

“Water Supply Facilities” comprises the area and associated intake infrastructure at Canso Lake, as described in the Application for Water Licence filed by the Applicant on May 30, 2008.

3. Enforcement

- a. Failure to comply with this Licence will be a violation of the *Act*, subjecting the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*;
- c. For the purpose of enforcing this Licence and with respect to the use of water by the Licensee, Inspectors appointed under the *Act*, hold all powers, privileges and protections that are conferred upon them by the *Act* or by other applicable law; and
- d. The Licensee shall, in relation to any application to renew or amend the Licence, provide an updated Plan for Compliance as submitted pursuant to Part B, Item 10. The updated Plan for Compliance must be submitted at the time of Application, in order for the Application to be deemed complete.

PART B: GENERAL CONDITIONS

1. The Licensee shall file an Annual Report with the Board not later than March 31st of the year following the calendar year reported which shall contain the following information:
 - a. tabular summaries of all data generated under the “Monitoring Program”;
 - b. the monthly and annual quantities in cubic metres of fresh water obtained at the Water Supply Facilities;
 - c. a summary of modifications and/or major maintenance work carried out on the Water Supply Facilities including all associated structures and facilities;
 - d. a summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;
 - e. Any updates or revisions for manuals and plans (i.e., *Operations and Maintenance Manual*) as required by changes in operation and/or technology;
 - f. a summary of any studies or reports requested by the Board that relate to water use or restoration, and a brief description of any future studies planned; and

- g. any other details on water use requested by the Board by November 1st of the year being reported.
2. The Licensee shall comply with the "Monitoring Program" described in this Licence, and any amendments to the "Monitoring Program" as may be made from time to time, pursuant to the conditions of this Licence.
 3. The "Monitoring Program" and compliance dates specified in the Licence may be modified at the discretion of the Board.
 4. Meters, devices or other such methods used for measuring the volumes of water used and waste discharged shall be installed, operated and maintained by the Licensee.
 5. The Licensee shall, within ninety (90) days after the first visit by the Inspector following issuance of this Licence, post the necessary signs to identify the stations of the "Monitoring Program." All signage postings shall be in the Official Languages of Nunavut.
 6. The Licensee shall immediately report to the 24-Hour Spill Report Line (867-920-8130) any spills, which are reported to, or observed by the Licensee, within the boundaries of the Water Supply Plant and source water.
 7. The Licensee shall ensure a copy of this Licence is maintained at the Municipal Office at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

Manager of Licensing:

Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0
Telephone: (867) 360-6338
Fax: (867) 360-6369
Email: licensing@nunavutwaterboard.org

Inspector Contact:

Water Resources Officer
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445

Analyst Contact:

Taiga Laboratories
Department of Indian and Northern Affairs
4601 – 52 Avenue, P.O. Box 1500
Yellowknife, NT X1A 2R3
Telephone: (867) 669-2781
Fax: (867) 669-2718

8. The Licensee shall submit one paper copy and one electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.
9. The Licensee shall ensure that all document(s) and correspondence submitted by the Licensee to the Board are received and acknowledged by the Manager of Licensing.
10. The Licensee shall submit to the Board for approval, within ninety (90) days of Licence issuance or upon the filing of any application in relation to the Licence within that time, a Plan for Compliance that clearly demonstrates the measures the Licensee will undertake, including an implementation schedule, to achieve full compliance with the conditions of this Licence, including the approval of the waste water and solid waste disposal facilities.
11. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
12. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and condition imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
13. This Licence is not assignable except as provided in Section 44 of the Act.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all fresh water from Canso Lake using the Water Supply Facilities or as otherwise approved by the Board in writing.
2. The daily quantity of water used for all purposes shall not exceed two hundred and forty eight (248) cubic metres.
3. The Licensee shall equip all water intake hoses with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw water at a rate such that fish do not become impinged on the screen.

