



Mackenzie Valley Land and Water Board

7th Floor - 4910 50th Avenue • P.O. Box 2130
YELLOWKNIFE, NT X1A 2P6
Phone (867) 669-0506 • FAX (867) 873-6610

December 22, 2009

File: MV2009L3-0025

Distribution List

Dear Sir/Madam:

**Draft Type B Water Licence Conditions and SNP
Hamlet of Fort Liard – Municipal Undertakings**

Attached for your review and comments is the above-mentioned draft Type B Water Licence. Your comments will be used in the evaluation of the licence conditions.

Please submit your comments in writing by **January 15, 2010 by 5:00 pm** quoting Water Licence MV2009L3-0025. If additional review time of this document is required, the undersigned must be contacted prior to the comment due date.

If you have any questions regarding the draft Water Licence, please telephone (867) 669-0506 or email permits@mvlwb.com.

Yours sincerely,

A handwritten signature in cursive script that reads "Angela Plautz".

Angela Plautz
Regulatory Officer

Attachment

Part A: Scope and Definitions

Scope

1. This Licence entitles the Hamlet of Fort Liard to Use Water and dispose of Waste for municipal undertakings at Fort Liard, Northwest Territories (Latitude: 60°14'N and Longitude: 123°28'W for the community wells and Latitude: 60°09'09"N and Longitude: 123°13'08"W for the Waste Disposal Facility).
2. 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 to such Regulations.
3. Compliance with the terms and conditions of this Licence does not absolve the Licensee from its responsibility for compliance with the requirements of all applicable federal, territorial and municipal legislation.

Definitions

In this Licence: MV2009L3-0025

“Act” means the *Northwest Territories Waters Act*.

“Analyst” means an Analyst designated by the Minister under subsection 35(1) of the *Northwest Territories Waters Act*.

“Average Concentration” means the discrete average of four consecutive analytical results, or if less than four analytical results collected during a batch decant and as submitted to the Board in accordance with the sampling and analysis requirements specified in the Surveillance Network Program.

“Board” means the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*.

“Freeboard” means the vertical distance between water line and the lowest elevation of the effective water containment crest on a dam or dyke's upstream slope.

“Engineer” means a professional engineer registered to practice in the Northwest Territories in accordance with the *Engineering and Geoscience Professions Act*, S.N.W.T. 2006, c.16.

“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.

“Minister” means the Minister of Indian and Northern Affairs Canada.

“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 not include an expansion.

“Pumpout Sewage” means all Toilet Wastes and/or Greywater collected by means of a vacuum truck for disposal at an approved facility.

“Regulations” means Regulations proclaimed pursuant to section 33 of the *Northwest Territories Waters Act*.

“Sewage” means all Toilet Wastes and Greywater.

“Sewage Disposal Facilities” comprises the area and engineered structures designed to contain Sewage as identified in drawing number 101, titled “Lagoon Site Plan and Sections”, dated December 2007, and drawing number 102, titled “Lagoon Sections and Details”, dated December 2007.

“Solid Waste Disposal Facilities” comprises the area and engineered structures designed to contain solid Wastes as depicted in Figure 6, titled “Existing Sewage Treatment Lagoons and Solid Waste Disposal Site”, dated October 2008.

“Toilet Wastes” means all human excreta and associated products but does not include Greywater;

“Waste” means Waste as defined by section 2 of the *Northwest Territories Waters Act*.

“Waste Disposal Facilities” mean all facilities designated for the disposal of Waste and includes the Sewage Disposal Facilities and Solid Waste Disposal Facilities.

“Waters” means any Waters as defined by section 2 of the *Northwest Territories Waters Act*.

“Water Supply Facilities” comprises the area and associated intake infrastructure as identified in Figure 1, titled “Location of Water Use Facilities”, dated December 2001; Figure 2, titled “Water Treatment Plant Site Plan”, dated October 2008; and Figure 3, titled “Water Treatment Plant Process Control Schematic”, dated October 2008.

“Water Use” means a use of Water as defined by section 2 of the *Northwest Territories Waters Act* and shall include freshwater from all sources and Minewater.

Part B: General Conditions

1. The Licensee shall file an annual report with the Board not later than March 31st of the year following the calendar year reported which shall contain the following information:
 - a) The monthly and annual quantities in cubic metres of fresh water obtained from all sources;
 - b) The monthly and annual quantities in cubic metres of each and all Waste discharged, including Sewage discharged into Sewage Disposal Facilities;
 - c) A summary of Modifications and/or major maintenance work carried out on the Water Supply and Waste Disposal Facilities, including all associated structures;
 - d) Tabular summaries of all data generated under the “Surveillance Network Program”;
 - e) A list of unauthorized discharges;
 - f) An outline of any spill training and communications exercises carried out;
 - g) A summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;
 - h) A summary of any studies requested by the Board that relate to Waste disposal, Water Use, or reclamation and a brief description of any future studies planned;
 - i) Any other details on Water Use or Waste disposal requested by the Board by November 1 of the year being reported;
 - j) Any revisions to the approved Spill Contingency Plan;
 - k) The monthly and annual quantities of Sewage solids removed from the Sewage Disposal Facilities for disposal;
 - l) Updates or revisions to the approved Operation and Maintenance Plans; and
 - m) The annual quantity of all sewage deposited by remote camp and liquid waste haulers into the Sewage Disposal Facilities.

