

NUNAVUT WATER BOARD

Public Hearing for Licence No. 3AM-ARV1016
Renewal - Amendment Application

HEARING

VOLUME 1

Arviat, Nunavut

May 31, 2022

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1 Proceedings taken at John Ollie Complex, Arviat,
2 Nunavut

3

4 May 31, 2022 Morning Session

5

6 NUNAVUT WATER BOARD

7 L. Toomasie Chair of Hearing

8 S. Silou Panel Member

9 E. Uniuqsaraq Panel Member

10

11 NUNAVUT WATER BOARD STAFF

12 K. Kharatyan Director of Technical Services

13 B. Kogvik Director of Board Administration
14 and Communications

15 R. Dwyer Manager of Licensing

16 A. Kubeisinova Technical Advisor

17 T. Meadows Legal Counsel

18

19 APPLICANT

20

21 HAMLET OF ARVIAT

22 E. Chalmers Municipal Planning Officer

23 M. Lusty Manager Municipal Works

24 A. Kadjuk Director of Community Development

25

26

1 INTERVENORS

2

3 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA

4 A. Keim Regional Program Director

5 V. Okonkwo Senior Environmental

6 Assessment Specialist

7

8 ENVIRONMENT AND CLIMATE CHANGE CANADA

9 V. Shore Senior Environmental

10 Assessment Officer

11 A. Wilson Technical Expert, Water Quality

12 S. Mallon Environmental Assessment Officer

13

14 INTERPRETERS/TRANSLATORS

15 A. Irkok-Suluk Language Translator

16 B. Suluk Language Translator

17

18 A. Vidal, CSR(A), RMR Official Court Reporter

19

20 C. Coomber Sound Technician

21

22

23

24

25

26

1 (PROCEEDINGS COMMENCED AT 11:19 AM)

2 Opening Remarks

3 THE CHAIR: Good morning. It's still part
4 of the morning but almost at noon. Thank you. Thank
5 you for giving us hospitality here in Arviat.

6 Good morning and welcome to the public hearing
7 associated with an application filed by the Hamlet of
8 Arviat via representative, Government of Nunavut,
9 Community Government Services, to renew and amend
10 its expired Type "A" Water Licence to authorize changes
11 to the use of water and deposit of waste associated
12 with the Hamlet of Arviat's municipal undertaking.

13 My name is Lootie Toomasie, and I am the Chair of
14 the Nunavut Water Board and the NWB hearing Chair for
15 this public hearing.

16 Before we proceed with the hearing, please let us
17 begin with prayer. Let us stand and pray.

18 Opening Prayer

19 THE CHAIR: And on behalf of the Nunavut
20 Water Board, I welcome you to the Hamlet of Arviat.

21 Now to provide some background and set the stage
22 for the hearing, the Nunavut Water Board, which I shall
23 refer to as the "Board" or the "NWB", is an institution
24 of public government created under Article 13 of
25 Nunavut Agreement and Nunavut Waters and Nunavut
26 Surface Rights Tribunal Act. The NWB is responsible

1 for the use, management, and regulations of freshwater
2 in Nunavut settlement area.

3 The purpose of this public hearing is to review
4 application filed by Government of Nunavut, Community
5 and Government Services, on behalf of the Hamlet of
6 Arviat -- I may refer to it as "GN-CGS" and "hamlet"
7 respectively or the "Applicant" -- to renew and make
8 changes to expired Type "A" water licence for the use
9 of water and deposit waste associated with municipal
10 undertaking at the Hamlet of Arviat.

11 The Hamlet of Arviat obtains its water from Wolf
12 Creek, located 8 kilometres southwest of the hamlet.
13 Sewage is trucked to a sewage lagoon approximately
14 2.8 kilometres southwest of the hamlet. Effluent seeps
15 at a slow continuous rate through the exfiltration
16 lagoon berm and into the wetland treatment area. The
17 effluent travels through the wetland treatment area
18 towards Hudson Bay, approximately 100 metres from the
19 discharge point. The Hamlet of Arviat solid waste
20 management facilities consist of a landfill solid --
21 waste disposal area -- bulky metals area, and hazardous
22 waste storage area.

23 As set out in Section 13.3.6 of Nunavut Agreement
24 and Section 29 of Nunavut Waters and Nunavut Surface
25 Rights Tribunal Act, the Board has delegated its power
26 to dispose of all matters related to the processing of

1 the application to renew and amend Type "A" Licence
2 Number 3AM-ARV1016, including the conduct of this
3 public hearing, to a panel of the Board, which is
4 referred to as the "Arviat Panel" or "P16 Panel".

5 I will be chairing this Panel, and with me today
6 as members of the Panel are Board Members Sarah Silou
7 on my right, and to my left is Eelai Uniugsaraq.

8 Several staff members who have contributed to
9 the NWB's administration and technical review of the
10 application are present with legal counsel to the
11 Board, and I will introduce individuals in attendance:
12 Karen Kharatyan. Sorry, Karen. I never pronounce it
13 properly. Your last name, I never ever pronounce that
14 properly.

15 He's a technical -- director of technical
16 services. Ben Kogvik, director of Board administration
17 and communications. Richard Dwyer, manager of
18 licencing at the back -- down by the front. Also,
19 Kubeisinova, technical advisor. And Teresa Meadows
20 from Meadows Law, legal counsel to the Board.

21 In addition, we have three interpreters available
22 for simultaneous interpretation: Ben Kogvik, in-house
23 interpreter to the Board; and Bobby Suluk and Angeline
24 Irkok-Suluk who are from Arviat.

25 For audio support, we have Chris Coomber from PIDO
26 Productions. If you experience any difficulties with

1 your headset, Chris is able to provide assistance.

2 To ensure we have accurate recording -- accurate
3 record of the proceedings, we have with us a court
4 reporter, Andres Vidal from Dicta Court Reporting
5 Incorporated.

6 Before I move on to an overview of this
7 application and what to expect today during this public
8 hearing, we -- there's some important housekeeping
9 items for everyone here. First, as indicated earlier,
10 there's interpretation available throughout the hearing
11 in English and Inuktitut. So the Channel 1 is floor;
12 Channel 2 is English; and Channel 3, Inuktitut.

13 Secondly, the Board appreciates everyone,
14 including Applicant, intervenors, and members of the
15 public, sign in on the sheets located at the table as
16 you come in. This is an important record of the
17 hearing, and we appreciate your help in making sure it
18 is complete.

19 Thirdly, the agendas for the public hearing and
20 community session are available at the desk at the --
21 by entrance. Please pick one up and follow along with
22 us as we proceed.

23 The washrooms are located in the entrance to the
24 hall, and the exits are in the front and the back of
25 the building and in the entrance to the hall. There
26 will be coffee available here in the room in this hall,

1 tea and snacks during the break throughout the hearing,
2 and you are welcome to help yourself throughout the
3 day.

4 I will also like to remind everyone to please turn
5 off your cell or put it on to silent before we begin.

6 Finally, to assist both our court reporter and
7 interpreters, please wait to have microphones before
8 you speak. Then state your name, speak clearly and
9 slowly, and avoid the use of abbreviations. We
10 appreciate your assistance in making sure your comments
11 are recorded and the Board's record of proceedings are
12 accurate and complete.

13 I would like to notify participants that the
14 media is -- is there media? No. Okay. There's no
15 media, so I'll skip this -- the notes here. And CBC is
16 not here? No. Okay. Thank you.

17 In the past, parties in other proceedings have
18 approached the media, if the media happens to get here,
19 prior to the release of the Board's decision suggesting
20 comments about what the Board is going to do either
21 procedurally or in terms of the final result.

22 Since the Board cannot comment on pending matters
23 either by confirming or denying accuracy of the
24 statements by others to the media, the Board asks all
25 parties to refrain from making any comments that may
26 imply a certain action or decision by the Board.

1 Following the close of the record for this public
2 hearing, the Board's decisions and recommendations with
3 respect to the renewal-amendment application will be
4 communicated in a publicly available decision report.
5 Until that time, the Board reminds everyone that the
6 Panel members and Board staff will not discuss the
7 substance of the hearing or the matters before the
8 Board with any of the parties or media.

9 If you have questions regarding the Board and its
10 practice procedures -- or procedures, please speak with
11 the director of technical services, and he will assist
12 you.

13 Prior to identifying and introducing all of the
14 parties in attendance today, I will provide a brief
15 history of the application, which are before the Board.

16 As mentioned earlier, the application which is
17 currently before the Board is for renewal-amendment to
18 Type "A" Water Licence Number 3AM-ARV1016 requested by
19 the hamlet's representative, Government of Nunavut,
20 Community and Government Services.

21 The scope of the proposed amendments including
22 the following: Renewal of expired licence with a new
23 term of ten years; increased water use from 86,000 to
24 235,393 cubic metres annually from Wolf Creek to meet
25 the current and future water demands of the community;
26 operation of three already constructed and commissioned

1 water storage reservoirs, a water treatment plant, and
2 a truck fill station; operation of a solid waste
3 disposal facility; operation of and upgrades to the
4 existing sewage lagoon; construction of a new sewage
5 lagoon.

6 And I will now provide a summary of the main
7 documents that GN-CGS provided to the Board in support
8 of the application to renew and amend the water
9 licence.

10 The water licence application and various
11 attachments for Licence Number 3AM-ARV1016. These
12 applications include main application documents,
13 executive summary in English and Inuktitut, letter to
14 NWB, NPC conformity determinations, NIRB screening
15 decision and report, compliance assessment.

16 In addition, GN-CGS provided various new and
17 updated management plans for the Board and the parties
18 to review. GN-CGS also provided updated information
19 regarding expansion plans for the site, including the
20 engineering's drawings for the constructed
21 infrastructure.

22 GN-CGS also filed a number of documents in
23 response to technical comment submissions from the
24 intervenors and the Board. Additional information was
25 also submitted to the Board by GN-CGS to fulfill
26 commitments made by Applicant during the NWB's

1 technical meeting and prehearing conference held for
2 the file and on February 22 and 23, 2022.

3 Copies of all the materials filed by Applicant in
4 support of its renewal-amendment application, as well
5 as documents related to the expired licence, are
6 available on the NWB's public registry and the FTP
7 site.

8 In addition, our licence manager, Richard Dwyer,
9 can make available for public viewing at this hearing
10 the electronic copies of the public registry for this
11 application and the key documents for the application
12 received to date. If you are interested in reviewing
13 any of the documentation, please ask Richard.

14 Now I'm going to provide you with a very brief
15 overview of key steps in the procedural history of this
16 application, and it outlines how we got to this public
17 hearing stage.

18 On September 16, 2020, the Nunavut Water Board
19 received the application and supporting documentation
20 from GN-CGS to renew and amend the expired Type "A"
21 water licence associated with the Hamlet of Arviat's
22 municipal undertaking.

23 On December 1, 2021, the Board determined the
24 application was complete and issued notice of the
25 renewal-amendment application. Crown-Indigenous
26 Relations and Northern Affairs, Environment and Climate

1 Change Canada, and Fisheries and Oceans Canada provided
2 technical review comments on the renewal-amendment
3 application by January 25, 2022. GN-CGS filed a
4 response to the technical comments of these parties and
5 the NWB on February 3 and 7, 2022.

6 On February 22 and 23, 2022, the Board conducted
7 its technical meeting, community session, and
8 prehearing conference by teleconference and
9 videoconference.

10 On March 21, 2022, the Board released a prehearing
11 conference decision that summarized the outcome of the
12 technical meeting and prehearing conference held by the
13 Board in February. At the same time, the Board also
14 released the notice of this public hearing and the list
15 of commitments to be fulfilled by Applicant.

