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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 1BR-STU1318/TR

May 28, 2014

Natalie Plato, P. Eng.
Director, Land & Contaminated Sites Program
Nunavut Regional Office (NRO)
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Re: Licence No. 1BR-STU1318 – Request to Modify Licence Terms and Conditions

Dear Ms. Plato:

The Nunavut Water Board (NWB or Board) has completed its review of the following documents submitted February 19, 2014, by Aboriginal Affairs and Northern Development Canada, (AANDC or Licensee) in support of a request to modify specific terms and conditions in Licence 1BR-STU1318, issued to CAM-A Sturt Point DEW Line Site Remediation Project:

- Cover Letter, dated February 19, 2014
- Addendum to February 19, 2014 cover letter, dated February 25, 2014
- Memo – CAM-A Sturt Point Borrow Source Geochemistry, dated February 14, 2014
- Memo – Nunavut Water Board Water Licence Requested modification, dated February 24, 2014

The above-mentioned submissions has been placed in the NWB's public registry and access to copies of the relevant documents provided through the NWB's FTP site using the following link (Username: **public** and Password: **registry**):

<ftp://nunavutwaterboard.org/1%20PRUC/1%20INDUSTRIAL/1B/1BR%20-%20Remediation/1BR-STU1318%20CAM%20A/3%20TECH/6%20MODIFICATIONS/>

The review determined that some of the proposed changes are unlikely to substantively alter the intent and requirements of the respective terms and conditions in the licence to necessitate an amendment; consequently, the NWB has not made any changes to the licence terms and conditions.

The Licensee requested that Part D, Item 16 and Part E, Item 2 of the Licence terms and conditions be modified or amended to reflect proposed changes in scope of the project. Part D, Item 16, states the following:

The Licensee shall, for the purposes of monitoring, install ground water monitoring wells, at least one up-gradient and two down-gradient of the Non-Hazardous Waste Landfill, the Landfarm Facility and any other areas of the Project site requiring monitoring.

Based on proposed changes in implementation of the project, the licensee has decided against constructing and operating a Non-Hazardous Waste Landfill (NHWL) and a permanent Landfarm Facility. These facilities were included in the scope of the Remedial Action Plan (RAP) submitted under the original water licence application prior to issuance of the licence. Accordingly, relevant terms and conditions have been included in the licence to address construction, operations, and monitoring of both of these facilities.

However, the Licensee has recently indicated its intention to implement a “walk-away solution” that will include off-site disposal of any non-hazardous waste associated with the project instead of treating such waste at the onsite NHWL facility originally proposed in the water licence application. The Licensee should note that the context of the licence assumes monitoring requirements will be adhered to for any proposed facilities that have been constructed under the licence. Therefore, in cases where the Licensee decides against constructing any such facility, the requirements and expectations pertaining to monitoring may remain inactive even without an amendment to the licence.

With respect to the Landfarm Facility, the Licensee indicated that it plans to construct a temporary rather than permanent Landfarm Facility for the treatment of 430 m³ of Type B soil. Because the facility will be temporary (summer 2014 only), the licensee has requested that relevant monitoring requirements in the licence be removed. Instead, the Licensee proposes to undertake baseline sampling of potentially affected areas prior to construction of the Landfarm Facility and confirmatory testing upon completion of soil treatment. While the Board might partly agree that the duration of monitoring requirements related to the Landfarm Facility might be lesser than anticipated, the Board believes the extent of the monitoring requirements is quite reasonable and consistent with that of similar type licences and the Board’s goal of protecting the receiving environment during the treatment process for Type “B” soil. Therefore the Board has not made any changes to the monitoring requirements for the Landfarm Facility in the licence. The Board expects that the design requirements and construction method for the proposed Landfarm Facility will be consistent with the approach and criteria outlined in the Remedial Action Plan submitted initially for the Project.

In addition to the above, the Licensee requested that the Board modify Part E, Item 2 of the licence terms and conditions to exclude sampling requirements for aggregate sources. Part E, Item 2 states as follows:

The Licensee shall use aggregates for construction from approved sources that have been demonstrated to not possess acid generating and metal leaching properties.

The Licensee has provided, as part of its submission, a memo generated by AECOM to support the notion that potential aggregate sources for the project are unlikely to possess acid generating and metal leaching properties. Although the NWB might concur with aspects of the information provided to support the Licensee's position, the context of Part E, Item 2 in the licence does not necessarily include or exclude the requirement for testing aggregate sources. Furthermore, if the Board were to amend Part E, Item 2, of the licence so as to remove any implied requirements to test aggregate sources prior to use, an Inspector may still request that such tests be conducted. The Board has therefore left this term and condition unchanged.

If you have any questions with respect to the above, please contact the NWB's Licensing Department at (867) 360-6338 or by email to licensing@nwb-oen.ca

Sincerely,

Original Signed By:

Phyllis Beaulieu
Manager of Licensing, NWB