Indian and Northern Affairs Canada
www.inac.gc.ca

Affaires indiennes et du Nord Canada
www.ainc.gc.ca

Dr. Kathleen Racher
Manager, Water Resources Division
PO Box 1500
Yellowknife, NT X1A 2R3

Your file - Votre référence

Our file - Notre référence N7L1-1814

June 2, 2005

Mr. Gordon Wray
Chairman
NWT Water Board
PO Box 1326
Yellowknife, NT X1A 2N9

Dear Mr. Wray:

RE: Contaminants and Remediation Directorate
Proposed Johnson Point Project
Type B Water Licence – Level 1 Environmental Screening

Indian and Northern Affairs Canada (INAC) has conducted a joint screening with the North Mackenzie District Office (Federal Environmental Assessment Coordinator – FEAC), for the proposed Johnson Point Project submitted by CARD pursuant to Section 5 of the Canadian Environmental Assessment Act (CEAA). The project has also been screened by the Environmental Impact Screening Committee (EISC), pursuant to the 1984 Inuvialuit Final Agreement.

INAC has determined that this project, as proposed, is not likely to cause significant adverse environmental effects and concurs with the EISC's similar determination as concluded in their screening decision, providing that proposed mitigation measures are carried out and licence conditions met. A joint screening report has been prepared by the Water Resources Division. INAC recommends that the application proceed through the regulatory process. Incorporation of the recommended mitigative measures into the terms and conditions of the licence is required.

If the Board concurs with our findings, please sign the attached screening forms, advise the applicant of the CEAA recommendations in writing, and return the original forms to Water Resources Division for archiving and closure with CEAA.

Canada

If you require further information, please contact me at (867) 669-2749.

Sincerely,

Dr. Kathleen Racher
Manager
Water Resources Division

ENVIRONMENTAL SCREENING REPORT

SCREENING SUMMARY

The Contaminants and Remediation Directorate (CARD) applied to the Northwest Territories Water Board (NWTWB) pursuant to Section 14(6)(b) of the *Northwest Territories Water Act* (NWTWA) for a licence to conduct waste fuel incineration and fuel tank cleaning. The proposed project will take place on Banks Island at Johnson Point, within the Inuvialuit Settlement Region of the Northwest Territories. The environmental components with the potential to be adversely affected include surface water, air quality, soil, terrestrial fauna and habitat, and aquatic fauna and habitat.

The NWTWB is a Responsible Authority under the *Canadian Environmental Assessment Act* (CEA Act) and has prepared the screening. The NWTWB, as the Lead Responsible Authority, has examined CARD's proposed environmental protection and mitigation measures in relation to the CEA Act and determined the measures to be adequate.

The NWTWB is of the view that, taking into account the implementation of CARD's proposed environmental procedures and mitigative measures the project is not likely to cause significant adverse environmental effects. This represents a determination pursuant to paragraph 20(1)(a) of the *Canadian Environmental Assessment Act*.

PROJECT IDENTIFICATION

Project Title:	Johnson Point: Waste Fuel Incineration and Environmental Site Assessment
Physical Work/Activity:	Land Use and Water Use
Project Location:	Banks Island at Johnson Point Latitude: 72°45'10" N. Longitude: 118°30' W.
Applicant Name:	Contaminants and Remediation Directorate, INAC
Application Date:	May 01, 2006
NWT Water Board File No.:	N7L1-1814
INAC File No.:	N2006J0024
CEA Act Registration Date:	May 16, 2006
CEA Registry Reference No.:	06-01-19362
CEA Act Law List Trigger:	Paragraph 14(6)(b) of the *Northwest Territories Waters Act* Paragraph 25(1)(a) *Territorial Land Use Regulations*
CEA Act Determination Date:	June 19, 2006

TABLE OF CONTENTS

1.0 SCOPE OF THE ENVIRONMENTAL ASSESSMENT

The proposed Johnson Point project is scheduled to begin in July 2006 and end in October 2009, dependant upon site assessment. CARD proposes to incinerate waste fuel held in 25 bulk storage tanks and 44 smaller fuel tanks. An environmental assessment will be conducted of the site which will include taking a detailed inventory of materials onsite, soil sampling and water sampling.

The scope of the project is the incineration of 90 000 L of waste fuel and the cleaning of fuel tanks. Tank cleaning activities will use a maximum of 500 L/day. All waste water will be cleaned and stored onsite till tested and then released to the surface environment.

A temporary camp will be constructed to accommodate a maximum of 15 personnel. In relation to the camp a temporary fence will be constructed to deal with wildlife concerns. A sump will be constructed to deal with an expected maximum daily output of 3000 L/day of grey and black water.

