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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 1BW-DUV1520 / Renewal

June 9, 2015

Ed Murphy, Interim SAO
Hamlet of Pangnirtung
P.O. Box 253
Pangnirtung, NU X0A 0R0

Bhabesh Roy, M.A.Sc., P.Eng.
GN-CGS, Baffin Region
P. O. Box 379
Pond Inlet, Nunavut X0A 0S0

Email: pang_sao@qiniq.com

Email: broy@gov.nu.ca

RE: NWB Renewal Water Licence No. 1BW-DUV1520

Dear Mr. Murphy and Mr. Roy:

Please find attached Licence No. **1BW-DUV1520** issued to the Hamlet of Pangnirtung 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 Land Claims Agreement or NLCA)*. 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 may be in contravention of the *Nunavut Land Claims 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 date.

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 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 are acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments received by interested person(s) on issues identified. Aboriginal Affairs and Northern Development Canada (AANDC) recommends that this Licence be incorporated for administrative reasons as part of any future application to amend and/or renew the municipal licence issued to the Hamlet of Pangnirtung. This information is attached for your consideration.¹

Sincerely,

Draft

Thomas Kabloona
Nunavut Water Board
Chair

TK/sj/ri

Enclosure: Licence No. **1BW-DUV1520**
Comments – AANDC

Cc: Qikiqtani Distribution List

¹ Aboriginal Affairs and Northern Development Canada (AANDC), May 8, 2015.

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DECISION

LICENCE NUMBER: 1BW-DUV1520

This is the decision of the Nunavut Water Board (NWB) with respect to an application dated February 3, 2015 for the renewal of a Water Licence made by:

HAMLET OF PANGNIRTUNG

to allow for the continued use, maintenance and eventual abandonment of a watercourse crossing and associated drainage redirection structure originally constructed in support of the Pangnirtung Small Craft Harbour Project and now used by the Hamlet of Pangnirtung for Municipal Purposes. The crossing is located within the Hamlet of Pangnirtung in the Qikiqtani Region, Nunavut, generally at the following geographical coordinates:

Latitude: 69° 9' 2.87" N

Longitude: 65° 41' 30.01" W (Duval River Crossing)

Latitude: 66° 8' 40" N

Longitude: 65° 42' 55" W (Drainage Redirection)

DECISION

After having been satisfied that the application was for a location that falls outside of an area with an approved Land Use Plan¹ as determined by the Nunavut Planning Commission (NPC) and exempt from the requirement for screening by the Nunavut Impact Review Board² as described within section 12.4.3, of the *Nunavut Land Claim Agreement (NLCA)*, 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 *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 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 *NLCA* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

Licence No. 1BW-DUV1416 be renewed as Licence No. 1BW-DUV1520 subject to the terms and conditions contained therein. (Motion #: 2015-B1-013)

Signed this 8th day of June 2015 at Gjoa Haven, NU.

DRAFT

Thomas Kabloona
Nunavut Water Board, Chairperson

TK/sj/ri

¹ Nunavut Planning Commission (NPC), Land Use Conformity Determination, April 19, 2015.

² Nunavut Impact Review Board (NIRB), Screening Exemption Decision, May 12, 2015.

BACKGROUND

In 2009, the Department of Fisheries and Oceans Canada (the DFO), Small Craft Harbours Branch – Central and Arctic Region applied for and received from the Nunavut Water Board (the NWB or the Board) an initial water licence to construct a temporary crossing on the Duval River, near the Hamlet of Pangnirtung (Hamlet), Nunavut. Prior to expiry of the initial licence, the DFO applied for and received a renewal licence for the project.

The crossing for which the Licences were issued, a single-lane bridge constructed from culverts and rock-fill material, was used to support construction of the Pangnirtung Small Craft Harbour. In addition, the crossing was used to transport quarried material for municipal construction activities carried out by the Hamlet.

The DFO's original project proposal included plans to deconstruct the crossing following completion of the Harbour Project. However, recognizing that the crossing provided a valuable access to the Hamlet's municipal quarry, the Hamlet of Pangnirtung made an arrangement with the DFO for the transfer of all responsibilities associated with crossing to the Hamlet. That arrangement was later confirmed by formal requests filed with the Board by both the DFO and the Hamlet for assignment of the relevant water licence.

Following the required internal and external reviews, the NWB assigned Water Licence No. 1BW-DUV1520 from the DFO to the Hamlet on April 14, 2014. Shortly after the Licence was assigned, it expired on July 16, 2014. To ensure continued use, maintenance and eventual abandonment of the crossing, the Hamlet applied to the Board to renew the Water Licence.

