Term Monitoring Plan” dated March 23, 2008. The Plan requires natural environment monitoring and monitoring of the Non-Hazardous Waste Landfill (NHWL). Water sampling will be taken at the monitoring wells proximal to the NHWL and soil samples as may be required. All monitoring results are to be provided to the NWB with an analysis/interpretation of results as part of the annual report.

Six (6) months prior to the expiry of the Licence, the Licensee shall submit to the Board, under Part J, Item 7, a Long Term Monitoring Report. The Report shall consolidate data gathered through the monitoring program for FOX-C Ekalugad Fjord and assess the integrity of the Non-Hazardous Waste Landfill to function as intended through a long term licence with less frequent proposed monitoring.





## NUNAVUT WATER BOARD WATER LICENCE

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

### INDIAN AND NORTHERN AFFAIRS CANADA – CONTAMINATED SITES

(Licensee)

P.O. BOX 2200, IQALUIT, NU, X0A 0H0

(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-EKA1017 TYPE “B”

Water Management Area: NUNAVUT 05

Location: FOX-C, EKALUGAD FJORD, FORMER DEW LINE SITE,  
BAFFIN ISLAND (68°42'0"N, 68°33'0"W) QIKIQTANI REGION

Classification: INDUSTRIAL UNDERTAKING

Purpose: DIRECT WATER USE DURING POST  
REMEDATION LONG TERM MONITORING

Quantity of Water use not  
to Exceed: FIVE (5) CUBIC METRES PER ANNUM

Date of Licence Issuance: MARCH 1, 2010

Expiry of Licence: SEPTEMBER 30, 2017

This Licence, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

Thomas Kabloona  
Nunavut Water Board  
Chair

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

### **1. Scope**

This Licence allows for the implementation of a post-closure Long Term Monitoring Plan during an Industrial Undertaking, at the FOX-C Ekalugad Fjord Distant Early Warning (DEW) Line site located approximately 240 km northwest of Qikiqtarjuaq and 260 km south of Clyde River on the south shore of Ekalugad Fjord, within the Qikiqtani Region, Nunavut (at general latitude of 68°42'0"N and general longitude 68°33'0"W).

- 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**

In this Licence: **1BR-EKA1017**

**“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*;

**“Effluent”** means treated or untreated liquid waste material that is discharged into the environment from a structure such as a settling pond or following a treatment process

**“Hazardous waste”** means waste classified as “hazardous” by Nunavut Territorial or Federal Legislation, or as “dangerous goods” under the *Transportation of Dangerous Goods Act* at the time of clean-up;

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

**“Licensee”** means the individual or organization to which Licence 1BR-EKA1017 Type “B” is issued or assigned;

**“Long Term Monitoring Plan”** means the plan entitled “FOX-C Ekalugad Fjord Long-Term Monitoring Plan” dated March 23, 2008 and approved with the Licence Renewal and subject to amendment as per Part J, Item 2.

**“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;

**“Non-Hazardous Waste Landfill”** comprises the landfill and adjacent monitoring wells and associated structures designed to contain non-hazardous solid waste, creosote timbers, tier 1 soil, F3 and F4 fraction hydrocarbon contaminated soil and double bagged asbestos as detailed in drawing no. 413759-C12;

**“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;

**“Sewage”** means all toilet wastes and greywater;

**“Tier I Soil”** means soil containing contaminant concentrations within the types and ranges defined as DCC Tier I in Appendix E of the NTI Agreement, including its preamble and schedules, and any amendments to that agreement made pursuant to it (see Table No.1);

**“Tier II Soil”** means soil containing contaminant concentrations within the types and ranges defined as DCC Tier II in Appendix E of the NTI Agreement including its preamble and schedules, and any amendments to that agreement made pursuant to it (see Table No.1);

**“Toilet Wastes”** means all human excreta and associated products, but does not include greywater;

**“Type A Soil”** means soil contaminated with hydrocarbons in which the primary petroleum product present in the soil as determined by laboratory analysis consists of lubricating oil and grease (F3 – F4 Fractions);