Scope of the Project

Physical Work and/or Activity	Description
Fuel incineration	90,000 L of waste fuel will be incinerated using a smokeless burn
Tank Cleaning	Steam cleaning of 69 fuel storage tanks to remove residual contamination
Temporary camp	Construction of temporary camp to house staff
Sludge	Approximately 25, 000 L of sludge will be disposed of by incineration or shipped offsite
Any water associated with waste fuel	The contaminated water will be cleaned using an oily water separator and a granular activated carbon filter. It will then be stored onsite till it has been tested and met all requirements as stipulated in the NWTWB Licence.

Scope of the Factors that Were Considered

The factors considered within the scope of this ESR, both spatial and temporal, are those set out in subsection 16(1) of the CEA Act and are examined in this report.

This includes the footprint of the camp to be constructed, the area of the existing camp that will be remediated and the local environment that has the possibility to be affected.

2.0 DESCRIPTION OF THE ENVIRONMENT

2.1 Physical Environment

The proposed program is located on Banks Island which lies in the Northern Arctic Ecozone. The terrain consists of low, rolling tundra plains with rock debris left by glaciers. The climate consists of a mean annual temperature of -16 °C, a mean winter temperature of -30 °C, a mean

summer temperature of -5 °C, and mean annual precipitation of 142 mm. The area is underlain by continuous permafrost with the active layer ranging from 0.5 to 1.8 meters. The active layer limits ground water movements in the area to the near surface. The soils in the area consist of sandy gravel.

2.2 Terrestrial Fauna

Johnson Point is home to Peary Island caribou, polar bears, muskox, arctic hare, arctic fox, lemmings, and snowy owls. The Peary Island caribou have a calving ground approximately 15 km to the north of Johnson Point. The caribou start moving north in April and May with calving in late May to early June.

2.3 Aquatic Fauna

Johnson Point is located on the Prince of Wales Strait which is home to many marine mammals. These include beluga whales, ringed seal and bearded seal. The Prince of Wales Strait is an important area for beluga whale migration, is used for polar bear denning and year round habitat for seals.

Fish species found in the area include arctic char that are found in a small river on the site and in the Strait. In the inland lakes and rivers there are lake trout.

2.4 Socio-economic Environment

Socio-economic Benefits Package will form part of the requirements for proposals as per the contracting process. This will ensure that this project provides benefits to the Inuvialuit.

3.0 CONSULTATION

3.1 Consultation carried out by CARD

CARD has been working closely with the Inuvialuit Regional Corporation (IRC) to identify groups and/or individuals within the Inuvialuit Settlement Region (ISR) that may be affected by the proposed activities at Johnson Point.

At the recommendation of IRC, CARD has consulted with the Sachs Harbour Hunters and Trappers Committee (HTC) and the Inuvialuit Game Council (IGC) and updated IRC prior to commencing consultation activities with the affected groups within the ISR.

On December 2005, CARD attended the IGC quarterly meeting in Inuvik at the invitation of the IGC. CARD presented information on the Contaminated Sites Program, reviewed the assessment activities that had been completed at Johnson Point during 2005, and summarized the activities that are proposed for 2006.

In April 2006, CARD initiated a Traditional Knowledge/Community survey in Sachs Harbour regarding Johnson Point and the surrounding area. The survey was contracted to the Sachs Harbour HTC and is presently being conducted by Joey Carpenter, an elder from Sachs Harbour. CARD and the Sachs Harbour HTC prepared the survey to collect information about how Johnson Point is used by the community of Sachs Harbour (both past and present), how the site was used by industry, what animals are found at the site at different times in the year. The survey is expected to be completed by the end of May 2006.

In addition to the survey, CARD visited Sachs Harbour from April 24-27, 2006. CARD attended an HTC Special Members Meeting at the invitation of the Sachs Harbour HTC on April 25, 2006 to present an update on Johnson Point. During this presentation, information was provided about the process of evaluation and selection of sites for the Contaminated Sites Program, the tasks completed at Johnson Point in 2005 and a summary of the work proposed to be completed in 2006.

Following the presentation, CARD held a question and answer period to gather information about community concerns.

CARD also visited the Inualthuyak School in Sachs Harbour on April 26, 2006 and gave a short demonstration about how contaminants travel in the environment and why we need to be concerned about cleaning up sites and protecting the environment. The students participated in two short science experiments led by CARD.

