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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 3AM-ARV1016

To: Kivalliq Distribution List

Date: March 25, 2022

Subject: Type “A” Water Licence No: 3AM-ARV1016: Pre-Hearing Conference Decision Report Regarding an Application to Renew and Amend Expired Water Licence No: 3AM-ARV1016

This Pre-Hearing Conference Decision Report is issued in relation to an application (the Application) filed by the Government of Nunavut, Community and Government Services (GN-CGS) on behalf of the Hamlet of Arviat (the Applicant), seeking to replace and amend Type “A” Water Licence No: 3AM-ARV1016, held by the Hamlet of Arviat which expired on February 27, 2016 (the Expired Licence). The Application requests the continued use of Water and deposit of Waste for a Municipal Undertaking.¹ On March 18, 2022, by Panel Motion #2021-19-P16-03, the members of the Arviat Panel (P16), duly appointed by the Nunavut Water Board (NWB or Board) to consider the Application, approved and directed the release of this Pre-Hearing Conference Decision Report (Report).

In addition, by Motion #2021-19-P16-04 the Panel authorized the issuance of the procedural direction in this Report, including holding an in-person Public Hearing for the file. In choosing to conduct the Public Hearing in-person for the file, the P16 Panel considered the current circumstances of the on-going COVID-19 pandemic, and noted that the scope of the Application is expanded significantly in comparison to the Expired Water Licence No: 3AM-ARV1016. In addition, the Panel considered the fact that the Applicant has been operating without a valid licence for more than six years. In these circumstances, the P16 Panel decided that it is appropriate for the Board to hold an in-person Public Hearing to support decision-making for the file. More specific details regarding the timelines and conduct of the Public Hearing are outlined under the subheadings [Timetable for Pre-Hearing Exchange of Information](#) and [Procedures for the Public Hearing](#) of this Report. Formal Notice of the Public Hearing will be published on **Friday, March 25, 2022**.

¹ “Municipal Undertaking” is defined under the *Nunavut Waters Regulation*, SOR/2013-69, Schedule 1, Item 3 as a waste disposal or water system for a municipality.



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Please note that despite issuing the Notice of Public Hearing, the Board may modify the schedule and format of the Public Hearing on short notice if circumstances warrant, including:

- If there are changes to travel or other Public Hearing logistics;
- If parties fail to supply the documentation required to be supplied in advance of the Public Hearing in accordance with the timelines set out in this Report; or
- If there are changes to public health guidance required to prevent the spread of COVID-19, such as the imposition of more stringent limits on indoor public gatherings or limits on non-essential travel into or within Nunavut.

By way of background, an application was originally received by the NWB on February 27, 2015, for renewal of the Applicant's previous Type "A" Licence No: 3AM-ARV1015 (the 2015 Application). A Completeness Check of the 2015 Application was initiated by the NWB on March 27, 2015, and correspondence outlining deficiencies in the 2015 Application were provided to the Applicant on May 4, 2015 with a request for the Applicant to provide additional information to complete the 2015 Application.

On March 30, 2015, GN-CGS (on behalf of the Hamlet) submitted an additional application seeking the short-term renewal of Licence No: 3AM-ARV1015 for a period of up to 180 days in order to bridge any potential gap between the expiry of Licence No: 3AM-ARV1015 and the NWB's processing and issuance of a fully renewed and amended Licence. As permitted under s. 9(1)(b) of the *Nunavut Waters Regulations*, SOR/2013-693, the short-term renewal application was processed without a Public Hearing. The approval of the short-term renewal application resulted in the issuance of Licence No: 3AM-ARV1016 with an expiry date set for the earlier of February 27, 2016 or the date on which a renewed water licence is issued. The additional information required by the NWB to process the 2015 Application was not received by the Board prior to the expiry of the short-term renewal period, and Water Licence No.: 2AM-ARV1016 expired on February 27, 2016 (the Expired Licence).

On September 16, 2020, the Applicant provided an updated Application seeking to renew and amend the Expired Licence (the Application). As the Application was not received until several years after the expiry of the Applicant's previous Water Licence, the Board has chosen to refer to the Application as an application to replace and amend the Expired Licence because there is some question as to whether it is accurate to say that a water licence can be renewed after it has expired. In the Application, the Applicant seeks a significantly updated scope and other amendments to the



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Expired Water Licence and a term of ten years for the replacement Type “A” Water Licence. The NWB distributed the Application for a Completeness Check on September 17, 2020. Based on responses by the Applicant to Information Requests from Interveners and the Board, ECCC recommended that the review of the Application be deferred on the following basis:

In the responses to the Completeness Check comments, the Hamlet identified that the feasibility studies for the upgrades to the solid waste facility and sewage lagoon facility have been delayed and will be provided in January 2021. In addition, the Hamlet identified that a number of updated plans will be provided in March 2021. In the absence of this information, no new technical information has been presented as part of this water licence renewal and amendment. ECCC recommends deferring technical review until such time that these plans and studies are made available for review.²

Accordingly, on November 20, 2020, the Board notified the Applicant that the Completeness Check for the Application was paused pending the receipt of outstanding information.

On March 29, 2021, GN-CGS provided updated management plans and manuals, along with the as-built drawings of the water treatment plant. On April 19, 2021, following the April 16, 2021 conformity determination by the Nunavut Planning Commission (NPC) and referral to the Nunavut Impact Review Board (NIRB) for screening in relation to activities included in the updated scope of the Application to include expansion and upgrades to the sewage lagoon, GN-CGS requested the NWB to pause their processing of the Application, while the NIRB completed their screening of the additional activities within the scope of the Application. The NIRB completed their screening of the additional activities in August 2021, and indicated in the NIRB’s Screening Decision Report that the NIRB did not require further assessment of the activities within the updated scope of the Application.

On November 19, 2021, the NWB received supplemental information from the Applicant and publicly distributed the Application resuming the Completeness Check that was paused in November 2020. On December 10, 2021 the NWB deemed the Application to be complete and provided Public Notice of the Application and included timelines for the Application to proceed to technical review, including advancing to the Technical Meeting and Pre-Hearing Conference (TM/PHC) stages. It should be noted that although Panel P16 initially directed staff to conduct the TM/PHC and associated Community Session in person in the Hamlet of Arviat, these plans were adjusted to reflect the public health restrictions that were issued in January and February

² Margaret Fairbairn (ECCC) to Richard Dwyer (NWB), RE: 3AM-ARV1016 Hamlet of Arviat Water Licence Renewal-Amendment Application, dated November 19, 2020.



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2022 in response to COVID-19 outbreaks in Arviat and other communities across Nunavut and Canada in general.

Following the submission of responses and clarifications submitted by Applicant, on February 4, 2022, the Board provided correspondence confirming that the Application could proceed to the Technical Meeting (TM) and Pre-Hearing Conference (PHC) stage and advising that the TM, Community Session and PHC were scheduled to take place on February 22 and 23, 2022, and that, to protect public health and safety, the format of these meetings had been changed to teleconference and videoconference. On February 10, 2022, NWB staff went on the local radio in Arviat to inform the community members of the upcoming Technical Meeting, Community Session, and Pre-Hearing Conference.