**“Type B Soil”** means soil contaminated with hydrocarbons in which the primary petroleum product present in the soil as determined by laboratory analysis consists of fuel oil and/or diesel fuel and /or gasoline (F1 – F2 Fractions);

**“Waste”** means waste as defined in Section 85 (1) 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. 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, which shall contain the following information:
  - a. Tabular summaries for all data and information generated under the “Long Term Monitoring Plan”;
  - b. A review and analysis of data collected during the “Long Term Monitoring Plan” and a brief description of any future studies planned by the Licensee;
  - c. A summary of any abandonment and restoration work undertaken during the year and an outline of any work anticipated for the next year;
  - d. The results of any review conducted and any recommendations regarding any changes to the Monitoring Plan and/or remediation requirements;
  - e. 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;
  - f. A list of unauthorized discharges and summary of follow-up actions taken;
  - g. If applicable, a description of any trenches and sumps excavated, including the following: GPS coordinates, dimensions, depth below active layer, and secondary containment features;
  - h. A public consultation/participation report describing consultation with local organizations and the residents of the nearby communities;

- i. A brief summary of work done to address concerns or deficiencies listed in the inspection reports and/or compliance reports prepared by an Inspector;
  - j. An executive summary in English and Inuktitut of all plans, reports, or studies conducted under this Licence;
  - k. Any other details on water use or waste disposal requested by the Board by November 1<sup>st</sup> of the year being reported; and
  - l. For the first Annual Report following issuance of the Licence, include disposal information for soil treated in the Landfarm and sludge in the sewage lagoons; this shall also cover the abandonment and restoration of the above facilities.
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 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@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org)
  - (b) Inspector Contact:  
Manager of Field Operations  
Nunavut District, Nunavut Region  
P.O. Box 100  
Iqaluit, NU X0A 0H0  
Telephone: (867) 975-4295  
Fax: (867) 979-6445
4. 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.
5. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the Board is received and acknowledged by the Manager of Licensing.
6. This Licence is assignable as provided for in Section 44 of the *Act*.

7. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.

**PART C: CONDITIONS APPLYING TO WATER USE**

1. The Licensee is not authorized to use water with the exception of obtaining of water samples for the purposes of testing as conducted under the FOX-C Ekalugad Fjord Long-Term Monitoring Plan. Water use shall not exceed five (5) cubic metres per annum.
2. The Licensee shall not remove any material from below the ordinary high water mark of any water body.
3. The Licensee shall not do anything that will cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.
4. The Licensee shall implement sediment and erosion control measures to prevent the deposition of dust and/or sediment into water, arising from contractor activities or on-site vehicular travel.

**PART D: CONDITIONS APPLYING TO WASTE DISPOSAL**

1. All waste generated under this Licence is to be backhauled to an approved waste disposal facility.
2. All pump-out water from water sampling activities shall be deposited at minimum 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 deposit any waste in any body of water, or on the banks thereof.

**PART E: CONDITIONS APPLYING TO THE UNDERTAKING**

1. The Licensee shall, upon the failure of any constructed facilities designed to contain waste, repair such facilities immediately to the satisfaction of an Inspector.
2. The Licensee shall conduct all activities in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage.
3. The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.

4. The Licensee shall minimize disturbance to terrain, permafrost and drainage during movement of contractor's equipment and personnel around the site during post-closure monitoring activities.
5. All sites affected by sampling activities shall be stabilized, landscaped as necessary, and suitable erosion control measures implemented to minimize sediment deposition into watercourses located on or adjacent to the site.
6. Licensee shall not deposit any waste in any body of water, or on the banks thereof, which may impair the quality, quantity, or flow of water.
7. The Licensee shall submit for review, within sixty (60) days following issuance of this Licence, final As-Built drawings of the Non-Hazardous Waste Landfill that are stamped and signed by an Engineer.