CARD is planning on conducting a site visit to Johnson Point by elders and some members of the Sachs Harbour HTC during the summer of 2006. Comments from elders and HTC members during the tour of the site will be used by CARD to direct further testing for contamination at Johnson Point and to help avoid sites of cultural importance.

The site may also be used by Diamonds North and CARD is in contact with them.

3.2 Consultation with other Federal Authorities pursuant to the CEA Act

Based on the type and location of the project, and the nature of the environment that could be affected by the project, the NWTWB contacted North Mackenzie District Office of INAC, National Energy Board, Department of Fisheries and Oceans, Environment Canada, Natural Resources Canada, Health Canada, and Transport Canada. No concerns were received by the parties contacted.

3.3 Consultation carried out by the NWT Water Board

The NWT Water Board requested comment on the application from the NWT Water Board Technical Advisory Committee to be considered in their Type B water licence application review. No concerns were received by the parties contacted.

4.0 ENVIRONMENTAL EFFECTS ANAYLSIS

4.1 Baseline Information and Sources

The NWTWB's analysis of environmental effects is based on the information in the Application referenced in Appendices A and B.

Methodology of the Board's Environmental Assessment

In assessing the environmental effects of the project the NWTWB used an issue-based approach. In its analysis the NWTWB identified interactions expected to occur between the proposed project activities and the surrounding environmental components. If there were no expected project interactions with an environmental component then no further examination was deemed necessary (Table 4.2.1).

Further analysis was conducted for project-environment interactions that could result in negative effects or where the interactions or effects were uncertain (Table 4.3.1). As well, environmental effects of accidents or malfunctions that may occur in connection to the project were considered. The Applicant's proposed mitigative measures and environmental-protection procedures were examined to assess the potential for any residual adverse environmental effects.

4.2 Project – Environmental Interactions

Table 4.2.1: Interactions Matrix

Environmental Component		Project Interaction (Y/N/U)	Probable Effect (Pos/Neg/0/U)	Description of Interaction (How, When, Where Likely to Occur)
Physical	Groundwater	Y	Pos	• Removal of possible contamination sources
	Surface Water	Y	Pos Neg	• Removal of contamination sources • Release of untreated wash water
	Air Quality	Y	Neg	• Potential if incinerator malfunctions that may result in the release of pollutants
	Soils-Permafrost	Y	Pos	• Removal of possible contamination sources
	Terrain	N	0	• No interaction
	Effects of Environ. on Project	Y	Neg	• Potential for weather delays
Biological	Vegetation	N	0	• Little or no significant interaction expected
	Terrestrial Fauna	Y	Neg	• Possible interactions with bears could lead to negative consequences for both people and bears • Possible disturbance of caribou herds in the area
	Terrestrial Habitat	Y	Pos	• Removal of hydrocarbons and other chemicals
	Wetlands	Y	Pos	• Removal of contamination sources
	Aquatic Fauna	Y	Pos	• Removal of contamination source
	Aquatic Habitat	Y	Pos	• Removal of contaminants
	Species at Risk	Y	Neg	• Possible interaction with polar bears which are a COSEWIC species of "Special Concern" and listed as "sensitive" under the NWT Species 2000 classification
Social	Land Use	Y	Pos	• Removal of contaminants will lead to a healthier local environment
	Heritage Resources	N	O	• No interaction expected

	Traditional Use	Y	Pos	• Area is a travel route between Sachs Harbour and Holman, the removal of contaminants will lead to a safer environment for people.
	Socio-economic	Y	Pos	• The project will provide local employment
	Human Health	Y	Pos	• Removal of potentially harmful substances from site
	Noise/Aesthetics	N	0	• No interaction expected

Legend: Y (yes); N (no); U (uncertain); Pos (positive); Neg (negative); 0 (neutral)

4.3 Project Interactions that May Result in Residual Adverse Environmental Effects

Table 4.3.1: Environmental – Effects Matrix

Environmental Component	Predicted Negative or Uncertain Effects	Applicant Mitigation (Y/N)	Residual Adverse Effect (Y/N/U)	Explanatory Notes
Ground Water	N			
Surface Water	Y	Y	N	The wash water from tank cleaning operations will be treated using an oily water separator and a granular activated carbon filter. It will then be stored onsite till it has been tested and met all requirements as stipulated in the NWTWB Licence prior to release to the environment.
Air Quality	Y	Y	N	If incinerator malfunctions causing the release of smoke it will be shut down and not restarted till repairs are made.
Soils-Permafrost	N			
Effects of Environ. on Project	Y	N	N	The weather may cause delays in the project but will not cause any adverse residual environmental effects.
Vegetation	N			
Terrestrial Fauna	Y	Y	N	A fence will be constructed around the camp to keep bears out.
Terrestrial Habitat	N			
Wetlands	N			
Aquatic Fauna	N			
Aquatic Habitat	N			
Species at Risk	Y	Y	N	A fence will be constructed around the camp to keep bears out of the camp.
Heritage Resources	N			
Traditional Use	N			
Accidents and Malfunctions	N			

Legend: Y (yes); N (no); U (uncertain)

4.4 Predicted Residual Adverse Environmental Effects

The work to be conducted at Johnson Point has no predicted residual adverse environmental effects. The project itself is a remediation activity to mitigate residual adverse effects associated with tank storage facilities and associated hydrocarbons from the old camp.