16 By April 6, 2022, GN-CGS filed submissions
17 required to be filed prior to the public hearing to
18 meet commitments they made at the technical meeting.

19 On May 3, 2022, the Board has received final
20 written submissions and presentations about the
21 renewal-amendment application from the Crown-Indigenous
22 Relations and Northern Affairs and Environment Climate
23 Change Canada. GN-CGS also provided its final written
24 submissions and presentation materials to the Board as
25 well.

26 On May 26, 2022, the NWB circulated its final

1 agenda for this public hearing. As I mentioned
2 earlier, the final agenda, including translated copies,
3 are available from the table as you enter the hall if
4 you wish to pick one up and follow along.

5 Complete details on all procedural steps and all
6 submissions received in relation to the
7 renewal-amendment application are available on the
8 NWB's FTP site. If you have questions or would like to
9 see any materials, please see Richard at the table as
10 you enter the hall.

11 I will now move on to read the list of issues that
12 will be discussed at this hearing. This list was
13 prepared during the technical meeting and prehearing
14 conference: Changes to the scope of the amended
15 Type "A" water licence to replace expired licence.

16 Operation of existing facilities approved and/or
17 constructed under the expired licence, two cells of the
18 raw water reservoir, existing sewage lagoon, water
19 treatment plant, existing landfill and truck fill
20 station.

21 Removal of facilities that do not exist:
22 Hydrocarbon impacted soil storage and treatment
23 facility and new solid waste disposal facility.

24 Addition of an additional raw water cell
25 commissioned in 2019 in the water reservoir.

26 Proposed upgrade/expansion of existing sewage

1 lagoon cell and construction of new sewage lagoon cell.

2 Term of licence: Ten-year term expired --
3 request. Sorry. It's request. Ten-year term
4 requested.

5 Water use: Increased water use from 86,000 cubic
6 metres to 235,393 cubic metres annually to meet the
7 current and future water demands of the community.

8 Waste disposal: Monthly rather than daily
9 estimates of the quantity of waste -- sewage and solid
10 waste disposed requested by GN-CGS.

11 Inspection program: Removal of the requirement
12 for a geotechnical engineer to conduct annual
13 inspection of a facility.

14 Monitoring program: Removal of the requirement
15 for weekly inspection of monitoring program stations;
16 removal of the requirement to submit paper copies of
17 results and reports; change to effluent limits, CBOD to
18 100 milligram per liter and TSS to 120 milligram -- am
19 I pronouncing that correct? Okay. Thank you -- a
20 liter at the end of the wetland treatment area to meet
21 effluent quality limits determined through multiyear
22 Nunavut-based lagoon wetland treatment research.

23 Relocation of monitoring program station ARV-4
24 upon commissioning of new sewage lagoon.

25 Changes to the sampling program: Removal of
26 acute lethality testing, change sampling from

1 May-August to monthly during thawed out conditions,
2 removal of the monitoring program stations ARV-7 and
3 ARV-8, removal of the monitoring program stations
4 ARV-10 and ARV-11 because they do not exist.

5 Closer and reclamation planning: Removal of
6 prescriptive recommendations regarding reclamation of
7 abandoned facilities as facilities may still be reused.

8 Potential remediation and then repurposing for
9 future expansion of solid waste disposal facility --
10 landfill -- or full reclamation of two abandoned
11 lagoon cells carrying forward by Part G, Item 3 of the
12 Water Licence Number 3AM-ARV1016.

13 If there are no concerns, I would like to move
14 forward to roll call.

15 I will begin with roll call with Applicant, Hamlet
16 of Arviat and representative Government of Nunavut,
17 Community Government Services. Can you please
18 introduce your participants.

19 Roll Call

20 MS. CHALMERS: Thank you.

21 My name is Elan Chalmers. I'm from GN-CGS and
22 with me is Megan Lusty who is also from GN-CGS. Thank
23 you. We also have Amber Kadjuk representing the
24 municipality. She will be returning after lunch.

25 THE CHAIR: Thank you.

26 I will now move -- go to intervening parties,

1 Crown-Indigenous and Northern Affairs, and then after
2 that, it will be Canada and Climate Change Canada --
3 sorry -- Environment Climate Change Canada.

4 We'll start with Crown-Indigenous and Northern
5 Affairs. Go ahead.

6 MR. KEIM: Qujannamiik, Iksivauta. It's
7 Andrew Keim from CIRNAC.

8 And I have with me Vincent Okonkwo, our senior
9 environmental analyst.

10 THE CHAIR: Okay. Thank you.

11 And then Environment and Climate Change Canada.

12 MS. SHORE: Thank you.

13 I am Victoria Shore, a senior environmental
14 assessment officer with Environment and Climate Change
15 Canada. Also online we have Anne Wilson, team lead for
16 water quality expertise, and Stephinie Mallon as the
17 environmental assessment officer. Thank you.

18 THE CHAIR: Thank you.

19 If there are any intervenors that I have not
20 mentioned who would like to speak, please identify
21 yourself. I didn't hear a response. I'll move on.

22 On Item 5, if there is -- it is our tradition to
23 give respect to our Elders. Therefore, at any given
24 time during the proceedings, an Elder may speak to the
25 Applicant that are before the Board. All that we ask
26 is that when the Elder wishes to speak, that they let

1 me or our staff know, and then we can get the
2 microphone to you before you speak so we can ensure
3 your comments are recorded in the transcripts.

4 I would now like to know whether there are any
5 representatives from agencies, associations, et cetera,
6 who have not submitted interventions but would like to
7 make presentation or make -- or share their views about
8 the renewal-amendment application.

9 Are there any members of the general public who
10 would like to make a formal request to make a
11 presentation or speak to the Board during this public
12 hearing? I also want to mention that the Board will
13 also give opportunities to any members of the public
14 who may have questions for GN-CGS or the intervenors
15 throughout the hearing to ask their questions or make
16 comments at the end of the technical presentations of
17 each party and during the community session that will
18 be taking place tonight at 6 PM.

19 I will now turn to the identification of any
20 motions or any objection to the amendment application
21 that are before the Board. Okay. We are now expecting
22 that a motion will be put forward. We continue.

23 We will now proceed with Item 8 of the agenda,
24 presentation by the Applicant. On the Item 8, the
25 Applicant is requested to make a brief presentation on
26 the renewal amendment application before the Board.

1 Okay. Applicant, how much time will you and your
2 representative require?

3 Teresa, can you please swear or affirm the
4 witnesses. Go ahead.

5 MS. MEADOWS: Thank you, Mr. Chair. Teresa
6 Meadows, legal counsel for the Nunavut Water Board.

7 Mr. Chair, perhaps I can suggest that we will
8 swear the -- or affirm the witnesses and do some
9 procedural matters, get their presentation materials on
10 the record, that sort of thing, and then perhaps it's
11 time for a break for lunch given that we are coming up
12 on noon local time, Mr. Chair.

13 THE CHAIR: Okay. Thank you. Thank you
14 for your suggestion.

15 Yeah. We take a lunch for now, and then the
16 Applicant will start after the break of lunch. Thank
17 you.

18 Teresa, go ahead.

19 MS. MEADOWS: Thank you, Mr. Chair.

20 So I'll just do the procedural matters quickly
21 first so that you're all sworn in and ready to go when
22 we come back. So if I can have the witnesses state and
23 spell your name for the record, please.

24 MR. CHALMERS: Elan Chalmers. The first name
25 is E-L-A-N. Last name is Chalmers, C-H-A-L-M-E-R-S.

26 Thank you.

1 MS. LUSTY: And Megan Lusty. First name
2 M-E-G-A-N. Last name L-U-S-T-Y. Thank you.

3 MS. MEADOWS: Thank you. Teresa Meadows,
4 legal counsel for the Nunavut Water Board.

5 So if I can have each of the witnesses state "I so
6 affirm" after I administer the oath.

7 ELAN CHALMERS and MEGAN LUSTY, Affirmed

8 MS. MEADOWS: Teresa Meadows, legal counsel
9 for the Nunavut Water Board.

10 So, Mr. Chair, I have three presentation materials
11 in English, Inuktitut, and French that are the
12 presentation materials I understand that the Government
13 of Nunavut, Community and Government Services, will be
14 presenting.

15 And if I can just confirm with the representatives
16 from the Government of Nunavut CGS that I can file
17 those exhibits as the first three exhibits in the
18 public hearing, Mr. Chair.

19 THE CHAIR: Thank you. So we'll take a
20 break now or -- okay. Sorry about that. Go ahead.

21 MS. LUSTY: Megan Lusty.

22 Yes. Confirmed. Please file those presentations.

23 EXHIBIT 1 - Hard Copy, PowerPoint

24 Presentation, Nunavut Water Board Public

25 Meeting, Water Licence Renewal and Amendment

26 Arviat 3AM-ARV---- (English)

1 EXHIBIT 2 - Hard Copy, PowerPoint
2 Presentation, Nunavut Water Board Public
3 Meeting, Water Licence Renewal and Amendment
4 Arviat 3AM-ARV---- (Inuktitut)
5 EXHIBIT 3 - Hard Copy, PowerPoint
6 Presentation, Nunavut Water Board Public
7 Meeting, Water Licence Renewal and Amendment
8 Arviat 3AM-ARV---- (French)

9 MS. MEADOWS: Thank you, Mr. Chair.

10 Those are my procedural matters. I realize I'm
11 standing between everyone and lunch. So I am finished.
12 Thank you.

13 THE CHAIR: Yeah. I'm moving ahead too
14 fast. Sorry about that. Okay.

15 MS. MEADOWS: Mr. Chair, if you can maybe
16 specify for the people on the call when we will be
17 reconvening, and I'm just sort of looking over my
18 shoulder to the sound people that the link that was
19 sent out can -- will continue to be the link for
20 everyone to sign back in this afternoon.

21 So perhaps -- given that we are about 15 minutes
22 after the hour, perhaps an hour or hour and fifteen.

23 THE CHAIR: Okay. Yeah. That's a good
24 suggestion. So we can come back at 1:15 -- well,
25 1:00 but all these technical is easier -- hard to put
26 in place. So we'll start at -- actually, starting at

1 1:15.

2 MS. MEADOWS: Thank you, Mr. Chair.

3 So that's 1:15 Central Time, and people who are on
4 the -- online can sign back in via the link that we
5 sent out with the agenda. Thank you, Mr. Chair.

6 THE CHAIR: Thank you. Okay. Take a
7 break now for lunch.

8

9 (PROCEEDINGS ADJOURNED UNTIL 1:15 PM)

10

11 (PROCEEDINGS RECOMMENCED AT 1:17 PM)

12 THE CHAIR: Okay. Good afternoon. We may
13 proceed or reconvene from the lunch break. So we have
14 Applicant who have the presentation put in place.

15 Go ahead, Applicant.

16 Presentation by Applicant, Hamlet of Arviat

17 MS. CHALMERS: Thank you. Elan Chalmers,
18 CGS.

19 Will NWB be sharing the presentations, or how will
20 that be working? Thank you.

21 (DISCUSSION OFF THE RECORD)

22 THE CHAIR: Okay. Applicant, you may go
23 ahead now.

24 MR. CHALMERS: Thank you. Elan Chalmers,
25 CGS.

26 This presentation is on behalf of the municipality

1 of Arviat for the renewal and amendment of their
2 municipal water licence. I will begin with a summary
3 of the existing licence.