**PART F: CONDITIONS FOR CAMPS, ACCESS INFRASTRUCTURES AND OPERATIONS**

1. No camp use is authorized under the Licence.

**PART G: CONDITIONS APPLYING TO MODIFICATIONS**

1. The Licensee may, without written consent from the Board, carry out Modifications to the Non-Hazardous Waste Landfill 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. the Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
  - d. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part G, 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. Licensee shall ensure that any equipment maintenance and servicing be conducted only 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.
2. All sumps and fuel caches shall be located a minimum of thirty (30) metres above the ordinary high water mark of any adjacent water body and inspected on a regular basis. The Licensee is encouraged to use some form of secondary containment on fuel and chemical storage associated with this undertaking.
3. 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 24-Hour Spill Line at (867) 920-8130 and to the INAC Manager of Field Operations at (867) 975-4295; and
  - c. Submit to the INAC Water Resources Inspector on each occurrence, a detailed report including the GPS location, no later than thirty (30) days after initially reporting the event.

**PART I: CONDITIONS APPLYING TO ABANDONMENT, RESTORATION AND CLOSURE**

1. Any areas disturbed as a result of the undertaking are to 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 THE MONITORING PROGRAM**

1. The NWB has approved the Plan entitled “FOX-C Ekalugad Fjord Long-Term Monitoring Plan” dated March 23, 2008.
2. The Licensee shall submit within sixty (60) days following issuance of the Licence, an addendum to the approved Plan referred to in Part J, Item 1, that addresses comments made by Environment Canada on April 27, 2009 and includes the following:
  - a. Section 2.2.3 should include ‘ponding’ and ‘erosion’ under visual monitoring;
  - b. The plan shall state how the Licensee will comply with thermal monitoring requirement from the preceding licence, Part K, Item 14;



- c. The plan should include monitoring for the fuel storage pad, sewage lagoons, hazardous waste processing area, beach tank demolition and land filing area, asbestos abatement area, temporary PCB and hazardous waste storage areas and landfarm for at least one of the first few site monitoring visits;
  - d. Include reference to the Long Term Monitoring Report required under Part J, Item 7;
  - e. Identify each monitoring point including key visual monitoring areas to increase consistency;
  - f. Include the requirement for field blanks under the Quality Assurance/Quality Control section; and
  - g. Provide threshold limits for monitoring where facilities will be considered to have failed.
3. The Licensee shall conduct all sampling, sample preservation and analyses in accordance with methods prescribed in the current edition of *Standard Methods for the Examination of Water and Wastewater*, or by such other methods approved by the Board.
4. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
5. An Inspector may impose additional monitoring requirements.
6. The Licensee shall include in the Annual Report, required under Part B, Item 1, all monitoring results and information required by this Part.
7. The Licensee shall submit for information, at minimum six (6) months prior to the expiry of this Licence, a Long Term Monitoring Report. The Report shall summarize data collected and assesses the integrity of the Non-Hazardous Waste Landfill, including recommendations for any maintenance or additional monitoring with respect to the Long Term Monitoring Plan referred to in Part J, Item 1.

**Table No.1**  
**(From INAC Abandoned Military Site Remediation Protocol)**  
**DEW Line Clean-up Criteria (DCC)<sup>a</sup>**

<b>Substance</b>	<b>DCC Tier I<sup>bc</sup> (mg/L)</b>	<b>DCC Tier II<sup>d</sup> (mg/L)</b>
Arsenic	-	30
Cadmium	-	5.0
Chromium	-	250
Cobalt	-	50
Copper		100
Lead	200	500
Mercury	-	2.0
Nickel	-	100
Zinc	-	500
PCB's	1.0	5.0

a. These criteria were adopted specifically for the cleanup of Arctic DEW Line Sites from the 1991 versions of the Quebec Soil Contamination Indicators and the Canadian Council of Ministers of the Environment Interim Canadian Environmental Criteria for Contaminated Sites.

b. Soil criteria are given in parts per million, ppm.

c. Soils containing lead and/or PCBs at concentrations in excess of DCC I, but less than DCC II, may be landfilled,

d. Soils containing one or more substrates in excess of DCC II must be containerized - i.e. removed in a manner which precludes contact with the Arctic ecosystem.