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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 3AM-COR----

To: Kivalliq Distribution List

Date: December 17, 2021

Subject: Type “A” Water Licence No: 3AM-COR----: Pre-Hearing Conference Decision Report Regarding an Application for a Water Licence to Replace the expired Water Licence No: 3BM-COR1521

This Pre-Hearing Conference Decision Report is issued in relation to an application filed by the Government of Nunavut, Community and Government Services (GN-CGS) on behalf of the Hamlet of Coral Harbour (the Applicant), seeking a Type “A” Water Licence to replace the Type “B” Water Licence No: 3BM-COR1521, held by the Hamlet of Coral Harbour and which expired on April 23, 2021 (the Application). The Application requests the continued use of Water and deposit of Waste for a Municipal Undertaking.¹ On December 17, 2021, by Panel Motion **#2021-15-P23-03**, the members of the Coral Harbour Panel (P23), duly appointed by the Nunavut Water Board (NWB or Board) to consider the Application, approved and directed the release of this Pre-Hearing Conference Decision Report (Report).

In addition, by Motion **#2021-15-P23-04** the Panel authorized the issuance of the procedural direction in this Report, including holding a written Public Hearing for the file. In choosing to conduct the Public Hearing in writing for the file, the P23 Panel considered the current circumstances of the on-going COVID-19 pandemic, and noted that the scope of the Application is unchanged from the Applicant’s previous Type “B” Water Licence. In these circumstances, the P23 Panel decided that it is appropriate for the Board to hold a written Public Hearing to support decision-making for the file. More specific details regarding the timelines and conduct of the written Public Hearing are outlined under the subheadings [Timetable for Pre-Hearing Exchange of Information](#) and [Procedures for the Public Hearing](#) of this Report. Formal Notice of the written Public Hearing will be published on **Friday, December 24, 2021**.

The NWB has tentatively set the date for the Public Hearing Record to close and the file to be remitted to the P23 Panel for decision-making in the week of **February 28 – March 4, 2022**. This date is contingent on the parties and public providing all written materials in accordance with the

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



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timelines set out in this Report. Parties should be aware that after the Notice of Public Hearing has been issued, the Board may have to modify the schedule and format of the Public Hearing if logistics dictate, if the documentation required to be supplied in advance of the Hearing has not been provided, if public concerns with the Application are identified, etc.

In accordance with Rule 14 of the NWB *Rules of Practice and Procedure for Public Hearings* (the *Rules*), and the previous direction and delegation of authority from the Coral Harbour Panel to the staff of the NWB, the NWB's staff held a technical meeting (TM) and a Pre-Hearing Conference (PHC) for the Application by video and audio conference on December 07 and 08, 2021. The list of the parties in attendance are provided in this Report in [APPENDIX B: Attendees at TM/PHC](#).

An application was originally received by the NWB on May 18, 2021, for renewal of the Applicant's previous Type "B" Licence No: 3BM-COR1521. Following an initial review of the application package, the NWB identified that during resupply of the raw water reservoir during the open water season, the Applicant exceeds the daily water use limit of 300 cubic metres (m³) which is the threshold for water use that can be authorized under a Type "B" Water Licence, as set out in Schedule 2 of the *Nunavut Waters Regulations*.² Consequently, the NWB advised the Applicant that the undertaking required a Type "A" Water Licence to authorize the daily withdrawal of up to 2000 m³ during the open water season to resupply the raw water reservoir and to replace their previous Type "B" Water Licence. On September 29, 2021, the GN-CGS submitted the Application seeking to replace their previous Type "B" Licence No: 3BM-COR1521 with a new Type "A" Water Licence for a term of 10 years.

The NWB distributed the Application for a completeness check on September 29, 2021. The Board received comments and information requests (IRs) from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and Environment and Climate Change Canada (ECCC) on October 13, 2021.

The Completeness Check stage for a Type "A" Application is meant to invite interveners to go through the list of documents submitted with the Application to identify and request any additional or missing information that may help in the assessment of the Application. Once parties agree that the Application is complete then the Board moves on to the full Technical Review stage, where Intervenors are invited to submit technical review comments regarding the Application.

During the Board's review of the comments provided by parties during the initial Completeness Check, the Board noticed that the comments received were more detailed than is typically the case, and were commensurate with the type of comments received during the technical review stage.

² SOR/2013-69.



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The follow-up responses from the Interveners and the Applicant seemed to resolve many of the initial technical queries and few unresolved technical issues remained. Recognizing that with the Applicant's previous licence having expired, the time constraints on parties and the Board during the upcoming holiday season and in the interests of avoiding delays and duplication, the Board sent out correspondence³ to the parties asking whether they required another Technical Review period or if they were prepared to move on to the next step of the NWB's processing of the Application. The Interveners responded on November 16, 2021 and November 17, 2021 that, in the current circumstances, they were prepared to move on to the next stage of the process without the need for an additional technical review period.

Following the submission of responses and clarifications submitted by Applicant, on October 29, 2021 and November 09, 2021, the NWB provided correspondence confirming that the Application could proceed to the Technical Meeting (TM) and Pre-Hearing Conference (PHC) stage and advising that the TM, Community Session and PHC were scheduled to take place on December 7-8, 2021, and would be conducted via Zoom and teleconference links. On December 01, 2021, NWB staff went on the local radio in Coral Harbour to inform the community members of the upcoming Community Session scheduled for the evening of December 07, 2021.

