



June 19, 2015

Don Beattie
NWS Environmental Officer
Raytheon Canada Limited
Contract Management Office
Suite 3000 – 400 Cooper Street
Ottawa, ON K2P 2H8

Re: Temporary Site Specific Modifications to Nunavut Water Board Licence 3BC-BAF0910

Dear Mr Beattie,

Background:

Thank for providing another follow-up regarding measures to be taken to contain and clean up the spill that occurred at BAF-3 (Brevoort Island, Nunavut), as sent on June 12, 2015. This is in addition to the draft *Spill Response Plan*, submitted March 19, 2015 and your Spill Contingency Plan, as submitted to the Water Board on November 11, 2009.

In your letter, you request 3 modifications to your Nunavut Water Board Licence 3BC-BAF0919 in order to proceed with treating water related to the spill on site because you believe they fall outside the conditions of your water licence. The modifications you request are:

1. Approval to direct discharge in accordance with the remediation plan;
2. Removal of metals testing based on analytical results already provided; and
3. Acceptance of the regulatory sampling schedule (once per week for the duration of the water treatment program).

Determination:

My authorities under the Nunavut Waters and Nunavut Surface Rights Tribunal Act do not give me power to amend a licence, and these requests must be made to the Nunavut Water Board.

However, I determine that the modifications you request already fall within your *Spill Contingency Plan* and within your current Water Licence, and therefore I do not see any need to amend your licence.

To be clear with my determinations on the specific issues you are seeking approval for:



1. AANDC does not oppose to the direct discharge of water in accordance with the remediation plan because you are authorized under Part D, Item 13 to discharge water from any facility.
2. With respect to your request to remove the testing for metals based on the analytical results already provided, AANDC does not oppose to this because you have demonstrated, in a Water Characterization Analysis, submitted on May 14, 2015, that the metals are below the Effluent quality limits.
3. And finally, about your proposed sampling schedule. The sampling requirements as stated in your licence require that prior to the release of Effluent from BAF-3, the licensee shall sample for the purpose of verifying compliance with Effluent quality limits listed under Part D Item 10. As stated above, you have already shown that the effluent will be below the limits for metals. To address your schedule of conducting weekly sampling, the requirements in your licence are less frequent than the sampling schedule you propose. As part of your due diligence to ensure your effluent does not exceed the Effluent quality limits, please continue to monitor the effluent as you deem reasonable, within the conditions of your licence.

Please note that this letter does not exempt those persons or parties conducting the work from following all relevant terms in the Water Licence or meeting other relevant legislation.

Thank you for your effort and due diligence to ensure that you remain compliant with your water licence, and please let me know if you have any questions or would like to discuss this letter further.

Kind regards,

Justin Hack
Water Resources Officer
Aboriginal Affairs and Northern Development Canada
Iqaluit, NU
867-975-4517

CC:

Erik Allain, Manager of Field Operations, AANDC
Major Ian Creighton
Scott Charland
Phyllis Beaulieu, Manager of Licencing