5.0 Northwest Territories Water Board Conclusions

The NWTWB examined all of the environmental information as described or referenced in this ESR in making its conclusion. The NWTWB is of the view that CARD should implement all of the policies, practices, mitigative measures, recommendations, and procedures for the protection of the environment referred to in its application and that a condition is required to that effect.

The NWTWB is of the view that if CARD's environmental protection procedures and mitigative measures are implemented, as well as any conditions imposed by the NWTWB Type B water licence that may be granted, the proposed Project is not likely to cause significant adverse environmental effects.

5.1 Proposed NWTWB Conditions

See proposed conditions listed in Appendix G.

6.0 INAC CONCLUSIONS

INAC examined all of the environmental information as described or referenced in this ESR in making its conclusion. INAC is of the view that CARD should implement all of the policies, practices, mitigative measures, recommendations, and procedures for the protection of the environment referred to in its application.

INAC is of the view that if CARD's environmental protection procedures and mitigative measures are implemented, as well as any conditions imposed by the INAC Land Use Permit, the proposed Project is not likely to cause significant adverse environmental effects.

6.1 Proposed INAC Conditions

See proposed conditions listed in Appendix H.

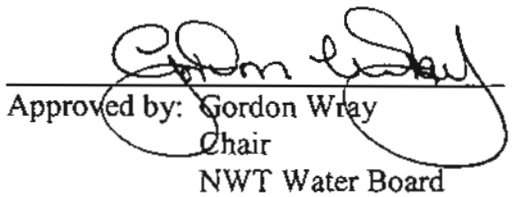
7.0 CEA ACT DTERMINATION

This ESR and the CEA Act determination were approved by the NWTWB on the date specified on page one of this report. This ESR and the CEA Act determination were approved by INAC on the date specified by the signatures below.

Table 7.0 CEA Act Determination

Responsible Authority Decision indicated by an "X"		**CEA Act Decision on CARD's Johnson Point Project, Banks Island NT.**
NWT Water Board	**INAC District Office (NMD)**	
X	X	Section 20 (1)(a) - Project may proceed as it is not likely to cause significant adverse environmental effects.
		Section 20 (1)(b) - Project may not proceed as it is likely to cause significant adverse environmental effects that cannot be justified.
		Section 20 (1)(c)(i) - Project must be referred to the Minister of Environment as it is uncertain whether the project is likely to cause significant adverse environmental effects.
		Section 20 (1)(c)(ii) - Project must be referred to the Minister of Environment as it is likely to cause significant adverse environmental effects.
		Section 20 (1)(c)(iii) - Project must be referred to the Minister of Environment as public concerns warrant the reference.

NWT Water Board Authorization (Lead RA):



Approved by: Gordon Wray
Chair
NWT Water Board

06/06/06
Date

INAC Authorization:

Approved by: Conrad Baetz
District Manager
NMD - DIAND

Date

8.0 AGENCY CONTACTS

Mr. Conrad Baetz
District Manager
North Mackenzie District
Indian and Northern Affairs Canada
P.O. Box 2100
Inuvik, Northwest Territories X0E 0T0
Facsimile (867) 777-2090

Mr. Gordon Wray Chairman
Northwest Territories Water Board
c/o Sarah Aho, Acting Head Water Policy and Assessment
4914 - 50th Street
P.O. Box 1500
Yellowknife, Northwest Territories X1A 2R3
Facsimile (867) 669-2716

NWT Water Board Authorization (Lead RA):

Approved by: Gordon Wray
Chair
NWT Water Board

Date

INAC Authorization:

Approved by: Conrad Baetz
District Manager
NMD - DIAND

10/06
Date

8.0 AGENCY CONTACTS

Mr. Conrad Baetz
District Manager
North Mackenzie District
Indian and Northern Affairs Canada
P.O. Box 2100
Inuvik, Northwest Territories X0E 0T0
Facsimile (867) 777-2090

