

July 30, 2013

Helga Harlender
Land and Water Tech
Gwich'in Land and Water Board
P.O. Box 2018
Inuvik, NT
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**Re: Department of Transportation – GNWT
Class A Land Use Permit Application – Fuel Storage at James Creek
Highway Maintenance Camp – G13H004
Request for Review and Comments**

Dear Mrs. Harlender,

The Department of Environment and Natural Resources has reviewed the annual report at reference based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act* and the *Wildlife Act* and provides the following comments and recommendations for consideration by the board.

Topic: Environmental Impacts

Comment(s):

The proponent has an existing Spill Contingency Plan. Plan includes a waste management. Plan was developed in accordance to the GNWT Environmental Protection Act and Regulations

Recommendations: The proponent should adhere to the following:

- 1) Use attached Bear Encounter Response checklist when calling ENR if problem with bears. (attached)

Topic: Water Monitoring

Comment(s):

In the project information package it is noted that operation and maintenance of the camp will not affect surface water. However, it is indicated that the mitigation of groundwater is possible based upon the Fuel Spill Contingency Plan and Oxytek report. In addition, there is impacted groundwater on-site that has the potential to migrate. In the application it is not mentioned if there is a sampling program to ensure there is no release of contaminants to the environment other than a brief sentence in Section B Mitigations.

Recommendation(s):

- 1) Please include a summary of all Surveillance Network Program (SNP) stations currently in operation on-site as noted under Section B Mitigations.
- 2) Please provide a narrative on all groundwater monitoring activities (including frequency) and how these will be included in the sampling program into the future.
- 3) Please include all monitoring SNP stations and piezometers on the Site Diagram for reference. This should also include a narrative on how they are used to mitigate impacts to the surrounding environment.

Topic: Engineered Landfarm Treatment Unit

Comment(s):

This plan indicates the existence of an Engineered Landfarm Treatment Unit (LTU) Located at the North End of the site (Appendix D) and no supporting documentation is included in the application package.

Recommendation(s):

- 1) Since an LTU is currently in use to treat collected petroleum hydrocarbon (PHC) contaminated soil on site, further information should be supplied as part of this authorization;
 - a) As-built Drawings of the facility, stamped by an engineer currently authorized in the NWT;
 - b) Operation and Maintenance Plan for the treatment facility;
 - c) Proposed monitoring locations, to ensure no off site migration of contaminants; and
 - d) Current Treatment rates and supporting analytical data.

The LTU is considered a feature of the camp and should be included in the land use application.

- 2) Please clarify and confirm the intended future usage of the LTU.

Topic: Waste Management Plan

Comment(s):

The proponent has not provided a Waste Management Plan (WMP) in the application package. DOT should indicate where they currently dispose of on-site waste (hazardous and non-hazardous). It should not be assumed that the disposal of waste, resulting from remote activities, will be accepted into NWT community facilities.

Recommendation(s):

- 1) ENR recommends that the WMP is designed for inclusion in a Field Guide for use by all team members of the James Creek Maintenance Camp. The WMP must contain, at a minimum:

- a) The identification of waste storage and transport mitigative measures to prevent wildlife attraction. Whether garbage is stored for the purpose of on-site or off-site disposal (i.e. road or air transport), it must be stored in an airtight sealed container to prevent wildlife from being attracted to odors;
 - b) The WMP should include the identification of non-hazardous, hazardous, combustible and non-combustible wastes, as well as plans for waste segregation and the strategy for implementation;
 - A detailed listing of waste treatment and disposal plans;
 - Treatment, testing and disposal methods for all waste products proposed for release to the environment;
 - A listing of expected waste types and quantities to be transported off-site;
 - The identification of acceptable and alternate hazardous waste disposal plans and disposal facilities;
 - Alternate disposal options in the case that the referenced community's waste handling facility cannot accept the proposed and estimated waste types and quantities listed;
- 2) In addition to the above, the WMP must include information about the receiving community/ facility ensuring that its Water License authorizes the disposal of each waste stream. The WMP must demonstrate that the community has been consulted and has consented to the use of its infrastructure for disposal of the waste types and quantities in question, and the disposal of the wastes of question will not contravene the NWT *Environmental Protection Act* and related Regulations and Guidelines.

Topic: Remediation Action Plan

Comment(s):

DOT has provided a consultant's (Oxytek) report indicating that there is significant contamination located on-site (soil and groundwater). The Oxytek report did not provide any remedial actions other than summarizing the current contamination on-site.

Recommendation(s):

- 1) Please provide the following:
 - a) An interim remedial action plan highlighting DOT's timelines and potential remedial options should be provided and included in the LUP. Currently there are areas of environmental concern that require remedial action.
 - b) It has been shown that there is the potential for migration pathways in less densely packed and coarse-textured sand and gravel. In the event that impacted groundwater reaches a pocket (or through bedrock

fracturing) please provide action plans to mitigate the spread of contaminants. These action plans should be based upon analytical data that is part of the Site sampling network.

Topic: Spill Report

Comment(s):

The Fuel Spill Contingency Plan provides a copy of a spill report form (Appendix A) that is currently not the most recent form that is to be used by the NT Spill Line.

Recommendation(s):

- 1) Use the most up to date Spill Report Form located at http://www.enr.gov.nt.ca/live/documents/content/NTNU_Interactive_Spill_Form.pdf when reporting a spill.

Topic: Fuel Spill Contingency Plan

Comment(s):

This plan is specific to fuel spills and does not incorporate the potential for the unintentional release of other hazardous substances that may be present (ie Glycol, Sewage, Nitrates, etc). Reportable amounts of other hazardous substances are listed in Appendix F.

Recommendation(s):

- 1) Throughout this entire document, it should be made clear that this Contingency Plan does not only apply to Fuels but also to all hazardous materials that are listed to be on site (Appendix F). This will allow the operators and site staff, who should be familiar with this plan, to ensure the protocols are enacted if a release of ANY hazardous substance is released causing a spill.

If you have any questions or concerns, please do not hesitate to contact Patrick at 920-6118 or patrick_clancy@gov.nt.ca.

Sincerely,



Kimberly E
Environmental Impact Assessment Technician

p.p. Patrick Clancy
Environmental Assessment Analyst
Environmental Assessment and Monitoring
Land and Water Division
Department of Environment and Natural Resources
Government of the Northwest Territories

Enclosed:
ENR's Bear Encounter Response Guidelines

Bear Encounter Response

I. PRINCIPLE:

1. Protection of Life and Property
2. Conservation

II. Complainant/Observation Details:

Date/Time of Report _____
 Complainants/Observers Name _____
 Affiliation/Location of Complainant _____
 Contact Number for Complainant _____
 Other on Site Contacts _____

III. ENR Emergency Contact (summer):

Officer on Call (867) 678 0289 (cell)

IV. History of the Problem:

Date/Time Bear First Sighted _____
 Type of Bear Grizzly _____ Polar _____ Black _____
 Sex of Bear Male _____ Female _____ Unknown _____
 Age of Bear Cub _____ Juvenile _____ Adult _____
 Has Bear Been Observed Before _____ Den
 Site Found (description) _____
 What was the Bear Attracted To _____ Did
 Bear Obtain Food _____
 Behaviour of Bear Fearful _____ Not Fearful _____ Aggressive _____
 Damage By Bear _____

V. Deterrent Action:

Was Bear Deterred Yes _____ No _____
 If Yes, Type of Deterrent Used _____

VI. Other Information:

Reporters Name/Title _____
 Weather on Site at Time of Report _____
 Checklist Forward To _____