



Fwd: 1BR-CLI0914 and 1BR-LOR0813 Request Status on Submission

To: Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

Thank you,



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NUNAVUT WATER BOARD - OFFICE DES EAUX DU NUNAVUT
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----- Forwarded message -----

From: **Cynthia Ene** <cynthia.ene@nwb-oen.ca>

Date: Tue, Dec 6, 2016 at 3:31 PM

Subject: Re: 1BR-CL00914 and 1BR-LOR0813 Request Status on Submission

To: Jean Allen <Jean.Allen@aadnc-aadnc.gc.ca>

Cc: David Hohnstein <david.hohnstein@nwb-oen.ca>, Valerie Kogvek <valerie.kogvek@nwb-oen.ca>, Peter Scholz <pscholz@nunavut.ca>

Good Afternoon Jean,

I'm glad you've contacted the NPC, please keep us in the loop with the outcome/their response. I believe that the NPC will be better able to offer recommendations on the project proposal application process.

I recommend that you submit separate NWB applications for the 1BR-LOR0813, 1BR-CLI0914, 1BR-ROS1116, and 1BR-SAR0916 files.

Thank you.

Furthermore, I would recommend that if you are still interested in

combining other 1BR files, please put forward a formal proposal that outlines this intention, this way it can be presented to the Board for their consideration.

Thank you,

On Thu, Dec 1, 2016 at 2:15 PM, Jean Allen wrote:

> Hi Cynthia,
>
> I just wanted to let you know that I may be longer than a week. It
> seems I have to submit a new project proposal since these projects are

> not already in the online system. I would like to include 4 water
> licences that require renewal/amendment in a single project proposal
> since they have similar scope of work. These include: 1BR-LOR0813,
> 1BR-CLI0914, 1BR-ROS1116, and 1BR-SAR0916. Can you let me know what
> this means for the licensing process? Will it cause delays? Will this
> mean separate licences or 1 combined licence?
>
> Thank you,
>
> Jean
>
> >>> Cynthia Ene 11/30/2016 1:50 PM >>>
> Good Afternoon Jean,
>
> I just wanted to follow-up with you on our earlier conversations about

> 1BR-CLI0914 and 1BR-LOR0813 (previous discussions are included below).

> Have
> you had a chance to reach out to NPC for the project proposal
> applications?
>
> Sincerely,
>
>
>
> On Mon, Oct 31, 2016 at 3:28 PM, Cynthia Ene
> wrote:
>
> > Good Afternoon Jean,
> >
> >
> > While the provisions under section 75(3) of the Nunavut Planning and

> > Project Assessment Act (NUPPAA) may allow for a regulatory
authority,
> such
> > as the NWB, to issue an updated authorization, without further
> assessment,
> > by the NPC and/or the NIRB of a previously authorized project in
> cases
> > where the project is not significantly modified, this provision is
> not
> > currently used by the NWB.
> >
> >
> >
> > One of the main reasons for the NWB not utilizing this provision is

> that a
 > > mechanism is yet to be developed in conjunction with stakeholders,
 > such as
 > > the NPC and the NIRB, that will provide for consistent treatment of
 > > applications/files/projects that may be affected by the
 > above-mentioned
 > > provision.
 > >
 > >
 > >
 > > In absence of such mechanisms, the NWB generally request that the
 > NPC
 > > and/or the NIRB confirm whether further assessment(s) is/are
 required
 > for
 > > applications/files/project being modified; even if, the scope of the

 > > proposed modifications is likely to result in significantly less
 > impact to
 > > > modifications that lead to impact reduction by updating their
 > assessment
 > > rather than conducting entirely new assessments or full
 reassessments
 > of
 > > the projects involved.
 > >
 > >
 > > Thanks,
 > >
 > >
 > >
 > > On Mon, Oct 31, 2016 at 12:36 PM, Jean Allen
 > > > wrote:
 > >
 > >> Hi Cynthia,
 > >>
 > >> Thank you for your quick response. I have responded to your
 > questions
 > >> below.
 > >>
 > >> Thank you for clarification on #1 and #2...we will leave as is.
 > >>
 > >> For #3, water sources would still be limited to water sampling
 > >> activities. I don't want to limit it to just groundwater though in
 > case
 > >> we want to take surface water samples at or near the landfill site
 > >> (coordinates provided in respective licences) if seepage or pooling

 > of
 > >> water is observed.
 > >>
 > >> For #4, under the abandoned military site remediation protocol
 > (AMSRP),
 > >> an evaluation is done following phase I monitoring (Years 1, 3, and

 > 5)
 > >> to determine whether further monitoring is required. In this case,
 > >> phase I monitoring was not extended because the landfill is stable
 > and
 > >> was found to be performing as designed. Additional monitoring was
 > >> recommended because more data is required to confirm phase I
 > results.
 > >> The recommended monitoring frequency for phase II monitoring in the

 > >> AMSRP is year 7, 10, 15, and 25. Phase II monitoring could have

> been
> >> modified but at this time it wasn't deemed necessary. The
> monitoring
> >> frequency will be assessed after each sampling event and will be
> >> modified if and when required (an addendum to the LTM will be
> provided
> >> in annual reports as necessary). If we continue to get no
> groundwater
> >> samples due to freezing, soil samples and surface water samples
> from
> >> pooling water or nearby waterbodies will also be
considered....which
> is
> >> why I would like to keep the water source more general in #3.
> >>
> >> Thank you for noting our licence duration extension request in #5.
> >>
> >> Best regards,
> >> Jean
> >>
> >> >>> Cynthia Ene 10/28/2016 12:41 PM >>>
> >> Good Afternoon Jean,
> >>
> >>
> >>
> >> I have included my responses below (in blue) to the questions you
> put
> >> forward in your email dated, October 27th 2016.
> >>
> >>
> >>
> >> Please do not hesitate to reach out to me if you have any further
> >> questions
> >> or comments.
> >>
> >>
> >> Sincerely,
> >>
> >> Cynthia Ene
> >> [867 983 5173](tel:8679835173)
> >>
> >> ----- Forwarded message -----
> >> From: Jean Allen
> >> 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
> >> Cc: 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 > >> 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 the 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
>> >> 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
> >> Telephone: (867) 975-4732
> >> Email: jean.allen@aandc-aadnc.gc.ca
> >>
> >
> >
> >
>