The TM/Community Session/PHC Agendas for the meetings as conducted on December 7-8, 2021, are attached to this Decision in [APPENDIX A: TM/Community Session/PHC Agendas](#). The Government of Nunavut-Community and Government Services (GN-CGS), Crown-Indigenous Relations and Northern Affairs (CIRNA), Environment and Climate Change Canada (ECCC), and the NWB staff participated via Zoom and teleconference links during the TM/Community Session/PHC. On the evening of December 7, the Hamlet of Coral Harbour made arrangements to provide a central venue (the Community Fire Hall) where interested community members could attend the Community Session. The venue in Coral Harbour was linked by Zoom to the representatives of the NWB, the Applicant and the Interveners participating in the TM/PHC. During the Community Session, members of the community were able to see and hear presentations and ask questions of the NWB, the Applicant and Interveners.

The individuals representing the NWB, the Applicant and the Interveners are listed in [APPENDIX B: Attendees at TM/Community Session/PHC](#). The commitments generated and reviewed by the parties during the TM/PHC are listed in [APPENDIX D: List of Commitments](#).

³ Letter from R. Dwyer, NWB, to CIRNA and ECCC, Re: Hamlet of Coral Harbour New Type "A" water licence application; on November 15, 2021;



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

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

Having considered the Application and supporting materials submitted by the Applicant as summarized in [APPENDIX C: List of Application Submissions](#), the technical review comments in respect of the Application received to date by the NWB, the discussions during the Technical Meeting, the questions, issues and comments identified by participants during the Pre-Hearing Conference, and the commitments of the Applicant as outlined in [APPENDIX D: List of Commitments](#), the Panel has concluded that the Application is ready to proceed to the Public Hearing stage of the Board's consideration of the Application. As noted above, the Panel has directed that the Public Hearing to consider the Application be conducted in writing, with the Public Hearing Record for the file expected to be closed sometime in the week of February 28 – March 04, 2022, in accordance with the timelines and other procedural details provided in the text that follows.

Introduction and Registration

The following participants registered in advance and attended the TM/Community Session/PHC audio/video conference on December 7 and 8, 2021:

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

- Elan Chalmers, Municipal Planning Officer – GN-CGS
- Megan Lusty, Manager of Municipal Works – GN-CGS

Crown Indigenous Relations and Northern Affairs (CIRNA) representatives:

- Andrew Keim, A/Manager – Water Resource Management
- John Onita, Regional Coordinator – Water Resources



Environment and Climate Change Canada (ECCC) representatives;

- Jennifer Sabourin, Environmental Assessment Officer
- Victoria Shore, Senior Environmental Assessment Officer

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

1.0 The Application before the Board

The Hamlet of Coral Harbour is located on the southern shore of Southampton Island, on the northern rim of Hudson Bay. The population of the community was 891 (2016 Census) and is projected to grow to 1085 by the year 2031. Water is extracted from the Post River, which is the community’s water source, and stored in a 2-cell reservoir with a capacity of 49,500 cubic metres (m³), assuming 1 m freeboard is maintained. The reservoir is filled during the open water season when up to 45,000 m³ of water is extracted from the Post River in approximately 25 days. In 2020, a volume of 39,973 m³ was pumped into the reservoir over a 24-day period. The daily rate of water withdrawal from the Post River during the reservoir resupply is approximately 2,000 m³ per day. Therefore, the daily amount of water used by the Applicant during this part of the year exceeds the 300 m³ per day threshold for a Type “B” Water Licence as set out in Schedule 2 of the *Nunavut Waters Regulations*,⁴ so the Applicant was required to apply for a Type “A” Water Licence to authorize the withdrawal of up to 2,000 m³ of water per day.

The Application seeks the replacement of the Applicant’s previous Type “B” Water Licence No: 3BM-COR1521 (expired on April 23, 2021) with a new Type “A” Water Licence to authorize the continued use of Water and deposit of Waste for a Municipal Undertaking.⁵

Application and Supporting Materials Submitted by the Applicant

The initial application received on May 18, 2021 was for a renewal of the Type “B” Licence and consisted of the following documents:

- Type “B” Water Licence Renewal Application
- Authorization Letter & Application Fee Cheque
- NPC Letter File # 149526 Coral Harbor Water Licence Renewal

⁴ SOR/2013-69.

⁵ As defined under the *Nunavut Waters Regulations*, SOR/2013-69, Schedule 1, Item 3, column 2 describes a Municipal Undertaking to include “A waste disposal or water system for a municipality”.



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- Plan for Compliance 2021
- Renewal Cover Letter
- Summaries in English and Inuktitut
- Water Treatment Plant As-Built-Drawings
- 2021 Coral Harbour Environmental Emergency Spill Contingency Plan
- 2021 Coral Harbour QAQC Plan
- O&M Plan Sewage Disposal Facility 2021
- O&M Plan Solid Waste Facility 2021
- O&M Plan Water Supply Facility 2021
- 2016 Annual Report

On August 9, 2021, the NWB explained that because the daily amount of water extracted from the Post River during the resupply of the reservoir exceeds the threshold of 300 m³/day, the undertaking now requires a Type "A" Water Licence to replace the previous Type "B" Water Licence. At that time, the NWB also advised the Applicant to contact the Nunavut Planning Commission (NPC) and Nunavut Impact Review Board (NIRB) to inform them of the change to the type of Water Licence requested, as the land use conformity and impact assessment requirements applicable to a Type "A" Water Licence differ from the requirements applicable to a Type "B" Water Licence.

