



Richard Dwyer <richard.dwyer@nwb-oen.ca>

Eureka HAWS 8BC-EUR2131 - Applications for Type B Amendment and Type A Water Licence

Cloutier-Dussault, Jean-Philippe (ECCC) <Jean-Philippe.Cloutier-Dussault@ec.gc.ca>

Thu, Apr 20, 2023 at 7:53 AM

To: Assol Kubeisinova <assol.kubeisinova@nwb-oen.ca>

Cc: "Baker, Nadia" <Nadia.Baker@aecom.com>, "Huguet, Tyler" <tyler.huguet@aecom.com>, "Richard Dwyer (richard.dwyer@nwb-oen.ca)" <richard.dwyer@nwb-oen.ca>, "Karén Kharatyan (karen.kharatyan@nwb-oen.ca)" <karen.kharatyan@nwb-oen.ca>, Brad Overton <Brad.Overton@tpsgc-pwgsc.gc.ca>, Licensing Department <licensing@nwb-oen.ca>, "Mulholland, Greg (ECCC)" <greg.mulholland@ec.gc.ca>

Good day Assol,

Please see in red below answers to questions raised by the NWB:

Application 8BC-EUR2131:

1. The activity ECCC is requesting the licence amendment for is construction of a landfarm only. No other additional activities are requested to be permitted. Could you please clarify if my understanding is correct? **Correct** If that is so, a licence modification would be a more appropriate and time-efficient route. **Thank you for this suggestion and being considerate of our preferred schedule. It is really appreciated. Please proceed with processing as a licence modification.**
2. Are the existing Landfarm Facility and Temporary Contaminated Soil Storage permitted under the existing Licence planned to remain operational? **No. Once the new landfarm is constructed, the contaminated soils in each of these locations would be transported to the new landfarm facility for treatment.**
3. Could you please clarify the role of the "... second location..." required for storage of soils and sediments with contaminants over generic CCME guidelines but under SSTLs. A pre-determined location referred to as "Johnny's Hole"..." **Sediments with PHC concentrations above generic soil guidelines but below the SSTLs were present in the North Drainage Pond (Remedial Action Plan Pg 23 and 25). As the soils are below the SSTLs, they do not require treatment (e.g., via landfarm). However, due to their proximity to the new drinking water reservoir and their upgradient position relative to the existing reservoir, these soils were relocated to Johnny's Hole; an area that is not close to, or upgradient of any drinking water sources.**
4. The RAP submitted with the application states: "The schedule for excavation of some of the areas discussed in this RAP will precede the date at which the LTU is expected to be constructed and ready to accept soils for treatment. For this reason, an interim soil management area will need to be used to hold the soil and sediment until the LTU is ready." Could you please provide more information about this "interim soil management area"? Is it planned to be constructed? **This was described in the water licence modification (i.e., "Temporary contaminated soil storage") submitted February 22nd and approved on March 23, 2022.**
5. The 2022 annual report states: "In addition a high-density polyethylene (HDPE) lined storage area was constructed in 2022 for containment of hydrocarbon contaminated soils discovered within the new reservoir development area". Was the storage area permitted to be constructed by the NWB? **This was described in the water licence modification (i.e., "Temporary contaminated soil storage") submitted February 22nd and approved on March 23, 2022. Interim soil management area and HDPE lined storage area is referring to the same project component.**
6. As per Part E, Item 20 of the Licence, at least sixty (60) days prior to construction, a submission of issued-for-construction drawings is required. **For-construction drawings of the new landfarm will be submitted at least 60 days prior to construction.**

Application for a Type A licence and general Licence compliance:

1. Could you please provide a letter of authorization for AECOM to represent ECCC in this application (if that is what ECCC intends to do)? **ECCC confirmed on April 14 via email they will remain the authorized representative.**
2. Part D, Item 18 of Licence requires the Licensee to submit a remedial options analysis and remedial action plan with the 2021 Annual Report. P.58 of the RAP states:

The 2022 Supplemental Site Assessment – Stockpile Characterization (DOJV, 2023) at the Eureka HAWS consisted of collecting soil samples from within the lined Temporary Soil Stockpile near the Runway as identified in the soil sampling workplan. Fifteen (15) boreholes were advanced using a hand auger and soil samples were collected from two depths at each location.

