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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 1BR-ROS1727 /
Replacement – Amendment Licence

September 11, 2017

Charlotte Lamontagne, Director
Contaminated Sites
Indigenous and Northern Affairs Canada
P.O. Box 2200, Iqaluit, NU X0A 0H0

Email: charlotte.lamontagne@aandc.gc.ca

Re: Replacement – Amendment Licence No. 1BR-ROS1727

Dear Ms. Lamontagne:

Please find attached Licence No. **1BR-ROS1727** issued to Indigenous and Northern Affairs Canada (INAC) by the Nunavut Water Board (NWB) 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 (Nunavut Agreement)*. The terms and conditions of the attached Licence, related to the use of waters and the deposit of waste 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 the use of water and deposit of waste must cease, or the Licensee may be in contravention of the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. 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 (3) months prior to the Licence expiry. It should be noted that in accordance with s. 75 (1) (a) of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the Board is not allowed to issue a permit or authorization for a project proposal that has not been submitted to the Nunavut Planning Commission (NPC) for its determination.

If the Licensee contemplates or requires an amendment to this Licence, the NWB may decide, in the public's interest, to hold a public hearing. The Licensee should submit applications for amendments 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 are acknowledged by the Manager of Licensing.

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

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/sj/rd

Enclosure: **Replacement – Amendment Licence No. 1BR-ROS1727**
 Comments – INAC, and ECCC

Cc: Kitikmeot Distribution List

¹ Indigenous and Northern Affairs Canada (INAC), May 1, 2017; and Environment and Climate Change Canada (ECCC), April 18, 2017.

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I Introduction

The former PIN-D, Ross Point Intermediate, Distant Early Warning (DEW) Line Site is located approximately 185 kilometres northwest of Kugluktuk, in the Kitikmeot Region of Nunavut. The facility was constructed in 1959 and operated until it was deactivated in 1963.

The NWB issued Licence No. 1BR-ROS1116 to Indigenous and Northern Affairs Canada (INAC or the Licensee) in 2011 to allow the Licensee to undertake remediation of site. Site remediation activities were undertaken between 2011 and 2012 during which buildings, structures, debris, hazardous materials, and contaminated soil were removed. In addition, a Non-Hazardous Waste Landfill was also constructed during the remediation process.

Initial monitoring of the site commenced in 2013 followed by another monitoring event in 2015. Future monitoring is scheduled for 2017, 2019, 2022, 2027, 2032, and 2037. A review of the monitoring program is expected to be carried out after five (5) years and twenty-five (25) years of monitoring to determine if additional monitoring is required.

The original Licence issued to the project, Licence No. 1BR-ROS1116, expired in 2016; consequently, the Licensee has applied to renew the Licence.

II Procedural History

The application and supporting documents (the Application), submitted by Indigenous and Northern Affairs Canada (INAC), on January 25 and 26, 2017, included the following documents:

January 25, 2017 Submission

- NIRB Determination, July 13, 2011;
- Executive Summaries in English, Inuktitut, and Inuinnaqtun;
- Amendment Application;
- NIRB Determination, March 28, 2012; and
- NPC Determination, April 21, 2011.

January 25, 2017 Submission

- PIN-D Ross Point Long Term Monitoring Plan, PIN-D, Ross Point, Nunavut, March 28, 2013.

Following receipt and an internal preliminary review of the Application in which the proponent was requested to and provided a report on long-term monitoring activities, the NWB distributed the Application on March 31, 2017, for a thirty (30) day public review and comment period with the deadline for submissions set for April 30, 2017. Prior to the deadline for comments, the NWB received submissions from Indigenous and Northern Affairs Canada (INAC) and Environment and Climate Change Canada (ECCC). INAC's comments were specific to the Spill Contingency Plan while ECCC indicated that it had no comments regarding the Application at this time.

With respect to pre-licensing consideration, the NWB received on January 10, 2017, confirmation from the Nunavut Planning Commission (NPC), indicating that the Project falls outside of the areas of the two approved land use plans currently in use and that the project is exempt from screening and section 235 of the *Nunavut Planning and Project Assessment Act* (NuPPAA).

The above-mentioned application and supporting information can be accessed through the NWB's public registry using the following link:

<http://www.nwb-oen.ca/public/registry/1%20INDUSTRIAL/1B/1BR%20-%20Remediation/1BR-ROS1116%20PIN%20D/>

III Application Scope

The scope of the above-mentioned Application, as requested by the Licensee, is generally limited to the Replacement of the Licence for a term of twenty-one (21) years thereby allowing for the continuation of a long-term monitoring program, initiated for the former PIN-D, ROSS Point Intermediate DEW Line Site in 2013. In addition, minor amendments were requested by the Licensee including changes to the quantity of water require by the project. Given the fact that the original licence had expired prior to a new licence being issued, the NWB decided to treat the application as a Replacement – Amendment Application rather than a Renewal – Amendment Application.