On September 29, 2021 the NWB received an updated Application from GN-CGS on behalf of the Hamlet of Coral Harbour for a Type "A" Water Licence, consisting of the following documents:

- Type "A" Water Licence Application
- Executive Summaries – English and Inuktitut (updated)
- NPC letter, RE: 149589, dated August 11, 2021
- Amendment Justification Summary

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

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

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



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

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

Scope of the Current Application

The Application before the NWB is for a Type “A” Water Licence to replace the existing (currently expired) Type “B” Water Licence. The general scope of the Application includes the following:

- Replacement of the Type “B” Water Licence No: 3BM-COR1521 (expired as of April 23, 2021) with a new Type “A” Water Licence for a ten (10) year term to allow for the continued use of up to 45,000 m³ Water annually and deposit of Waste associated with a Municipal Undertaking;
- Extraction of up to 2,000 cubic metres per day (m³/day) of freshwater from the Post River, for the annual resupply of the storage reservoir, during the open water season;
- No changes to existing facilities including Sewage and Solid Waste Disposal Facilities and Water Supply Facility.

2.0 Procedural History

Licences Issued to the Project

Reflecting the NWB’s jurisdiction for licensing undertakings resulting in the use of water and deposit of waste as established under Article 13 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act, S.C. 2002, c. 10 (NWNSRTA or Act)*, the NWB has issued three (3) Licences for this undertaking to date.

1. Licence No: NWB3COR0207
 - Issued November 01, 2002 and expired on October 31, 2007
 - Allowed for the use of 35,000 cubic metres of water annually and the deposit of waste in support of a Municipal Undertaking
 - Licence No: NWB3COR0207 Amendment No. 1
 - Issued February 17, 2005
 - Updated conditions applying to Waste Disposal, Monitoring Program and some definitions were added.



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2. Licence No: 3BM-COR0813
 - Issued April 02, 2008 and expired on March 31, 2013
 - Allowed for the use of 35,000 cubic metres of water annually and the deposit of waste in support of a Municipal Undertaking
3. Licence No: 3BM-COR1521
 - Issued April 24, 2015 and expired on April 23, 2021
 - Allowed for the use of 45,000 cubic metres of water annually and the deposit of waste in support of a Municipal Undertaking

Pre-Licensing Requirements

The Nunavut Planning Commission (NPC)

On August 11, 2021, the Nunavut Planning Commission (NPC) issued its conformity determination⁶ for the Application which stated the following:

- The project conforms to the Keewatin Regional Land Use Plan (KRLUP);
- The activities associated with this proposal were previously reviewed by the NPC, and a conformity determination was issued on February 15, 2015, which still applies;
- The Nunavut Impact Review Board (NIRB) previously screened the works and activities associated with the expired Licence and a Screening Decision Report was issued on February 27, 2015 (NIRB FILE No. EX230);
- The Application requires screening by the NIRB because the project proposal is a significant modification to the original project as previously screened by the NIRB in February 2015 because the daily water use exceeds 300 m³/day; and
- The project requires screening by the NIRB because it does not belong to a class of exempt works or activities set out in Schedule 12-1 of the *Nunavut Agreement*.

On this basis, the NPC referred the Application to the NIRB for screening. The Applicant has requested⁷ that the NWB’s consideration of the Application be coordinated with the NIRB’s impact assessment process, and forwarded the Application to the NWB for processing.

⁶ Correspondence dated August 11, 2021 from S. Amuno, Nunavut Planning Commission to R. Dwyer, NWB (and others) Re: NPC File # 149589 [Amendment] NPC File #149589 [3BM-COR1521 Municipal Water Licence Renewal].

⁷ Cover Letter submitted with the Application Package on September 29, 2021.



The Nunavut Impact Review Board (NIRB)

On December 07, 2021, the Nunavut Impact Review Board (NIRB) released its Screening Decision Report⁸ for the Application. The NIRB Screening Decision Report recommended some project specific terms and conditions and stated the following:

- The NIRB is recommending that a review of the Government of Nunavut’s “Coral Harbour Municipal Water Licence Renewal” is not required pursuant to Article 12, Section 12.4.4(a) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 92(1)(a) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA);
- The NIRB is of the view that provided that the Applicant complies with the terms and conditions specified in the NIRB’s Screening Decision Report, the project proposal is not likely to cause significant public concerns, will not result in significant adverse eco-systemic and socio-economic impacts.

On this basis, the NWB concluded that the applicable pre-licensing conformity and impact assessment requirements for the Application under Articles 11 and 12 of the *Nunavut Agreement*, Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA) and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSRTA) have been met, and the Application can now be processed by the NWB.

Procedural History – Hamlet of Coral Harbour Type “A” Water Licence Application

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

May 18, 2021

NWB received an application from GN-CGS on behalf of the Applicant for the renewal of the expired Type “B” Water Licence 3BM-COR1521

⁸ Correspondence dated December 7, 2021 from C. Ehloak, Nunavut Impact Review Board to R. Dwyer, NWB (and others) Re: NIRB Application No: 125632, NIRB File: 21WN039: Screening Decision Report for GN's "Coral Harbour Municipal Water Licence Renewal" Project Proposal.