4 Since the licence expired in 2016, the
5 municipality continued to work towards compliance with
6 the terms and conditions within the licence. This
7 includes submitting annual reports; making major
8 improvements to the solid waste site, including the use
9 of a metal shredder; and carrying out monitoring
10 program sampling as well as participating in CIRNAC
11 inspections.

12 Several projects that impact this licence have
13 also been undertaken by CGS on behalf of the
14 municipality, including an additional raw water
15 reservoir cell, a preliminary design to upgrade and
16 expand the sewage lagoon, and preliminary work to
17 improve the compliance and extend the useful life of
18 the current landfill.

19 This Google Earth image shows the current water
20 and waste infrastructure in Arviat. Each summer, water
21 is pumped from Wolf Creek through an 8-kilometre pipe
22 to a three-cell reservoir which has a combined capacity
23 of 235,000 cubic metres to supply the community over
24 the winter. The cells have been constructed in phases
25 as the community grows since 1988.

26 A hydrology study of Wolf Creek was undertaken in

1 2019 which confirmed that there was sufficient water to
2 supply the community while only diverting .2 percent of
3 flow, which is below the 10 percent maximum allowable
4 by Fisheries and Oceans Canada.

5 The active lagoon has been in use since 2005. It
6 was designed to allow passive flow of effluent into the
7 wetland treatment area in the summer. But in recent
8 years, it requires emergency decant in the spring
9 because it is undersized. Planning and preliminary
10 design for a new lagoon sized for 12 months and to hold
11 20 years of sludge is complete with detailed design
12 expected to begin in -- within the next few weeks.

13 Under this contract, the wetland will be assessed
14 to determine the hydrological behaviour and to
15 determine the appropriate location for the compliance
16 point. There are also two abandoned lagoon cells that
17 will be assessed this summer to determine if they can
18 be repurposed for the solid waste site.

19 The landfill has been in use since 1977, and there
20 is a second area used for metal waste disposal. In
21 2014, the environmental services group Summerhill
22 trained local staff to properly depollute legacy
23 metals. With the training that the community received,
24 they continued to depollute metals and also purchased a
25 metal shredder in 2017 to shred and repurpose the metal
26 as cover material, which has significantly increased

1 the capacity at the landfill.

2 Additionally, the hamlet runs a summer cleanup
3 program each year. There is also an ongoing solid
4 waste improvement project being funded by and managed
5 by CGS. The project will improve compliance, extend
6 capacity, and assess the abandoned lagoon cells to
7 determine if they are suitable to be upgraded to accept
8 solid waste.

9 For the sampling program, the licence holder is
10 requesting to make several modifications, including
11 using the correct name for the water source, removing
12 acute lethality testing, and changing the frequency to
13 monthly during periods of flow rather than identifying
14 specific months.

15 The licensee is also requesting that ARV-7 be
16 removed since the hydrology study indicated that there
17 is an excess of water at Wolf Creek available for the
18 annual resupply.

19 The licensee is requesting to remove ARV-8 since
20 this is inconsistent with other municipal water
21 licences. Typically, the lagoon is inspected and
22 assessed for its ability to maintain 1 metre of
23 freeboard rather than doing a depth measurement. For
24 ARV-10 and ARV-11, they should be removed since this
25 contaminated soil facility was never constructed.

26 Now I will go through the comments received during

1 the technical review phase. The first comment is about
2 the compliance point at ARV-4. The wetland treatment
3 area assessment will take place this summer that will
4 determine the recommended location for the compliance
5 point at the outlet in advance of constructing the new
6 lagoon. The licensee is, however, requesting to amend
7 the effluent quality limits.

8 The second comment is about project timelines for
9 the lagoon and the solid waste projects. CGS submitted
10 updated project timelines to NWB as committed on
11 April 5th with further clarification in the final
12 response letter on May 3rd.

13 The third comment is about developing an
14 abandonment and restoration plan for the landfill. The
15 current landfill will not be closed within the term of
16 the new licence, and then, therefore, a plan is not
17 necessary at this time. The ongoing solid waste
18 project in Arviat intends on making the current
19 landfill useful for at least another 20 years. This is
20 expected to include expansion into the abandoned lagoon
21 cells if possible.

22 The fourth comment is about desludging the active
23 lagoon. Through discussions with CIRNAC, the CIRNAC
24 inspector, it was determined that since the lagoon will
25 be desludged as part of the upgrade project beginning
26 in 2024, desludging at this time is not necessary. The

1 new lagoon will be sized to accommodate 20 years of
2 sludge, but the operations and maintenance plan will
3 still include an assessment and disposal techniques in
4 the event that desludging is required.

5 The fifth comment is about additional monitoring
6 stations. The licensee agrees that a monitoring
7 station sampling effluent discharging from the lagoon
8 should be included in the licence to monitor treatment
9 but should not be used as a compliance point.

10 The final comment from ECCC was about the absence
11 of duplicate sampling information in the QA/QC plan.
12 This has since been revised and resubmitted to the NWB.

13 For CIRNAC, the first comment was about the
14 capacity at the current landfill. The municipality
15 began shredding depolluted metal in 2017 and
16 repurposing it as cover material, which has drastically
17 increased the capacity at the landfill and the metal
18 waste site. There is also an ongoing capital project
19 being managed by CGS to improve the compliance and
20 capacity at the current site.

21 The second comment was about the lagoon design
22 parameters and how the lagoon alone would achieve
23 treatment objectives. Only part of the treatment is
24 achieved through the lagoon with a significant
25 reduction of contaminants coming from the wetland
26 treatment area. The new lagoon will be impermeable to

1 hold effluent until vegetation in the wetland has had
2 time to develop, which is a significant improvement on
3 the existing facility. The pump-out will occur below
4 the 2,500-cubic-metre-per-day limit to optimize
5 residency time in the wetland and preserve the health
6 of the final receiving environment.

7 The third comment from CIRNAC was in regard to the
8 error in the sewage facility operations and maintenance
9 plan. This has since been revised and resubmitted to
10 NWB.

11 The fourth comment from CIRNAC was about how
12 potential leaks would be managed. The new lagoon will
13 use the same wetland and effluent treatment area --
14 sorry. Pardon me. So a leak would travel into the
15 current wetland area since this area will be reused.
16 The detailed designed is expected to include a
17 subsurface drainage system as well to capture leaks as
18 an additional barrier. If leaks are detected, repairs
19 to the liner will be initiated.

20 The fifth comment is about the removal of inactive
21 monitoring stations. The licensee is requesting to
22 remove ARV-10 and 11 since the impacted soil facility
23 was never constructed and these stations do not exist.

24 The final comment from CIRNAC is about sludge
25 removal. The new lagoon will be sized to hold sludge
26 for 20 years. However, the new operation and

1 maintenance plan will include a sludge management plan
2 if the sludge should accumulate more rapidly.

3 We received one comment from DFO, Department of
4 Fisheries and Oceans. Their comment was about the fish
5 screen at Wolf Creek where water is withdrawn. This
6 will be investigated further this summer once it's
7 accessible, and if the screen does not meet the
8 requirements, actions will be initiated to replace it.

9 Finally, I will summarize the amendment requests
10 on the next few slides. The licensee is requesting a
11 ten-year licence term with a maximum annual withdrawal
12 that matches the capacity of the raw water reservoirs.
13 The consumption by the community is not expected to
14 exceed this in the next ten years.

15 As mentioned earlier, several changes are being
16 requested for the sampling monitoring program. The
17 licensee is requesting to change the effluent quality
18 limits to CBOD/TSS 100/120 milligrams per liter, which
19 is in line with the Nunavut-based lagoon wetland
20 research.

21 The licensee is also requesting to remove the
22 language around the soil treatment facilities since
23 this was never constructed. The licensee is requesting
24 to remove the requirement for an annual dam safety
25 inspection by a geotechnical engineer. Since this does
26 not match the relevant guidelines, the licensee is also

1 requesting to remove prescriptive language on how to
2 carry over remediation activities since this would be
3 decided by a professional engineer.

4 As assessed earlier, the licensee is requesting to
5 remove ARV-8 and ARV-9 since there are more practical
6 means to monitor these factors. The licensee is
7 requesting to remove the requirement for a weekly
8 inspection report and to change the language of
9 sampling frequency to reflect when flow is actually
10 observed.

11 Finally, the licensee is requesting to remove
12 acute lethality testing as well as the requirement to
13 submit paper documents. That is the end of our
14 presentation. Thank you very much.

15 THE CHAIR: Thank you, Applicant, for your
16 presentation.

17 I now open up for questions. I'd like to start
18 with Crown-Indigenous and Northern Affairs. If you
19 have any questions to the Applicant's presentation, you
20 may go ahead.

21 Questioning of Applicant, Hamlet of Arviat

22 MR. OKONKWO: My name is Vincent Okonkwo,
23 senior environmental specialist, Crown-Indigenous
24 Relations and Northern Affairs Canada.

25 CIRNAC has no questions at this time.

26 THE CHAIR: Okay. Thank you.

1 Sometimes it's kind of difficult to understand
2 what's going on without face -- in -- person not in
3 person. So it's okay, but okay. Move on.

4 Next intervenor, Environment and Climate Change
5 Canada. If you have any questions to the Applicant,
6 their presentation, you may go ahead.

7 MS. WILSON: Thanks very much. It's Anne
8 Wilson with ECCC. And I certainly wish I was in the
9 room with everyone. It's nice to see you all on-screen
10 nonetheless.

11 I have a question about the closure planning.
12 When we were at the technical meeting, CGS agreed to a
13 path forward of outlining the timing to develop a
14 closure plan for the facilities. And in the old
15 licence, the trigger is the actual date of closure.
16 Six months before that is when the plans would have to
17 be submitted.

18 And I'm thinking of the case of the old lagoon
19 cells, that they're proposing to decide whether or not
20 they can be repurposed, and then there would be a
21 one-year time frame before -- that acts as a trigger
22 for having to submit their closure plan.

23 So our concern raised in our comments was just
24 whether there would be sufficient time in closure
25 planning to do any needed studies or advanced work
26 prior to the actual closure itself.

1 So my question is -- and sorry for the
2 wordiness -- what is CGS thinking about timing for
3 triggering submission of a final closure plan, or are
4 they open to, as somewhat discussed previously,
5 submitting an interim closure plan that would then just
6 outline the path forward? Thanks.

7 MR. CHALMERS: Elan Chalmers, GN-CGS. Thank
8 you for your question, Anne.

9 So we're proceeding with an assessment of the
10 lagoons imminently within the next two months or so.
11 So we should have an answer on whether those lagoon
12 cells can be repurposed by the fall.

13 But acknowledging that that wouldn't include a
14 closure plan, with the lagoon contract that we've also
15 put out and have awarded this week, that includes a
16 provisional item of developing an abandonment and
17 restoration plan for those lagoons should they not be
18 suitable for reuse.

19 So we could provide that, if necessary, by the end
20 of the fiscal year, so March 2023. Thank you.

21 THE CHAIR: Thank you.

22 Any more questions from Environment and Climate
23 Change Canada?

24 MS. WILSON: Anne Wilson, ECCC. I think
25 that covers things. Thanks very much.

26 THE CHAIR: Thank you. Thank you for your

1 questions.

2 Number 1 in our agenda, do any members of the
3 public have any questions for the Applicant about the
4 renewal-amendment application? Okay. There's none.

5 Item 10. Now we turn to Item 10 in our agenda.

6 Do the Board staff have any questions to the Applicant?

7 Karen, go ahead.

8 MR. KHARATYAN: Karen Kharatyan, Water Board.

9 Thank you, Mr. Chair. I will start with a few
10 clarifications requested. Then I also may continue
11 with questions.

12 The first is with respect to ARV Number 4
13 monitoring station, just to clarify that GN-CGS doesn't
14 request to change the description but just the
15 geographical location once these wetland treatment --
16 or wetland assessment is done.