IV General Consideration

The following sections provide an overview of the rationale for the Board's inclusion of certain terms and conditions in the Replacement – Amendment Licence.

A. Term of the Licence

In accordance with s. 45 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, the NWB may issue a licence for a term not exceeding twenty-five (25) years. The Applicant requested a twenty-one (21) year term for the Replacement – Amendment Licence to allow for the continuation of the Long-term Landfill Monitoring Program associated with Project. However, the Board has decided to allow for a ten (10) – year term for the Licence, which is consistent with the anticipated completion of Phase II monitoring and prior to transitioning to Phase III monitoring, which may or may not be required.

B. Annual Report

In accordance with s. 14 (1) of the *Nunavut Waters Regulations*, requirements have been included under Part B, Item 1 of the Licence for the submission of an annual report detailing the activities carried out under the Project for the year preceding one in which the report is filed. Annual reporting information is kept in the NWB's public registry as well as made available to interested persons upon request.

The NWB has included on its website (ftp access site) a standardized form for annual reporting that licensees can use to submit annual reporting information, supplemented by other relevant details that may be specific to a project.

Copies of the NWB's generic Annual Reporting form can be obtained from its FTP site using the following Link:

<ftp://ftp.nwb-oen.ca/other%20documents/Standardized%20Forms/>

C. Water Use

The Licensee requested in it Application a reduction in water use, from 7 to 0.5 cubic metre per day. The Board, however, has authorized the use of one (1) cubic metre of water per day for sampling and related purposes, under Part C, Item 1 of the Licence, as this quantity is the

minimum typically allowed by the Board under licences.

D. Waste Deposit

The Licensee stated that as the project is going through its monitoring phase, the minor quantities of solid waste generated will be backhauled to an approved facility for disposal. Terms and conditions have been included under Part D to ensure that the Licensee manages and tracks all waste generated by the project.

E. Spill Contingency Planning

The Licensee did not submit an updated spill contingency plan as part of its Application. There is an existing, outdated spill contingency plan on file, which the Licensee will need to update and submit to the Board for Approval, within sixty (60) days following issuance of the Licence, as required under Part I, Item 1 of Replacement and Amendment licence.

F. Closure and Reclamation

Given that there is minimal infrastructure remaining on site, except for the non-hazardous waste Landfill, which was constructed and closed in 2012, the Licensee did not submit a Closure and Reclamation Plan. The Licensee, is however, required to reclaim the site upon completion of the Project in accordance with the conditions under Part J of the Licence.

G. Monitoring

The Board has approved, under Part K, Item 1 of the Replacement – Amendment Licence, the document entitled *PIN-D, Ross Point Long-Term Monitoring Plan*, dated March 28, 2013.

QA/QC Plan

Under Part K, Item 3 of the Licence, the Licensee is required to submit to the Board for review and acceptance a Quality Assurance / Quality Control Plan along with a letter of acceptance from an accredited laboratory stating that the plan is acceptable.

DECISION

LICENCE NUMBER: 1BR-ROS1727

This is the decision of the Nunavut Water Board (NWB) with respect to an Application received January 26, 2017 for the renewal and amendment of a Water Licence made by:

INDIGENOUS AND NORTHERN AFFAIRS CANADA (INAC)

to allow for the use of waters and/ or the deposit of waste during activities pertaining to closure, remediation, and long-term monitoring of the PIN-D (Ross Point) former Intermediate Distant Early Warning (DEW) Line site, located approximately 185 kilometres northeast of Kugluktuk, in the Kitikmeot Region, Nunavut, generally at the following geographical coordinates:

Latitude:	68° 35' 19" N	to	68° 36' 45" N
Longitude:	111° 05' 34" W	to	111° 13' 35" W (Project Extents)

DECISION

After having been satisfied that the Application was for a location that falls outside of an area with an approved Land Use Plan and that the project proposal is exempt from screening and section 235 of the *Nunavut Planning and Project Assessment Act* as determined by the Nunavut Planning Commission (NPC)¹, 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 (Act)* and Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*, 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 considering the 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 *Nunavut Agreement* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

Licence No. 1BR-ROS1116 be replaced and amended by Licence No. 1BR-ROS1727 subject to the terms and conditions contained therein (Motion #: 2017-B1-027).

Signed this 11th day of September 2017 at Gjoa Haven, NU.

Lootie Toomasie
Nunavut Water Board, Chair

LT/sj/rd

¹ Nunavut Planning Commission (NPC) Determination, January 10, 2017.