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August 09, 2021

After discussions with the Applicant, the NWB advised that a Type “A” Water Licence would be required to replace the expired Type “B” Water Licence due to the daily withdrawal rate exceeding 300 m³ during resupply of the raw water reservoir

September 29, 2021

NWB received an application for a Type “A” Water Licence Renewal 3AM-COR---- from GN-CGS on behalf of the Applicant (the Application)

September 29, 2021

The NWB acknowledged receipt of the Application, determined that the Application meets the requirements for public distribution, and invited interested parties to conduct an initial Completeness Check and provide Information Requests (IRs) by October 13, 2021

October 13, 2021

CIRNAC and ECCC provided their comments on completeness, technical comments and Information Requests (IR) in relation to the Application

October 29, 2021

Applicant responded to CIRNA and ECCC’s comments

November 03, 2021

CIRNA accepted the Applicant’s Responses and included recommendations. CIRNA also stated they were ready to move to the next step of the process

November 05, 2021

ECCC provided a Reply to Applicant’s Responses and requested further information

November 09, 2021

Applicant responded to ECCC’s requests for clarification

November 15, 2021

ECCC responded by indicating that the Applicant’s responses were sufficient to address their technical comments

November 15, 2021

The Board acknowledged that the comments received during this Completeness Check were generally of a technical nature. With time constraints in mind and to avoid another unnecessary review period, the Board sent out a correspondence to parties, asking whether they required another Technical Review period or if they would be prepared to advance to the next step of the NWB’s processing of the Application; a Technical Meeting and Pre-Hearing Conference (TM/PHC)



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<u>November 17, 2021</u>	Intervenors confirmed they were prepared to move to the TM/PHC without an additional technical review period
<u>November 23, 2021</u>	The NWB provided Public Notice of the Application and included timelines for the TM/PHC
<u>November 25, 2021</u>	NWB distributed the draft agenda for the TM/Community Session/PHC along with the updated timelines for the next steps in the process
<u>December 01, 2021</u>	NWB staff announce the upcoming dates for the TM/Community Session/PHC on local radio in Coral Harbour
<u>December 02, 2021</u>	The NWB received confirmation of participation in the meetings and presentation documents from CIRNA, ECCC and the Applicant
<u>December 06, 2021</u>	NWB provided correspondence with the final Agenda for the TM/Community Session/PHC
<u>December 07, 2021</u>	NWB hosted the Technical Meeting (TM) via Zoom and teleconference link, followed by a Community Session held in the evening
<u>December 08, 2021</u>	NWB hosted the Pre-Hearing Conference (PHC) via Zoom and teleconference link

3.0 Technical Review Comments Received by the Board

Prior to the TM/PHC an opportunity for comment on the Application was provided to Intervenors and members of the public. The Board’s request for comments invited parties to consider whether the Application was complete and to identify any outstanding issues that would prevent the Board from continuing to process the Application, including any additional information required to complete the Application. The parties filed substantive technical review comments on or before October 13, 2021. The sections that follow outline the comments provided during these review periods, and also reflect comments provided to the Board’s staff during the TM/PHC.



GN-CGS on behalf of the Hamlet of Coral Harbour

As noted above, the original application and supplemental information was received from the Government of Nunavut, Community and Government Services (GN-CGS) on behalf of the Hamlet of Coral Harbour (the Applicant) by the NWB on May 18, 2021, seeking the renewal of Type "B" Water Licence No: 3BM-COR1521 for a 10 year term. Subsequently on September 29, 2021, the Applicant, as advised by the NWB, submitted a new application for a Type "A" Water Licence, along with supplemental information associated with the continued use of Water and deposit of Waste for a Municipal Undertaking. The Applicant requested a term of 10 years and requested annual water use of up to 45,000 m³ (the Application).

Following the Completeness Check, on October 13, 2021, the NWB received comments and IRs from intervening parties, including Crown-Indigenous Relations and Northern Affairs (CIRNA) and Environment and Climate Change Canada (ECCC). The Applicant provided a response to Interveners' comments on October 29, 2021.

The Board acknowledged that the comments received during this Completeness Check were generally of a technical nature and with time constraints in mind and to avoid another unnecessary review period, sent out a correspondence on November 15, 2021, asking parties whether they require another Technical Review period or if they would be prepared to move on to the next steps in the NWB's processing of the Application. On November 17, 2021, CIRNA and ECCC responded, confirming that they were ready to move to the next stage of the process.

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

- Sludge Management,
- Monitoring ambient conditions and including field and travel blanks for sampling events,
- Leachate entering the wetland,
- Referring to Solid waste management and open burning guidelines,
- Capacity of the solid waste site,
- Estimating quantities of sewage and solid waste generated.

The Applicant reaffirmed their commitment to providing the NWB with the specified information summarized in [APPENDIX D: List of Commitments](#).



Crown Indigenous Relations and Northern Affairs (CIRNA)

CIRNA administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut, including enforcing the provisions of water licences issued by the NWB under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSRTA) and *Nunavut Waters Regulations*, SOR/2013-69.

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

- Requesting the Applicant report daily water withdrawals and waste disposal quantities;
- Requesting revisions to the Operations and Maintenance (O&M) Manual for the Solid Waste Disposal Facility and QA/QC plan;
- Recommending that the requirement for the submission of paper copies be removed from the new water licence;
- Recommending that the requirement to provide a separate sludge management plan be removed from the new water licence;
- Recommending that the requirement for an annual visual inspection of engineered facilities by a Professional Engineer remain in the new water licence; and
- Recommending that condition F-6 of the previous licence be modified to add 15 days to the 60-day reporting timeline.

Environment and Climate Change Canada (ECCC)

The focus of ECCC's involvement in respect of the Application is based on their jurisdiction under the *Canadian Environmental Protection Act, 1999*,⁹ the *Species at Risk Act*¹⁰ and ECCC's jurisdiction under the pollution prevention provisions of the *Fisheries Act*.¹¹

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

- Recommendations regarding sludge management and effluent monitoring;

⁹ S.C. 1999, c. 33.

¹⁰ S.C. 2002, c. 29.

¹¹ R.S.C. 1985, c. F-14.



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- Recommending that the Applicant be required to record ambient conditions and to include field and travel blanks during sampling events;
- Recommending that the Applicant ensure that drainage from the Solid Waste Disposal Facility and Sewage Disposal Facility does not mix and enter the wetland;
- Recommending that the Applicant refer to the Government of Nunavut's *Environmental Guideline for the Burning and Incineration of Solid Waste*; ¹²
- Requesting the Applicant supply information about the remaining disposal capacity available at the Solid Waste Disposal Facility; and
- Recommending that the Applicant consult ECCC's publication *Solid waste management for northern and remote communities: planning and technical guidance document* ¹³ to support responsible solid waste management.

ECCC was generally satisfied with the responses provided by the Applicant during the technical review of the Application and confirmed their position at the TM/PHC.

4.0 Technical Meeting (TM)

The TM for the Application was held via Zoom and teleconference link from 10:00 a.m. to 3:30 pm EST on December 7, 2021. As is the Board's practice, the TM was an informal meeting and was chaired by Karén Kharatyan, the Board's Director of Technical Services. The meeting was attended by:

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

In keeping with the Board's normal practice, the Panel Members of the Board (Coral Harbour Panel, P23), the decision-makers for the Application, were not present at the TM or the subsequent Pre-hearing Conference (PHC), having delegated the conduct of these meetings to the Board's staff. The TM included the following:

- Discussion of the technical issues identified by Interveners and the NWB staff during their technical review of the Application;

¹² Government of Nunavut, Department of Environment, (Original: October 2010, Revised: January 2012).

¹³ Environment and Climate Change Canada, (Gatineau, QC: 2017), available on-line: [Solid waste management for northern and remote communities - Canada.ca](https://www.ec.gc.ca/northern-communities/northern-communities-eng).



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

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

At the TM, the following general topics were discussed:

- The scope of the proposed new Type "A" Water Licence;
- The status of solid waste and sewage disposal facilities;
- The updates and additions to management and Quality Assurance/Quality Control (QA/QC) plans; and
- Proposed changes to the annual inspection of the Hamlet's sewage disposal infrastructure.

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



5.0 Community Session

On December 1, 2021, NWB staff called the local radio station in Coral Harbour to inform community members about the upcoming Community Session. At the request of the NWB, the Hamlet Office posted a notice on Coral Harbour’s social media group to inform the public about the time and location of the Community Session. The Hamlet provided a central venue for community members to attend the Community Session, which was linked by Zoom to the NWB staff and representatives of GN-CGS, CIRNA and ECCC, all of whom made presentations and answered questions. The Community Session took place in the Fire Hall in Coral Harbour from 7:00-9:30 pm EST on December 7, 2021. All the participants from the Technical Meeting were present for the Community Session. A total of 4 community members, including the Mayor, attended this session.

A brief presentation was made by Mohammad Ali Shaikh for the NWB, explaining the NWB’s process for a Type “A” application, the scope and the procedural history. This was followed by presentations from Elan Chalmers for GN-CGS, John Onita for CIRNA and Jennifer Sabourin for ECCC. All parties provided a short explanation of their mandates and comments and resolutions discussed during the application process. After each presentation, community members were given opportunities to ask questions. Ben Kogvik, the NWB’s Director of Board Administration and Communication and in-house interpreter was present throughout the duration of the session and provided consecutive interpretation in Inuktitut as requested by participants. After the completion of all presentations and questioning of parties by community members, Ben Kogvik did a recap of the session in Inuktitut.

The table summarizes the questions and comments raised by the community members during this session;

Table 1. Key Issues as Raised by Community Members

Topic	Issues/Questions/Concerns/Comments
Communication	The community recommends the Nunavut Water Board use the radio to share information with the community.
Drinking Water	We can taste and smell the “javex”/chlorine in our water. Does the Nunavut Water Board have jurisdiction to direct that less chlorine be used in the drinking water? It is especially bad when the water is heated on the stove, in a hot bath or shower.
Drinking Water	Many people in the community are buying bottled water so that they don’t have to deal with so much chlorine. How can GN-CGS possibly reduce the amount of chlorine in our water?



Topic	Issues/Questions/Concerns/Comments
Term of the Licence	When the Hamlet gets the new Licence will it be good for ten years without allowing for any future changes to the Hamlet’s operations?

During the Community Session, the NWB advised that the safety and quality of drinking water is not regulated by the NWB. Community Members did not identify any significant public concerns or issues with the Application before the NWB.

6.0 Pre-Hearing Conference (PHC)

As the parties confirmed in the TM that there were no outstanding issues that would prevent the Application from being considered by the Board in a Public Hearing, the PHC portion of the Agenda proceeded on the morning of December 8, 2021, at 10.00 am EST via Zoom and teleconference links.

