



NWB Tools

Ida Porter <ida.porter@nwb-oen.ca>

[Licensing] 7BL-BIL1215 Renewal Application Notice of Deficiencies

Brady MacCarl <brady.maccarl@nwb-oen.ca>
To: Boyd Warner <boydw@bathurstinlet.com>
Cc: Licensing Department <licensing@nwb-oen.ca>

Wed, Aug 12, 2015 at 4:27 PM

Hi Boyd,

I wanted to follow up on your water licence application.

I have been in contact with AANDC and they have confirmed that an extension was granted for the Direction related to the barrels, and moreover, that the barrels are in the process of being removed. I'm waiting to receive an official confirmation of the Direction revocation, as I believe it will be to the benefit (and clarity) of all parties to have this piece of information on record during the external review process. Thank you for your patience while this issue was being reviewed. I assure you that the inquiries related to the barrels stemmed from the NWB's standard review process during a licence renewal, and not from any particular desire to raise your blood pressure.

I don't believe there are any other major issues attributed to your Application Boyd; however, as mentioned previously, there are a few things that should be addressed before the Application proceeds:

1. Revisions to the Spill Contingency Plan, which we discussed previously.
2. In relation to Block 9 of the Application (Description of Undertaking), please expand upon the description of the undertaking and list of planned activities.
3. Please elaborate on the Waste, and Quantity and Quality of Waste sections (Blocks 14 and 15) of the Application. These sections should clearly identify the types, characteristics, volumes and planned disposal method for the waste types generated by the undertaking.

I am empathetic to the point you raised previously, inquiring why points 2 and 3 had not been raised during the previous water licence application. Yet, I am not in a position to speculate on this, and the NWB does reserve the right to ask for clarity on issues related to water-use and waste disposal during a renewal application. By expanding on these issues now, however, I hope that it may minimize unneeded inquiries from the NWB or other interested parties in the future.

For your reference, I have attached the NWB Guide for Submitting a Water Licence, which may provide a better picture of what the NWB is looking for in Blocks 9, 14 and 15. Also, if it is more convenient, you may respond to points 2 and 3 in a separate word document, rather than revise the Application form. If you take this option, please indicate in the document which sections of the Application you are elaborating on.

Please contact me with any further questions or concerns you may have.

Regards,



Brady MacCarl, MSc- >ᑕᓄᓐ ᑕᓄᓐᓂᓐ

Technical Advisor- Conseiller Technique

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Merci de penser à l'environnement avant d'imprimer ce courriel / Thank you for thinking of the environment before printing this email

On Wed, Aug 5, 2015 at 1:41 PM, Brady MacCarl <brady.maccarl@nwb-oen.ca> wrote:

Hi Boyd,

Actually the NWB has a more current version than the one you just sent. I have attached it for you consideration. Although the updated plan addresses some of the conditions detailed in the licence, there are others that are still outstanding. Part H, Item 1 of your Licence states:

1. The Licensee shall submit for Board approval within sixty (60) days following issuance of the Licence, a revised Spill Contingency Plan, prepared in the format set out by the Consolidation of Spill Contingency Planning and Reporting Regulations R-068-93, addresses comments received by the parties and addresses or includes the following:
 - a. A title page, introduction, table of contents, page numbers, date of latest revision and effective date of the plan;
 - b. Topographic map of appropriate scale that references site infrastructure, all fuel caches, spill kits, grey water sumps and sewage pits in relation to nearby water bodies;
 - c. A list of all spill response equipment and supplies as well as spill kit contents;
 - d. Material Safety Data Sheets (MSDS) for the chemical/fuels used or stored on site should either be included as an appendix or reference should be provided in the Plan to the on-site location for MSDS for reference;
 - e. Contingency measures to address different spill scenarios such as a spill on land, water or ice;
 - f. A section pertaining to the training;
 - g. An Emergency Contact list for assistance, including AANDC, EC, DFO, GN-DoE, KIA's and Nunavut 24 hour Spill Report Line; and
 - h. A copy of the NT-NU Spill Report Form and the Instructions for Completing the NT-NU Spill Report Form.