17 MR. CHALMERS: Elan Chalmers, GN-CGS.

18 Yes. That's correct. Thank you.

19 MR. KHARATYAN: Karen Kharatyan, Water Board.

20 Thank you.

21 The next clarification, yes, I would like to hear
22 is with respect to upgrade of -- upgrade to sewage
23 lagoon and the future construction of a new cell,
24 whether GN-CGS or Applicant expect to have enhanced
25 treatment of sewage after upgrades or after even
26 construction of new cell.

1 MR. CHALMERS: Elan Chalmers, GN-CGS.

2 Yes. There will be enhanced treatment. So with
3 the current lagoon, the effluent is either pumped out
4 in the spring before it's had a chance to biodegrade
5 within the lagoon, and then it's subject to a large
6 amount of dilution.

7 So there is not a lot of treatment that's actually
8 happening currently. It's just being diluted and moved
9 quickly through the wetland treatment area. So with
10 the new design, it will be held until the end of
11 summer when the wetland treatment area has had a chance
12 to develop its vegetation and that it will be slowly
13 released there and have an opportunity to biodegrade
14 properly. Thank you.

15 MR. KHARATYAN: Thank you. Karen Kharatyan,
16 Water Board.

17 In that case, yes, thank you for clarification or
18 for your feedback. I'm just wondering if GN-CGS
19 expects some improvement of sewage quality. Why do you
20 think you will not be able to meet the existing
21 criteria at the final discharge point? Why GN-CGS is
22 requesting to change the criteria?

23 MR. CHALMERS: Elan Chalmers, GN-CGS.

24 Currently, the effluent is being diluted, which is
25 why the levels are so low. So if -- so dilution is not
26 treatment. And moving forward, the effluent that will

1 be pumped out will be more concentrated, but it will
2 have an opportunity to have treatment within the
3 wetland treatment area.

4 Plus, we have also commissioned extensive waste
5 water research within Nunavut, and the level of 100/120
6 for CBOD/TSS can be consistently met by this type of
7 treatment while preserving the health of the receiving
8 environment. So we would also like to standardize this
9 type of facility to have the same treatment parameters
10 across the territory. Thank you.

11 MR. KHARATYAN: Thank you, Karen Kharatyan,
12 Water Board.

13 Just for your information -- or you may know that
14 this criteria is from site to -- on the basis of site.
15 So I am not sure how we can standardize the criteria
16 from one community to another community. Yes. Yeah.
17 You know which guideline Water Board is using, so these
18 limits are a factor of receiving environment and waste
19 water quantity generated, yes, or discharge per day.

20 And, again, let me -- maybe, to state that, as you
21 mentioned, wetland assessment will be conducted this
22 summer. So I am just assuming you are not a hundred
23 percent sure whether your wetland feel -- or may
24 potentially allow to treat the sewage at the level that
25 is in compliance with the current limits.

26 MR. CHALMERS: Elan Chalmers, GN-CGS.

1 So as part of the wetland assessment, they will be
2 assessing to see if the wetland can meet that 100/120,
3 and should it not be able to, they will recommend
4 modifications to the wetland to be able to meet those
5 levels. Thank you.

6 MR. KHARATYAN: Thank you. Karen Kharatyan,
7 Water Board.

8 I'm just wondering about the timing of this study
9 like you mentioned in summary -- in summer to 2022,
10 whether NWB may expect a result of report after this
11 study and when we may expect this.

12 MS. CHALMERS: Elan Chalmers, GN-CGS.

13 So internally we expect the results by the fall,
14 but I wouldn't expect to submit the report until the
15 end of the fiscal year, so March 2023. Thank you.

16 MR. KHARATYAN: Thank you. Karen Kharatyan,
17 Water Board.

18 Last clarification requested with respect to Slide
19 Number 29, when you mentioned about one amendment
20 requested eliminating requirement for geotechnical
21 inspection -- annual geotechnical inspection. I'm just
22 wondering about the alternative that GN-CGS may propose
23 instead of annual geotechnical inspection.

24 MR. CHALMERS: Elan Chalmers, GN-CGS.

25 So, unfortunately, the municipality, nor CGS, has
26 any staff members that are trained to do a dam safety

1 inspection. This is not part of a traditional
2 engineering education. This is something that you
3 would have to seek out on your own to supplement the
4 education you receive as an engineer. So none of us
5 are qualified.

6 I have a civil engineering degree. I am not
7 qualified to do that type of thing, and I don't think
8 it's a fair burden to expect the municipality to hire a
9 geotechnical engineer to do a dam safety inspection.

10 Furthermore, the licence was issued in 2010, and
11 at the time, the guidelines for dam safety had been
12 published in 2007. And since then, there has been a
13 revision in 2013, and the types of structures, the
14 municipalities generally do not require an annual
15 inspection. So I would recommend removing this clause
16 completely. Thank you.

17 MR. KHARATYAN: Karen Kharatyan, Water Board.

18 Just to clarify, removing geotechnical inspection
19 completely or inspection completely?

20 MR. CHALMERS: Elan Chalmers, GN-CGS.

21 I would change the language to have a geotechnical
22 inspection, a dam safety inspection, to be required in
23 the incident that an issue was observed.

24 So, for example, we've had to commission two of
25 these type of reports in the last five years when a
26 leak was identified by hamlet staff. And in that case,

1 we would bring in a third party to do this type of
2 inspection to identify our next steps.

3 So this -- other than having the hamlet staff
4 routinely inspecting and the CGS staff just routinely
5 participating in inspections, a geotechnical
6 investigation should really just be commissioned on an
7 as-needed basis because they are quite expensive, and
8 they do require quite a large level of expertise
9 that -- many of the consultant firms that we work with
10 don't even have those type of staff members on board
11 already. So it's not a common thing that's available
12 to us at this time. So thank you.

13 MR. KHARATYAN: Karen Kharatyan, Water Board.

14 Just to clarify, so the GN-CGS expect that hamlet
15 staff identifying any issues may be more valuable than
16 engineer identifying any issues?

17 MR. KHARATYAN: Elan Chalmers, GN-CGS.

18 Yes. The hamlet staff is more intimately
19 knowledgeable about their own infrastructure than a CGS
20 engineer that comes once or twice a year. I think you
21 need to believe in the fact that they understand their
22 infrastructure, and they would absolutely be able to
23 identify something that was happening out of the norm
24 such as a leak. Thank you.

25 MR. KHARATYAN: Karen Kharatyan, Water Board.

26 Thank you.

1 I am not very convinced about this. Just to
2 clarify, do you have any professional engineer in
3 the -- working for the hamlet, or no?

4 MR. CHALMERS: Elan Chalmers, GN-CGS.

5 There is no municipality currently other than the
6 City of Iqaluit, which we do not work with, that has a
7 professional engineer on staff. Thank you.

8 MR. KHARATYAN: Thank you.

9 I am okay for now, Mr. Chair, but I also may have
10 additional questions. Thank you.

11 MS. KUBEISINOVA: Thank you, Mr. Chair. Assol
12 Kubeisinova, Nunavut Water Board.

13 I have no questions.

14 THE CHAIR: Okay. Thank you.

15 Thank you for your presentation and the
16 questioning here.

17 Okay. I think we are ready to move on with the
18 agenda. Item 11 in agenda, presentations by
19 Crown-Indigenous and Northern Affairs.

20 So, Teresa, you may proceed with the -- proceed to
21 matters with CIRNAC presentation. Go ahead.

22 MS. MEADOWS: Thank you, Mr. Chair. Teresa
23 Meadows, legal counsel for the Nunavut Water Board.

24 I just wonder whether or not the Panel had any
25 questions for Government of Nunavut, Community and
26 Government Services, and then I'll move on to

1 procedural matters, Mr. Chair.

2 THE CHAIR: Okay. Thank you.

3 Panel members, do you have any questions,
4 comments?

5 MS. SILOU: Sara Silou, Nunavut Water
6 Board Panel.

7 I do not have any questions at the moment. Thank
8 you, Mr. Chair.

9 THE CHAIR: Eelai?

10 MS. UNIUQSARAQ: Eelai Uniuqsaraq.

11 I do not have any questions at this time. Thank
12 you.

13 THE CHAIR: Yeah. Thank you.

14 Yeah. The staff are currently mentioning that the
15 inspectors are not in place. So, yeah, that will
16 probably be a question for quite a while, I guess. So
17 unless you could -- CGS get proper professional
18 inspector put in place. So thank you.

19 MS. MEADOWS: Thank you, Mr. Chair. Teresa
20 Meadows, legal counsel for the Nunavut Water Board.

21 So, Mr. Chair, the next item in the agenda is the
22 presentation by Crown-Indigenous Relations and Northern
23 Affairs Canada, and they are not present in the room.
24 So when I go to -- when we go to their Zoom link, what
25 I'll ask them to do is state and spell their name for
26 the record.

1 And I will administer the oath now, and when you
2 come on to the line, if you can confirm that you affirm
3 in the same language as the "I so affirm". Give your
4 name and say "I so affirm".

5 And I also have one copy, a hard copy, of the
6 presentation materials from Crown-Indigenous Relations
7 and Northern Affairs Canada, and I will mark that as
8 the next exhibit in the public hearing.

9 EXHIBIT 4 - Hard Copy, PowerPoint
10 Presentation, Hamlet of Arviat Renewal
11 Application for Type "A" Water Licence
12 3AM-ARV----, Nunavut Water Board Public
13 Hearing May 31-June 2, 2022 (English)

14 ANDREW KEIM and VINCENT OKONKWO, Affirmed

15 MS. MEADOWS: Thank you.

16 If I could have the witnesses spell their names
17 for the record, please. Thank you.

18 MR. OKONKWO: Thank you.

19 My name is V-I-N-C-E-N-T O-K-O-N-K-W-O.

20 MR. KEIM: I apologize, Teresa. I missed
21 that part. Once again, it's Andrew Keim with CIRNAC.

22 And that's A-N-D-R-E-W and K-E-I-M. Thank you.

23 MS. MEADOWS: So, Mr. Keim, I believe that
24 we have your presentation here in the slide deck, and
25 so we can share it if you want to proceed, and then
26 just advise the technician here, and they will be able

1 to advance the slides for you.

2 MR. KEIM: Okay. I believe Vincent -- I
3 believe Vincent's doing the presentation. I'm just
4 here with him, but either one is fine.

5 MS. MEADOWS: So you can begin whenever you
6 see the presentation on your shared screen. We're just
7 bringing it up now.

8 Thank you, Mr. Chair. Those are my procedural
9 matters.

10 THE CHAIR: Thank you.

11 So, Crown-Indigenous, go ahead with your
12 presentation.

13 Presentation by Crown-Indigenous Relations and Northern
14 Affairs Canada

15 MR. OKONKWO: Okay. Thank you, everyone.

16 Crown-Indigenous Relations and Northern Affairs
17 Canada, herein referred to as the "department", would
18 like to thank the Nunavut Water Board for organizing
19 this public hearing and giving us the opportunity to
20 present the -- CIRNAC's position on the application to
21 renew and amend Type "A" water licence 3AM-ARV
22 submitted by the Government of Nunavut department of
23 community services for the Hamlet of Arviat.

24 My name is Vincent Okonkwo, senior environmental
25 assessment specialist. Joining me is Andrew Keim,
26 manager of water resources.