Mr. Gordon Wray Chairman
Northwest Territories Water Board
C/O Sarah Aho, Acting Head Water Policy and Assessment
4914 - 50th Street
P.O. Box 1500
Yellowknife, Northwest Territories X1A 2R3
Facsimile (867) 669-2716

APPENDIX A: INFORMATION SOURCES

Reference No.	Title/Type of Document/Date
1	Johnson Point: Waste Fuel Incineration and Environmental Site Assessment. Application for Water Licence
2	Johnson Point: Waste Fuel Incineration and Environmental Site Assessment. Application to the Environmental Impact Screening Committee

APPENDIX B: APPLICANT'S REGULATORY COMMITMENTS

Reference No.	Legislation/Permits
1	NWT Water Board Type B Water Licence
2	INAC Type A Land Use Permit

APPENDIX C: CONSULTATION WITH OTHER FEDERAL AUTHORITIES

Department / Agency	Involvement			Summary of Comments
	RA	FA Specialist	None	
Department of Fisheries and Oceans (Section 5 response, email dated June 6, 2006)		X		Provided comments
Environment Canada / Canadian Wildlife Service (Section 5 response, fax June 6, 2006)		X		No Comments
NEB (Section 5 response dated May 19, 2006)		X		No Comments
Indian and Northern Affairs Canada (Section 5 response dated May 23, 2006)	X			Issues Land Use Permit
Parks Canada (Section 5 response dated May 29, 2006)			X	No Comments
Natural Resources Canada (Section 5 response dated May 24, 2006)		X		Provided list of areas of expertise
Health Canada			X	No response

APPENDIX D: CONSULTATION CARRIED OUT BY EISC

Department / Agency	Summary of Comments
Inuvialuit Environmental Impact Screening Committee (Letter dated: June. 19, 2006)	- The EISC determined the project, if authorized subject to environmental terms and conditions recommended by the screening committee, would have no significant negative impact on the environment. -That the proponent follow the recommendations in the Northwest Territories Department of Environment and Natural Resources and Environment Canada's Environmental Protection Branch letters of advice, particularly as they pertain to adherence to established standards and use of appropriate equipment; -That the proponent bring out waste building materials from Johnson Point for proper disposal, thus reducing potential negative impact on the Johnson Point environment. -That the proponent hire both a wildlife monitor and a environmental monitor. This would help reduce potential negative impacts to the environment and help ensure the safety of the field crew as well as wildlife in the region; and -That the proponent not dispose of waste on the land. This would prevent any potential contamination of vegetation and fish bearing lakes in the area.
Environment Canada (Letter dated: May 31, 2006)	Environmental Protection Branch's comments and recommendations include: -proper handling, transport and disposal of wastes. -Meeting the requirements of the Fisheries Act - Canadian Wildlife Services comments and recommendations include: no person shall deposit or permit the deposit of oil, oil wastes or other harmful substances to migratory birds in any water or any area frequented by migratory birds, all mitigation measures identified by the proponent and suggested by CWS should be strictly adhered to which will require awareness by the proponent representatives and appropriate training to carry out the measures, the proponent must ensure they remain in compliance with the MBCA and regulations during all phases and undertakings related to the project, grizzly bear are all listed on schedule 3 of the Species at Risk Act which came into full effect 1 June 2004. -Potential contamination/Hydrocarbon issues: • That buried landfills be properly assessed • That groundwater contamination be properly assessed -Air quality: • There are guidelines for the limits on emissions. -Incineration of Camp Wastes • The incineration of camp waste should include the use of appropriate incineration technology that strives to meet compliance with the NWT AAQS, federal NAAQO and CWS's (e.g. dual chamber with sufficient air mix, residence time and temperature to ensure complete combustion of waste gases). This should be used in conjunction with a detailed waste management plan that provides for recycling and waste segregation to reduce the volume of waste - especially plastics - entering the incinerator, and ensure the use of trained operators.

Environment Canada (Letter dated: May 31, 2006)	Disposal for Consolidated Sludge and Building Materials • Disposal plans for dewatered sludge and building materials should be developed separate to that for the incineration of the waste fuel/oil. The on-site incineration of these materials may be inappropriate due to the presence of contaminants that would result in potentially toxic and/or harmful fly ash or emissions. Specific disposal options and plans (i.e. the use of hazardous waste incinerators), should be considered and developed following the completion of the planned detailed summary of all hazardous and non-hazardous materials on site (*Section 5. Development Summary*, of the project description). This may require the transport of these materials off site for treatment and disposal.
GNWT, E&NR (Letter dated: May 29, 2006)	The proponent proposes the following mitigations to minimize impact to wildlife and wildlife habitat: o Use of an electric fence (or noise makers) surrounding the camp . o Use of a wildlife monitor onsite o Daily incineration of waste to reduce the attraction of wildlife o Adherence to the Inuvialuit Game Council flight guidelines when flying in the vicinity of caribou and other wildlife . o Avoidance of caribou calving areas Given the scope of the project these mitigations are sufficient to adequately mitigate impacts to wildlife and wildlife habitat in addition to the following recommendations. -recommendations that incinerator be of an appropriate type