2. The Licensee shall comply with the Surveillance Network Program annexed to this Licence and any amendment to the said Surveillance Network Program as may be made from time to time pursuant to the conditions of this Licence.
3. The Surveillance Network Program and compliance dates specified in the Licence may be modified at the discretion of the Board.
4. 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.
5. The Licensee shall, within 90 days of the issuance of this Licence, post the necessary signs, where possible, to identify the station(s) of the Surveillance Network Program. All postings shall be located and maintained to the satisfaction of an Inspector.
6. The Licensee shall, within 90 days of issuance of this Licence, post signs in the appropriate areas to inform the public of Water Supply and Waste Disposal Facilities. All postings shall be located and maintained to the satisfaction of an Inspector.
7. The Licensee shall immediately report to the 24-hour Spill Report Line (867-920-8130) any spills of Waste which are reported to or observed by the Licensee within the municipal boundaries or in the areas of the water supply or Waste Disposal Facilities.
8. The Licensee shall ensure a copy of this Licence is maintained at the municipal office at all times.

Part C: Conditions Applying to Water Use

1. The Licensee shall obtain all Water for municipal undertakings from the community wells using the Water Supply Facilities or as otherwise approved by the Board.
2. The Licensee may obtain water from the Petitot River for use on an emergency basis upon approval of the Board when it is not possible to obtain water from source as described in Part C, Item 1.
3. The Licensee shall notify the Board within 30 days of using any emergency water source other than described in Part C, Item 2.
4. The annual quantity of water used for all purposes shall not exceed 40,000 m³.

Part D: Conditions Applying to Waste Disposal

1. The Licensee shall direct all piped and Pumpout Sewage to the Sewage Disposal Facilities or as otherwise approved by the Board.
2. All Sewage effluent discharged from the Sewage Disposal Facilities at Surveillance Network Program station number 1478-5 shall meet the following effluent quality standards:

Parameter	Maximum average concentration
Suspended Solids	30 mg/L
BOD ₅	40 mg/L
Faecal Coliforms	1,000 CFU/100mL

The Waste discharged shall have a pH between six and nine and no visible sheen of oil and grease.

3. The Licensee shall decant from the east end of new cell 2 of the Sewage Disposal Facilities.
4. A Freeboard limit of one metre, or as recommended by a qualified Engineer and as approved by the Board, shall be maintained at all dykes and earthfill structures associated with the Sewage Disposal Facilities.
5. The Licensee shall advise an Inspector at least ten days prior to initiating the decant of the Sewage lagoon.
6. The Sewage lagoon shall be maintained and operated in such a manner as to prevent structural failure.
7. The Licensee shall maintain the Sewage Disposal Facilities to the satisfaction of an Inspector.
8. The Licensee shall dispose of all solid Wastes at the Solid Waste Disposal Facilities or as otherwise approved by the Board.
9. The Licensee shall ensure that any unauthorized Wastes associated with the B Licence undertaking do not enter any Waters.
10. The Licensee shall submit to the Board for approval a Hazardous Waste Management Plan by August 30, 2010.

11. The Licensee shall revise and resubmit the plan required under Part D, item 10 if not approved by the Board. The revised plan shall be submitted to the Board at a time and in a form set out by the Board in a directive which will accompany such a rejection.
12. The Licensee shall, within six months of the issuance of the licence, submit to the Board a plan to monitor the volume of Sewage deposited by remote camp operators and liquid waste haulers.

PART E: Conditions Applying to Modifications

1. The Licensee may, without written approval from the Board, carry out Modifications to the Water Supply and Waste Disposal Facilities provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:
 - a) The Licensee has notified the Board in writing of such proposed Modifications at least 60 days prior to beginning the Modifications;
 - b) Such Modifications do not place the Licensee in contravention of either the Licence or the Act;
 - c) The Board has not, during the 60 days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than 60 days; and
 - d) The Board 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 the Board.
3. The Licensee shall provide to the Board as-built plans and drawings of the Modifications referred to in this Licence within 90 days of completion of the Modifications.

PART F: Conditions Applying to Contingency Planning

1. The Licensee shall, by August 30, 2010, submit to the Board for approval an updated Contingency Plan in accordance with the Indian and Northern Affairs' "Guidelines for Spill Contingency Planning" dated April 2007.
2. If not approved by the Board, the Contingency Plan referred to in Part F, item 1 shall be revised and resubmitted within three months of receiving notification of the Board's decision.

