

**Inuvialuit Water Board
Reasons for Decision**

Issued pursuant to section 48 (1) of the
Waters Act, S.N.W.T. 2014, c.18

Water Licence Number: N3L8-1838 (Type B)

This is the decision of the Inuvialuit Water Board, made on August 5, 2016 regarding an application made by:

**Northwest Territories Power Corporation
4 Capital Drive
Hay River, NT X0E 1G2**

for the issuance of a Water Licence for the disposal of waste for a miscellaneous undertaking as described in the Water Licence Application, Description of Undertaking, supplementary information, and the record of this proceeding.

Background:

The Northwest Territories Power Corporation (NTPC) applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence for the deposit of waste associated with a miscellaneous undertaking for Remediation and Reclamation of the former power plant site, Aklavik. The application was filed with the IWB on June 13, 2016. The application included an attachment with a Description of Undertaking prepared on behalf of NTPC by Matrix Solutions Inc. The IWB accepted the application as complete on June 16, 2016.

A copy of the Water Licence application and supplementary information was provided to the Environmental Impact Screening Committee (EISC, a body created by the Inuvialuit Final Agreement), as required under section 3.2.7 of their Environmental Impact Screening Guidelines. Copies were also provided to the Government of the Northwest Territories, Departments of: Lands (DOL), Environment and Natural Resources (ENR), Municipal and Community Affairs (MACA), Health and Social Services (H&SS); as well as Environment Canada (EC), Fisheries and Oceans Canada (DFO), the Canadian Northern Economic Development Agency (CanNor), Inuvialuit Land Administration (ILA), Inuvialuit Regional Corporation (IRC), Inuvialuit Game Council (IGC), Wildlife Management Advisory Council (NWT) (WMAC – NWT), Fisheries Joint Management Committee (FJMC), Aklavik Community Corporation and the Aklavik Hunters and Trappers Committee for a 22 day review period (June 22, 2016 – July 13, 2016). Responses regarding the application were received from the Aklavik Hunters and Trappers Committee, Aklavik Community Corporation and Environment and Natural Resources (ENR) and taken into consideration by the Board during its decision-making related to Licence issuance.

Between June 24, 2016 and July 13, 2016 the IWB gave notice, in accordance with subsections 43 (1)(a) and 43 (1)(b) of the *Waters Act*, that it received a Type B Licence Application from the NTPC. There was no public hearing held in connection with this application.

Scope of the Licence:

Upon review of the application and evidence in the public register, the IWB has determined that the scope of the undertakings covered by the Water Licence includes the deposit of waste associated with a miscellaneous undertaking for remediation, reclamation, closure, and

monitoring activities associated with the Remediation and Reclamation of the former power plant site, Aklavik located in the Inuvialuit Settlement Region (ISR) of the Northwest Territories with coordinates 68° 13' 6.24" North and 135° 0' 21.24" West.

Requirements of the *Waters Act*:

NTPC has provided the IWB with an application and supporting information for its consideration as required by section 34(1) of the *Waters Act*.

The IWB, as required by section 4 of the *Waters Act*, has notified the Applicant of its obligation to comply with any and all other legislation pertinent to the activities authorized under this licence.

The IWB is in accordance with subsection 26(5)(a) of the *Waters Act* by ensuring that the granting of a Water Licence to NTPC will not adversely affect, in a significant way, any existing Licensee, providing the conditions of the Licence are met. There are no other applicants with precedence.

The IWB does not believe that any users or persons listed in subsection 26(5)(b) of the *Waters Act* will be adversely affected by the deposit of waste proposed by the Licensee provided that the Licensee operates in accordance with the terms and conditions of the Water Licence.

The IWB is of the view that compliance with the Water Licence Terms and Conditions will ensure that the waste produced by the undertaking will be treated and deposited in a manner that will maintain water quality in the area and will be consistent with applicable water quality standards in accordance with subsection 26 (5)(c)(i) of the *Waters Act*.

The IWB is satisfied that the effluent standards set out in the Terms and Conditions of the Water Licence are consistent with subsection 26 (5)(c)(ii) of the *Waters Act* and will protect the receiving waters and environment.

Decision to Issue:

The disposal of waste proposed by the Applicant is of a nature contemplated by the *Waters Act*.

In accordance with 37 (b)(i) of the *Waters Act* the IWB has the authority to issue this Water Licence.

The IWB has reviewed the Water Licence application and all written comments received by the IWB. Upon consideration of the facts and circumstances, the merits of the submissions made to it and the purpose, scope and intent of the *Waters Act* and the Waters Regulations, the IWB has determined that it can issue Water Licence N3L8-1838 to the Northwest Territories Power Corporation subject to the Terms and Conditions contained therein.

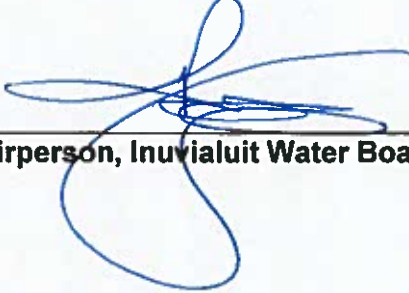
Water Licence Number N3L8-1838 contains Terms and Conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations, and provides appropriate safeguards for NTPC's deposit of waste associated with the miscellaneous undertaking.

For all of the above reasons the IWB has issued Licence N3L8-1838 to NTPC in accordance with section 27 of the *Waters Act* for the deposit of waste.

Term of the Water Licence:

The IWB has determined that the term of the Water Licence will be from August 15, 2016 to December 31, 2019.

SIGNED this 5th day of August, 2016 on behalf of the Inuvialuit Water Board.



Chairperson, Inuvialuit Water Board