NUNAVUT WATER BOARD
WATER LICENCE REPLACEMENT – AMENDMENT LICENCE

Licence No. 1BR-ROS1727

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

INDIGENOUS AND NORTHERN AFFAIRS CANADA (INAC)

(Licensee)

P.O. BOX 2200, IQALUIT, NU X0A 0H)

(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 renewal:

Licence Number/Type: **1BR-ROS1727 / TYPE “B”**

Water Management Area: **SOUTHERN VICTORIA ISLAND WATERSHED (# 38)**

Project / Location: **FORMER PIN-D (ROSS POINT) INTERMEDIATE DEW
LINE SITE LONG – TERM MONITORING PROGRAM /
KITIKMEOT REGION, NUNAVUT**

Classification: **INDUSTRIAL UNDERTAKING**

Purpose: **DIRECT USE OF WATER AND DEPOSIT OF WASTE**

Quantity of Water use not
to Exceed: **ONE (1) CUBIC METRE PER DAY**

Date of Licence Issuance: **SEPTEMBER 11, 2017**

Expiry of Licence: **SEPTEMBER 10, 2027**

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

Lootie Toomasie,
Nunavut Water Board, Chair

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

This Licence allows for the use of water and the deposit of waste for an Industrial Undertaking classified as per Schedule 1 of the *Regulations* at the former PIN-D (Ross Point) Intermediate Distant Early Warning (DEW) Line site, located approximately 185 kilometres northeast of Kugluktuk in the Kitikmeot Region of Nunavut.

- 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-ROS1727

“**Act**” means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Addendum**” means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report.

“**Amendment**” means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms of the set terms and conditions of the Licence;

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

“**Applicant**” means the Licensee

“**Appurtenant Undertaking**” means an undertaking in relation to which a use of Water or a deposit of Waste is permitted by a licence issued by the Board;

“**Board**” means the Nunavut Water Board established under the *Nunavut Agreement*

and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Engineer**” means a professional engineer registered to practice in Nunavut in accordance with the *Consolidation of Engineers and Geoscientists Act S. Nu 2008, c.2* and the *Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12*;

“**Grab Sample**” means a single Water or wastewater sample taken at a time and place representative of the total discharge;

“**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;

“**High Water Mark**” means the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land (ref. Department of Fisheries and Oceans Canada, Operational Statement: Mineral Exploration Activities);

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

“**Licensee**” means the holder of this Licence;

“**Long – Term Monitoring Program**” means a program established to collect data on surface water and groundwater quality to assess impacts to the environment of an appurtenant undertaking.

“**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**” means the facility designed and constructed to contain and/or treat solid waste, domestic waste, Tier I soils and other materials identified in the Remedial Action Plan PIN-D, Ross Point DEW Line Site dated March 8, 2010.

“**Nunavut Agreement**” 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;

“**Regulations**” means the *Nunavut Waters Regulations* SOR/2013-69 18th April, 2013;

“**Secondary Containment**” means an impermeable structure, external to and separate from primary containment, which prevents unplanned spills of hazardous materials and provides a minimum capacity of 110% of the original vessel. Where multiple vessels are stored within the containment, it must provide a minimum capacity equal to the sum

of the largest vessel and 10% of the aggregate volume of all other vessels located in the containment. This structure shall also provide containment and control of hoses and nozzles

“Sewage” means all toilet wastes and greywater;

“Solid Waste” means non-hazardous waste, Type A soil, Tier I soil and Tier II soil;

“Spill Contingency Plan” means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

“Sump or Sumps” A structure or depression that collects, controls, and filters liquid waste before it is released to the environment. This structure should be designed to prevent erosion while allowing percolation of liquid waste;

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

“Waste” means, as defined in s.4 of the *Act*, any substance that, by itself or in combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its use by people or by any animal, fish or plant, or any water that would have that effect because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means.

“Water” or “Waters” means waters as defined in section 4 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. The Licensee shall file an Annual Report on the Appurtenant undertaking with the Board no later than the 31st of March of the year following the calendar year being reported, containing the following information:

- a. Tabular summaries for all data and information generated under the “Long – Term Monitoring Program”;
 - b. A review and analysis of data collected during the “Long – Term Monitoring Program” 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;
 - 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 but not limited to 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; and
 - k. Any other details on water use or waste disposal requested by the Board by the 1st of November of the year being reported.
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, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.
 4. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
 5. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and conditions imposed upon approval of a Plan by the Board shall become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
 6. The Licensee shall review the Plans referred to in this Licence, as required by changes in operation and/or technology, and modify the Plan accordingly. Revisions to the Plans shall be submitted in the form of an Addendum to be included with the Annual Report.

