





September 16, 2003

Phyllis Beaulieu  
A/Licensing Administrator  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0



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**Re: Hydro Testing at Hall Beach, Mosher Engineering Ltd.**  
**NIRB: #03UN115 NWB: #NWB4HAL**

Enclosed is the completed NIRB Screening Decision Report for the application for a water licence for hydro testing tank farm at Hall Beach.

NIRB has screened this application for ecosystemic and socio-economic impacts of the proposal.

NIRB's indication to the Minister is:

The decision of the Board in this case is 12.4.4(a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Please contact Stephanie Briscoe, Executive Director at (867) 983-2593 if you have any questions about the Screening Report.

Yours truly,

Jorgen Komak  
Environmental Assessment Officer  
Nunavut Impact Review Board  
P.O. Box 2379  
Cambridge Bay, NU X0B 0C0  
Tel: (867) 983-2593 Fax: (867) 983-2574



## SCREENING DECISION

**September 16, 2003**

Thomas Kudloo  
Chairperson  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, N.T. , X0E 1J0

Dear Chairperson:

**RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:  
Hydrostatic Test at Hall Beach Fuel Tanks – Hall Beach, NU  
NIRB: #03UN115                      NWB: NWB4HAL**

**Authority:**

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the Permittee for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

**Primary Objectives:**

The primary objectives of the Nunavut Land Claims Agreement is referenced in the screening section 12.4.4 (a) are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB

shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The decision of the Board in this case is 12.4.4 (a) **the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;**

#### **Reasons for the Decision:**

NIRB's decision is based on specific considerations that reflect the primary objectives of the Nunavut Land Claims Agreement. Our considerations in making this decision included:

- storage fuel and the possible impact on the ecosystem;
- impact of activities on water quality, aquatic habitat and wildlife and fish populations from potential fuel spills;
- effects of the project activity on terrain, archaeological or cultural sites;
- community support for the project; and
- possibility of accidental spills and ability to respond.

#### **Terms and Conditions:**

That the terms and conditions attached to this screening report will apply.

#### **Fuel and Sludge**

1. The Permittee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
2. The Permittee shall not place any petroleum fuel storage or chemical containers within thirty-one (31) metres of the ordinary high water mark of any water body.
3. The Permittee shall examine all fuel storage containers for leaks. All leaks are to be repaired immediately.
4. The fuel storage facilities of the Permittee, including tanks, hoses, pumps, fuel transfer lines and associated mechanical connections and valves shall be maintained in accordance with the Environmental Code of Practice for Aboveground Storage Tank Systems Containing Petroleum Products (CCME Environmental Code) and the National Fire Code, any reasonable modifications or improvements that are deemed necessary shall be approved by the Engineer.
5. The Permittee shall dispose of the barrels of contaminated sludge to the satisfaction of the DIAND Regional Inspector. The Permittee should consult RWED's 1995 "Environmental Guidelines for Industrial Waste Discharges in the NWT".
6. The Permittee shall establish a Surveillance Network Program Station at the water intake, and should be sampled once during withdrawal for Total Lead, Zinc, Nickel, Iron, and Oil and Grease (at a minimum). A second Surveillance Network Program Station shall be established at the final point of discharge from the sump and/or holding cell, and should be sampled at the beginning and end of each discharge for Total Lead, Zinc, Nickel, Iron,

and Oil and Grease (at a minimum). Due to the short time frame of this project and the remote location it may not be practicle for sampling results to be known prior to discharge.

7. The Permittee shall immediately report all spills of petroleum and hazardous chemicals to the twenty four (24) hour spill report line (867) 920-8130.
8. The Permittee shall ensure that emergency spill equipment including fuel pump, empty barrels, containment booms and other sorbent materials are on site.

### **Environmental**

9. The Permittee shall adopt such measures as required to control erosion by surface disturbance. Any disturbed areas should be stabilized upon completion of work and restored to a pre-disturbed state. Sediment and erosion control measures should be implemented prior to, and maintained to prevent entry of sediment into water.
10. The Permittee shall place water intake and discharge sites to minimize erosion.
11. The Permittee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the permittee's operation.
12. The Permittee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
13. The Permittee shall not locate any sumps or areas designated for waste disposal within thirty (30) metres of the ordinary high water mark of any body of water, unless otherwise authorized, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter any water body.
14. The Permittee shall contain run-off from the hydro testing in a sump and inspect for fuel residues. Fuel residue should be contained and cleaned up to prevent entry into any fish bearing waters.
15. The Permittee shall ensure no material is left on the ice when there is the potential for that material to enter the water (i.e. spring break-up).

### **Wildlife**

16. The Permittee shall ensure compliance with Section 36 of the *Fisheries Act* which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
17. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the *Fisheries Act*. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.

### **Reclamation**

18. The Permittee shall ensure that any petroleum waste products (tank sludge) and hazardous wastes are recovered and disposed of in a registered hazardous waste facility.

19. The Permittee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material as they are no longer required for the operation.
20. The Permittee shall recover and recycle material wherever possible, where it is not possible disposed in an approved dump site with the permission of the operator.