APPENDIX E: CONSULTATION CARRIED OUT BY NWTWB

Individual / Agency	Summary of Comments
TAC	No response
IR response from CARD (email dated, June 23, 2006)	CARD's response states that they will meet all the requirements of all licencing agencies, as per the EISC Letter of Decision. CARD outlines that to remove the wastewater from steam cleaning activities would not be cost effective or advisable. Notable, the waste water generated will meet CCME guidelines and will have a safety factor of 10 times.

APPENDIX F: CONSULTATION CARRIED OUT BY INAC

Individual / Agency	Summary of Comments
	Same letters of comment that were received by the EISC, please see comments section from Appendix D.

Appendix G: Draft Water Licence

PART A: SCOPE AND DEFINITIONS

1. Scope

a) This Licence entitles INAC Contaminants and Remediation Directorate to use Water and dispose of Waste for industrial undertakings on Banks Island for the Johnson Point Project located at Latitude 118.5N, and Longitude 72.75W, Northwest Territories.

b) This Licence is issued subject to the conditions contained herein with respect to the taking of water and the depositing of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Whenever new Regulations are made or existing Regulations are amended by the Governor in Council under the Northwest Territories Waters Act, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited this Licence shall be deemed, upon promulgation of such Regulations, to be automatically amended to conform with such Regulations; and

c) Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

2. Definitions

In this Licence: **N7L1-1814**

"Act" means the Northwest Territories Waters Act;

"Analyst" means an Analyst designated by the Minister under Section 35(1) of the Northwest Territories Waters Act;

"Average Concentration For Faecal Coliform" means the geometric mean of any four consecutive analytical results submitted to the Board in accordance with the sampling and analysis requirements specified in the "Surveillance Network Program";

"Board" means the Northwest Territories Water Board established under Section 10 of the Northwest Territories Waters Act;

"Greywater" means all liquid wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet wastes;

"Inspector" means an Inspector designated by the Minister under Section 35(1) of the Northwest Territories Waters Act;

"Licensee" means the holder of this Licence;

"Maximum Average Concentration" means the running average of any four consecutive analytical results, or if less than four analytical results collected, and submitted to the Inspector in

accordance with the sampling and analysis requirements specified in the "Surveillance Network Program";

"Minister" means the Minister of Indian Affairs and Northern Development;

"Modification" means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does include an expansion;

"Project Description" refers to the report titled "INAC Contaminated Sites Program, Johnson Point: Waste Fuel Incineration and Environmental Assessment", dated "April 2006" and prepared by CARD;

"Sewage" means all toilet waste and greywater;

"Toilet Wastes" means all human excreta and associated products, but does not include greywater;

"Regulations" means Regulations proclaimed pursuant to Section 33 of the Northwest Territories Waters Act;

"Sump" means an excavation with an impermeable layer for the purpose of catching or storing fluids.

"Waste" means waste as defined by Section 2 of the Northwest Territories Waters Act; and

"Waters" means waters as defined by Section 2 of the Northwest Territories Waters Act.

PART B: GENERAL CONDITIONS

1) The Licensee shall file an Annual Report with the Board not later than December 1st of the year reported which shall contain the following information:

   a) the total quantity in cubic metres of fresh Water obtained from all sources;

   b) the total quantities in cubic metres of each and all Waste discharged;

   c) the location and direction of flow of all Waste discharged to the land or Water;

   d) a summary of any modifications carried out on the water supply and Waste disposal facilities, including all associated structures;

   e) a list of spills and unauthorized discharges;

   f) a description of the planned activities for the upcoming field season; and

   g) any other details on water use or Waste disposal requested by the Board within forty-five (45) days before the annual report is due.

2) 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 to the satisfaction of an Inspector.

3) All monitoring data shall be submitted in printed form and electronically in spreadsheet format on a diskette or other electronic forms acceptable to the Board.

4) All reports shall be submitted to the Board in printed format accompanied by an electronic copy in a common word processing format on diskette or other electronic forms acceptable to the Board.