1 Slide Number 2, please. This presentation will go
2 in this order: We will begin with the department's
3 roles and responsibilities and the department's
4 contributions to the water licence review. We will
5 then go through each of the technical review comments
6 that the department submitted to the Nunavut Water
7 Board during the technical review stage. CIRNAC
8 submitted six technical review comments with a total of
9 six recommendations on January 20, 2020.

10 Then we will then wrap up the presentation with a
11 summary of the status of all recommendations and the
12 proposed next steps to fully resolve the department
13 concerns. We will then open the floor for questions.

14 Side Number 3. Crown-Indigenous Relations and
15 Northern Affairs Canada is a regulatory intervenor.
16 The water resources division works to conserve,
17 protect, and increase understanding of Nunavut water
18 resources; provides advice to the Nunavut Water
19 Board on matters of water licence under Article 13 of
20 the Nunavut Land Claim Agreement; supports water
21 planning and policy development; and develops water
22 monitoring programs in Nunavut.

23 The department's responsibilities, mandate, and
24 obligations are in alignment with the following:
25 Crown-Indigenous Relations of Northern Affairs Act, the
26 Nunavut Agreement, the Nunavut Land Claim Agreement

1 Act, the Nunavut Waters and the Nunavut Surface Rights
2 Tribunal Act and the associated regulations, Nunavut
3 Planning and Project Assessment Act, Arctic Waters
4 Pollution Preventions Act, and the Territorial Lands
5 Act and the associated regulations.

6 Slide Number 4. As the Nunavut Water Board has
7 explained in the introduction and the application
8 history, the GN-CGS on behalf of the Hamlet of Arviat
9 provided the Nunavut Water Board with a
10 renewal-amendment application and supporting document
11 for Type "A" Water Licence Number 3AM-ARV1016 on
12 September 17, 2020. The renewal-amendment application
13 sought the authorization to increase the annual
14 withdrawal limits allowable in the current licence from
15 86,000 cubic metres to 235,393 cubic metres of water
16 from Wolf Creek.

17 Following the recommendation by the -- Environment
18 and Climate Change Canada during the completeness check
19 that the process be suspended until feasibility studies
20 for the solid waste and the sewage lagoon facilities
21 are provided, the Nunavut Water Board deferred further
22 review -- review process on November 20th, 2020.

23 The water licence renewal amendment process was
24 paused in April 2021 following the licensee's request
25 in order to undergo screening by Nunavut Impact Review
26 Board for additional activities in the scope of

1 application. This screening was completed on
2 August 17, 2021, and determined that further impact
3 assessment review is not required.

4 On November 19, 2021, supplemental information
5 from -- was received, and GN-CGS requested on behalf of
6 the Hamlet of Arviat an update to the water licence
7 renewal-amendment application to include, Number 1, an
8 upgrade and expansion of the existing water treatment
9 facility and amendment of the effluent limits at the
10 final effluent discharge point, ARV Number 4 of the
11 wetland treatment area.

12 The completeness check of the renewal-amendment
13 application resumed on November 22nd, 2021. The
14 application has undergone a completeness check, and the
15 technical review comment was submitted on January 20th,
16 2022. All information requests has been resolved. We
17 will -- we will go next through the details and
18 resolution status of each technical review comments and
19 recommendations. All of the department concerns are
20 currently classified as either "resolved" or "resolved
21 by a commitment".

22 We have -- we have used the term "resolved" to
23 indicate that a resolution was found and that GN-CGS
24 was -- was -- has alleviated the department's concern.
25 We have used the term "resolved by commitment" to
26 indicate that GN-CGS and the department have agreed on

1 a path to a resolution, but the resolution is still in
2 progress. In these cases, we will point out which
3 further steps are required for the department to
4 consider the comment fully resolved.

5 Slide Number 5. On November 22nd, 2021, the
6 licensee sent a letter to Nunavut Water Board that a
7 feasibility study conducted on the solid waste
8 facility. It determined that the project cannot
9 proceed as originally intended due to lack of adequate
10 funding.

11 CIRNAC notes that overcapacity and the leachate at
12 the site have been a concern for several years and will
13 continue to impact the environment if left unchecked.
14 GN-CGS has confirmed steps in taking -- it is taking to
15 ensure that overcapacity does not impact negatively on
16 the surrounding environment. So this -- this resolves
17 recommendation completely.

18 Slide Number 6. Can I get Slide Number 6? The
19 licensee states that controlled manual seasonal
20 effluent pump-out will be adopted in order to discharge
21 effluent into the wetland treatment area rather than
22 the exfiltration berm currently in place.

23 CIRNAC notes that the rate of discharge and the
24 frequency of the effluent discharge will likely
25 negatively affect the concentration of the effluent
26 parameters within the receiving environment. GN-CGS

1 has confirmed the retention time and pumping rate of
2 the effluent in the lagoon. This resolves this
3 concern.

4 Slide Number 7. CIRNAC notes that two parameters,
5 BOD and TSS, were interchanged in the two documents.
6 This creates confusion for the reviewers and requires
7 clarification by the licensee. GN-CGS has confirmed
8 that BOD requests -- change request will be 100 milligram
9 per liter while TSS change is 120 milligram per liter
10 and committed to fixing the error in the operation
11 maintenance plan in the newer version. This resolved
12 our concerns with the commitment, that they will fix
13 the error.

14 Slide Number 8. CIRNAC notes that the localized
15 thawing of the permafrost shallow region as a result
16 of warming climate would lead to the stretching of the
17 impermeable liner, thereby compromising its integrity
18 and ability to control the seepage as intended. It
19 will be helpful if the licensee were to provide
20 detailed plans as to how it intends to preventing
21 effluent from seeping past the liner in the event of
22 localized thawing of the permafrost shallow region,
23 which could lead to ground contamination if not -- if
24 not checked.

25 GN-CGS confirmed commitment to monitoring leaks
26 via water levels in the wetland area and immediate

1 repair of liners when damaged. So this concern has
2 been resolved with commitment.

3 Slide Number 9. In Section 2.0, Table 1 of the
4 Arviat monitoring and the QA/QC plan 2021, ARV
5 monitoring station -- ARV Number 3 monitoring station
6 is currently identified as "not active" while station
7 ARV Number 10 monitoring and 11 monitoring stations are
8 identified as "Not active. Please delete from licence".

9 Monitoring Station ARV Number 3 was designed to
10 monitor raw effluent -- sewage effluent concentration
11 at the truck offload point, and Monitoring Station ARV
12 Number 10 and 11 were intended to monitor effluent from
13 the final discharge point of the hydrocarbon
14 impacted soil storage and treatment facility and
15 effluent discharge from dewatering contaminated solid
16 area.

17 CIRNAC notes that no rationale was provided by the
18 licensee as to why the stations are identified as
19 inactive and required to be deleted from the water
20 licence. GN-CGS confirmed that the hydrocarbon
21 impacted storage facility was never constructed and
22 does not exist. Therefore, ARV Number 10 and ARV
23 Number 11 do not exist and hence the request to be
24 deleted. So this resolves the concerns that we have.

25 Slide Number 10. Part D, Item 5(e) of the
26 Type "A" water licence states that: (as read)

1 A sludge management plan that addresses
2 sludge assessment and disposal methods. The
3 plan shall be incorporated into the sewage
4 disposal facility operations and
5 maintenance manual referred to in Part F,
6 Item 1(b).

7 Section 6 of the Arviat sewage treatment facility
8 operation and maintenance plan contained the sludge
9 management plan as stipulated by the water licence, but
10 the licensee did not provide details as to how and
11 where the sludge will be disposed.

12 GN-CGS is committed to including the sludge
13 management plan that will contain assessment and
14 disposal techniques as well as a disposal location into
15 the new operation management plan that will be prepared
16 by the design consultant and contractor for the new
17 two-cell lagoons. This resolves our concern with the
18 recommendation -- with the commitments. Sorry.

19 And Slide Number 11. As can be seen from the
20 chart, there are three resolved recommendations by --
21 you know, three resolved by commitment recommendations.

22 Slide Number 12. Concerns that are currently
23 being addressed but require follow-up actions are
24 indicated on the -- on the screen. For the -- for the
25 purpose of today's public hearing, the concerns are
26 resolved.

1 Number 13. Crown-Indigenous Relations and
2 Northern Affairs Canada will continue to work with
3 GN-CGS through the water licence application review
4 process with the aim of protecting Nunavut's inland
5 water resources while promoting sustainable
6 development.

7 I'd like to close by saying thank you to the
8 Nunavut Water Board for holding this public hearing, to
9 the other intervenors for their reviews, and to the
10 proponent for their effort in addressing intervenors'
11 concerns.

12 Slide Number 14. And this concludes -- this
13 concludes the department's presentation. We will now
14 take questions. Qujannamiik.

15 THE CHAIR: Thank you Crown-Indigenous
16 Northern Relationship -- yeah, yeah -- Northern
17 Affairs. Sorry.

18 Okay. Open up for questions. We'll start with
19 Applicant, if they can go ahead.
20 Questioning of Crown-Indigenous Relations and Northern
21 Affairs Canada

22 MR. CHALMERS: Thank you, Chair. Elan
23 Chalmers, GN-CGS.

24 I just wanted to clarify the third comment from
25 CIRNAC regarding the error in the sewage facility O&M
26 plan. This has already been revised and was submitted

1 to NWB for a distribution on April 5th. Thank you.

2 THE CHAIR: Thank you.

3 CIRNAC, go ahead.

4 MR. OKONKWO: Okay. You said that it's been
5 submitted, the newer version of the plan, operation
6 maintenance plan, to the Board?

7 MR. CHALMERS: Elan Chalmers, GN-CGS.

8 Yes. As with several of the commitments, it was
9 submitted by the GN-CGS on April 5th with that
10 correction that you had identified the error there.
11 Thank you.

12 MR. OKONKWO: Okay. Okay. Yeah. We will
13 put it up and -- and do a further review to make sure
14 everything is resolved completely.

15 THE CHAIR: Thank you.

16 I'd like to ask the Environment Climate Change
17 Canada: Do you have any questions to the INAC
18 presentation -- CIRNAC presentation?

19 MS. SHORE: Victoria Shore, Environment
20 and Climate Change Canada.

21 We have no questions for CIRNAC. Thank you.

22 THE CHAIR: Thank you.

23 Water Board Staff, do you have any questions or
24 comments?

25 MR. KHARATYAN: Thank you, Mr. Chair. Karen
26 Kharatyan, Water Board.

1 Just one follow-up with Crown-Indigenous Relations
2 and Northern Affairs. As you know, GN-CGS requested to
3 eliminate the requirement of -- as an amendment to
4 potential renewal licence to eliminate the requirement
5 for annual geotechnical inspection, and we did have
6 some discussions just at the GN-CGS position about
7 alternative they are -- or they make proposal. They
8 are proposing just looking for any comments or position
9 that CIRNAC may have about these questions. Thank you.

10 THE CHAIR: Thank you.

11 MR. KEIM: Thank you.

12 Oh, sorry.

13 THE CHAIR: Go ahead.

14 MR. KEIM: Qujannamiik. Yeah. Andrew
15 Keim for CIRNAC.

16 Upon review of the water licence and in
17 consultation with our -- with our partners, at this
18 time, if the -- if the GN is suggesting that their
19 local people are capable of taking on this
20 responsibility, which I have no doubt they probably
21 are, then we would defer to the -- defer to the GN and
22 the Board's consideration on this matter, and we would
23 withdraw our -- our request to have a regional engineer
24 inspect these facilities on an annual basis.