PROCEDURAL HISTORY

The NWB received from the Government of Nunavut – Community and Government Services (GN-CGS), on behalf of the Hamlet of Pangnirtung (the Hamlet or the Applicant or the Licensee) an application and supporting information (the Application) to renew Water Licence No. 1BW-DUV1214. The Application included the following information:

- Renewal Application signed by the Senior Administrative Officer (SAO) of the Hamlet of Pangnirtung;
- Authorization letter from the SAO;
- Technical Summary in English and Inuktitut; and
- A \$30.00 Cheque payable to "Receiver General for Canada.

Following receipt, the NWB conducted a preliminary review prior to distributing the Application for a thirty (30) day public review period on April 8, 2015 with the deadline for submission set for May 8, 2015. Before the comment deadline period elapsed, a submission was received from Aboriginal Affairs and Northern Development Canada (AANDC). AANDC in its submission indicated that it supports the 10-year term requested by the Applicant. Additionally, AANDC recommended that the Licensee give consideration to incorporating in the future this Licence as part of the municipal licence issued to the Hamlet of Pangnirtung.

With respect to pre-licensing consideration, the NWB received a copy of the Nunavut Impact Review Board's (NIRB), Screening Exemption Decision for the project on May 12, 2015 and the Nunavut Planning Commission's (NPC), Land Use Conformity Determination on April 19, 2015.

Details related to the Application can be accessed on the NWB's FTP site using the following link:

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/1%20INDUSTRIAL/1B/1BW%20-%20Watercourse/1BW-DUV1214/>

FILE HISTORY

The NWB has issued two Licences and one assignment for the Duval River Crossing in the past:

Licence No. 1BW-DUV0911

Licence No. 1BW DUV0911 was issued to the Department of Fisheries and Ocean Canada on October 23, 2009 and expired on October 31, 2011. The Licence allowed for the construction of a temporary water crossing on a section of the Duval River to facilitate the transportation of quarried material used to construct the Pangnirtung Small Craft Harbour. The Licence also allowed for an intermittent drainage feature, which outlets into the harbour.

Licence No. 1BW-DUV1214

Renewal Licence No. 1BW-DUV1214 was issued to the DFO on July 17, 2012 and it expired on July 16, 2014. The Licence allowed for the continued operation, maintenance and eventual abandonment of the Duval Water Crossing including the impact berm on the up-stream and the haul road on the down-stream sides of the structure.

Assignment

Prior to expiry of the Licence in 2014, both the DFO and the Hamlet filed requests with the Board for the Licence to be assigned to the Hamlet. The NWB granted the requested assignment on April 24, 2014.

LICENCE CONSIDERATIONS

The following sections outline the issues identified by the NWB and/or raised by interested parties during the review process for the Application. The sections also provide background information with respect to the terms and conditions included in the Licence.

Licence Term

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 (25) years. The Licensee requested a 10-year term for the Licence, which AANDC supported in its submission. The Board, however, believes that the requested term may be excessive at this stage given that the Licence was assigned to the Applicant in 2014, resulting in limited history and involvement of the Applicant with the undertaking. In addition, it is determined that the Applicant has provided inadequate rationale to support the term requested. The Board has therefore granted a five (5) year term for the Licence, which the Board believes will provide the opportunity for stakeholders to better assess the compliance record of the Licensee over time and prior to considering a more extensive licence term in the future.

Annual Reports

Similar to conditions generally included in licences issued by the Board, the NWB has included under, Part B, Item 1 in the Licence, the requirement for the Licensee to submit to the Board for review, on or before the 31st March of each year, a report detailing Water use and Waste disposal activities. The Board provides public access to the information contained in annual reports submitted by licensees through its ftp site as well upon request from interested parties.

The NWB has included on its website a standardized form for annual reporting that licensees can use to submit annual reporting information, which may be supplemented by other relevant information specific to projects. Copies of the NWB's generic annual reporting form can be obtained from the NWB's FTP site

The Board notes that the annual report for the 2014 period remains outstanding and reminds the Licensee to it is required to abide by all of the terms and conditions in the Licence.at all times

Management Plan

Subsequent to issuance of expired Licence No. 1BW-DUV1214, the Department of Fisheries and Ocean Canada (DFO) submitted copies of a Spill Contingency Plan (SCP) and an Abandonment and Restoration Plan (A&RP) for approval by the Board, as was required under the Licence. Following the required internal and external reviews, the Plans were approved by the Board in 2013.