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

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

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



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

Timetable for Pre-Hearing Exchange of Information

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

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

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

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

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

- **On or before Friday, December 24, 2021** the NWB will issue Notice of the Public Hearing;
- **On or before Friday, January 14, 2022** any party requesting French translation of the Executive Summary materials, final written submissions of parties, reply submissions and/or presentation materials should make such requests to the Board in writing;



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- **On or before Monday, February 07, 2022** the Interveners, members of the public or other interested parties must file any further and final written submissions in respect of the Application with the Board;
- **On or before Thursday, February 17, 2022** the Applicant must file any further responses to the information filed in advance of the Public Hearing and final written submissions with the Board;
- **On or before Friday, February 25, 2022** parties must file any final statements and/or presentation materials they wish the Panel to consider in their decision-making for the Application and
- **In the week of February 28 – March 04, 2022** the NWB reviews all materials received in respect of the Application and determines whether the Public Hearing Record can be closed for the written Public Hearing. If the NWB decides the Public Hearing Record can be closed, the NWB will provide notice to all parties that the Record is closed and the Application will be remitted to the Panel for decision-making.

NOTE: If the Interveners and/or the Applicant file additional written submissions, final statements and/or presentation materials as outlined above, they are also required to provide **an Executive Summary of their final written submissions in both English and Inuktitut and fully translated copies of their presentation materials or final summaries in English and Inuktitut at the same time** as they file the full submission. All submissions will be posted on the NWB’s ftp-site (<ftp://ftp.nwb-oen.ca/>) and in the public registry upon receipt.

Identification of Interested Parties

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

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

When asked at the PHC, parties expressed their views that no additional interested parties would need to participate in the Public Hearing. However, the NWB advised that, recognizing that the water source used for refilling the reservoir during the open water season (the Post River) is a fish-bearing water course, the NWB will extend a specific invitation to Fisheries and Oceans Canada (DFO) to provide technical comments or otherwise participate in the Public Hearing. The NWB’s invitation to DFO will request that DFO participate to identify any concerns or provide relevant information and advice to the NWB regarding the potential for effects on fish and fish habitat resulting from the proposed water withdrawal from the Post River.



Provision of Final Written Submissions from Interested Parties

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

List of Issues

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

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

- Scope of the Licence
 - No changes to scope of existing Type "B" Water Licence
 - GN-CGS requests to remove the following of requirements:
 - Submission of paper documents (electronic submissions only)
 - Aligning submission deadlines with the annual report
 - Daily waste disposal reporting (addressed in more detail under waste disposal)
 - Removal of the legacy airport waste site
- Term of Licence (10 year term sought by the Applicant)
- Compliance
 - CIRNA Inspector's Reports from 2018, 2020 and 2021 raised concerns about the Sewage Disposal Facility, requiring potential improvements to the berm wall adjacent to Monitoring Station COR-3 (GN-CGS has agreed to file a written response to the Inspector's Reports)
- Water Use
 - Daily use of up to 2,000 m³ during water resupply to the reservoir
 - Total annual water use of up to 45,000 m³



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- Waste Disposal
 - Monthly rather than daily estimates of the quantity of waste (sewage and solid waste) disposed requested by (GN-CGS)
 - Wastewater treatment through Sewage Disposal Facility/Wetland system
 - Run-off from Solid Waste Disposal Facility and the potential for its mixing with the Sewage Effluent
- Inspection Program
 - Annual visual inspection of water and waste management facilities by professional engineer (GN-CGS requested to remove requirement for Professional Engineer to conduct this visual inspection)
- Monitoring Program
 - Additional reporting of daily flow meter data from pump at Post River
- Closure and Reclamation Planning
 - Removal of the legacy airport waste site from scope of Type “A” Water Licence

Changes to the Application for the Purposes of Clarification

During the TM, a question was raised by the Applicant about changing the discharge criteria for Monitoring Program Station COR-5 (increasing the maximum concentrations of BOD and TSS to 100 mg/L and 120 mg/L, respectively). Subsequently, the NWB stated that if the Applicant wishes to pursue this change, the Applicant would need to provide the NWB with rationale and confirmation in writing of this modification to the Application and would be required to submit additional information in support of the request. As this change was not included in scope of the original application, it could trigger reconsideration by the Nunavut Planning Commission and may warrant further impact assessment by the Nunavut Impact Review Board. The Applicant subsequently confirmed with the NWB that they will not be pursuing this modification requested at this time.

Procedures for the Public Hearing

Parties were asked for their views with respect to the form of the Public Hearing (written, teleconference or in-person). The Applicant, stated that they are facing staff shortages and favored that the Public Hearing be conducted in writing only. CIRNA and ECCC, identified that due to the COVID-19 pandemic, there are limits on travel and attendance at indoor public gatherings for their personnel, and stated that they would not be able to attend an in-person Public Hearing in Coral Harbour due to these restrictions. On this basis, CIRNA and ECCC preferred a written or teleconference format for the Public Hearing.



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In determining the appropriate format for the Public Hearing, the Board considered several important factors and balanced the Board's preference for in-person Public Hearings with the responsibility of preserving the health and safety of all Public Hearing participants and the community of Coral Harbour in general. Unfortunately, the Board expects that public health measures such as restrictions on travel into, and within Nunavut, social distancing, masking and limits on public indoor gatherings, will likely continue to be required for the foreseeable future to prevent the further spread of COVID-19. As a result, it is unlikely that representatives from all of the key parties will be able to attend an in-person Public Hearing conducted in Coral Harbour, and even for an in-person Public Hearing, the NWB would be required to ensure that remote access options be provided to ensure all parties can participate fully.

In addition to the Board's more general concern about holding indoor public meetings during the COVID-19 pandemic, the Board has also considered the following factors specific to this Application to determine the appropriate format for the Public Hearing for the file:

- Although the daily water use requirements during refilling the raw water storage reservoir trigger the requirement for the expired Type "B" Water Licence to be replaced by a new Type "A" Water Licence, the Applicant is not seeking any amendments to the scope of the expired Type "B" Water Licence, and during the renewal process in 2015 associated with the expired Type "B" Water Licence the Board did not view the scope of that Licence or public concerns with the Licence to warrant conducting a Public Hearing; and
- During the Community Session and throughout the technical review of the Application, no concerns have been expressed to the Board by members of the community or other interested members of the public in respect of the Application.

After considering current circumstances and weighing these factors, the NWB decision-making Panel for the file (Panel P23) has decided, by Motion #2021-15-P23-04, that it is most appropriate for the Board to hold a written Public Hearing to support decision-making for the file. The Board's process for conducting the Public Hearing in writing will commence with the NWB publishing formal Notice of the written Public Hearing on **December 24, 2021**. The Applicant, interveners, interested parties and members of the public will then have an opportunity to file their final written submissions, written summaries and/or any presentation materials that they wish Panel P23 to consider in respect of the Application in accordance with the timelines specified under the subheading [Timetable for Pre-Hearing Exchange of Information](#) in this Report. Assuming that all required materials are filed within the specified timelines, concluding with final statements and presentation materials of all parties being filed by **February 25, 2022**, the NWB anticipates being able to close the Public Hearing Record for the file during the week of **February 28-March 04, 2022**. Once the Public Hearing Record is closed for the file, no additional information about the



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Application will be received by the Board and the file will be remitted to Panel P23 for decision-making.

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

- The failure of any participants to meet the timelines for the pre-Hearing exchange of documentation;
- Technological innovations and limits; and
- The receipt of the required Public Hearing funding from Crown-Indigenous Relations and Northern Affairs Canada.

The parties have confirmed that they do not anticipate that they will require the Board to deviate from the Board's normal *Rules of Practice and Procedure* (May 2005) (*Rules*) during the conduct of the written Public Hearing. As such, the Board directs all parties that the written Public Hearing will be conducted in accordance with Parts III and IV of the Board's *Rules*.

Measures to Simplify the Disposition of the Application

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

Steps following the Public Hearing

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

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



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Regards,

Stephanie Autut
Executive Director

NUNAVUT WATER BOARD

SA/MAS

Attachments:

- Appendix A: Technical Meeting, Community Session and Pre-Hearing Conference Agendas
- Appendix B: List of Participants at the Technical Meeting and Pre-Hearing Conference
- Appendix C: List of the Application Submissions
- Appendix D: List of Commitments generated during the Technical Meeting/Pre-Hearing Conference held on December 7-8, 2021



APPENDIX A: TM/Community Session/PHC Agenda

FINAL AGENDA

TECHNICAL MEETING, COMMUNITY SESSION AND PRE-HEARING CONFERENCE

**HAMLET OF CORAL HARBOUR – CONTINUED USE OF WATER AND DEPOSIT OF
WASTE**

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

TECHNICAL MEETING

Date: December 7, 2021

Time: 08:00 AM – 4:00 PM (MT)

Join Zoom Meeting

<https://us06web.zoom.us/j/83705666003?pwd=NWtiRHVqQktJbWY2N2VNbENFa1FkUT09>

Over the telephone by dialing any phone number listed below:

+1 (438) 809 7799

+1 (587) 328 1099

+1 (647) 374 4685

+1 (647) 558 0588

+1 (778) 907 2071

+1 (204) 272 7920

When asked please enter Meeting ID: **837 0566 6003**

When asked please enter Passcode: **550900**

1. Introduction

2. Opening remarks/Application to the Board (15 Minutes)

a. Overview of scope and procedural history of the application

3. Purpose of the Technical Meeting and Pre-Hearing Conference



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4. Technical Review of the Application

- a. Introduction of Participants
- b. Presentation by Applicant (GN-CGS on behalf of Hamlet) (up to 45 minutes, excluding time for questions and answers)
 - i. Questions from Parties, other conference call participants and the NWB regarding the Applicant's Presentation
- c. Identification of interested parties
- d. Presentations by interested parties (up to 30 minutes, excluding time for questions and answers)
 - Presentation by CIRNA
 - Presentation by ECCC
- e. Formulation of outstanding issues
- f. Identification of the parties' commitments to resolve relevant technical issues, service of documents to parties (deadline, public registry, form)

5. Closing of Technical Meeting



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COMMUNITY SESSION

Date: December 7, 2021
Time: 5:00 PM - 7:30 PM (MT)

Join Zoom Meeting

<https://us06web.zoom.us/j/83705666003?pwd=NWtiRHVqQktJbWY2N2VNbENFa1FkUT09>

Over the telephone by dialing any phone number listed below:

+1 (438) 809 7799
+1 (587) 328 1099
+1 (647) 374 4685
+1 (647) 558 0588
+1 (778) 907 2071
+1 (204) 272 7920