25 We'll see how it goes, and if -- if this works out
26 better, then -- then this will work out better, and if

1 it doesn't, well, we might have to go back to it. But
2 if at this time the GN is confident that they can
3 maintain their responsibilities and obligations to
4 Arviat, then I see no reason not to -- to stand in
5 their way. Thank you.

6 THE CHAIR: Thank you.

7 Go ahead, Assol.

8 MS. KUBEISINOVA: Thank you, Mr. Chair. Assol
9 Kubeisinova, Nunavut Water Board.

10 I just note that the updated operations and
11 maintenance plan for the sewage treatment facility was
12 distributed by the Water Board on March 10th. Thank
13 you.

14 THE CHAIR: Thank you.

15 CIRNAC, go ahead.

16 MR. OKONKWO: Okay. We've --

17 MR. KEIM: Go ahead.

18 MR. OKONKWO: Okay. Since the Board has
19 clarified that it has been posted on the registry, the
20 new operation and maintenance plan, we'll dig it out
21 from the public registry to -- and look into it to make
22 sure that everything has been resolved and they have,
23 you know, fulfilled their commitment. Thank you.

24 MR. KEIM: I do have one further
25 clarification. I believe that if Board submitted
26 the -- if the Board sent that out for comment on

1 March 10 but the GN submitted their update on April,
2 was that included?

3 MS. KUBEISINOVA: Thank you, Mr. Chair.

4 MR. KEIM: I'm just looking for a
5 clarification of dates.

6 MR. KUBEISINOVA: Thank you, Mr. Chair. This is
7 Assol Kubeisinova, Nunavut Water Board.

8 In April, a timeline of the work that GN was
9 planning to undertake was distributed, and the updated
10 plans, including the quality assurance and quality
11 control plan, was distributed -- were distributed on
12 March 10th. Thank you, Mr. Chair.

13 THE CHAIR: Thank you.

14 Okay. Thank you, Crown-Indigenous and Northern
15 Relations.

16 Panel members, do you have any questions,
17 comments? Sarah?

18 MS. SILOU: Sorry. No, this is Sarah
19 Silou and Nunavut Water Board Panel.

20 No. I don't have any questions. Thank you.

21 THE CHAIR: Okay. Eelai, go ahead.

22 MS. UNIUQSARAQ: Eelai Uniuqsaraq.

23 I have no questions at this time.

24 THE CHAIR: Thank you.

25 CIRNAC, thank you for your presentation and some
26 clarification came in as well.

1 So we'll move on in the agenda. Now I'd like to
2 call the Environment Climate Change Canada. We'll go
3 to that.

4 So, Teresa, you -- please proceed with the
5 procedural matters.

6 MS. MEADOWS: Thank you, Mr. Chair. So
7 Teresa Meadows, legal counsel for the Nunavut Water
8 Board.

9 So if I can have the -- when we switch over the
10 Zoom feed -- again, Environment and Climate Change
11 Canada unfortunately is not able to be with us in the
12 room today. So we will be going to the Zoom feed.
13 When we go to the Zoom feed, if I can ask the witnesses
14 to state and spell their name for the record and then
15 state their name again if they affirm, and I will
16 administer the oath.

17 And before we switch over to you, I'll just note
18 that we have two copies of the presentation that
19 Environment and Climate Change Canada is about to
20 present. We have a copy in French, and then we have
21 one copy that's in English and Inuktitut, which is the
22 one that will be displayed, and those will be the next
23 two exhibits in the public hearing.

24 EXHIBIT 5 - Electronic Copy, PowerPoint
25 Presentation, Environment and Climate Change
26 Canada's Presentation to the Nunavut Water

1 Board Respecting the Hamlet of Arviat Type A
2 Water Licence Renewal Amendment Application,
3 3AM-ARV1016 - Nunavut Water Board Public
4 Hearing (English/Inuktitut)
5 EXHIBIT 6 - Hard Copy, PowerPoint
6 Presentation, Environment and Climate Change
7 Canada's Presentation to the Nunavut Water
8 Board Respecting the Hamlet of Arviat Type A
9 Water Licence Renewal Amendment Application,
10 3AM-ARV1016 - Nunavut Water Board Public
11 Hearing (French)

12 MS. MEADOWS: So if I can -- I will just
13 state the affirmation and then have the witnesses state
14 and spell their names and confirm the affirmation.

15 VICTORIA SHORE and ANNE WILSON, Affirmed

16 MS. MEADOWS: Thank you, Mr. Chair. Teresa
17 Meadows, legal counsel for the Nunavut Water Board.

18 So, Mr. Chair, it's my understanding that we have
19 the presentation materials, and we can project them
20 here. So once Environment and Climate Change Canada
21 sees the presentation materials shared on the screen,
22 if you want to just advise the technician when you want
23 the screen to advance, we will be able to run the
24 presentation from here.

25 Thank you, Mr. Chair. Those are my procedural
26 matters.

1 THE CHAIR: Thank you, Teresa.

2 So Environment and Climate Change Canada, you may
3 proceed with your presentation.

4 Presentation by Environment and Climate Change Canada

5 MS. SHORE: Thank you, Mr. Chair.

6 Good afternoon, everyone. My name is Victoria
7 Shore, and I am a senior environmental assessment
8 officer with Environment and Climate Change Canada.

9 Before I start, I would like to thank the Nunavut
10 Water Board for the opportunity to participate in this
11 water licence process, as well as the Applicant and the
12 other intervenors.

13 Next slide. I will start by presenting the
14 department's mandate, briefly touch on the acts and
15 legislation relevant to Environment and Climate Change
16 Canada, provide a status summary of our technical
17 comments, and then I'll pass it over to my colleague,
18 Anne Wilson, to provide a more detailed overview of our
19 technical review.

20 Next slide. Environment and Climate Change
21 Canada's mandate is to preserve and enhance the quality
22 of the natural environment, including water, air, and
23 soil quality; to conserve Canada's renewable resources,
24 including migratory birds; to conserve and protect
25 Canada's water resources; to forecast daily weather
26 conditions; to enforce regulations; and to coordinate

1 environmental policies and programs for the federal
2 government.

3 Next slide, please. Environment and Climate
4 Change Canada's mandate is governed by the Department
5 of the Environment Act, the Canadian Environmental
6 Protection Act, the Pollution Prevention Provisions of
7 the Fisheries Act, the Migratory Birds Convention Act,
8 and the Species at Risk Act.

9 Next slide, please. With regard to this process,
10 Environment and Climate Change Canada submitted six
11 technical review comments, all of which we now consider
12 resolved. I'll now pass it over to Anne to provide
13 some more details about our technical review.

14 MS. WILSON: We are on to the next slide,
15 please.

16 I'm Anne Wilson, and I'll start with Technical
17 Comment Number 1. This comment dealt with the
18 monitoring point at the end of the wetland, ARV-4.
19 With the new lagoon, flows in the wetland may change,
20 and this should be evaluated before finalizing the
21 monitoring location ARV-4. GN-CGS has advised the
22 wetland flow study will be done this summer with the
23 report expected by December 2022.

24 And our expectation is that the flow study
25 will identify where the main outflow from the wetland
26 is and that this can then be monitored as a point of

1 discharge from the system, that is, ARV-4. So this
2 comment is resolved.

3 Next slide, please. For Technical Comment Number 2,
4 ECCC had requested information on when studies, plans,
5 and construction would be scheduled. GN-CGS provided a
6 memo dated April 5th, which outlines the work plans and
7 the timelines. This comment is resolved.

8 So on to the next slide, please. For Technical
9 Comment 3, this dealt with the need for closure
10 planning conditions in the licence to be developed for
11 both the solid waste site and the unused sewage
12 lagoons. The intent is to have any needed work or
13 studies done before it is time to develop plans in
14 advance of when the facilities reach the end of their
15 service life. GN-CGS has agreed to licence conditions
16 that set out the timelines for plans to be submitted,
17 and they have noted the path forward for the unused
18 lagoon cells and the timeline for the solid waste site.

19 And this is just a sidenote. It's a bit of a
20 personal note, that I think the terminology has evolved
21 for closure plans, and I would just like to throw out
22 the suggestion for the Board that we identify these now
23 as "closure and reclamation plans" rather than
24 "abandonment and restoration plans". It's just more
25 consistent with current practices and what we would
26 hope to do. So this comment is considered resolved,

1 and we'll go on to the next slide, please.

2 Technical Comment 4 deals with the management of
3 sludge in the sewage lagoon. So there -- there was no
4 desludging done for the existing lagoons. There was no
5 point in that. GN-CGS did clarify the plans would be
6 prepared for the new two-cell lagoon system in case
7 sludge removal is needed at some point in its service
8 life. This comment is also considered resolved.

9 And next slide, please. For Technical Comment 5,
10 the new lagoons will discharge effluent into the
11 wetland where it will receive the polishing or further
12 treatment. ECCC had recommended that monitoring of the
13 effluent quality at the lagoon discharge point be done
14 so that we can understand the level of treatment
15 provided by the lagoons separate from that provided by
16 the wetland. GN-CGS has agreed with this, and we
17 concur that it is a monitoring point, not a compliance
18 point. This comment is also considered resolved.

19 Next slide, please. So for Technical Comment
20 Number 6, I'm actually going to correct the slide to
21 almost resolved. ECCC noted that the QA/QC plan,
22 quality assurance/quality control plan, needed to
23 include the frequency for replicate/duplicate samples
24 to be collected as part of their sampling program.

25 ECCC had noted this as being resolved based on
26 GN-CGS's commitment to update the plan which was then

1 submitted in March this year. However, in the response
2 letter dated May 3rd, GN-CGS had stated that the
3 information was submitted and requested that ECCC
4 identify any additional information to include.

5 We do note that the section reference,
6 Section 4.2.2, does identify the duplicate/replicate
7 samples are to be collected but does not identify how
8 many or how often. Adding the frequency for collection
9 of these samples would address this comment.

10 And I had also noted that the preceding section,
11 4.2.1, on field and trip blanks omits the frequency for
12 field blanks although it does have trip blanks. It
13 will be up to GN-CGS to identify the total numbers of
14 each type of quality control/quality assurance samples
15 to be collected, and this will be based on the total
16 number of samples done for each monitoring event, which
17 we don't know.

18 There should be a random and even mix of sample
19 types, so trip blanks, field blanks, and replicates or
20 duplicates totalling about 10 percent of the total
21 number of samples collected at a minimum. So I'm
22 thinking this should be a straightforward addition to
23 the next version of the QA/QC plan. Hence, this is
24 substantially resolved, just not quite.

25 So on to the next slide, please. And here's our
26 happy little bird, and this concludes our presentation,

1 and we would be happy to take any questions at this
2 point. Thank you very much.

3 THE CHAIR: Thank you, ECCC, for your
4 presentation.

5 I'll open up for questions. I'd like to start
6 with Applicant. If you have a question to Environment
7 and Climate Change Canada, you may go ahead.

8 Questioning of Environment and Climate Change Canada

9 MR. CHALMERS: Thank you, Mr. Chair. Elan
10 Chalmers, GN-CGS.

11 Thank you very much for that clarification, Anne,
12 about the missing information from the QA/QC plan. We
13 will revise it to reflect your suggestion and resubmit
14 it within, I'd say, about a month from now. Thank you
15 very much. No further comments.

16 THE CHAIR: Thank you.

17 Next intervenors. CIRNAC, if you have questions,
18 you may go ahead.

19 MR. OKONKWO: My name is Vincent, CIRNAC.

20 CIRNAC does not have any questions. Thank you.

21 THE CHAIR: Thank you.

22 Water Board Staff, if you have questions,
23 comments -- no. Okay. Thank you. Thank you, Staff.

24 And Panel members, do you have questions?

25 MS. SILOU: No, no comment.

26 THE CHAIR: Okay. Thank you.

1 Thank you, Environment Climate Change Canada, for
2 your presentation.

3 Okay. Moving on. Okay. I forgot to put the
4 microphone on. We'll take a ten-minute break. I need
5 to adjust myself with the agenda for a minute before we
6 continue on.

