



NWB Tools

Ida Porter <ida.porter@nwb-oen.ca>

2BE-PBD-- Application, and outstanding obligations under 2BE-PEL0813

Phyllis Beaulieu <phyllis.beaulieu@nwb-oen.ca>
To: Licensing Department <licensing@nwb-oen.ca>

Wed, Sep 16, 2015 at 9:09 AM

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Phyllis Beaulieu- ᐱᕐᕐᕐ ᕐᕐᕐ

Manager of Licensing- Responsable des Permis

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NUNAVUT WATER BOARD - OFFICE DES EAUX DU NUNAVUT

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----- Forwarded message -----

From: **Brady MacCarl** <brady.maccarl@nwb-oen.ca>

Date: Mon, Aug 24, 2015 at 12:11 PM

Subject: 2BE-PBD-- Application, and outstanding obligations under 2BE-PEL0813

To: Graham Gill <gillgeo1@hotmail.com>

Cc: Licensing Department <licensing@nwb-oen.ca>, Eva Paul <eva.paul@aandc-aadnc.gc.ca>

[Quoted text hidden]



2BE-PBD-- Application, and outstanding obligations under 2BE-PEL0813

Graham Gill <gillgeo1@hotmail.com>

Mon, Aug 24, 2015 at 3:40 PM

To: Brady MacCarl <brady.maccarl@nwb-oen.ca>

Cc: Licensing Department <licensing@nwb-oen.ca>, Eva Paul <eva.paul@aandc-aadnc.gc.ca>

Hi Brady;

I am currently in Nova Scotia returning on the 26th of August. I will respond to your e-mail in more detail upon my return.

Graham

Sent from my Samsung device

----- Original message -----

From: Brady MacCarl <brady.maccarl@nwb-oen.ca>

Date: 08-24-2015 3:11 PM (GMT-04:00)

To: Graham Gill <gillgeo1@hotmail.com>

Cc: Licensing Department <licensing@nwb-oen.ca>, Eva Paul <eva.paul@aandc-aadnc.gc.ca>

Subject: 2BE-PBD-- Application, and outstanding obligations under 2BE-PEL0813

Dear Graham,

As you are likely aware, AANDC Field Operations distributed its Inspection Report for Licence Number 2BE-PEL0813 on August 14, 2015, which recommended against the cancellation of the licence due to outstanding environmental issues in the project area, and asked that no new licence be issued in the work area until the stated environmental concerns are addressed. Furthermore, the Inspection Report stated that AANDC would not oppose, in principle, the assignment of the Licence to another Licensee as an alternative to pursuing the previous Licensee to meet its outstanding obligations. In light of the Inspector's conclusions, the NWB has discussed what options are available for Churchill to proceed with its Application.

First off, I should state, the NWB has no choice but to follow up with the Adamera on the outstanding issues, and the Licence cannot be closed out/cancelled until the outstanding obligations for appropriate decommissioning have been met and an Inspector has verified the decommissioning through an Inspection. Second, although AANDC suggested an assignment (presumably to Churchill) may be an option, this would be awkward to facilitate as the current licence is expired and thus the Board would be obligated to first ask Adamera to renew its licence—a proposal that it seems likely to reject.

Essentially, the Board holds the authority to refuse to issue a licence under the current circumstances; however, the Board normally only pursues this direction when there is a clear indication that an undertaking poses an unmitigated risk to water resources (or may exacerbate pre-existing risks). As it currently stands, all of the outstanding remediation obligations identified in the Inspection Report exist within the project area proposed under Churchill's application, and the Inspector—with reasonable justification—has assumed that other work sites associated with the Ademera licence are also likely to remain unremediated.

The Board requires further information under s. 48(3)(c) of the NWNSRTA regarding "the measures the applicant proposes to take to avoid or mitigate any adverse impact of the use of waters or the deposit of waste".