When the Licence was assigned from the DFO to the Hamlet of Pangnirtung in 2014, the Hamlet was required to accordingly update the SCP and the AR&P. However, given that the updates to the Plans are still outstanding, requirement have been included for the Licensee to update and submit to the Board for approval, within 60 days following issuance of the Licence, copies of the SCP and the A&RP, required under Part F, Item 1, and Part G, Item 1 of the renewed Licence, respectively.

Construction Summary Report

Under the expired Licence, the Licensee was required to submit to the Board for review, a Construction Summary Report that outlines construction activities carried out for the project. A marginal report outlining the construction activities associated with was submitted subsequent to renewal of the licence. Consequently, the terms and conditions associated with this requirement have been removed with the issuance of the renewed licence.



NUNAVUT WATER BOARD WATER LICENCE RENEWAL

Licence No. 1BW-DUV1520

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

HAMLET OF PANGNIRTUNG

(Licensee)

P.O. BOX 253 PANGNIRTUNG, NU X0A 0R0

(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:	1BW-DUV1520 TYPE "B"
Water Management Area:	NORTHERN CUMBERLAN SOUND WATERSHED (51)
Location:	DUVAL RIVER CROSSING & DRAINAGE REDIRECTION PROJECT QIKIQTANI REGION, NUNAVUT
Classification:	INDUSTRIAL UNDERTAKING
Purpose:	CONTINUED OPERATION AND MAINTAINANCE OF A WATER CROSSING
Quantity of Water use not to Exceed:	NO WATER USE ALLOWED
Date of Licence Issuance:	JUNE 9, 2015
Expiry of Licence:	JUNE 8, 2020

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

Draft:

Thomas Kabloona,
Nunavut Water Board, Chair

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

The Licence authorizes the operation, maintenance and eventual abandonment of the temporary Duval River crossing, including the berm on the upstream side and the haul road on the downstream side of the structure, located within the municipal boundaries of the Hamlet of Pangnirtung, in the Qikiqtani Region, Nunavut

- a. This Licence is issued subject to the conditions contained herein with respect to 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

“**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;

“**Appurtenant Undertaking**” means an undertaking in relation to which a use of Water and 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* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

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

“**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*;

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

“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);

“Licensee” means the holder of this Licence;

“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;

“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;

“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;

“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;

“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 March of the year following the calendar year being reported, containing the following information:
 - a. A summary report of Waste disposal activities;
 - b. A list of unauthorized discharges and a summary of follow-up actions taken;
 - c. Any revisions to the Spill Contingency Plan, Abandonment and Restoration Plan, and any other Plans as required by Part B, Item 5, submitted in the form of an Addendum;
 - d. A description of all progressive and or final reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations;
 - e. A summary of all information requested and results of the Monitoring Program; and
 - f. 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. 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.

6. 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 become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
7. 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, AANDC
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445
8. 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.
9. 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.
10. This Licence is assignable as provided for in Section 44 of the *Act*.

PART C: CONDITIONS APPLYING TO THE PROTECTION OF WATER

1. The Licensee is not authorized to use Water under the terms and conditions of the Licence.
2. The Licensee shall ensure that all fill material used is from an approved source and shall be free of contaminants.
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 implement sediment and erosion control measures prior to and be maintained during the operation to prevent entry of sediment into Water.
5. The Licensee shall prepare all sites in such manner as to prevent rutting of the ground surface to minimize impacts on surface drainage.
6. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's operations.
7. The Licensee shall limit any in-stream activity to low water period. In-stream activity is prohibited during fish migration.
8. The Licensee shall locate stream crossings to minimize approach grades. Approaches shall be stabilized during construction, upon completion of the project and during operations and maintenance of the crossing, to control runoff, erosion and subsequent siltation in to any water body.
9. Machinery is not permitted to travel up the stream bed and fording is to be kept to a minimum and limited to one area.
10. Equipment used should be well cleaned and free of oil and grease and maintained free of fluid leaks. The Licensee shall ensure that pollutants from machinery used during construction or operation of the water crossing do not enter Water.
11. The Licensee shall locate equipment storage holding areas on gravel, sand or other durable land, a distance of at least thirty-one (31) metres above the ordinary High Water Mark of any water body in order to minimize impacts on surface drainage and Water quality.
12. The Licensee shall designate an area for the deposition of any excavated and stockpiled materials that is at least thirty-one (31) metres above the ordinary High Water Mark of any Water body.
13. The Licensee shall not utilize any equipment or vehicles in the course of this undertaking unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles shall cease if rutting occurs.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall not practice on-site land filling of domestic waste, unless otherwise approved by the Board in writing.
2. The Licensee shall provide to the Board for review, documented authorization from the community of Pangnirtung prior to the backhauling of any Waste associated with the Project.