7 (ADJOURNMENT)

8 THE CHAIR: We may continue with the
9 proceeding, get back from our break.

10 In the agenda, we're turning to Item 14 to 16, if
11 there's a presentation or questioning of the
12 associations, agencies, or members of the public who
13 wish to make a presentation or speak to the Board. Is
14 there anyone available? Anyone want to? Sorry. I
15 didn't see hands, so we'll move on.

16 Item 17 in the agenda. Now, we still have GN-CGS.
17 Do you have any comments in reply to submission of the
18 intervenors?

19 MR. CHALMERS: Thank you, Chair. Elan
20 Chalmers, GN-CGS.

21 Would be this be an appropriate time for closing
22 statements on our behalf, or ...

23 THE CHAIR: Yeah.

24 Closing Remarks by the Hamlet of Arviat

25 MR. CHALMERS: Okay. Thank you.

26 Thank you, Chair. We are happy to have resolved

1 the commitments either completely or -- or sorry --
2 resolved the comments either through commitment or
3 completely.

4 With regards to the clause for the geotechnical
5 inspection annually, we just wanted to add that
6 historically, leaks have been identified by municipal
7 staff because they are on-site every day. Leaks or
8 failures are unlikely to occur the day that the CIRNAC
9 or CGS is on-site.

10 In previous occurrences of leaks, the hamlets
11 reported it to the municipal engineer because we're in
12 contact with them daily, and the GN-CGS has brought in
13 the correct professionals with the appropriate skill
14 set and the training to conduct the thorough
15 inspections that are required.

16 CGS has committed to continuing to support the
17 hamlet in these instances and hopes that the Board will
18 give the hamlet staff an opportunity to demonstrate
19 their ability to operate their own infrastructure.

20 On the point of more stringent effluent
21 parameters, CGS recognizes that the NWB relies on a
22 guidance document from the Northwest Territories. At
23 the time this licence was issued, that document was
24 from 1992.

25 We would petition the Board to consider that the
26 six-year research conducted directly in Nunavut on

1 lagoon wetland treatment facilities and the subsequent
2 guidance document that we prepared and submitted to
3 NWB, CIRNAC, and ECCC, in particular, in regards to the
4 wastewater system effluent regulations that do not
5 concurrently apply in Nunavut.

6 As discussed, the assessments that will take place
7 this summer at the wetland treatment area, the solid
8 waste site, and the abandoned lagoon cells will provide
9 relevant information to address several of the
10 commitments by the end of this year, and we look
11 forward to sharing those results with ECCC, CIRNAC, and
12 other interested parties.

13 The municipality of Arviat with support from the
14 Government of Nunavut, Department of Community and
15 Government Services, will continue to work towards
16 achieving compliance under the terms of the new
17 licence. Thank you.

18 THE CHAIR: Thank you, Applicant, for your
19 closing remarks.

20 Now I'd like to ask CIRNAC to do your closing
21 remarks.

22 Closing Remarks by Crown-Indigenous Relations and
23 Northern Affairs Canada

24 MR. KEIM: Qujannamiik, Iksivauta.
25 Andrew Keim for CIRNAC.

26 At this time, we are very glad that we've been

1 able to participate in the process and provide our
2 considered input to the Board and that the GN and the
3 municipality have been able to contribute so readily to
4 the process.

5 We recognize that at times, going forward, the
6 hamlet has to be given the opportunity to prove that
7 they can work through these problems and to maintain
8 their own infrastructure. We support that, and we
9 support the GN moving forward in these matters.

10 We have no further comments for the Board's
11 consideration today, and we thank you very much for
12 allowing us to participate in the process.
13 Qujannamiik.

14 THE CHAIR: Thank you, CIRNAC.

15 Next to have a -- sorry -- closing remarks is the
16 climate -- Environment and Climate Change Canada.
17 Closing Remarks by Environment and Climate Change
18 Canada

19 MS. SHORE: Thank you. Victoria Shore
20 with Environment and Climate Change Canada.

21 I'd just like to thank the Board for the
22 opportunity to participate in this process as well as
23 the Applicant and other parties present for a
24 respectful and productive public hearing.

25 We have no further comments to add for the Board's
26 consideration at this time, but we do look forward to

1 continuing our participation in the water licence
2 process. Thank you.

3 THE CHAIR: Thank you.

4 So for our next step, I'd like to ask Teresa,
5 legal counsel, to take the floor. Go ahead.

6 MS. MEADOWS: Thank you, Mr. Chair. Teresa
7 Meadows, legal counsel for the Nunavut Water Board.

8 So, Mr. Chair, before we proceed onward to the
9 very final steps for the Board's consideration in the
10 public hearing, first of all, gold stars to everyone
11 for being so efficient and being so far ahead of
12 schedule as we -- sometimes is the case. The Board's
13 oftentimes rushing to try and get everything in, so we
14 really do appreciate a lot of the advanced preparations
15 of the proponent and the intervenors to make sure that
16 they are prepared and have resolved a number of the
17 issues before going to public hearing.

18 As you all know from the agenda, tonight we are
19 scheduled to have a community session where the Board
20 will be here to -- for the Applicant to have an
21 opportunity to present the application to the
22 community, and then the community will have an
23 opportunity to ask questions.

24 Unfortunately, the Board's plans as are the way --
25 are being modified a bit to fit the weather and the
26 logistics of the -- that we find ourselves in in

1 Arviat, and that is the Board is currently staying in
2 Rankin and commuting to Arviat every day for the
3 hearing.

4 We've been advised by the pilots in Rankin that
5 there is a heavy rainfall warning out, and so there is
6 supposed to be freezing rain as the temperature drops
7 tonight. We've been advised that we should be leaving
8 Arviat by 7 PM tonight. The public meeting starts at
9 6. And so what the Board is suggesting is that we
10 eliminate the Board's presentation, the normal
11 presentation that we would do for the community, to
12 kind of set the tone for the community session and that
13 we go right to the Applicant's presentation.

14 Intervenors, I'm very sorry, but it may mean that
15 you end up not being able to present your intervention
16 to the community but be available to just ask
17 questions, and we will immediately go from the
18 presentation by the Applicant to questions to the
19 Applicant or the intervenors that are present from any
20 of the members of the community that are here.

21 If community members do not -- are not here in
22 sufficient numbers by about ten after 6 or quarter
23 after 6, we may end up then saying that the session
24 will end at 7 and that the Board will leave at 7. If
25 community members are here and it looks like they have
26 more questions and we are not able to conclude the

1 community session and close the public hearing record
2 by the end of -- by 7:00 tonight when we have to leave,
3 we may then check with the community members and also
4 with the people that are here in terms of options for
5 tomorrow.

6 It's my understanding that the weather will
7 continue to be heavy rainfall in the first part of the
8 day tomorrow but that there should be some clearing in
9 the latter part of the afternoon and then into the
10 evening. And so the Board is looking into options to
11 come back perhaps for -- to conclude the community
12 session tomorrow evening.

13 So we appreciate everybody's flexibility as we
14 sort of try and figure out exactly what is going to be
15 the best option to be able to get the information for
16 community members, allow them to ask the questions that
17 they want to, and also have their views inform the
18 Board's decision. But at this point, the weather and
19 safety actually dictate what the Board must do today.
20 So our schedule has been curtailed a bit because of the
21 heavy rainfall warning.

22 So with that, Mr. Chair, we will adjourn now, I
23 would recommend, and then we will reconvene at 6:00.
24 If we can ask -- 6:00 central time. If we can ask that
25 the intervenors who are on the phone and Zoom, if you
26 can call in 15 minutes before that so that we can make

1 sure that we don't have any logistical delays as we get
2 set up, that would be much appreciated, and hopefully
3 we'll be able to get the community session in tonight.

4 When we come back, we will start back with the --
5 with the intervenors' presentation, Mr. Chair, and if
6 all that is remaining is the concluding remarks of the
7 Chair and we are not able to get those in tonight, we
8 may end up doing that just by a Zoom meeting tomorrow.
9 We may not come back into the community if the -- if
10 the morning is as predicted and we're not able to
11 reconvene tomorrow morning.

12 So I know that there's a lot of logistics going
13 on, and that's kind of what we're scrambling around
14 doing in the background. But that is what I would
15 recommend, Mr. Chair. Thank you, Mr. Chair. Those are
16 my many procedural matters. Thank you.

17 THE CHAIR: Okay. Thank you, Teresa.

18 Okay. We take those -- the words from the legal
19 counsel for now. We take adjourn now and then come
20 back here 6:00. As legal mentioned, that, yeah, we'll
21 come back here before -- at least before 15 minutes
22 to -- or 5:30, whatever, to be as ready here and wait
23 around. But we want to start it by 6:00 sharp. Thank
24 you.

25

26 (PROCEEDINGS ADJOURNED UNTIL 6:00 PM)

1

2 (PROCEEDINGS RECOMMENCED AT 6:24 PM)

3 Community Session Opening Remarks by the Chair

4 THE CHAIR:

5 Good evening, everyone, and
6 welcome to the community session for the Nunavut Water
7 Board public hearing in relation to the8 renewal-amendment application submitted by Hamlet of
9 Arviat via its representative Government of Nunavut,
10 Community and Government Services, that I will refer to
11 as the "hamlet", "GN-CGS", or "Applicant", with the
12 Nunavut Water Board for Water Licence Number 3AM-ARV1016.
13 My name is Lootie Toomasie, and I am the Chair of
14 Nunavut Water Board. I will be chairing tonight's
15 session.16 Tonight's session is part of the Nunavut Water
17 Board's public hearing to consider the replacement of
18 the expired water licence which authorizes the use of
19 water and deposit of wastes associated with the water
20 and waste management infrastructure at Hamlet of
21 Arviat's municipal undertaking.22 The changes to this water licence has been
23 requested by GN-CGS to reflect new infrastructure and
24 activities as well as the expiry of the licence that
25 was reviewed by the Nunavut Planning Commission and
26 screened by Nunavut Impact Review Board in 2020 and
2021.

1 This public hearing marks the final opportunity
2 for the Applicant, the intervenors, and the members of
3 the community to represent their comments, issues, and
4 questions about the renewal-amendment application to
5 the Nunavut Water Board before the Board makes its
6 decision about the renewal-amendment application.

7 The Nunavut Water Board appreciates you all
8 turning out to participate in this important meeting.
9 Before we proceed with tonight's session, let us begin
10 with prayer. Let us stand.

11 Opening Prayer

12 THE CHAIR: So we are kind of speeding up
13 this community session tonight, so I'm willing to have
14 our legal counsel take the floor for now. Go ahead.

15 MS. MEADOWS: Thank you, Mr. Chair. Teresa
16 Meadows, legal counsel for the Nunavut Water Board.

17 So, Mr. Chair, because we don't have too many
18 members of the public that have ventured out in the
19 rain today, what we're going to do is modify the agenda
20 a little bit.

21 So we're going to have the Applicant, Government
22 of Nunavut, Community and Government Services, explain
23 their application to the members of the public who are
24 here, and then we're going to throw the floor open for
25 questions. So you can ask any questions of the
26 Government of Nunavut, of -- on the line -- we now have

1 restored our internet connection, so my apologies to
2 the participants that are on the Zoom link. We were
3 having difficulty establishing a stable link.

4 So we now have Environment and Climate Change
5 Canada and Crown-Indigenous Relations and Northern
6 Affairs Canada. They are on the Zoom link, so you can
7 ask questions of -- anyone who is here in the room can
8 ask questions of the Government of Nunavut, the
9 Applicant, or any of the intervenors that are on the
10 Zoom link.

11 So without further ado, I will turn it over --
12 turn over the microphone and control of the
13 presentation to Government of Nunavut to explain the
14 application that the Board is considering. Thank you,
15 Mr. Chair.

16 THE CHAIR: Thank you.
17 Community Session Presentation by the Hamlet of Arviat

18 MR. CHALMERS: Elan Chalmers, CGS.

19 Will NWB be broadcasting the presentation for us
20 again? I'll just begin describing it while we're
21 waiting here.

22 So the GN-CGS submitted an application on behalf
23 of the municipality of Arviat for the renewal and
24 amendment of their water licence. The licence
25 authorizes the water withdrawal and disposal of waste
26 by the municipality.

1 Since the licence expired in 2016, the
2 municipality has continued to work towards compliance
3 with the terms and conditions of the expired licence,
4 and the CGS on behalf of the municipality has
5 undertaken several capital projects, including the
6 additional raw reservoir cell, preliminary design work
7 to upgrade and expand the sewage lagoon, and
8 preliminary work to improve the compliance and extend
9 the useful life of the land.

10 So this image shows the current infrastructure
11 that is under the terms of the existing licence for the
12 raw water reservoir and the waste sites. Each summer,
13 waters come from Wolf Creek to fill the three-cell
14 reservoir, which has the capacity of 235,000 cubic
15 metres, and additional cells have been added since 1998
16 as the community grows. Recent studies have indicated
17 that Wolf Creek can continue to sustain the community
18 while meeting regulatory requirements under the terms
19 of the new licence.

20 The current lagoon is -- has been in use since
21 2005. As residents, we know it is quite undersized and
22 requires emergency decant each year, and the new lagoon
23 will be sized to accommodate the municipality for the
24 next 20 years.

25 The landfill has been in use since the 1970s.
26 Since 2014, the municipality has undertaken several

1 initiatives to improve the site through depolluting
2 metals and using the shredder -- or purchasing a metal
3 shredder and using the -- the shreds to cover the
4 material at the current waste site, which has really
5 improved the capacity.

6 There is also an ongoing solid waste improvement
7 project being funded and managed by CGS. The project
8 will improve compliance and extend the capacity, as
9 well as assessing the old lagoons to determine if they
10 can be repurposed to accept solid waste.

11 The licensee requested several changes to the
12 monitoring program. They're identified here in yellow.
13 We underwent a thorough regulatory review process with
14 Environment and Climate Change Canada and CIRNAC, all
15 of which has been resolved either completely or through
16 commitment.

17 So to summarize the requests for the amendment and
18 renewal, we are requesting a ten-year licence term with
19 a water withdrawal that matches the capacity of the raw
20 water reservoir cells. We requested several changes to
21 the monitoring program. We have requested to change
22 the effluent quality limits in line with Nunavut-based
23 lagoon wetland research.

24 The licensee is requesting to remove any
25 conditions that are deemed impractical and any
26 prescriptive language on remediation, and the licensee

1 is also requesting to remove two monitoring stations
2 since there are better ways of measuring these factors.

3 The licensee is requesting to remove weekly
4 inspection reports to be generated as they're quite a
5 burden for the municipality and to change some of the
6 language in the monitoring programs so that it's a
7 little bit more in line with the actual weather.

8 Finally, we are requesting to remove acute
9 lethality testing and the requirement to submit paper
10 documents. So that is the end of the presentation.
11 Thank you very much.

12 THE CHAIR: Thank you.

13 Teresa, do you want the floor for a minute?

14 MS. MEADOWS: Thank you, Mr. Chair.

15 So if you have any questions -- any of the
16 participants who are here in the hall, if you want to
17 ask questions of the Government of Nunavut, Community
18 and Government Services, about the landfill or about
19 the sewage lagoons or any of the application
20 components, please just step up to the microphone here,
21 and we'll get your questions on the record. And then
22 we can get answers from the Applicant or from
23 Crown-Indigenous Relations and Northern Affairs or
24 Environment and Climate Change Canada.

25 (DISCUSSION OFF THE RECORD)

26 Questions/Comments from the Community

1 MR. SULUK: Yeah. Okay. Thank you.

2 Welcome to Arviat.

3 I think my only question will be renewal of the
4 licence -- water licence for both wastewater disposal
5 and reservoir.

6 So I see that for the next ten years -- is it
7 being renewed every ten years, or ... I also see that
8 a review by engineer inspection annually. Is that the
9 case?

10 So as you know -- as you may know, that our --
11 especially wastewater reservoir fills up over time over
12 the winter, and then when it comes to springtime,
13 spring, it goes over -- almost over the reservoir
14 entrenching to the coast of the shore, shoreline. I'm
15 just asking to see if this existing licence will remain
16 in the next ten years, or is there any plan to expand
17 or make another especially wastewater reservoir? Thank
18 you.

19 THE CHAIR: Thank you. Thank you, Luke.

20 Do you want to respond to the question? Go ahead,
21 Applicant.

22 MR. CHALMERS: Thank you, Chair.

23 Yes. Thank you for your question. As part of
24 this application, it is -- we're amending the licence
25 so that we can construct a larger lagoon. So the new
26 lagoon will be sized to accommodate the municipality

1 and its growing population until 2044.

2 So the current one will be replaced and an
3 additional cell will also be added, so it'll be much,
4 much, much bigger, and it will keep all of the waste in
5 there so that it won't overtop, and it won't need to be
6 pumped out early in the season. Thank you.

7 THE CHAIR: Go ahead, Applicant. Go
8 ahead.

9 MS. LUSTY: Hi there. Thank you.

10 And just to answer your other question regarding
11 the term of the licence, when it's coming up on the
12 ten-year term, we would be working with the
13 municipality to submit another licence to extend.

14 So we're able to apply for water licences up to
15 25 years. So the ten-year term is the term that was
16 determined in earlier proceedings with the Nunavut
17 Water Board and the intervenors. So when it's coming
18 up on the ten-year time frame, a new licence
19 application and amendment renewal would be submitted.

20 THE CHAIR: Thank you, Applicant, for
21 answering the questions.

22 Okay, Staff. Go ahead.

23 MR. KHARATYAN: Karen Kharatyan, Nunavut Water
24 Board.

25 There was a second question regarding geotechnical
26 inspection. I would like, yes, to advise the community

1 member that Water Board did receive requests from
2 Applicant to eliminate the requirement of geotechnical
3 inspection from the current licence.

4 The current licence -- again, for the community
5 member information, the current licence is expired
6 since 2016, and it has this requirement for
7 geotechnical inspection annually -- to be conducted
8 annually, and on behalf of Hamlet of Arviat, GN-CGS is
9 requesting the Board to eliminate these requirements
10 within the potential renewal licence. Thank you.

11 This is just to state the fact that we have
12 received these requests, but, Mr. Chair, I will maybe
13 invite the Applicant to more elaborate on this. Thank
14 you.

15 THE CHAIR: Thank you.

16 Applicant, go ahead.

17 MS. CHALMERS: Thank you, Chair. Elan
18 Chalmers, GN-CGS.

19 Historically, leaks have been identified by
20 municipal staff because they're on-site daily. Leaks
21 or failures are unlikely to occur the day that the
22 CIRNAC or the CGS member is on-site.

23 In previous occurrences of leaks, the hamlet's
24 reported it to the municipal engineers because we're in
25 daily contact, and GN-CGS has brought in the correct
26 professionals with the appropriate skill set and

1 training to conduct thorough inspections.

2 CGS is committed to continuing to support the
3 hamlet in these instances and hopes that the Board will
4 give the hamlet staff an opportunity to demonstrate
5 their ability to operate their own infrastructure.
6 Thank you.

7 THE CHAIR: Thank you, Applicant.

8 Okay. I'll continue to move on.

9 Teresa, do you want take the floor for a minute?

10 MS. MEADOWS: Thank you, Mr. Chair. Teresa
11 Meadows, legal counsel for the Nunavut Water Board.

12 Are there any additional questions that anybody
13 has in the room today?

14 So, Mr. Chair, recognizing that we have exhausted
15 all the questions in the community session and we have
16 completed the technical component of the public hearing
17 but we have not yet been able to close the record and
18 give advice to the -- to the hamlet in terms of the
19 next steps in the Water Board's processing and also
20 recognizing that the Board has to be back tomorrow in
21 this space in order to be able to take down all the
22 equipment and everything, what I would recommend is
23 that the Board adjourn for tonight. The Board will be
24 back tomorrow and continue to close out the remainder
25 of the items on the agenda.

26 But I just want to flag for the people that are on

1 the Zoom call: We're not exactly sure what the weather
2 is going to be like tomorrow morning. It looks like
3 the weather will continue to be in the condition that
4 it is right now, which is raining very heavily and
5 which is causing safety concerns for the charter to be
6 able to get in.

7 And so the Board will be checking with the pilots
8 tonight to confirm when we will be back, but we expect
9 it will be tomorrow afternoon at the earliest. So
10 likely we're targeting around 1:00 Central Time
11 tomorrow afternoon, but we will confirm with the
12 pilots, and we will have the Board Staff who are here
13 in Arviat perhaps let the radio know what time we will
14 be back in this room.

15 And if any community members want to come out and
16 they have additional questions, we will start with
17 that, and they can ask any additional questions that
18 they have tomorrow morning or tomorrow afternoon when
19 we're back.

20 And if there will be a delay or a different time,
21 we will also send to all of the participants who are on
22 the Zoom link, and, of course, to the Applicant, an
23 update with respect to the precise time when the Board
24 will be back in the -- in the hearing room tomorrow.

25 And then we will have a very brief time period to
26 sort of advise what the next steps will be, the Chair

1 will be able to deliver his closing remarks, and any
2 additional questions will be asked by the community
3 members.

4 So thank you very much to the Applicant for being
5 so flexible tonight. We really do appreciate it. And
6 we'll be back tomorrow to close everything off
7 properly.

8 Thank you, Mr. Chair.

9 MR. SULUK: What time would that be?

10 MS. MEADOWS: We're targeting 1:00, but
11 we're not a hundred percent sure because we're not able
12 to stay in Arviat. There wasn't room. So we're flying
13 in between Rankin Inlet and Arviat, and so it depends
14 on when the charter says that it's safe for us to fly
15 back tomorrow.

16 It looks like the weather is opening up tomorrow
17 afternoon. It looks like it'll be better flying
18 weather tomorrow, but maybe I should be asking you.
19 What do you think? What time do you think is going to
20 be -- is going to be okay?

21 THE CHAIR: Okay. Thank you.

22 Okay. The community session should be ending for
23 now, but as legal counsel mentioned, that we'll come
24 back tomorrow to finish off the agenda.

25 Okay. Thank you. Thank you all.

26 _____

1 PROCEEDINGS ADJOURNED UNTIL JUNE 1, 2022

2

3 CERTIFICATE OF TRANSCRIPT:

4

5 I, Andres Vidal, certify that the foregoing pages
6 are a complete and accurate transcript of the
7 proceedings taken down by me in shorthand and
8 transcribed from my shorthand notes to the best of my
9 skill and ability.

10 Dated at the City of St. Albert, Province of
11 Alberta, this 22nd day of June 2022.

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A. Vidal, CSR(A), RMR

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Official Court Reporter

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