5) The Licensee shall ensure a copy of this Licence is maintained at the site of operation at all times.

PART C: CONDITIONS APPLYING TO WATER USE

1. The daily quantity of Water used for all purposes shall not exceed 100 cubic metres.

2. Where practical, the Licensee shall minimize freshwater use by serially transferring water from one tank to another.

3. The water intake hose used on the water pumps shall be equipped with a screen with a mesh size sufficient to ensure no entrainment of fish (2.54 mm).

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. All Sewage from the camp shall be directed to the sump or as approved by an Inspector.

2. The Licensee shall dispose of all solid Wastes in a manner acceptable to the Inspector.

3. All waste water derived from sludge consolidation and tank cleaning operations must meet the following effluent parameters prior to disposal to the environment:

Parameter	Proposed Discharge Cirteria
Oil and Grease	5 mg/L and none visible
Benzene	.370 mg/L
Toluene	.002 Mg/L
Ethylbenzene	.09 Mg/L

4. All analyses shall be conducted in accordance with methods prescribed in the current edition of "Standard Methods for the Examination of Water and Wastewater" or by such other methods as may be approved by an Analyst.

5. The Licensee must notify an Inspector at least five (5) days prior to any discharge of waste water from the holding tank.

6. The Licensee may commence the discharge of waste water from the holding tank upon receipt of an Inspector's approval.

PART E: CONDITIONS APPLYING TO MODIFICATIONS

1) The Licensee may, without written approval from the Board, carry out Modifications to the planned undertakings provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:

   a) the Licensee has notified an Inspector in writing of such proposed Modifications at least five (5) days prior to beginning the Modifications;

   b) such Modifications do not place the Licensee in contravention of either this Licence or the Act;

   c) an Inspector has not, during the five (5) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than five (5) days; and

   d) an Inspector has not rejected the proposed Modifications.

2) Modifications for which all of the conditions referred to in Part E, Item 1 have not been met may be carried out only with written approval from an Inspector.

3) The Licensee shall provide to the Board as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modifications.

PART F: CONDITIONS APPLYING TO CONTINGENCY PLANNING

1. The Licensee will maintain a copy of the approved Spill Contingency Plan onsite in a readily available location, to the satisfaction of an Inspector.

2. The Licensee shall ensure that petroleum products, hazardous material and other Wastes associated with the project do not enter any Waters.

3. The Licensee shall ensure that all containment berms are constructed of an impermeable material, to the satisfaction of an Inspector.

4. If, during the period of this Licence, an unauthorized discharge of Waste occurs, or if such a discharge is foreseeable, the Licensee shall:

   a) report the incident immediately via the 24 Hour Spill Reporting Line (867) 920-8130; and

   b) submit to an Inspector a detailed report on each occurrence not later than thirty (30) days after initially reporting the event.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

1. Upon completion of all activities, the Licensee shall ensure that all equipment and materials are removed from the site. Other final restoration activities as outlined in the Project Description should be implemented to the satisfaction of an Inspector.

NORTHWEST TERRITORIES WATER BOARD

Witness **Chairman**

Appendix H: Draft Land Use Permit

CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT NUMBER N2006J0024

31 (1) (a) - LOCATION AND AREA

1.	The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized, in writing, by the Engineer.	**PLANS**
2.	The Permittee shall not conduct any part of the land use operation within three hundred (300) metres of any privately owned land or structure, unless otherwise authorized, in writing, by the Engineer.	**PRIVATE PROPERTY**
3.	The Permittee shall remove from Territorial Lands, all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material.	**REMOVE WASTE MATERIAL**
4.	The Permittee shall use existing campsites.	**CAMP LOCATION**
5.	The Permittee shall at all times conform to all applicable Federal, Territorial or local regulations, ordinances or bylaws.	**CONFORM TO APPLICABLE LAWS**

31 (1) (b) - TIME

6.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Inuvik office of the Department of Indian Affairs and Northern Development, telephone number (867) 777-3361, at least 48 hours prior to the commencement of this land use operation.	**CONTACT INSPECTOR**
7.	The Permittee shall advise a Land Use Inspector at least ten (10) days prior to the completion of the land use operation of (a) his plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the lands used will be completed.	**REPORTS BEFORE REMOVAL**
8.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit.	**CLEAN-UP**
9.	The Engineer reserves the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.	**CLOSURE**

31 (1) (c) - EQUIPMENT

10.	The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application, unless otherwise authorized, in writing, by a Land	**ONLY APPROVED EQUIPMENT**

Use Inspector.