Soil samples were analyzed for BTEXs, PHC Fractions F1-F4 and Metals. No exceedances were noted above SSTLs. As such, soils from this temporary stockpile can be categorized as "over generic, under SSTL" within this document and moved to a pre-determined location referred to as "Johnny's Hole".

This material subject to it passing a leachate test such as the O.Reg 558 test, could be use as daily or permanent cover at any future engineered waste disposal facility at Eureka.

The updated volume of contaminated soil above SSTLs requiring treatment in the LTU at the Temporary Stockpile is therefore considered 0 m3.

This above seems to contravene Licence Part D, Item 16: "The Licensee shall, prior to the removal of any treated soil for future use, confirm with the Government of Nunavut, Environmental Protection Service that the soils have been treated to meet all legislatively-required treatment objectives." Could you please provide further discussion? **Because the soils are below the SSTLs they do not require treatment. This item is specific to soils that required treatment.**

3. The 2022 Licence amendment reminds ECCC: "In addition, the Board would like to remind ECCC of Part I, Item 9 of the original licence requiring the submission of a revised Quality Assurance / Quality Control (QA/QC) Plan. On November 18, 2021, ECCC committed to provide the QA/QC Plan prior to the 2022 sampling season". This requirement remains outstanding. **An updated QA/QC will be provided as soon as possible. ECCC is working on updating the plan to address CIRNAC's comments. ECCC intends to comply with CIRNAC's recommendations. ECCC kindly requests that the licence application continue to be processed while the QA/QC plan is updated.**

Best regards

Jean-Philippe Cloutier-Dussault

Gestionnaire immobilier, Directions des actifs, des biens immobiliers et de la sécurité

Environnement et Changement climatique Canada / Gouvernement du Canada

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of Canada

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du Canada

Canada

De : Cloutier-Dussault, Jean-Philippe (ECCC) <Jean-Philippe.Cloutier-Dussault@ec.gc.ca>

Envoyé : 14 avril 2023 06:12

À : Assol Kubeisinova <assol.kubeisinova@nwb-oen.ca>

Cc : Baker, Nadia <Nadia.Baker@aecom.com>; Huguet, Tyler <tyler.huguet@aecom.com>; Richard Dwyer (richard.dwyer@nwb-oen.ca) <richard.dwyer@nwb-oen.ca>; Karén Kharatyan (karen.kharatyan@nwb-oen.ca) <karen.kharatyan@nwb-oen.ca>; Brad Overton <Brad.Overton@tpsgc-pwgsc.gc.ca>; Licensing Department <licensing@nwb-oen.ca>; Mulholland, Greg (ECCC) <greg.mulholland@ec.gc.ca>
Objet : RE: Eureka HAWS 8BC-EUR2131 - Applications for Type B Amendment and Type A Water Licence

Good day Assol,

This is a follow-up on your email dated April 6 below. I hereby confirm that ECCC remains the main representative for all licensing matters.

Should you require further information, feel free to contact me.

Kind regards,

Jean-Philippe Cloutier-Dussault

Gestionnaire immobilier, Directions des actifs, des biens immobiliers et de la sécurité

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From: Assol Kubeisinova <assol.kubeisinova@nwb-oen.ca>
Sent: April 6, 2023 1:55 PM
To: Baker, Nadia <Nadia.Baker@aecom.com>
Cc: richard.dwyer@nwb-oen.ca; Karén Kharatyan <karen.kharatyan@nwb-oen.ca>; Huguet, Tyler <tyler.huguet@aecom.com>; Overton, Brad (SPAC/PSPC) (il-lui / he-him) <Brad.Overton@tpsgc-pwgsc.gc.ca>; Cloutier-Dussault, Jean-Philippe (ECCC) <Jean-Philippe.Cloutier-Dussault@ec.gc.ca>; Licensing Department <licensing@nwb-oen.ca>
Subject: Re: Eureka HAWS 8BC-EUR2131 - Applications for Type B Amendment and Type A Water Licence

EXTERNAL EMAIL – USE CAUTION / COURRIEL EXTERNE – FAITES PREUVE DE PRUDENCE

Hello Nadia,

Thank-you for the submission of the two document packages. The NWB performed a preliminary technical review of the applications and would like to request clarification of the following items.

Application 8BC-EUR2131:

1. The activity ECCC is requesting the licence amendment for is construction of a landfarm only. No other additional activities are requested to be permitted. Could you please clarify if my understanding is correct? If that is so, a licence modification would be a more appropriate and time-efficient route.
2. Are the existing Landfarm Facility and Temporary Contaminated Soil Storage permitted under the existing Licence planned to remain operational?
3. Could you please clarify the role of the "... second location... required for storage of soils and sediments with contaminants over generic CCME guidelines but under SSTLs. A pre-determined location referred to as "Johnny's Hole"..."
4. The RAP submitted with the application states: "The schedule for excavation of some of the areas discussed in this RAP will precede the date at which the LTU is expected to be constructed and ready to accept soils for treatment. For this reason, an interim soil management area will need to be used to hold the soil and sediment until the LTU is ready." Could you please provide more information about this " interim soil management area"? Is it planned to be constructed?
5. The 2022 annual report states: "In addition a high-density polyethylene (HDPE) lined storage area was constructed in 2022 for containment of hydrocarbon contaminated soils discovered within the new reservoir development area". Was the storage area permitted to be constructed by the NWB?
6. As per Part E, Item 20 of the Licence, at least sixty (60) days prior to construction, a submission of issued-for-construction drawings is required.

Application for a Type A licence and general Licence compliance:

1. Could you please provide a letter of authorization for AECOM to represent ECCC in this application (if that is what ECCC intends to do)?
2. Part D, Item 18 of Licence requires the Licensee to submit a remedial options analysis and remedial action plan with the 2021 Annual Report. P.58 of the RAP states:

The 2022 Supplemental Site Assessment – Stockpile Characterization (DOJV, 2023) at the Eureka HAWS consisted of collecting soil samples from within the lined Temporary Soil Stockpile near the Runway as identified in the soil sampling workplan. Fifteen (15) boreholes were advanced using a hand auger and soil samples were collected from two depths at each location.

Soil samples were analyzed for BTEXs, PHC Fractions F1-F4 and Metals. No exceedances were noted above SSTLs. As such, soils from this temporary stockpile can be categorized as "over generic, under SSTL" within this document and moved to a pre-determined location referred to as "Johnny's Hole".

This material subject to it passing a leachate test such as the O.Reg 558 test, could be use as daily or permanent cover at any future engineered waste disposal facility at Eureka.

The updated volume of contaminated soil above SSTLs requiring treatment in the LTU at the Temporary Stockpile is therefore considered 0 m3.

This above seems to contravene Licence Part D, Item 16: "The Licensee shall, prior to the removal of any treated soil for future use, confirm with the Government of Nunavut, Environmental Protection Service that the soils have been treated to meet all legislatively-required treatment objectives." Could you please provide further discussion?

3. The 2022 Licence amendment reminds ECCC: "In addition, the Board would like to remind ECCC of Part I, Item 9 of the original licence requiring the submission of a revised Quality Assurance / Quality Control (QA/QC) Plan. On November 18, 2021, ECCC committed to provide the QA/QC Plan prior to the 2022 sampling season". This requirement remains outstanding.

Best regards,

Assol


On Fri, Mar 31, 2023 at 10:56 AM Baker, Nadia <Nadia.Baker@aecom.com> wrote:

Re: 8BC-EUR2131

Hello Richard, Assol, and Karen,

Thank you for your guidance last fall with regards to the project. As discussed, AECOM is submitting the following applications on behalf of ECCC:

- Type B Water Licence Amendment Application to capture the Landfarm project. Please note the Landfarm project has been approved by NPC and NIRB.
- [Type A Water Licence](#) Application to capture a one-time water withdrawal event of greater than 299 m3/day to fill the new reservoir. This activity has been approved by NPC and NIRB.

Due to large file size, they are saved in this shared folder  [Eureka NWB Type A and B Applications](#) for your review and consideration. Please let me know if you have any issues with the link.

We would like to confirm that the [Type A and Type B Applications](#) can be reviewed concurrently and separate of one another (i.e., one process does not hold up the other). We hope that the:

1. Type B Licence Amendment can be approved within the maximum 90 day period, ideally sooner if possible to allow summer construction of the Landfarm to begin in June 2023.
2. [Type A Licence Application](#) can be processed concurrently, understanding that this can take up to one year.

Best regards,

Nadia

Nadia Baker B.Sc.H., P.Biol., R.P.Bio.

she, her

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