In accordance with Rule 14 of the NWB *Rules of Practice and Procedure for Public Hearings* (the *Rules*), and the previous direction and delegation of authority from Panel P16 to the staff of the NWB, the NWB's staff held a TM/PHC for the Application by videoconference/teleconference on February 22 and 23, 2022. The TM/Community Session/PHC Agendas for the meetings are attached to this Report in [APPENDIX A: TM/Community Session/PHC Agendas](#). The Government of Nunavut, Community and Government Services (GN-CGS), Crown-Indigenous Relations and Northern Affairs (CIRNA), Environment and Climate Change Canada (ECCC), Fisheries and Oceans Canada (DFO), and the NWB staff participated via Microsoft Teams and teleconference links as administrated by GN-CGS during the TM/Community Session/PHC. The list of the parties in attendance are provided in this Report in [APPENDIX B: Attendees at TM/PHC](#).

In order to minimize public gatherings due to the situation with COVID-19 spread in Nunavut at the time, the Board did not provide a centralized venue for the community members to gather during the Community Session, but issued teleconference and videoconference coordinates in the community and during the participation by staff in the local radio call in show. The Hamlet of Arviat also had this information available to provide to interested community members upon request. Consecutive Inuktitut/English interpretation was also made available with the attendance of the Board's Interpreter, Ben Kogvik, during the Community Session scheduled for February 22, 2022.

The commitments generated and reviewed by the parties during the TM/PHC are listed in [APPENDIX D: List of Commitments](#).

As set out in Rule 14.1 of the *Rules*, the PHC dealt with the following matters relevant to the Application:



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- Timetable for the pre-Hearing exchange of information;
- Identification of interested parties;
- Submissions of interested parties;
- List of issues to be dealt with at the Public Hearing;
- Procedures for the Public Hearing; and
- Identification of any other matters that may assist in the simplification and disposition of the Application or the conduct of the Public Hearing.

Having considered the Application and supporting materials submitted by the Applicant as summarized in [APPENDIX C: List of Application Submissions](#), the technical review comments in respect of the Application received to date by the NWB, the discussions during the Technical Meeting, the questions, issues and comments identified by the participants during the Pre-Hearing Conference, and the commitments of the Applicant as outlined in [APPENDIX D: List of Commitments](#), the Panel has concluded that the Application is ready to proceed to the Public Hearing stage of the Board’s consideration of the Application. As noted above, the Panel has directed that the Public Hearing to consider the Application be conducted in-person in the Hamlet of Arviat, for the week of May 30 – June 3, 2022, in accordance with the timelines and other procedural details provided in the text that follows.

Introduction and Registration

The following participants registered in advance and attended the TM/Community Session/PHC teleconference/videoconference on February 22 and 23, 2022.

Government of Nunavut, Community and Government Services (GN-CGS) representatives on behalf of the Hamlet of Arviat:

- Elan Chalmers, Municipal Planning Officer
- Megan Lusty, Manager of Municipal Works
- Kayla Clouter, Environmental Technologist

Crown-Indigenous Relations and Northern Affairs (CIRNA) representatives:

- Andrew Keim, Manager, Water Resources
- Vincent Okonkwo, Senior Environmental Assessment Specialist
- Marcus Bermann, Acting Director, Resource Management

Environment and Climate Change Canada (ECCC) representatives:

- Victoria Shore, Senior Environmental Assessment Officer



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- Anne Wilson, Senior Water Quality Analyst
- Stephinie Mallon, Environmental Assessment Officer

Fisheries and Oceans Canada (DFO) representatives:

- Paul Harper, FFHPP Biologist
- Adrienne McLean, FFHPP Biologist

The listings of the parties participating in the TM/Community Session/PHC tele- and videoconference for each day are attached as [APPENDIX B: Attendees at TM/Community Session/PHC](#) to this Report.

1.0 The Application before the Board

The Hamlet of Arviat (Hamlet) obtains its water from Wolf Creek, located 8.0 km southwest of the Hamlet. The Hamlet provides daily-trucked sewage collection service. Sewage is trucked to a sewage lagoon approximately 2.8 km southwest of the Hamlet that was commissioned in 2005. Effluent seeps at a slow continuous rate through the exfiltration lagoon berm and into the wetland treatment area. The effluent travels through the wetland treatment area towards Hudson Bay, approximately 100 m from the discharge point. The Hamlet of Arviat solid waste management facilities consists of a landfill (solid waste disposal area), bulky metals area, and hazardous waste storage area. Solid waste is collected and trucked to the landfill approximately 2.8 km southwest of the Hamlet. The bulky metals area is located 0.7 km north of the landfill area. The bulky metals area includes segregation of materials such as tires, appliances, and vehicles. The Hamlet of Arviat owns and operates an industrial shredder for the items stored at this site, which is reducing the volume of materials stored at this location annually. Hazardous waste is stored next to the Hamlet garage.

The Application seeks to replace and amend the Applicant’s previous Type “A” Water Licence No: 3AM-ARV1016 (the Expired Licence) with a Type “A” Water Licence to authorize the continued use of Water and deposit of Waste for a Municipal Undertaking.³

Application and Supporting Materials Submitted by the Applicant

The Application under review by the Board was received on September 16, 2020 and consisted of the following documents:

³ As defined under the *Nunavut Waters Regulations*, SOR/2013-69, Schedule 1, Item 3, column 2 describes a Municipal Undertaking to include “A waste disposal or water system for a municipality”.



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- Type “A” Water Licence Renewal Application
- Authorization Letter
- 2020-07-29-NPC Letter re 149380 Municipal Water Licence Amendment and Renewal
- Arviat Application for Submission
- Arviat Executive Summary - English
- Arviat Executive Summary - Inuktitut
- Arviat Map - Wolf Creek
- Arviat Map
- Arviat New WTP O&M Manual
- Hamlet of Arviat 2019 Annual Report
- Hamlet Permission to Represent
- OTT-00236239-A0_Arviat RFC
- Palmer_14003401_Arviat_Hydrology_Report_FINAL 1.0
- Plan for Compliance 2020 - FINAL

The documents filed by the Applicant in support of the Application are listed in detail in [APPENDIX C: List of Application Submissions](#).

The Applicant’s submissions in respect of the Application are available from the NWB’s public registry at the following link:

<ftp://ftp.nwb-oen.ca/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-ARV1016/1%20APPLICATION/2020%20Renewal/>

All documentation associated with the Application and received from the Applicant, the Board, intervening parties and the public is available from the NWB’s public registry at the following link:

<ftp://ftp.nwb-oen.ca/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-ARV1016/2%20ADMIN>

Scope of the Current Application

The Application before the NWB is for a Type “A” Water Licence to replace and amend Type “A” Water Licence No: 3AM-ARV1016, which expired on February 27, 2016 (the Expired Licence). The general scope of the Application includes the following:

- Renewal of the Expired Licence with a new term of 10 years;



- Increased water use from 86,000 to 235,393 cubic metres (m³) annually from Wolf Creek to meet the current and future water demands of the community;
- Operation of three already constructed and commissioned water storage reservoirs, a water treatment plant, and a truckfill station;
- Operation of a solid waste disposal facility;
- Operation of and upgrades to the existing sewage lagoon;
- Construction of a new sewage lagoon; and
- Modification of sewage lagoon effluent quality limits.

2.0 Procedural History

Licences Issued to the Project

Reflecting the NWB’s jurisdiction for licensing undertakings resulting in the use of water and deposit of waste as established 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)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA or Act*), the NWB has issued three (3) Licences for this undertaking to date.