4. The Licensee shall not remove any material from below the ordinary high water mark of any water body unless otherwise approved by the Board in writing.
5. The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.
6. Sediment and erosion control measures shall be implemented prior to and maintained during the operation to prevent entry of sediment into water.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. This Licence does not allow for any activities related to sewage disposal, treatment and discharge, solid waste collection, containment or disposal. An application for an amendment to this licence will be required to permit these activities.

PART E: CONDITIONS APPLYING TO MODIFICATION AND CONSTRUCTION

1. The Licensee shall submit to the Board for written approval, construction design drawings stamped by a qualified engineer registered in Nunavut, prior to the construction of any dams, dykes or structures intended to contain, withhold, divert or retain water.
2. The Licensee may, without written approval from the Board, carry out modifications to the Water Supply provided that such modifications are consistent with the terms of this Licence and the following requirements are met:
 - a. the Licensee has notified the Board in writing of such proposed modifications at least sixty (60) days prior to beginning the modifications;
 - b. these modifications do not place the Licensee in contravention of the Licence or the Act;
 - c. the Board has not, during the sixty (60) days following notification of the proposed modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
 - d. the Board has not rejected the proposed modifications.
3. Modifications for which all of the conditions referred to in Part E, Item 2, have not been met may be carried out only with written approval from the Board. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

4. All activities shall be conducted in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage
5. The Licensee shall implement sediment and erosion control measures prior to and during all activities carried out under this Part to prevent the release of sediment and minimize erosion.

PART F: CONDITIONS APPLYING TO OPERATION AND MAINTENANCE

1. The Licensee shall submit to the Board for approval, within ninety (90) days of issuance of the Licence, an Operations and Maintenance Manual prepared where appropriate, in accordance with the *"Guidelines for the Preparation of an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories; 1996"*. The Manual shall take into consideration the comments received during the application review process and shall contain a Spill Contingency Plan in the format set out by the *Consolidation of Spill Contingency Planning and Reporting Regulations R-068-9*. The Spill Contingency Plan shall be appended to the Operation and Maintenance Manual.
2. The Licensee shall review the O&M Manual referred to in Part F, Item 1 as required by changes in operation and/or technology and modify accordingly. Revisions are to be submitted in the form of an Addendum to be included with the Annual Report.
3. The Licensee shall perform more frequent inspections of the engineered facilities at the request of an Inspector.
4. If, during the period of this Licence, a fuel or chemical spill occurs, the Licensee shall:
 - a. report the incident immediately via the 24-Hour Spill Reporting Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and
 - b. submit to the Inspector, a detailed report on each occurrence, not later than thirty (30) days after initially reporting the event, that provides the necessary information on the location (including the GPS coordinates), initial response action, remediation/clean-up, status of response (ongoing, complete), proposed disposal options for dealing with contaminated materials and preventative measures to be implemented.
 - c. include all relevant data about the spill location, quantity, cause, clean-up efforts and future prevention in the annual report to the Board.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

1. The Licensee shall submit for Board for approval within ninety (90) days of issuance of this Licence an *Abandonment and Restoration Plan* for the existing water intake facility that is being decommissioned.
2. The Licensee shall submit to the Board for approval an *Abandonment and Restoration Plan* at least six (6) months prior to abandoning of any facilities or upon submission of the final design drawings for the construction of new facilities to replace existing ones. Where applicable, the Plan shall include information on the following:
 - a. water intake facilities;
 - b. the water treatment facilities;
 - c. petroleum and chemical storage areas;
 - d. an implementation schedule;
 - e. maps delineating all disturbed areas, and site facilities;
 - f. consideration of altered drainage patterns; and
 - g. future area use.

PART H: CONDITIONS APPLYING TO THE MONITORING PROGRAM

1. The Licensee shall measure and record, in cubic metres, the monthly and annual quantities of water pumped at the Water Supply Facilities, for all purposes.
2. The Licensee shall include all of the data and information required by the "Monitoring Program" in the Licensee's Annual Report, as required *per* Part B, Item 1, or as requested by an Inspector.
3. Modifications to the Monitoring Program may be made only upon written approval from the NWB.
4. All data concerning spills that occur within the boundaries of the Water Supply Plant and source shall be detailed in the annual report to the Board.