7. The Licensee shall, within thirty (30) days following issuance of the Licence, post signs in the appropriate areas identifying the locations of the Waste Management facilities, and the “Monitoring Program Stations”. All postings shall be in the Official Languages of Nunavut.
8. 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@nwb-oen.ca
 - (b) **Inspector Contact:**
Manager of Field Operations, INAC
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445
9. 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.
10. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the NWB is received and acknowledged by the Manager of Licensing.
11. This Licence is assignable as provided for in section 44 of the *Act*.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee is authorized to use up to one (1) cubic metre of water per day for sampling and related purposes. Total quantity of water for all purposes under this Licence shall not exceed one (1) cubic metre per day.
2. Streams cannot be used as a water source unless authorized and approved by the Board in writing.
3. The Licensee shall not remove any material from below the ordinary High Water Mark of any water body unless authorized.

4. The Licensee shall implement sediment and erosion control measures to prevent the deposition of dust and/or sediment into the Water Supply Lakes arising from contractor activities or on-site vehicular travel.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. Licensee shall backhaul all waste generated under this Licence to an approved waste disposal facility.
2. The Licensee shall maintain records of all waste backhauled and records of confirmation of proper disposal of backhauled waste and include this information within the Annual Report under Part B, Item 1. These records shall be made available to an Inspector upon request.
3. The Licensee shall not transport any hazardous wastes prior to registering with the Government of Nunavut as a waste generator and utilizing the prescribed manifests.
4. The Licensee shall provide notice to an Inspector, at least ten (10) days prior to initiating any decant or discharge from the Non-Hazardous Waste Landfill.
5. The Licensee shall provide, to the Board for review, documented authorization from all communities in Nunavut receiving wastes from the former PIN-D, Ross Point, Intermediate Distant Early Warning (DEW) Line site prior to the backhauling and disposal of any wastes to those communities.

PART E: CONDITIONS APPLYING TO THE UNDERTAKING

1. The Licensee shall, if any constructed facilities designed to contain waste were to fail, repair such facilities immediately to the satisfaction of an Inspector and engineer.
2. 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.
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. 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, to the satisfaction of an Inspector

PART F: CONDITIONS FOR CAMPS, ACCESS INFRASTRUCTURE AND OPERATIONS

1. Camp use is not authorized under the Licence.
2. All activities shall be conducted 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. Winter lake and stream crossings, including ice bridges, shall be constructed entirely of water, ice or snow, and shall be removed prior to spring break-up.
4. With respect to access road, pad construction or other earthworks, the deposition of debris or sediment into any water body is prohibited. These materials shall be disposed of above the ordinary high water mark in such a fashion that they do not enter the water.

PART G: CONDITIONS APPLYING TO DRILLING OPERATIONS

1. The Licensee is authorized to drill for the purpose of installing monitoring wells and related instrumentation.

PART H: CONDITIONS APPLYING TO CONSTRUCTION AND MODIFICATIONS

1. The Licensee may, without written consent from the Board, carry out Modifications to any Water and Waste management facilities or infrastructure authorized under the licence 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 H, 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 signed and stamped by an Engineer

PART I: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Licensee shall submit an updated spill contingency plan to the Board for approval within sixty (60) days from the date of issuance of the Licence.
2. All sumps and fuel caches shall be located at a minimum of thirty-one (31) 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 facilities associated with this undertaking.
3. The 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 fluids, waste and contain potential spills.
4. 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
 - c. the INAC Water Resources Inspector at (867) 975-4295; and
 - d. 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.
5. The Licensee shall, in addition to Part I, Item 4, regardless of the quantity of releases of harmful substances, report to the NWT/NU Spill Line if the release is near or into a Water body.

PART J: CONDITIONS APPLYING TO CLOSURE AND RECLAMATION

1. The Licensee shall complete all restoration work pertaining to the undertaking prior to the expiry of this Licence.
2. The Licensee shall backfill and restore, all temporary containment sumps, to the pre-existing natural contours of the land.
3. All disturbed areas shall be stabilized and re-vegetated as required, upon completion of work, and restored as practically as possible to a pre-disturbed state.

PART K: CONDITIONS APPLYING TO THE MONITORING PROGRAM

1. The Board has approved the Plan entitled “*PIN-D, Ross Point Long-Term Monitoring Plan*”, dated March 28, 2013. Licensee shall undertake post-closure monitoring of the Non-Hazardous Waste Landfill Facility in accordance with this approved Plan or as otherwise approved by the Board in writing.

2. 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 in writing.
3. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
4. The Licensee shall submit to the Board, for review and acceptance, a Quality Assurance (QA) / Quality Control (QC) Plan within sixty (60) days following issuance of the Licence. The Plan shall include a letter from an analyst conforming that the plan is acceptable for achieving the monitoring proposed.
5. Appropriate documentation demonstrating Analyst approval of the Plan shall be submitted to the Board upon receipt.
6. The Licence shall adhere additional monitoring requirements imposed by Inspector.
7. The Licensee shall include in the Annual Report, required under Part B, Item 1, all monitoring results and information required by this Part.