1. Licence No: NWB3ARV0308
 - Issued January 9, 2004 and expired on December 31, 2008
 - Allowed for the use of 81,000 cubic metres (m³) of water annually and the deposit of waste in support of a Municipal Undertaking
2. Licence No: 3AM-ARV1015
 - Issued August 23, 2010 and expired on August 31, 2015
 - Allowed for the use of 86,000 m³ of water annually and the deposit of waste in support of a Municipal Undertaking
3. Licence No: 3AM-ARV1016
 - Short-term renewal Licence Issued June 16, 2015 and expired on February 27, 2016
 - Allowed for the use of 86,000 m³ of water annually and the deposit of waste in support of a Municipal Undertaking

Pre-Licensing Requirements

The Nunavut Planning Commission (NPC)



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On July 29, 2020, the Nunavut Planning Commission (NPC) issued its conformity determination for the Application⁴ on the basis of the following scope:

- Renewal and Amendment of the community of Arviat’s Type “A” Water Licence #3AM-ARV1016 to accommodate the operation of the new water treatment plant, a third raw water reservoir (Cell #3) and decommissioning of the old sewage lagoon.

However, NPC noted that: *“Although the proposal [the Application] notes future plans to expand or move the sewage lagoon and the solid waste disposal facility, the scope of the current review does not include the establishment of new sewage lagoon and solid waste disposal sites.”*

Reflecting this scope, the NPC determined that the Application conforms to the applicable Keewatin Regional Land Use Plan (KRLUP) and that:

The activities associated with this proposal [the Application] were previously reviewed by NPC, and a conformity determination was issued on January 28, 2010, and on May 18, 2017 which still applies. In addition, the activities were previously screened by the Nunavut Impact Review Board (NIRB FILE NO.: 17WN058). The ...proposal is exempt from screening by the NIRB because the NPC is of the understanding that it does not change the general scope of the original or previously amended project activities (NPC File #148586), and the exceptions noted in Section 12.4.3(a) and (b) of the Nunavut Agreement do not apply.

Subsequently, in April 2021 the Applicant submitted an updated scope for the Application to NPC to include the expansion and upgrade of the sewage lagoon, and also to reflect a request in the Application to change to the effluent treatment parameters under the Water Licence to reflect current research conducted in Nunavut to define the best available wastewater treatment (NPC File NO: 149528). On April 16, 2021, NPC issued its conformity determination for the updated scope of the Application⁵ noting that the proposed activities conform to the Keewatin Regional Land Use Plan (KRLUP) and constitute a *“significant modification to the project because of the expansion and upgrade of the active lagoon in the new licence.”* On this basis, the NPC forwarded its determination and the proposal containing the updated scope to the NIRB to conduct screening of the Application (including the updated scope).

The Nunavut Impact Review Board (NIRB)

⁴ Correspondence dated July 29, 2020 from Goump Djalogue, Nunavut Planning Commission to R. Dwyer, NWB (and others) Re: NPC File # 149380 [3AM-ARV1015 (*sic* 3AM-ARV1016) Municipal Water Licence Amendment and Renewal].

⁵ Correspondence dated April 16, 2021 from Solomon Amuno, Nunavut Planning Commission to R. Dwyer, NWB (and others) Re: NPC File # 1495280 [3AM-ARV1016 Municipal Water Licence Amendment].



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As indicated in NPC’s July 29, 2020 conformity determination as NPC concluded that the scope of the Application (without the expansion and upgrades to the sewage lagoon) was unchanged from the activities previously screened by the Nunavut Impact Review Board (NIRB File No.: 17WN058), the scope of that Application did not require additional assessment by the NIRB.

However, subsequently in April 2021 when the Applicant filed with NPC an update to the scope of the Application to include the expansion and upgrade of the sewage lagoon and to change the effluent treatment parameters, the NPC determined that additional screening of the proposed activities was required. On April 16, 2021, the NIRB received the referral from NPC of the updated scope of the Application (NPC File NO.: 149528 and NIRB File No.: 21UN019). On May 20, 2021, the Applicant submitted the online application to the NIRB to commence the NIRB’s screening of these activities. On August 17, 2021, the NIRB issued its Screening Decision Report to reflect the NIRB’s assessment of the updated scope:⁶ Based on the NIRB’s screening of the activities included in the updated scope, the NIRB concluded that further assessment of the Application was not required provided that the Applicant complied with the terms and conditions set out in the NIRB’s *Screening Decision Report*.

As no further assessment of the activities included within the scope of the Application is required, the NWB has concluded that the applicable pre-licensing conformity and impact assessment requirements for the Application under Articles 11 and 12 of the *Nunavut Agreement*, Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) have now been met, and the Application can now be processed by the NWB

Procedural History – Hamlet of Arviat Application for Replacement and Amendment of Type “A” Water Licence No: 3AM-ARV1016

The following section includes a brief overview of the procedural history for the Application. It should be noted that the following listing captures only the major procedural steps associated with the Board’s processing of the Application. All documentation and the complete record of the NWB’s processing of the file are available from the NWB’s ftp site at the links provided in Section 1.0 of this Report.

⁶ Correspondence dated August 17, 2021 from K. Kaluraq, Nunavut Impact Review Board to the Hon. J. Ehaloak (Minister of Community & Government Services) Re: Screening Decision for the Governments of Nunavut’s “3AM-ARV1016 Municipal Water Licence Amendment” Project Proposal, Kivalliq Region and attached NIRB *Screening Decision Report*, NIRB File No.: 21UN019, NPC File No.: 149528, August 17, 2021 (NIRB *Screening Decision Report*).



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<u>September 16, 2020</u>	NWB received an updated application for a Type “A” Water Licence Renewal 3AM-ARV1016 from GN-CGS on behalf of the Applicant (the Application).
<u>September 17, 2020</u>	The NWB acknowledged receipt of the Application, determined that the Application meets the requirements for public distribution, and invited interested parties to conduct an initial Completeness Check and provide Information Requests (IRs).
<u>October 26, 2020 and November 19, 2020</u>	Applicant responded to CIRNA and ECCC’s comments.
<u>November 19, 2020</u>	CIRNA accepted the Applicant’s Responses and stated they were ready to move to the next step of the process. ECCC recommended further review of the Application be deferred.
<u>November 20, 2020</u>	As recommended by ECCC, the NWB suspended the Completeness Check of the Application pending the receipt of updated information from the Applicant.
<u>March 29, 2021</u>	The Applicant provided the outstanding information, including updated management plans and manuals, along with the as-built drawings of the water treatment plant.
<u>April 19, 2021</u>	GN-CGS requested that the NWB’s processing of the Application pause while additional screening of activities that would expand the scope of the Application be conducted by the Nunavut Impact Review Board.
<u>November 19, 2021</u>	NWB received supplemental information from the Applicant and publicly distributed the Application requesting Interveners and interested parties to resume their Completeness Check of the Application.
<u>December 1, 2021</u>	NWB received comments on completeness from CIRNA and ECCC. The parties indicated that the Application was ready for technical review. While Fisheries and Oceans Canada (DFO) did not comment on completeness, DFO stated the Department would participate in the technical review of Application.
<u>December 10, 2021</u>	The NWB deemed the Application to be complete and provided Public Notice of the Application, advised parties of the commencement of the technical review period for the Application and included timelines for the proposed in-person TM/PHC.
<u>January 25, 2022</u>	NWB received technical review comments on the Application from CIRNA, ECCC and DFO.