3. The Licensee shall backhaul and dispose of any hazardous wastes, waste oil and non-combustible waste generated through the course of the operations, at an approved Waste disposal facility.
4. The Licensee shall maintain records of all Waste backhauled and records of confirmation of proper disposal of backhauled Waste. These records shall be made available to an Inspector upon request.

PART E: CONDITIONS APPLYING TO CONSTRUCTION AND MODIFICATION

1. The Licensee may, without written consent from the Board, carry out Modifications to the Project 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;
 - a. such Modifications do not place the Licensee in contravention of the Licence or the *Act*;
 - b. 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
 - c. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part ~~GE~~, Item 1 have not been met, can be carried out only with written approval from the Board.
3. The Licensee shall provide to the Board as-built plans and drawings of the Modifications referred to in this Part within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer

PART F: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. Licensee shall submit to the Board for approval, within sixty (60) days following issuance of the Licence, an updated version of the Spill Contingency Plan, dated September 15, 2012, that reflects the current holder of the Licence and purposes for which the crossing is now used.
2. The Licensee shall prevent any chemicals, petroleum products or wastes associated with the project from entering Water. All sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres from the ordinary High Water Mark of any adjacent Water body and inspected on a regular basis.
3. The Licensee shall ensure 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.

4. The Licensee shall use secondary containment or a surface liner (drip pans, fold-a-tanks, etc) at all fuel-transfer and refueling stations.
5. The Licensee shall ensure that an adequate supply of spill kits (minimum capacity of 205L), shovels, barrels, sorbents and pumps are maintained on site at all times.
6. The Licensee shall ensure that all on site personnel are properly trained in fuel and hazardous waste handling procedures and spill response procedures.
7. 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 Spill Contingency Plan;
 - b. Report the spill immediately to the 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and
 - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount and type of spilled product, the GPS location of the spill, and the measures taken to contain and clean up the spill site.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION OR TEMPORARY CLOSURE

1. The Licensee shall submit to the Board for approval, within sixty (60) days following issuance of the Licence an updated version of the Abandonment and Restoration, dated January 2013, reflecting the current holder of the Licence and purposes for which the crossing is now used.
2. The Licensee shall carry out progressive reclamation of all components of the project no longer required for the Licensee's operations.
3. The Licensee shall remove from the site, all infrastructure and site materials prior to the expiry of this Licence or as otherwise approved by the Board in writing.
4. In order to promote growth of vegetation and the needed microclimate for seed deposition, all disturbed surfaces shall be prepared by ripping, grading, or scarifying the surface to conform to the natural topography.
5. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to meet objectives as outlined in the Government of Nunavut's Environmental Guideline for Site Remediation, January 2002. The use of reclaimed soils for the purpose of backfilling or general site grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.
6. All disturbed areas shall be contoured and stabilized upon completion of work and restored to a pre-disturbed state.

PART H: CONDITIONS APPLYING TO MONITORING PROGRAM

1. The Licensee shall maintain Monitoring Stations at the following locations:

Monitoring Program Station Number	Description	Status
DUV-1	Upstream of Duval River Crossing	Active
DUV-2	Downstream of Duval River Crossing	Active

2. The Licensee shall monitor all activities for signs of erosion.
3. The Licensee shall obtain digital photographic records of the water crossing during operation and before and after abandonment.
4. Licensee shall, during periods of low flow, conduct Water quality sampling at Monitoring Program Stations DUV-1 and DUV-2 as follows:
- at least once annually during operation of the Duval River Crossing;
 - at least once immediately prior to decommissioning the crossing;
 - weekly during decommissioning activities; and
 - at least once following completion of decommissioning activities.

5. The Licensee shall, for samples collected under Part H, Item 4, analyze for the following parameters:

pH	Temperature	Total Oil and Grease
Conductivity	Total Suspended Solids	

6. All sampling, sample preservation and analyses shall be conducted 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.
7. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
8. Additional monitoring requirements may be requested by the Inspector.
9. The Licensee shall include in the Annual Report required under Part B, Item 1, all monitoring-data results and information required by this Part.