

## Elaine Briere - MVLWB

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**From:** Shannon Hayden - MVLWB [shayden@mvlwb.com]  
**Sent:** Monday, October 26, 2009 11:38 AM  
**To:** permits@mvlwb.com  
**Subject:** FW: Water Licence Application MV2009L3-0005  
**Attachments:** Response to EC comments Oct 23.pdf; Response to ENR comments Oct 23.pdf; Response to INAC comments Oct 23.pdf

All for the registry please.  
Thanks!

-----Original Message-----

**From:** Ron Kent [mailto:Ron@fsc.ca]  
**Sent:** Monday, October 26, 2009 11:23 AM  
**To:** Shannon Hayden - MVLWB  
**Cc:** molenkamp@hayriver.com  
**Subject:** Water Licence Application MV2009L3-0005

20090230

Shannon:

Thank you for the extension on the submission date. I apologize that I was unable to get these to you sooner.

I trust that this information now submitted will clarify and meet the needs of the Town of Hay River\*s water licence application. If you require anything else of a technical nature or if you need further information, please do not hesitate to contact me at (867) 920-2882.

Please confirm receipt.

Regards

Ron Kent, P. Eng.  
Environmental Engineering  
FSC Architects & Engineers  
4910 53rd Street, P. O. Box 1777  
Yellowknife, NWT X1A 2P4  
Tel: (867) 920-2882 ext 226  
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'Canada's Top 100 Employers' for 2009 - Mediacorp/MacLean's Magazine 'Top Northern Employers' for 2008 - UpHere Business Magazine

FSC File: 2008-0230

October 23, 2009

Shannon Hayden  
Regulatory Officer  
Mackenzie Valley Land & Water Board

**Re: Water License Application MV2009L3-0005  
Response to Environment Canada Comments**

<b>Environment Canada Comment</b>	<b>Town of Hay River Response</b>
Some drawings illegible	Thank you, taken under advisement.
Map of SNP Stations required	Thank you, taken under advisement.
Spill Plan – correct EC phone number	Will do so and provide in following submission.
Spill Plan – clarification on the classification	Thank you, taken under advisement.
A&R plan for MSW site is missing	An oversight in editing. An A&R plan has not been provided.
O&M Plan does not provide a working reference for operators.	This O&M plan was submitted in advance and approved by the INAC Inspector. It is to provide necessary information on O&M to the MVLWB and the Inspector for the purpose of licensing and inspection. It was not intended to be a training document for municipal employees.
2.2 Acceptance and treatment criteria?	The town believes that these criteria is clearly stated in section 2.5 and in the current Water Licence.
2.3 How is leachate treated/disposed	Leachate either evaporates or is pumped back onto the biopile to assist in remediation.
3.2 Materials recycled?	Liquor bottles as stated. The Town questions how the MVLWB would intend to use/regulate any further recycling information?

3.7 Hazardous materials	<p>This activity is regulated by the WSCC, the GNWT and Transport Canada.</p> <p>The Town questions how the MVLWB would intend to use/regulate any further information?</p>
4.7 Contaminated drainage	<p>The Town samples drainage/leachate as required by the Water Licence and when present. The Town compares results to Water Licence compliance values and to the GNWT Guideline for Industrial Waste Discharges. Further, the Town is proactive and does not accept hazardous materials into their facilities that would cause a dangerously toxic liquid.</p>
4.8 Accumulated Sludge	<p>Only one cell is removed from service at a time, raw sewage is routed through the other cells. Cells are emptied when they are visually full.</p>
4.10 QA/QC	<p>Thank you, taken under advisement.</p>
4.11 Disposal of Sludge	<p>Thank you, taken under advisement.</p>
<b>Licence Conditions</b>	
Bioassay test	<p>See comment following</p>
Honey bags	<p>There are no honey bags.</p>
<b>SNP</b>	
Bioassay test and compliance testing	<p>As the Town understands the CWS, the northern portion has not been adopted. However, Environment Canada would have us comply regardless, even though the so-called upcoming requirements have not been stipulated for the North. This seems premature.</p> <p>When adopted, assuming sampling requirements will remain the same, Hay River will be defined a “small” facility. We further submit that we have a continuous discharge.</p> <p>An intermittent facility is one that would be defined as stopping and starting at irregular intervals. We have continuous flow into the treatment process and our effluent is also continuous during the open water season.</p>

	<p>Therefore, we submit that under the CWS we would be required to provide monthly compliance (effluent) samples would not be required to undertake any bioassay testing.</p> <p>We request that bioassay testing not be part of the new licence.</p> <p>The Town submits that the bioassay tests and all the compliance testing already completed should be sufficient to satisfy the "Characterization" portion of the CWS and no further bioassay or other intensive sampling program be required at the Town's expense.</p>
<p>SNP 0053-3 to be sampled in conjunction with 0053-2.</p>	<p>The Town submits that compliance samples have a different function than unit process analysis samples. A few samples taken with compliance samples may lead to an erroneous and misleading determination of the efficiency of our wetlands. Rather, we believe that such a unit process analysis should rather be undertaken as part of a larger and well designed study undertaken by others.</p> <p>The Town would be very pleased if Environment Canada selected Hay River as a study site for the CWS and we would afford them our hospitality.</p> <p>We would be very pleased to collect samples on Environment Canada's behalf, and have them shipped to the laboratory of their choice.</p>
<p>SNP 0053-5</p>	<p>There is no honey bag disposal at the MSW site.</p>

I trust that this information will clarify and meet the needs of the Town of Hay River's water licence application. If you require anything else of a technical nature or if you need further information, please do not hesitate to contact me at (867) 920-2882.