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<u>February 3 and 7, 2022</u>	NWB received the Applicant’s responses to the Interveners’ technical review comments.
<u>February 4, 2022</u>	The NWB distributed correspondence regarding the status of the Application and included the draft agendas for the Technical Meeting (TM) Community Session, and Pre-hearing Conference (PHC) scheduled for the file and advised parties regarding the change to the format of the TM/PHC to reflect current public health restrictions.
<u>February 10, 2022</u>	NWB staff presented the Application and announced the upcoming dates for the TM/Community Session/PHC on local radio in Arviat.
<u>February 17, 2022</u>	The NWB received confirmation of participation in the meetings and presentation documents from Interveners (CIRNA, ECCC, DFO) and the Applicant.
<u>February 18, 2022</u>	NWB circulated correspondence with the final Agenda for the TM/Community Session/PHC.
<u>February 22, 2022</u>	NWB conducted the Technical Meeting (TM) via Microsoft Teams, followed by a Community Session held in the evening via teleconference/videoconference (no community members called in or joined on-line).
<u>February 23, 2022</u>	NWB conducted the Pre-Hearing Conference (PHC) via Microsoft Teams.

3.0 Technical Review Comments Received by the Board

Prior to the TM/PHC, an opportunity for comment on the Application was provided to Interveners and members of the public. The Board’s request for comments invited parties to consider whether the Application was complete and to identify any outstanding issues that would prevent the Board from continuing to process the Application, including any additional information required to complete the Application. The parties filed their technical review comments on or before January 25, 2022. The sections that follow outline the comments provided during these review periods, and also reflect comments provided to the Board’s staff during the TM/PHC.

GN-CGS on behalf of the Hamlet of Arviat

As noted above, on September 16, 2020, the Applicant submitted an application for a Type “A” Water Licence, along with supplemental information associated with the continued use of Water and deposit of Waste for a Municipal Undertaking. The Applicant requested a term of 10 years and a substantial increase to the annual water use of up to 235,393 (cubic metres) m³ (the



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Application). New infrastructure not yet constructed included for the Board’s consideration was a new sewage lagoon and upgrades to the existing sewage lagoon. In addition, the Applicant requested a retroactive approval of the construction and operation of a third water storage reservoir and a water treatment plant. The Application also requested changes to the quality limits of the sewage lagoon effluent to reflect recent research regarding expected treatment efficiency in Nunavut.

Following the Completeness Check, on October 13, 2021, the NWB received comments and Information Requests (IRs) from intervening parties, including Crown-Indigenous Relations and Northern Affairs (CIRNA) and Environment and Climate Change Canada (ECCC). Fisheries and Oceans Canada (DFO) stated that while DFO would not participate in the Completeness Check, DFO intended to participate during the technical review of the Application. The Applicant provided a response to Interveners’ comments on October 26 and November 19, 2020 and November 19, 2021.

During the Technical Meeting (TM), GN-CGS was able to provide responses to most of the comments and IRs received from the Interveners, including clarifying and providing additional information regarding the following:

- Future plans for the solid waste site;
- Future plans for the wastewater treatment infrastructure;
- Modifications sought for the Monitoring Program and its Stations;
- Consideration for decommissioning, abandonment and reclamation of historical lagoons;
- Sludge management;
- Updates to management plans and manuals;
- Sewage lagoon design, inspection and maintenance, and
- Information of fish screen parameters.

The Applicant affirmed their commitment to providing additional information as summarized in [APPENDIX D: List of Commitments](#).

Crown-Indigenous Relations and Northern Affairs (CIRNA)

CIRNA administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut, including enforcing the provisions of water licences issued by the



NWB under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWSRTA) and *Nunavut Waters Regulations*, SOR/2013-69.

Reflecting CIRNA’s responsibilities and jurisdiction, the following key issues were highlighted in CIRNA’s technical review comment submissions and were discussed during the Technical Meeting (TM):

- Requesting the Applicant outline the plans to resolve the problem of insufficient capacity of the solid waste disposal site;
- Requesting the Applicant provide the data on the lagoon retention time and discharge rate;
- Recommending an update to the values of biochemical oxygen demand and total suspended solids to the Sewage Treatment Facility Operation and Maintenance Plan;
- Requesting further information on permafrost degradation measures for the sewage lagoon and recommending inspections of berm conditions be conducted by an engineer;
- Recommending the Applicant provide clarification on the reasoning for removal and designation as “inactive” of some of the Monitoring Program Stations as included in the Application, and
- Requesting updates to the Sewage Treatment Facility Operation and Maintenance Plan reflecting sludge management procedures.

Environment and Climate Change Canada (ECCC)

The focus of ECCC’s involvement in respect of the Application is based on their jurisdiction under the *Canadian Environmental Protection Act, 1999*,⁷ the *Species at Risk Act*⁸ and ECCC’s jurisdiction under the pollution prevention provisions of the *Fisheries Act*.⁹

The following key issues were highlighted in ECCC’s technical comments and were discussed during the Technical Meeting (TM):

- Requesting a clarification on the relocation of Monitoring Program Station ARV-4;

⁷ S.C. 1999, c. 33.

⁸ S.C. 2002, c. 29.

⁹ R.S.C. 1985, c. F-14.



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- Requesting information on the plans and timelines for the construction and expansion of the sewage lagoon system in Arviat, as well as details on the plans for the expansion of the solid waste disposal site;
- Recommending the Applicant provide substantive information on the abandonment and reclamation of the solid waste facility and historical sewage lagoons, any plans in relation to closure of these sites, and further recommendations on retaining relevant water licence conditions as they pertain to abandonment, closure and reclamation;
- Requesting the Applicant describe its desludging procedures and scheduling;
- Recommending the installation of a new Monitoring Program Station at the outflow from the sewage lagoon into the wetland treatment area, and
- Recommending the inclusion of replicate or duplicate samples into the Quality Assurance and Quality Control (QA/QC) Plan.

Fisheries and Oceans Canada (DFO)

The focus of DFO’s involvement in respect of the Application is based on their jurisdiction under the *Fisheries Act*¹⁰ and the *Species at Risk Act*¹¹.

DFO recommended the Applicant review the *Interim Code of Practice for End-of-pipe Fish Screens* and the *Measures to Protect Fish and Fish Habitat* to ensure the Applicant complies with the operating standards set out in these two documents.

4.0 Technical Meeting (TM)

The Technical Meeting (TM) for the Application was held via Microsoft Teams and teleconference link from 9:00 a.m. to 5:00 pm CST on February 22, 2022. As is the Board’s practice, the TM was an informal meeting and was chaired by Karén Kharatyan, the Board’s Director of Technical Services. The meeting was attended by:

- the NWB’s staff and legal counsel;
- the Applicant, which included the representatives of the GN-CGS; and
- the Interveners: CIRNA, ECCC and DFO.

¹⁰ R.S.C. 1985, c. F-14.

¹¹ S.C. 2002, c. 29.