11.	The Permittee shall burn all combustible garbage and debris in a container acceptable to a Land Use Inspector.	**INCINERATION**
12.	The Permittee shall ensure a garbage container is on site.	**GARBAGE CONTAINER**

31 (1) (d) - METHODS AND TECHNIQUE

31 (1) (e) - TYPE, LOCATION, CAPACITY AND OPERATION OF FACILITIES

13.	The Permittee shall not locate any sump within thirty (30) metres of the normal high water mark of any stream.	**SUMPS FROM WATER**
14.	The Permittee shall backfill and restore all sumps prior to the expiry date of this Permit.	**BACKFILL SUMPS**
15.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	**CLEAN WORK AREA**

31 (1) (f) - CONTROL OR PREVENTION OF FLOODING, EROSION AND SUBSIDENCE OF LAND

16.	The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.	**NATURAL DRAINAGE**

31 (1) (g) - USE, STORAGE, HANDLING AND DISPOSAL OF CHEMICAL OR TOXIC MATERIAL

17.	The Permittee shall not use chemicals in connection with the land use operation without the prior approval of the Engineer.	**APPROVAL OF CHEMICALS**
18.	The Permittee shall burn all garbage and debris at least daily.	**GARBAGE DISPOSAL**
19.	The Permittee shall remove all noncombustible garbage and debris from the land use area to a disposal site approved, in writing, by a Land Use Inspector.	**REMOVE GARBAGE**
20.	The Permittee shall report all spills immediately in accordance with instructions contained in "Spill Report" form N.W.T. 1086(10/79). 24 hour spill report line (867) 920-8130.	**REPORT CHEMICAL AND PETROLEUM SPILLS**
21.	The Permittee shall dispose of all sewage in a manner approved by a Land Use Inspector.	**SEWAGE DISPOSAL**

31 (1) (h) - WILDLIFE AND FISHERIES HABITAT

22.	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	**HABITAT DAMAGE**
23.	Your operation is in an area where bears may be encountered. Proper food handling and garbage disposal procedures will lessen the likelihood of bears being attracted to your operation. Information about the latest bear detection and deterrent techniques can be obtained from the Department of Resources, Wildlife and Economic Development at (867) 777-7308 or (867) 777-7230.	**BEAR/MAN CONFLICT**
24.	The Permittee shall not in any circumstances deposit or allow the deposit of any deleterious substances (including but not limited to fuels, lubricants, hydraulics, and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any waters.	**DEPOSITING DELETERIOUS SUBSTANCES**

31 (l) (i) - OBJECTS AND PLACES OF RECREATIONAL, SCENIC AND ECOLOGICAL VALUE

25.	The Permittee shall not feed wildlife.	**NO FEEDING WILDLIFE**
26.	The Permittee shall immediately suspend the Land Use operation on the site and notify the Land Use Inspector of the location of the site and nature of any unearthed materials, structures or artifacts.	**ARCHAEOLOGICAL SITES AND /OR BURIAL GROUND**

31 (1) (j) - SECURITY DEPOSIT

31 (1) (k) - PETROLEUM FUEL STORAGE

27.	The Permittee shall not place any petroleum fuel storage containers within thirty (30) metres of the normal high water mark of any stream where possible.	**FUEL BY STREAM**
28.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	**FUEL CONTAINMENT**
29.	The Permittee shall not use bladders for storing and/or transporting petroleum products.	**BLADDERS PROHIBITED**
30.	The Permittee shall mark all fuel containers with the Permittee's name. This includes forty-five (45) gallon drums.	**MARK CONTAINERS**
31.	The Permittee shall at all times have on site sufficient spill clean-up equipment and material in readiness to clean-up all hazardous material which may be spilled.	**SPILL CLEAN-UP EQUIPMENT**

31 (1) (l) - DEBRIS AND BRUSH DISPOSAL

31 (1) (m) - MATTERS NOT INCONSISTENT WITH THE REGULATIONS

32. The Permittee shall display a copy of this Permit in a conspicuous place in each campsite established to carry out this land use operation. **DISPLAY PERMIT**

33. The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit. **COPY OF PERMIT**

34. The Permittee shall provide in writing to the Engineer, at least forty-eight (48) hours prior to commencement of this land use operation, the following information: **IDENTIFY AGENT**

(a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;

(b) alternates;

(c) all the indirect methods for contacting the above person(s).

35. The Permittee shall ensure that a copy of this Permit, operating conditions and definitions is provided to and understood by all contractors and sub-contractors prior to the start-up of this Land Use Operation. **PERMIT CONTRACTORS & SUB-CONTRACTORS**

36. **PART 1** - In this Permit:

"sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein.