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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

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File No.: 1BR-PEE----/TR

January 19, 2011

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

**RE: 1BR-PEE----, Water Licence Application, PIN-E Cape Peel, INAC, Contaminated Sites: Intervener Comments and Information Requirements**

Dear Ms. Plato:

The Nunavut Water Board (“NWB or Board”) received from Indian and Northern Affairs Canada (INAC), Contaminated Sites, on December 3, 2010, the following application documents:

- Cover Letter dated November 12, 2010
- General Water Licence Application Form
- Draft Recreational Supplemental Information Guideline for Tourist/Remote Camp (R1)
- Draft Industrial Supplemental Information Guideline for Hydrocarbon Impacted Soil Storage and Landfarm Treatment Facilities (I3)
- Appendix 1 – Nunavut Impact Review Board Part 1 Form
- Appendix 2 – Nunavut Impact Review Board Part 2 Form
- Appendix 3 – Executive Summary (English, Inuinnaqtun, Inuktitut)
- Appendix 4 – Remedial Action Plan
- Appendix 5 – Maps & Drawings
- Appendix 6 – Environmental Screening
- Appendix 7 – Project Schedule
- Appendix 8 – Archaeological Impact Assessment
- Appendix 9 – List of Additional Documents
- Appendix 10 – Supplementary Information

On December 10, 2010 an internal, Preliminary Technical Review (PTR) was carried on the above-referenced documents and the proponent was informed, on the same date, of the requirement to submit a site-specific, Spill Contingency Plan (SCP) prior or subsequent to the application being distributed to the public. On December 13, 2010, the Board acknowledged receipt and distributed the documents to interested parties for a thirty-day comment period in

accordance with **S.55.1** of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (Act) and Article 13 of the *Nunavut Land Claims Agreement* (NLCA). Comments<sup>1</sup>, due on or before January 13, 2011, were received from four intervening parties. The Department of Fisheries and Ocean Canada (DFO) recommended that specific measures be implemented to protect fish and fish habitat; Environment Canada (EC) provided specific recommendations with respect to protecting the areas within and surrounding the project area; the Kitikmeot Inuit Association (KIA) stated that it had no concerns; and Indian and Northern Affairs Canada (INAC), Water Resources Division, recommended that the Plans identified in Appendix 10 of the application be submitted and reviewed prior to a licence being issued. The Plans referred to in Appendix 10 that the proponent has indicated that it would submit prior to mobilization activities are as follow:

- Contractor Work Methodology Plan
- Environmental Protection plan
- Spill Contingency Plan
- Emergency Response Plan

In addition, the NWB understands that the submission of these plans prior to the commencement of field operations, is a requirement of the NIRB Screening Decision<sup>2</sup>, issued January 11, 2010 and that the Spill Contingency Plan (SCP) is one of these requirements. After reviewing the submission of the application, taking into consideration the comments provided by the intervening parties, and weighing the rationale provided by the proponent for wanting submission of the above-mentioned documents at a future date(s), the NWB is requesting that the proponent, in fulfillment of the requirement of s.6(2)(g) of the Northwest Territories Waters Regulations (SOR/93-303), **provide a Spill Contingency Plan (SCP) for review and approval**, well in advance of the commencement of activity in order to allow for administration of the file, a thirty-day public review period and follow-up administration for the purpose of either requesting additional information or a decision of the Board. At this time, the NWB would also request that the proponent address the concerns of all interveners where applicable, and provide a response along with the plan submission above.

Should you have any questions, please feel free to contact the undersigned at 867-360-6338 ext. 25 or by email at [sjoseph@nunavutwaterboard.org](mailto:sjoseph@nunavutwaterboard.org).

Yours truly,

*Original Signed By:*

Sean Joseph  
Technical Advisor

Attached: Comments

Cc: Distribution List – Kitikmeot Region, Mark Yetman INAC

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<sup>1</sup> Department of Fisheries and Ocean Canada (DFO), dated January 4, 2011; Environment Canada (EC), dated January 13, 2011; Kitikmeot Inuit Association, dated January 12, 2011; and Indian and Northern Affairs Canada, dated January 11, 2011

<sup>2</sup> Nunavut Impact Review Board (NIRB) Screening Decision, dated January 11, 2010, NIRB File No. 10DN056