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Department of Environment

Ministère de l'Environnement

August 15, 2008

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board

via Email to: licensing@nunavutwaterboard.org

RE: NWB FILE # 3BC-PLI – Environment Canada – Prince Leopold Island Research Project

Dear Ms. Beaulieu:

Thank you for your correspondence of July 24, 2008, in which the NWB requested comments on whether the water use and waste deposition as described in Environment Canada's water license application for the Prince Leopold Island research project constitutes "domestic use" pursuant to section 13.7.1 of the Nunavut Land Claims Agreement (NLCA) and consequently whether the project is exempt from the requirement for a water license.

The Department of Environment (DOE) believes that the issue of domestic use and water license exemptions is best addressed through the development of the Nunavut Water Regulations. Government of Nunavut representatives on the Nunavut Water Regulations Development Group (NWRDG) will be available to discuss this issue in the context of the water regulations at future meetings of the Group.

If the NWB deems this project to require a water license based on the facts of the application in question, DOE has the following comments and recommendations to make based on the *Environmental Protection Act* regarding spill contingency and abandonment & restoration.

1. SPILL CONTINGENCY PLANNING

Based on DOE's *Spill Contingency Planning and Reporting Regulations*, and *Contingency Planning and Spill Reporting in Nunavut: a Guide to the New Regulations*, we recommend the following be included in the Spill Contingency Plan:

- To prevent spreading in the event of a spill, fuel stored in drums should be located, whenever practical, in a natural depression a minimum distance of 90 feet from all water bodies, preferably in an area of low permeability.
- The NWT-Nunavut spill report form has been updated, and can be obtained from DOE website (http://www.gov.nu.ca/env/applications.shtml). This form should be included in the spill plan, and proponents are required to use this form for reporting to the Spill Line in the case of spills. Additionally, the proponent is advised to enter spill information electronically in the form in the case of spills so the information is legible to regulators inspecting the spill.

2. ABANDONMENT AND RESTORATION

- Soil contaminated by fuel (e.g., soils under an old storage tank) should be treated on site or removed to an approved disposal site and replaced with new soil. Soils in the vicinity of fuel and/or chemical storage should be tested and disposed off if necessary.
- All sumps should be properly backfilled and restored at the end of the project.
- Solid waste management should be implemented with the goal of reducing the environmental impact, including measures such as purchasing policies that focus on reduced packaging. The principle of source reduction should be utilized to reduce, reuse

and recycle materials otherwise bound for landfill. The Government of Nunavut is a signatory to the *Canada-Wide Standards for Dioxins and Furans*, and the *Canada-Wide Standards for Mercury Emissions* and does not encourage open burning. Open burning is a last resort management option of solid waste.

We thank the NWB for the opportunity to provide comments on Environment Canada's water license application. Please contact us if you have further questions.

Yours sincerely,

Original signed by

Froeydis Reinhart
Scientist/Coordinator, Environmental Assessment
Department of Environment
Government of Nunavut
P.O. Box 1000, Stn. 1360
Iqaluit, Nu X0A 0H0
PH: (867) 975-7735
FX: (867) 975-7739
EM: freinhart@gov.nu.ca