### Recommendations

1. NIRB would like to encourage the Permittee to hire local people and services, to the extent possible, and to continue consulting with the local residents regarding their activities in the region.
2. A Final Report (including final quantities of water used and sludge disposed of, details of site restoration, any unauthorized discharges, and tabular summaries of all SNP data) should be submitted to the Nunavut Water Board after project completion.
3. The Permittee shall notify NIRB, DFO, DOE and the NWB of any changes or plans in operating conditions associated with this land use activity.
4. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered as a new project.

### Validity of Land Claims Agreement

#### Section 2.12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated Sept 15/03 at Arviat, NU

  
Elizabeth Copland, Chairperson



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Pitquhliliqiyit

Department of  
Culture, Language, Elders and YouthMinistère de la Culture, de la Langue,  
des Aînés et de la Jeunesse

September 9, 2003

Jorgen Komak  
Environmental Assessment Officer  
Nunavut Impact Review Board  
Box 2379  
Cambridge Bay, NU X0E 0C0

Re: Land Use Application NIRE 03QN116 Quarrying - Hall Beach  
(Mosher Engineering Ltd.)

Due Date: September 19, 2003

Dear Mr. Komak:

At your request, the Department of Culture and Heritage, Government of Nunavut, has reviewed the above-noted application. Our recommendations follow.

We recommend denial of the above-cited application, on the grounds that the applicant's recent activity at another gravel extraction site in Hall Beach damaged archaeological resources. In consultation with the Hamlet Council, the Department of Culture, Language, Elders and Youth conducted an on-site inspection on September 2, 2003, and confirmed that archaeological resources at the site were damaged. In addition, the Hamlet Council forwarded human skeletal remains collected from the extraction site to the Department for examination. Our investigation of these incidents, which contravene the Territorial Land Use Regulations, and the Nunavut Archaeological and Palaeontological Sites Regulations, is ongoing.

There are approximately 36 documented archaeological sites in the Hall Beach area, and other undocumented sites undoubtedly exist. To prevent any further damage/loss of these heritage resources, and in order for this application to proceed, an on-site assessment of the proposed extraction sites should be conducted by a qualified archaeologist before any work described in this application can commence.

Sincerely,

Douglas Stanton  
Director, Heritage  
Department of Culture, Language, Elders and Youth

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Canada

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Iqaluit, NU X0A 0H0  
Tel: (867) 975-4838  
Fax: (867) 975-4645

September 5, 2003

Our file: 4770 001

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Via Facsimile

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Via Facsimile

**RE: NWB4HAL / NIRB 03UN115 – Hydrostatic Testing at Hall Beach**

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following specialist advice has been provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Mosher Engineering Ltd. is applying for a water license to construct two (2) new fuel tanks, and enlarge three (3) others in Hall Beach, NU. Prior to filling, all tanks will be hydrostatically tested using salt water from Fox Basin. The wastewater will be filtered through hydrophobic pads and released into the environment.

In order to facilitate the review of this application, EC requires the following information:

- An updated Spill Contingency Plan that reflects the increased volumes of fuel to be kept on site. The plan should outline a clear path of response in the event of a spill and indicate that all spills are to be documented and reported to the NWT 24 hour Spill Line at (867) 920-8130.
- Additional information regarding any spill containment features that will be included in the construction of the new tanks. It appears from the photographs included with the application that a lined, bermed area is being constructed, however, no mention is made in the application. Environment Canada supports and encourages the use of secondary containment for the storage of fuels, and requests that the specific details on such a containment area be provided.
- Information regarding any treatment and/or disposal methods planned for the water to be used during the cleaning of the fuel tanks prior to their expansion and hydrostatic testing.
- Additional information regarding the process in which the water used in the hydrostatic testing will be treated. Specifically, EC would like further information on the number of hydrophobic pads to be used, and the frequency with which they will be changed during

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the filtering. Information regarding the disposal of the used hydrophobic pads is also required.

- A map outlining the location where the treated water will be released, especially in relation to waterbodies.

Environment Canada recommends that the following conditions be applied throughout all stages of the project:

- The proponent shall not deposit, nor permit the deposit of fuels, chemicals, sediments, or wastes associated with the project into any water body. According to the Fisheries Act, Section 36(3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
- Spill kits should be located in close proximity to the fuel tanks to help facilitate the quick response to any spills which may occur.
- Mesh screens, or other preventative measures, should be used to prevent aquatic organisms from entering the water intake house in Fox Basin.
- The proponent shall ensure that any hazardous waste generated during the course of the project receives proper treatment and disposal at an approved facility.
- The proponent shall ensure that appropriate erosion control methods are in place at the location where the treated water is to be released such that water clarity or sediments are not affected or disturbed.
- If the tank has been cleaned after welding, residues must be removed prior to hydrostatic testing.
- Environment Canada recommends that the wastewater from the pre-test cleaning process and the hydrostatic testing be tested prior to disposal for hydrocarbons, total suspended solids, and heavy metals, and treated and/or disposed of accordingly.

If there are any changes in the proposed project, EC should be notified, as further review may be necessary. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4639 or by email at [colette.meloche@ec.gc.ca](mailto:colette.meloche@ec.gc.ca).

Yours truly,

  
Colette Meloche  
Environmental Assessment Specialist

cc: (Mike Fournier, Northern Environmental Assessment Coordinator, Environment Canada, Yellowknife)