When asked please enter Meeting ID: **837 0566 6003**

When asked please enter Passcode: **550900**

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



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PRE-HEARING CONFERENCE

Date: December 8, 2021
Time: 08:00 AM – 3:00 PM (MT)

Join Zoom Meeting

<https://us06web.zoom.us/j/87601573215?pwd=WFBwcmtLeEg1SGZCNkVBMGRPdUMrUT09>

Over the telephone by dialing any phone number listed below:

+1 (438) 809 7799
+1 (587) 328 1099
+1 (647) 374 4685
+1 (647) 558 0588
+1 (778) 907 2071
+1 (204) 272 7920

When asked please enter Meeting ID: **876 0157 3215**

When asked please enter Passcode: **478183**

1. Pre-Hearing Conference

- a. Identify issues that may prevent the Application from proceeding to a Public Hearing
- b. Discuss form, timing, and location of a potential Public Hearing for the Application
- c. Establish timetable for the pre-hearing exchange of information including:
 - i. preparation and filing of additional documents by the parties (deadlines, form, public registry)
 - ii. document-translation requirements
 - iii. documentation to be included in the Public Hearing Record
- d. Finalize list of issues to be addressed at the Public Hearing
- e. Identify interested parties / parties that should be invited to participate in the Public Hearing
- f. Identify any changes required to the Application for the purposes of clarification
- g. Final procedures to be followed at the Public Hearing including:
 - i. requested modifications to the applicable NWB Rules of Practice and Procedure for Public Hearings (May 2005)
 - ii. language requirements at the Public Hearing



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- h. Consideration of any other matters that may aid in the simplification and disposition of the Application at the Public Hearing

2. Other issues

3. Closing of the meeting.



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APPENDIX B: Attendees at TM/Community Session/PHC

Participant	Position	Company/ Organization	Representing
Elan Chalmers	Municipal planning Engineer	GN-CGS	Hamlet of Coral Harbour
Megan Lusty	Manager of Municipal Works	GN-CGS	Hamlet of Coral Harbour
Andrew Keim	Acting Manager, Water Resources	CIRNA	CIRNA
John Onita	Regional Coordinator, Water Resources	CIRNA	CIRNA
Jennifer Sabourin	Environmental Assessment Officer	ECCC	ECCC
Victoria Shore	Senior Environmental Assessment Officer	ECCC	ECCC
Karén Kharatyan	Director Technical Services	NWB	NWB
Mohammad Ali Shaikh	Technical Advisor	NWB	NWB
Richard Dwyer	Manager of Licensing	NWB	NWB
Teresa Meadows	Legal Counsel	Meadows Law	NWB



APPENDIX C: List of Application Submissions

May 18, 2021 submissions

- Type “B” Water Licence Renewal Application
- Authorization Letter & Application Fee Cheque
- NPC Letter File # 149526 Coral Harbor Water Licence Renewal
- Plan for Compliance 2021
- Renewal Cover Letter
- Summaries in English and Inuktitut
- Water Treatment Plant As-Built-Drawings
- 2021 Coral Harbour Environmental Emergency Spill Contingency Plan
- 2021 Coral Harbour QAQC Plan
- O&M Plan Sewage Disposal Facility 2021
- O&M Plan Solid Waste Facility 2021
- O&M Plan Water Supply Facility 2021
- 2016 Annual Report

September 29, 2021 submissions

- Type “A” Water Licence Application
- Executive Summaries – English and Inuktitut (updated)
- NPC letter, RE: 149589, dated August 11, 2021
- Amendment Justification Summary

October 29, 2021 submissions

- Applicant response to CIRNA and ECCC comments

November 03, 2021 submissions

- Letter from CIRNA (indicating satisfactory responses from the Applicant)

November 05, 2021 submissions

- Letter from ECCC (requesting further clarifications from the Applicant)

November 09, 2021 submissions

- Applicant responses to ECCC



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November 15, 2021 submissions

- Email from ECCC (indicating satisfactory responses from the Applicant)

December 02, 2021 submissions

- Presentations for TM-PHC received from GN-CGS, ECCC and CIRNA along with confirmation of participation and names of the participants.



APPENDIX D: List of Commitments generated during the Technical Meeting/Pre-Hearing Conference held December 7-8, 2021

No.	Party Responsible for Commitment	Party(s) who raised (Item#)	Issue - TM Commitment	Timeline for Submission	Form of Submission
1	GN-CGS	CIRNA	Update the Solid Waste Disposal Facility (SWDF) O&M Plan with: <ul style="list-style-type: none">Description of daily solid waste discharge estimates GN-CGS not agreeing to provide daily estimates but would be providing the monthly estimates, which would be daily estimates	March 31, 2022	Updates to the SWDF Operation and Maintenance (O&M) Plan
2	GN-CGS	ECCC	ECCC 02 (Monitoring Ambient Conditions): Review revisions suggested by ECCC and conduct trials over the summer of 2022 and provide updated QA/QC plan. If this is not possible, GN to provide rationale to justify their decision.	March 31, 2023	Updated QA/QC Plan



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No.	Party Responsible for Commitment	Party(s) who raised (Item#)	Issue - TM Commitment	Timeline for Submission	Form of Submission
3	GN-CGS	ECCC	ECCC 03 (Inclusion of field and travel blanks): Review revisions suggested by ECCC and conduct trials over the summer of 2022 and provide updated QA/QC plan. If this is not possible, GN to provide rationale to justify their decision.	March 31, 2023	Updated QA/QC Plan