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In keeping with the Board's normal practice, the Panel Members of the Board (Arviat Panel, P16), the decision-makers for the Application, were not present at the TM or the subsequent Pre-Hearing Conference (PHC), having delegated the conduct of these meetings to the Board's staff. The TM included the following:

- Discussion of the technical issues identified by Interveners and the NWB staff during their technical review of the Application;
- Examination of technical data, comment submissions and other materials submitted as part of the Application;
- Discussion, and where possible, resolution of technical matters or issues raised by Interveners, community members and the Applicant, particularly those matters that could affect the Board's determination on any PHC issues, prior to holding the PHC;
- Providing an opportunity for the Hamlet of Arviat and participants to identify and confirm for the Board the issues and concerns that have been resolved and to discuss any unresolved or ongoing issues related to the Application;
- Identification of opportunities for streamlining the issues and process so as to eliminate existing or potential duplication or delay in the NWB's processing of the Application going forward; and
- Documenting any commitments made by the various parties during the TM, with the aim of carrying over the commitments to the PHC and Public Hearing stages of the NWB's consideration of the Application.

The TM participants were advised that, upon completion of the TM, the Board expected any outstanding issues in respect of the Application to be resolved, or if not resolved, that some form of agreement, including commitments by the parties, would be provided by the parties to enable the Application to proceed to the next step of the licensing process, the Public Hearing, notwithstanding any unresolved issues.

At the TM, the following general topics were discussed:

- The scope of the proposed Type "A" Water Licence;
- The status of solid waste and sewage disposal facilities;
- Timelines for expansion of the solid waste and sewage disposal facilities;
- Operation and maintenance of the sewage disposal facilities upon construction and expansion to ensure their integrity;
- Revisions to the Monitoring Program and its Stations;



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- Decommissioning, abandonment and restoration of the two historical sewage lagoons, and
- Submission of management plans and operation and maintenance manuals.

Following these discussions, the NWB circulated to all meeting participants, an electronic copy of the draft list of issues in respect of the Application that the NWB expects to be discussed at the Public Hearing for the file, as well as a draft list of all commitments made by the parties during the TM.

5.0 Community Session

On February 10, 2022, NWB staff called the local radio station in Arviat to inform community members about the change to the format for the upcoming Community Session and to present the scope of the Application being considered by the Board. Although the Board originally planned to host the TM/Community Session/PHC for the file in-person in the community of Arviat, unfortunately due to public health restrictions on travel and indoor gatherings that were necessary to limit the spread of COVID-19, the Board was required to modify the format for these meetings to videoconference and teleconference. In addition, in the interest of public safety and to mitigate the spread of COVID-19 in Arviat specifically, the Board decided to refrain from organizing a central venue for community members to attend the Community Session in-person. Instead, the Board made arrangements for members of the public to connect via teleconference or videoconference connection via Microsoft Teams during the Community Session, which was scheduled to take place on the evening of February 22, 2022 from 6:00-9:00 pm CST. Consecutive English/Inuktitut interpretation was available during the scheduled Community Session.

The NWB staff and representatives of GN-CGS, CIRNA, ECCC, and DFO were present the Community Session to make presentations and answer questions. However, no members of the public called in or connected on-line during the Community Session. While waiting for community members to participate, the parties took the opportunity to continue the Technical Meeting, including a detailed discussion of the Applicant’s commitments.

6.0 Pre-Hearing Conference (PHC)

As the parties confirmed in the TM that there were no outstanding issues that would prevent the Application from advancing to the next stages of the Board’s processing, the PHC portion of the Agenda proceeded on the morning of February 23, 2022, at 9:00 am CST via Microsoft Teams and teleconference links.



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The PHC was chaired by the Board’s Director of Technical Services, Karén Kharatyan, with the same parties as those present at the TM. The purpose of the PHC was to discuss the various matters as set out in Rule 14 of the NWB’s *Rules* in preparation for the Public Hearing. Specifically, Rule 14 directs that the PHC address the following items:

- To set a timetable for the pre-Hearing exchange of information;
- To finalize the list of issues to be dealt with at the Public Hearing;
- To identify interested parties;
- To consider the desirability of amending the Application for the purposes of clarification;
- To finalize procedures to be followed in the Public Hearing; and
- To consider any other matters that may assist in the simplification and disposition of the Application or the conduct of the Public Hearing.

The PHC commenced with the review and refinement of both the list of issues and the list of commitments generated during the TM, in order to reflect the clarifications and subsequent agreement of the parties. The wording in [APPENDIX D: List of Commitments](#) of this Report reflects these discussions. For the convenience of the parties, where commitments made by the Applicant will result in the submission of additional or updated documentation, the Board has included a description of the timelines for submission of this information and the form of submission expected by the parties.

Similarly, the list of issues (discussed in more detail under the subheading [List of Issues](#) below) was also reviewed and revised during the PHC to reflect the discussions of participants during the TM.

Timetable for Pre-Hearing Exchange of Information

It was noted at the beginning of this discussion that, as required by s. 55(2) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWSRTA), the NWB must give the public and parties a minimum of sixty (60) days’ notice in advance of a Public Hearing.

The Applicant, CIRNA, ECCC, and DFO were polled regarding any outstanding information requirements that must be supplied in advance of a Public Hearing and the parties indicated, that if the additional information as outlined in [APPENDIX D: List of Commitments](#) is provided in accordance with the timelines specified in the list, the preparation and submission of additional information would not delay the potential Public Hearing for the Application.



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As the PHC participants did not identify any issues that would prevent the Board from proceeding to a Public Hearing for the Application, the Board's legal counsel outlined the following proposed timetable for the pre-Hearing exchange of information set out below. The Applicant and all participants were reminded, however, that the Board reserves the right to revisit the timing proposed if:

- parties are unable to meet the deadlines in their commitments;
- if the Board receives subsequent, reasonable requests from the parties for adjournments in response to additional information received;
- if public health authorities issue directions or orders to respond to the COVID-19 pandemic; or
- as may subsequently be considered necessary by the Board.

In establishing the following schedule, the Board considered the views of the parties and the Board's current commitments to identify that the most feasible timing for the conduct of the Public Hearing is in late May and early June 2022. Unless modified as noted above, the Board requires the participants to observe the following timetable:

- **On or before Friday, March 25, 2022** the NWB will issue the Pre-Hearing Conference Decision Report and Notice of the Public Hearing;
- **On or before Thursday, April 14, 2022** any party requesting French translation of the Executive Summary materials, final written submissions of parties, reply submissions and/or presentation materials should make such requests to the Board in writing;
- **On or before Thursday, April 28, 2022** the Interveners, members of the public or other interested parties must file any further and final written submissions in respect of the Application with the Board;
- **On or before Thursday, May 12, 2022** the Applicant must file any further responses to the information filed in advance of the Public Hearing and final written submissions with the Board;
- **On or before Friday, May 20, 2022** all parties must file any final statements and/or presentation materials they wish the Panel to consider in their decision-making for the Application; and
- **In the week of May 30-June 3, 2022** the NWB conducts the Public Hearing for the file in-person in Arviat and (if the Board decides all relevant information has been received) may close the Public Hearing Record and remit the matter for decision-making.

NOTE: If the Interveners and/or the Applicant file additional written submissions, final statements and/or presentation materials as outlined above, they are also required to provide **an Executive Summary of their final written submissions in both English and Inuktitut (and French if**



requested as outlined above) and fully translated copies of their presentation materials or final summaries in English and Inuktitut (and French if requested as outlined above) at the same time as they file the full submission. All submissions will be posted on the NWB's ftp-site (<ftp://ftp.nwb-oen.ca/>) and in the public registry upon receipt.