It is these conditions and the *Spill Contingency Planning and Reporting Regulations* which the plan will ultimately be assessed against; and as I mentioned previously, AANDC's Guidelines for Spill Contingency Planning is a valuable reference document to ensure that the Regulations are being fulfilled. AANDC also provided a number of comments on your revised SCP--also attached for your convenience--that I would recommend you review as well. The NWB expects SCPs to be comprehensive documents, which can be picked up and utilized by any individual in the event of a spill, and thus should contain important reference material such as a site plan and MSDSs.

If the SCP is revised to address the conditions prescribed in the licence, it can be sent to the Board for approval with the Licence Renewal Application itself.

Let me know if you have any further questions.

Regards,



Brady MacCarl, MSc- >ᑕᐃᑎ ᐱᑦᑕᑦᑕ

Technical Advisor- Conseiller Technique

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On Wed, Aug 5, 2015 at 12:14 PM, Boyd Warner <boydw@bathurstinlet.com> wrote:

Thanks Brady and please have a look at the attached. I show it was sent in 2014, is this the one you have that you are saying still needs revision.

Thanks

Boyd

From: Brady MacCarl [mailto:brady.maccarl@nwb-oen.ca]
Sent: August-05-15 10:27 AM
To: Boyd Warner
Subject: Re: 7BL-BIL1215 Renewal Application Notice of Deficiencies

Thanks for following up Boyd.

That is correct; I don't need any further information from you until I hear back from AANDC. However, it should be noted that regardless of AANDC's response, the Spill Contingency Plan will need to be revised, as indicated in my previous email, before the Licence Renewal Application can proceed.

Regards,

On Wed, Aug 5, 2015 at 10:12 AM, Boyd Warner <boydw@bathurstinlet.com> wrote:

Thank you and just to be sure no further info is needed from myself at this time until I hear from you, correct?

Boyd

From: Brady MacCarl [mailto:brady.maccarl@nwb-oen.ca]
Sent: July-31-15 9:50 AM
To: Boyd Warner
Cc: Licensing Department
Subject: Re: 7BL-BIL1215 Renewal Application Notice of Deficiencies

Hi Boyd,

Thank you for your comprehensive response. It certainly adds a valuable degree of depth to your renewal application.

I want to begin Boyd by stating that the Board holds no prejudice against your establishment; indeed, Bathurst Inlet Lodge is well known in the Territory for its long and unique history. It is important, however, that the Board performs its due diligence when processing all licence Applications, and a fundamental component of any review for an Application for Renewal of a Licence, is a conformity review to the pre-existing terms and conditions of the Licence.

The Direction issued to you by AANDC in August 2013, and two emails between Andrew Kiem and yourself that immediately followed, are the last official pieces of communication the Board has on record related to Licence compliance. From these communications it appears that many of the issues remain outstanding; however, I am aware that these communications are now two years old, and thus the communications were forwarded to you as part of your notice of deficiencies (which I should add, are very common to receive from the Board in the first stages of an application) so you had the first opportunity to expand on the current state of each item, which you have duly done. Please note, the Annual Reports are **not** outstanding, they were included in the text as part of the quotation from AANDC's Report, however, the text, "noted as rectified" was added next to the item. The text likely should have been in bold; I apologize for the confusion.

I agree that these issues require further discussion and clarification, and I will followup with AANDC to see if its stance has changed since the issuance of the Direction.

It is important Boyd that you are aware that the Board regulates the Act but does not enforce it. It is unfortunate if certain members of the community improperly utilize "Garbage Island" as a waste disposal area, but the Board must leave these issues to the Inspectors to enforce, and I'm sure you'll agree that the Board cannot weaken its implementation of the standards and guidelines reflected in its licences simply because there are other parties in the

area who are irresponsible stewards of the land. I assure you however, the Board does not wish to hold you to any environmental obligations that Bathurst Lodge has not contributed to or taken responsibility for since its inception.

I do not believe a teleconference is required at this moment. I will contact AANDC and follow up with you shortly after.

Lastly, I confirmed that the email previously sent had the AANDC Guidelines for Spill Contingency Planning attached, so I'm not sure why it didn't go through; regardless, I have attached it again for your convenience.

Regards,

[Redacted signature]

[Quoted text hidden]



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