Sincerely,

**FSC ARCHITECTS & ENGINEERS**



Ron Kent, P. Eng  
Environmental Engineering

FSC File: 2008-0230

October 23, 2009

Shannon Hayden  
Regulatory Officer  
Mackenzie Valley Land & Water Board

**Re: Water License Application MV2009L3-0005  
Response to Environment & Natural Resources Comments**

ENR Comment	Town of Hay River Response
Water licence scope	<p>The Town of Hay River recognizes there are some short falls at the MSW site and has issued an RFP to select a consultant to study the current site and advise on innovative practices to extend its life.</p> <p>The Town intends to operate the current MSW site as long as possible.</p>
A&R plan for MSW site is missing	<p>An oversight in editing. An A&amp;R plan has not been provided.</p> <p>If it is determined that the site is to be closed within the life of the licence, the Town will submit an A&amp;R plan as is typically required by a licence.</p>
Recommended Terms for the MSW site	<p>The first point is generally well established and the Town has no comment.</p> <p>However, it is suggested that the second and third points are outside the MVLWB's jurisdiction. That said, the Town thanks ENR for the advice and will take it under advisement with our consultants.</p>
Fencing – Recommended Terms	<p>It is suggested that these points regarding fencing are outside the MVLWB's jurisdiction. That said, the Town thanks ENR for the advice and will take it under advisement with our consultants.</p>
MSW Disposal – frequency of cover	<p>It is suggested that this point regarding cover is outside the MVLWB's jurisdiction. That said, the Town thanks ENR for the advice and will take it under advisement with our consultants.</p>

<p>Hazardous materials management and disposal.</p>	<p>Some of these aspects are already regulated by WSCC, the GNWT Fire Marshal and by ENR itself.</p> <p>It is suggested that these points regarding hazardous materials management are outside the MVLWB's jurisdiction. That said, the Town thanks ENR for the advice and will take it under advisement with our consultants.</p>
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Sincerely,

**FSC ARCHITECTS & ENGINEERS**

A handwritten signature in black ink, appearing to be 'Ron Kent', with a long horizontal stroke extending to the right.

Ron Kent, P. Eng  
Environmental Engineering

FSC File: 2008-0230

October 23, 2009

Shannon Hayden  
 Regulatory Officer  
 Mackenzie Valley Land & Water Board

**Re: Water License Application MV2009L3-0005  
 Response to Indian & Northern Affairs Canada Comments**

<b>INAC Comment</b>	<b>Town of Hay River Response</b>
Canada Wide Strategy Participation	Thank you, we will invite Environment Canada
Part A	Thank you, taken under advisement.
Part D – Inspector’s approval required for maintenance.	Typically, the Town will only take one cell out of operation at a time. Further, the Town should not have to have the permission of an Inspector to undertake needed maintenance. We will agree, however, to advise the Inspector when such maintenance is taking place if such advise is really necessary.
Condition 7	Agreed to an annual review.
Condition 10	MVLWB housekeeping. No comment.
Part H – O&M plan yearly review.	Agreed to an annual review.
Part I	MVLWB housekeeping. No comment.
SNP Part B – 0053-3 sample frequency.	See following comment
SNP Part B – SNP 0053-3 to be sampled in conjunction with 0053-2.	The Town suggests that compliance samples have a different function than unit process analysis samples. A few samples taken with compliance samples may lead to an erroneous and misleading determination of the efficiency of our wetlands. Rather, we believe that such a unit process analysis should rather be undertaken as part of a larger and well designed study undertaken by others.

	<p>The Town would be very pleased if Environment Canada selected Hay River as a study site for the MWWE CWS and we would afford them our hospitality.</p> <p>We would be very pleased to collect samples on Environment Canada's behalf, and have them shipped to the laboratory of their choice.</p>
SNP Part B – Section 8	Please clarify. The current licence has only 7 sections as we understand it.
Other	<p>MVLWB housekeeping. However, the Town agrees that bioassay samples should not be part of the new licence. We submit that such samples will not be required under the new MWWE CWS for this facility, therefore, should no longer be required in the new licence.</p>

I trust that this information will clarify and meet the needs of the Town of Hay River's water licence application. If you require anything else of a technical nature or if you need further information, please do not hesitate to contact me at (867) 920-2882.

Sincerely,

**FSC ARCHITECTS & ENGINEERS**



Ron Kent, P. Eng  
Environmental Engineering