Identification of Interested Parties

During the PHC, the following parties confirmed their participation during the Public Hearing:

- GN-CGS with representatives from the Hamlet of Arviat;
- Crown-Indigenous Relations and Northern Affairs (CIRNA); and
- Environment and Climate Change Canada (ECCC).

Fisheries and Oceans Canada (DFO) indicated that, as DFO had no outstanding issues in respect of the Application, DFO would not participate in the Public Hearing; however, the agency confirmed its intention to file final written comments with the Board.

When asked at the PHC, parties confirmed that no additional interested parties would need to be invited to participate in the Public Hearing.

Provision of Final Written Submissions from Interested Parties

Any additional information that the Applicant, Interveners or interested parties may wish the Board to consider during their review of the Application must be filed with the Board in advance of the Public Hearing and in accordance with the timelines outlined above under the heading [Timetable for Pre-Hearing Exchange of Information](#).

List of Issues

The intervening parties in attendance at the TM/PHC confirmed that none of the issues for discussion associated with the Application and the related information requirements should prevent the Board from proceeding with the Public Hearing.

As noted above, as part of the recap of the TM, the parties reviewed the following list of issues that are expected to be addressed during the Public Hearing and agreed that, subject to adding issues following the review of information that will be exchanged in advance of the Public Hearing, the following topics should be addressed at the Public Hearing:

- Changes to the Scope of the amended Type "A" Water Licence to replace the Expired Licence



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- Operation of existing facilities approved and/or constructed under the Expired Licence, 2 cells of the raw Water Reservoir, existing Sewage Lagoon, Water Treatment Plant, existing Landfill and a truckfill station
- Removal of facilities that do not exist: “Hydrocarbon Impacted Soil Storage and Treatment Facility” and “New Solid Waste Disposal Facility”
- Addition of an additional raw water cell (commissioned in 2019) in the Water Reservoir
- Proposed upgrade/expansion of existing sewage lagoon cell and construction of new sewage lagoon cell
- Term of Licence
 - 10-year term requested
- Water Use
 - Increased Water Use from 86,000m³ to 235,393 m³ annually to meet the current and future water demands of the community
- Waste Disposal
 - Monthly rather than daily estimates of the quantity of waste (sewage and solid waste) disposed requested by GN-CGS
- Inspection Program
 - Removal of the requirement for a geotechnical engineer to conduct annual inspection of facilities
- Monitoring Program
 - Removal of the requirement for weekly inspection of Monitoring Program Stations
 - Removal of the requirement to submit paper copies of results and reports
 - Change to effluent limits (CBOD to 100 mg/L and TSS to 120 mg/L) at the end of the wetland-treatment-area to meet effluent quality limits determined through multi-year Nunavut based lagoon-wetland treatment research
 - Relocation of Monitoring Program Station ARV-4 upon commissioning of new Sewage Lagoon
 - Changes to the Sampling Program
 - Removal of acute lethality testing
 - Change sampling from “May-August” to monthly during thawed conditions
 - Removal of the Monitoring Program Stations ARV-7 and ARV-8



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- Removal of the Monitoring Program Stations ARV-10 and ARV-11 because they do not exist
- Closure and Reclamation Planning
 - Removal of prescriptive recommendations regarding reclamation of abandoned facilities as facilities may still be re-used
 - Potential remediation and then repurposing for future expansion of Solid Waste Disposal Facility (Landfill) or full reclamation of 2 abandoned lagoon cells carrying forward Part G, Item 3 of Water Licence No: 3AM-ARV1016.

Changes to the Application for the Purposes of Clarification

During the TM, a question was raised by the Applicant about potential plans for expansion of existing solid waste site into the two abandoned old sewage lagoon cells. The Board advised that, as this change was not included in the scope of the original application, it could trigger reconsideration by the Nunavut Planning Commission and may warrant further impact assessment by the Nunavut Impact Review Board. The Applicant subsequently confirmed with the NWB that they will not be pursuing this modification requested at this time.

Procedures for the Public Hearing

To introduce the discussion of the format for the Public Hearing, the Board’s legal counsel advised parties that the Board’s preference is to hold at least one in-person Community Session during the processing of an application. With that background, parties were asked about their preferred format for the Public Hearing (written, teleconference or in-person). The Applicant noted that with the recent spread of COVID-19 in the community of Arviat, community members may not be comfortable with a return to in-person meetings at full capacity in the near future. The Applicant therefore indicated that it favours conducting the Public Hearing in writing, and recommended that if the NWB chooses to conduct the Public Hearing in writing, that the NWB should coordinate with the Hamlet and community directly to ensure that community members are comfortable with an indoor public meeting occurring.

CIRNA questioned whether, in light of public health orders and the potential for community spread of COVID-19, in-person proceedings will be possible in the near future. CIRNA also asked whether a written format for the Public Hearing is more expedient. The Board’s legal counsel clarified that the timelines for a written Public Hearing are largely the same, and can, in fact be longer, if opportunities for written replies of parties need to occur. CIRNA concluded by expressing no preference as to format, as long as the Board could conduct the Public Hearing in a manner that is safe and observant of applicable public health restrictions such as limits for public



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gatherings due to the pandemic. ECCC and DFO advised that they did not have any preferred form of holding the Public Hearing. However, both agencies identified that, due to the COVID-19 pandemic, their personnel had not yet been authorized to travel, and therefore may not be able to attend in-person proceedings. Accordingly, ECCC requested that if the Public Hearing is held in person in Arviat, ECCC personnel requests that the Board provide an opportunity for parties to attend the Public Hearing remotely (video or audioconference).

In determining the appropriate format for the Public Hearing, the Board considered several important factors and balanced the Board's preference for in-person Public Hearings with the responsibility of preserving the health and safety of all Public Hearing participants and the community of Arviat in general. Based on the most recent guidance given by the Government of Nunavut Chief Public Health Officer, the Board expects that public health measures such as restrictions on travel into, and within Nunavut, limits on public indoor gatherings, will likely be lifted on April 11, 2022 as Nunavut moves from an emergency response to the COVID-19 pandemic. As a result, the Board is optimistic that by the time of the Public Hearing, most parties will be able to attend an in-person Public Hearing conducted in Arviat. The Board will, of course work with the Hamlet and community members to monitor the specific circumstances and comfort level of residents in Arviat in the weeks leading up to the Public Hearing, and will consider whether providing remote access options for participants is necessary.

In addition to the Board's careful consideration of whether holding indoor public meetings will be possible by late May, the Board has also considered the following factors specific to this Application to determine the appropriate format for the Public Hearing for the file:

- The Application includes significant changes to reflect the future water and waste management needs of the community residents, and to date the public has had little opportunity to be advised about these changes;
- The term of the amended Licence to replace the Expired Licence is 10 years, so there may be limited opportunities in the near future for the community to ask questions and provide feedback regarding the Applicant's plans; and
- There was no participation of community members during the teleconference and videoconference Community Session and no public comments have been received by the Board during the technical review of the Application; as such, members of the community or other interested members of the public have not been able to identify their concerns or have their questions answered in respect of the Application to date.

After considering current circumstances and weighing these factors, the NWB decision-making Panel for the file (Panel P16) has decided, by Motion #2021-19-P16-04, that it is most appropriate



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for the Board to hold an in-person Public Hearing to support decision-making for the file. The Board’s process for conducting the Public Hearing will commence with the NWB publishing formal Notice of the Public Hearing on **March 25, 2022**. The Applicant, Interveners, interested parties and members of the public will then have an opportunity to file their final written submissions, written summaries and/or any presentation materials that they wish Panel P16 to consider in respect of the Application in accordance with the timelines specified under the subheading [Timetable for Pre-Hearing Exchange of Information](#) in this Report. Assuming that all required materials are filed within the specified timelines, concluding with final statements and presentation materials of all parties being filed by **May 20, 2022**, the NWB anticipates being able to hold the in-person Public Hearing in Arviat during the week of **May 30-June 3, 2022**, the Board currently expects to close the Public Hearing Record for the file at the end of the in-person Public Hearing. Once the Public Hearing Record is closed for the file, no additional information about the Application will be received by the Board and the file will be remitted to Panel P16 for decision-making.

All parties should be advised, however, that this procedural direction, including the proposed timing and format of the Public Hearing may be modified by the Board in future as may be required to reflect changed circumstances such as:

- The failure of any participants to meet the timelines for the pre-Hearing exchange of documentation;
- Updates to applicable guidance from public health authorities and changes to public health measures put in place to prevent the spread of COVID-19; and
- Technological innovations and limits.

The parties have confirmed that they do not anticipate that they will require the Board to deviate from the Board’s normal *Rules of Practice and Procedure* (May 2005) (*Rules*) during the conduct of the Public Hearing. During this discussion the Board’s legal counsel advised that the Board may make modifications to normal procedures if considered by the Board to be necessary to prevent the spread of COVID-19 (e.g. social distancing, contact tracing, sanitizing, masking, etc.). As such, the Board directs all parties that the Public Hearing will be conducted in accordance with Parts III and IV of the Board’s *Rules*.

Measures to Simplify the Disposition of the Application

No measures to simplify the disposition of the Application were identified at the PHC.

Steps following the Public Hearing



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Following the closure of the Public Hearing Record as described above, the Application would be remitted to the Panel for decision-making. When the Panel has reached a decision, which is typically within thirty (30) to forty-five (45) days of the close of the Public Hearing Record, the Board will issue its Record of Proceedings and Decision to the Minister of Northern Affairs. If the Panel recommends that the Type "A" Water Licence as requested in the Application be granted, a draft of the Type "A" Water Licence would also be attached to the NWB's Decision for the Minister's consideration.

If you require additional information regarding this Application, the Board's specific direction or the Board's processes in general, please do not hesitate to contact the Board's Director of Technical Services, Karén Kharatyan, karén.kharatyan@nwb-oen.ca or the Board's Manager of Licensing, Richard Dwyer, at richard.dwyer@nwb-oen.ca for any other matters related to the Application.

Regards,

NUNAVUT WATER BOARD

Stephanie Autut
Executive Director

SA/ak/rqd

Attachments:

- Appendix A: Technical Meeting, Community Session and Pre-Hearing Conference Agendas
- Appendix B: List of Participants at the Technical Meeting and Pre-Hearing Conference
- Appendix C: List of the Application Submissions
- Appendix D: List of Commitments generated during the Technical Meeting/Pre-Hearing Conference held on February 22-23, 2022



APPENDIX A: TM/Community Session/PHC Agenda

FINAL AGENDA

TECHNICAL MEETING, COMMUNITY SESSION AND PRE-HEARING CONFERENCE

HAMLET OF ARVIAT – CONTINUED USE OF WATER AND DEPOSIT OF WASTE

WATER LICENCE (TYPE “A” LICENCE 3AM-ARV1016)

TECHNICAL MEETING

Date: February 22, 2022
Time: 9:00AM – 5:00PM (CT)

Teleconference Call-In Information:

Microsoft Teams link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWfmZDc4N2EtZjZjYi00M2IxLTlhOWQtZjgxMjg5ZGVhNGNh%40thread.v2/0?context=%7b%22Tid%22%3a%2272ebbe77-7a80-49bd-8767-a19d08ab746c%22%2c%22Oid%22%3a%22c2296687-c481-49c3-9472-74965af0f49e%22%7d

Or call in (audio only): +1 (867) 877-2490 486128281# Canada, Iqaluit
+1 (833) 450-4238 486128281# Canada (Toll-free)

Phone Conference ID: 486 128 281#

1. Introduction and registration.
2. Application to the Board, NWB Opening Remarks (15 minutes).
3. Purpose of the Technical Meeting.
4. Technical Review of the Application:
 - a) Presentation by Applicant (30-45 minutes);
 - b) Identification of Intervening Parties;
 - c) Presentations by Intervening Parties (30 minutes per party);
 - d) Discussion of Commitments to address Technical Issues; and
 - e) Formulation of Outstanding Issues.

Health Breaks – 15-20 minutes



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COMMUNITY SESSION

Date: February 22, 2022
Time: 6:00 - 9:00 PM (CT)

Teleconference Call-In Information:

Microsoft Teams link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWfMzDc4N2EtZjZjYi00M2IxLTlhOWQtZjgxMjg5ZGVhNGNh%40thread.v2/0?context=%7b%22Tid%22%3a%2272ebbe77-7a80-49bd-8767-a19d08ab746c%22%2c%22Oid%22%3a%22c2296687-c481-49c3-9472-74965af0f49e%22%7d

Or call in (audio only): +1 (867) 877-2490 486128281# Canada, Iqaluit
 +1 (833) 450-4238 486128281# Canada (Toll-free)

Phone Conference ID: 486 128 281#

1. Overview of NWB process by NWB (15 minutes).
2. Presentation of Application by Applicant (30 minutes).
3. Presentations by Intervening Parties (15 minutes per party).
4. Questions and comments from community members.



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PRE-HEARING CONFERENCE

Date: February 23, 2022

Time: 9:00 AM (CT)

Teleconference Call-In Information:

Microsoft Teams link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmNjNTc4NzEtOTFiMC00MjY3LWE%20xZWUtZmQwZWFiMjU5ODFh%40thread.v2/0?context=%7b%22Tid%22%3a%2272ebbe77-7a80-49bd-8767-a19d08ab746c%22%2c%22Oid%22%3a%22c2296687-c481-49c3-9472-74965af0f49e%22%7d

Or call in (audio only): +1 (867) 877-2490 537764066# Canada, Iqaluit
+1 (833) 450-4238 537764066# Canada (Toll-free)

Phone Conference ID: 537 764 066#

1. Identify issues preventing Application from proceeding to a Public Hearing.
2. Discuss form, timing and location for any potential Public Hearing.
3. Establish timetable for the pre-hearing exchange of information, including:
 - a. preparation and service of documents to parties (deadlines, form, public registry);
 - b. document translation requirements; and
 - c. documentation to be included in the hearing record.
4. Finalize the list of issues to be dealt with at the Public Hearing.
5. Identify interested parties.
6. Identify any changes to Application for the purposes of clarification.
7. Final procedures to be followed at the Public Hearing, including:
 - a. requested modifications to the applicable NWB *Rules of Practice and Procedure for Public Hearing* (May 2005); and
 - b. language requirements at the Public Hearing.
8. Consider any other matters that may aid in the simplification and disposition of the Application at the Public Hearing.
9. Other Issues.
10. Closing of the Meeting.



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APPENDIX B: Attendees at TM/Community Session/PHC

Participant	Position	Company/ Organization	Representing
Elan Chalmers	Municipal planning Engineer	GN-CGS	Hamlet of Arviat
Megan Lusty	Manager of Municipal Works	GN-CGS	Hamlet of Arviat
Kayla Clouter	Environmental Technologist	GN-CGS	Hamlet of Arviat
Andrew Keim	Manager, Water Resources	CIRNA	CIRNA
Vincent Okonkwo	Senior Environmental Assessment Specialist	CIRNA	CIRNA
Marcus Bermann	Acting Director, Resource Management	CIRNA	CIRNA
Victoria Shore	Senior Environmental Assessment Officer	ECCC	ECCC
Anne Wilson	Senior Water Quality Analyst	ECCC	ECCC
Stephinie Mallon	Environmental Assessment Officer	ECCC	ECCC
Paul Harper	FFHPP Biologist	DFO	DFO
Adrienne McLean	FFHPP Biologist	DFO	DFO
Karén Kharatyan	Director, Technical Services	NWB	NWB
Assol Kubeisinova	Technical Advisor	NWB	NWB
Richard Dwyer	Manager of Licensing	NWB	NWB
Teresa Meadows	Legal Counsel	Meadows Law	NWB
Amos Kamookak	Assistant Technical Advisor, Observer	NWB	NWB



APPENDIX C: List of Application Submissions

September 01, 2020:

- Amendment Renewal Application
- 2020-07-29-NPC Letter re 149380 Municipal Water Licence Amendment and Renewal
- Arviat Application for Submission
- Hamlet of Arviat 2019 Annual Report
- Plan for Compliance 2020

September 14, 2020:

- Amendment Renewal Application
- 2020-07-29-NPC Letter re 149380 Municipal Water Licence Amendment and Renewal
- Arviat Application for Submission
- Arviat DWG Issued for Tender
- Arviat Executive Summary - English
- Arviat Executive Summary - Inuktitut
- Arviat New WTP O&M Manual
- Hamlet of Arviat 2019 Annual Report
- Hamlet Permission to Represent
- Palmer_14003401_Arviat_Hydrology_Report_FINAL(1.0)
- Plan for Compliance 2020 - FINAL

September 16, 2020:

- Amendment Renewal Application NPC ONLY
- Amendment Renewal Application
- 2020-07-29-NPC Letter re 149380 Municipal Water Licence Amendment and Renewal
- Arviat Application for Submission
- Arviat Executive Summary - English
- Arviat Executive Summary - Inuktitut
- Arviat Map - Wolf Creek
- Arviat Map
- Arviat New WTP O&M Manual
- Hamlet of Arviat 2019 Annual Report
- Hamlet Permission to Represent
- OTT-00236239-A0_Arviat RFC



- Palmer_14003401_Arviat_Hydrology_Report_FINAL(1.0
- Plan for Compliance 2020 - FINAL

September 17, 2020:

- Applicant Confirms Deletion of Earlier Application Submission

October 27, 2020:

- 2017-10-12 Final Report - Recommendations for Municipal Wastewater Stand
- 2019-06-20 - FINAL - Review of Wastewater Research in Nunavut
- Arviat Completeness Check Responses
- Final report WSP performance - 18-09-2015

November 19, 2020:

- Applicant Response to CIRNA

November 23, 2020:

- Renewal Amendment Application Deferred Applicant Confirmation

March 29, 2021:

- Arviat Environmental Monitoring and QAQC Plan 2021
- Arviat Sewage Treatment Facility OM Plan 2021
- Arviat Solid Waste Management Facility OM Plan 2021
- Arviat WTP O&M Manual 2021
- Cover Letter
- Environmental Contingency Plan 2021
- WTP As-Builts Part 1
- As-Builts Part 2

April 17, 2021:

- Pause Application Process Arviat lagoon



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November 19, 2021

- 210817-21UN019-Cover Ltr Re Screening Decision Report
- 210817-21UN019-Screening Decision Report
- 210817-21UN019-Screening Decision Report
- Arviat Business Case - April 2021
- As Built Arviat Reservoir
- Cover Letter Water Licence Amendment
- Effluent Parameters
- NPC Letter File #149528 Municipal Water Licence Amendment
- Plan for Compliance 2021
- Solid Waste Management Facility OM Plan 2021

November 22, 2021:

- Applicant Response Feasibility Study_Solid Waste MGMT O&M Plan Update

February 3, 2022:

- Technical Review Comments Applicant Response

February 7, 2022:

- Technical Review Comments Applicant Response

February 17, 2022

- Nunavut Water Board Public Meeting Water Licence Renewal and Amendment Arviat 3AM-ARV1016
- Attendance Confirmation Hamlet of Arviat, Community Government Services.



APPENDIX D: List of Commitments generated during the Technical Meeting/Pre-Hearing Conference held February 22-23, 2022

No	Party Responsible for Commitment	Party(s) who raised (Item#)	TM Commitment	Timeline for Submission
1	GN-CGS	CIRNA Technical Comment #3	The Licensee commits to submitting a revised Operations and Maintenance Manual for the Wastewater Treatment System (Sewage Lagoon) correcting the error in the values of CBOD and TSS.	By March 31, 2022
2	GN-CGS	CIRNA Technical Comments #4 and 6; ECCC Technical Comment #4	<p>The Licensee commits to submitting an updated Operations and Maintenance Manual for the Wastewater Treatment System to include sludge management procedures, such as sludge quantity assessment and disposal techniques, as well as a disposal location.</p> <p>The Licensee commits to including procedures for identification of leaks within the Wastewater Treatment System into the updated Operations and Maintenance Manual, including that, in the event of a suspected leak, a professional engineer will be contracted to conduct an assessment of the lagoon system.</p>	Upon commissioning of the new Sewage Lagoon
3	GN-CGS	ECCC Technical Comments #2 and 3;	An investigation of the abandoned lagoon cells to assess their potential to be remediated or re-used to expand the current Solid Waste Disposal Facility (Landfill) will be included in the next phase of the solid waste disposal project, pending funding approval by government. Plans for the recommended remediation or re-use of the old (abandoned) Sewage Lagoons	<p>Update on funding approval–April 2022</p> <p>A business case assessing potential upgrades and expansion</p>



3AM-ARV1016

3AM-ARV1016 Type “A” Water Licence Application
Pre-Hearing Conference Decision

No	Party Responsible for Commitment	Party(s) who raised (Item#)	TM Commitment	Timeline for Submission
		Technical Meeting discussion	will be provided once these studies are complete, pending funding approval.	of the Landfill – timing is pending funding
4	GN-CGS	ECCC Technical Comment #6	The QA/QC Plan will be updated to include information on the frequency of replicate/duplicate samples in the sampling program, as well as an approval letter from an accredited laboratory.	March 31, 2022
5	GN-CGS	DFO Technical Comment #1	Information on fish screen parameters in place to be provided for Fisheries and Oceans Canada (DFO) confirmation.	October 31, 2022
6	GN-CGS	ECCC and NWB raised during the Technical Meeting discussion	A Memo will be submitted with timelines for potential abandonment and restoration or discussion of the uncertainty in regards to such plans for infrastructure in question.	May 16, 2022
7	GN-CGS	ECCC Technical Comment #1	A hydrological assessment of the Wetland Treatment Area will be done when relocating ARV-4.	Upon completion of the new Wastewater Treatment System design contract