



**Mackenzie Valley Land and Water Board**  
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**Staff Report**

<b>Applicant:</b> Village of Fort Simpson	
<b>Location:</b> Fort Simpson, NT	<b>Application:</b> MV2015L3-0001
<b>Date Prepared:</b> May 3, 2018	<b>Meeting Date:</b> May 10, 2018
<b>Subject:</b> Spill Contingency Plan, Version 1.2	

**1. Purpose/Report Summary**

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board) the Spill Contingency Plan, Version 1.2 (Plan V1.2) submitted by the Village of Fort Simpson (Village) in accordance with Part H, condition 3 of their municipal Water Licence MV2015L3-0001 (Licence).

**2. Background**

- July 2, 2015 – Issuance of Licence MV2015L3-0001;
- April 26, 2016 – Plan V1.1 submitted;
- September 30, 2016 – Village submitted addendum to Plan V1.1;
- December 19, 2016 – Board denied Plan V1.1 and required resubmission by March 31, 2017;
- March 31, 2017 – Revised plan not submitted;
- February 21, 2018 – Plan V1.2 received;
- February 27, 2018 – Review commenced;
- March 21, 2018 – Reviewer comments and recommendations due and received;
- April 2, 2018 – Response deadline;
- **May 10, 2018 – Plan V1.2 presented to the Board for approval;** and
- July 1, 2025 – Expiration of Licence MV2015L3-0001.

**3. Discussion**

The Village submitted Spill Contingency Plan V1.1 on April 26, 2016 (attached). On September 30, 2016, the Village submitted an addendum to Plan V1.1 (attached) which contained revisions arising from the review of Plan V1.0 as outlined in the July 2, 2015 issuance letter (attached). On December 19, 2016, the Board denied approval of the Plan V1.1, and required further revisions, to be submitted by March 31, 2017 (attached), including:

1. Integrating the September 30, 2016 memorandum with supplementary information from the Village’s consultants into the Plan itself; and

2. Information requested by reviewers in the review of Plan V1.1 (as the Village did not respond to reviewer comments at the time).

Board staff worked with newly-hired Village staff in advance of the submission of Plan V1.2 to ensure that these requirements were addressed. Plan V 1.2 was submitted on February 21, 2018 (attached).

#### 4. Comments

Board staff note that the Village has included detailed maps (Figure 1.0 and 1.1) showing various infrastructure and natural features that assist in understanding the direction of flow of potential spills as well as a revision summary table (page 1, attached) in Plan V1.2.

Table 1 below lists the components of the Spill Contingency Plan required in the to be integrated from the September 30, 2016 consultant memorandum as outlined in the July 2, 2015 issuance letter, and details on the adequacy of the submission.

**Table 1: Plan Completeness – Information from the September 30, 2016 consultant memo that were incorporated into Plan V1.2**

	Requirements from July 2, 2015 Issuance Letter	Board staff analysis of the adequacy of the Plan V1.2 in addressing the component
1	Update text and figure(s) to show the quantity and location of all spill kits, including additional spill kits placed at locations where fuel and/or hazardous materials are stored	Adequate (Section 6)
2	Correct reference in the text to the figure that illustrates spill kit storage locations	Adequate (Section 2 Fig 1, section 6)
3	Update info on the Village’s fuel storage infrastructure	Adequate (Section 2, Table 2)
4	Update info on the Village’s spill contingency training plans	Adequate (Section 7)
5	Clarify temporary measures to store contaminated materials and plans for ultimate disposal of this material;	Adequate (Section 5.5.5)
6	Update communications flowchart to include job titles and response duties	Adequate (Section 4.3, fig 2)

Table 2 below lists the revisions requested by reviewers for Plan V1.1, which the Village did not respond to at that time, and details of how they were incorporated into Plan V1.2.

**Table 2: Plan Completeness – Revisions requested by reviewers for Plan V1.1 that were incorporated in Plan V1.2**

Comment ID	Components of the Spill Contingency Plan as required by the review of Plan V1.1	Board staff analysis of the adequacy of the Plan V1.2 in addressing the component
ENR 1	Plan be updated to include specific scenarios of Wastewater Treatment Plant surge exceedances.	Adequate (Appendix D)
ENR 2	Plan include the responsibilities for each employee that is part of the Spill Response Team.	Adequate (Table 3)

ENR 3	Any supplementary information such as curb stop mapping (or equivalent) be provided in the Plan.	Adequate (cover letter)
ENR 5	Plan be updated to provide a figure on a diagram to visually identify all locations where spill kits can be found. The diagram should be posted noting MV2015L3-0001 – Village of Fort Simpson – Page 5 of 5 and made easily accessible for staff in order to facilitate quick access to spill kit(s) in the event of a spill or emergency.	Adequate (Figure 1)
MVLWB 2	Please revise SAO, Maintenance and Works contact information, and identify who is responsible for activating the Plan at each facility, in the event of a spill.	Adequate (Table 3)
December 19, 2016 letter	Current staff contact information (Schedule 2, item 1(a); A description of the number of each spill response resource available, as described in Section 6.1 of the Plan.	Adequate (Section 4.2, 6.1)
December 19, 2016 letter	Specific scenarios of Waste Water Treatment Plant surge exceedances;	Adequate (Section 5, Appendix D)
December 19, 2016 letter	Contingency plans and preventative measures in the event of future surges at the Waste Water Treatment Plant;	Adequate (Section 5, Appendix D)
December 19, 2016 letter	An updated off-site resource contact list with accurate contact information;	Adequate (Section 6.2)
December 19, 2016 letter	A description of the number of each spill response resource available, as described in Section 6.1 of the Plan.	Adequate (Section 6.1)

## 5. Reviewer Comments

By March 21, 2018, comments and recommendations on the Plan V1.2 were received from the Government of the Northwest Territories Department of Environment and Natural Resources (no comment letter, attached). The Village did not provide a response, as none was required. The Review Summary Table is attached.

## 6. Security

Not applicable.

## 7. Conclusion

Board staff conclude that this submission is in conformity with the requirements of Licence MV2015L3-0001 and of the Board's December 19, 2016 letter, and that the Spill Contingency Plan Version 1.2, as submitted, can be approved.

## 8. Recommendation

Board staff recommend **the Board make a motion to approve** the Spill Contingency Plan Version 1.2 as required by Part H, condition 3 of Water Licence MV2015L3-0001.

A draft decision letter is attached.

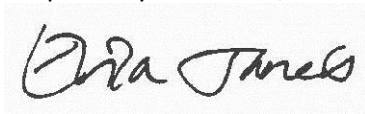
Board staff recommend including the following text in the decision letter:

- The Board notes and appreciates the Village's recent work to address outstanding Licence requirements.

## 9. Attachments

- [July 2, 2015 Water Licence Issuance Letter](#)
- [Spill Contingency Plan Version 1.1](#)
- [September 30, 2016 Consultant memo with additions to Spill Contingency Plan Version 1.1](#)
- [December 19, 2016 Board letter denying approval of Spill Contingency Plan Version 1.1](#)
- [Spill Contingency Plan Version 1.2](#)
- Review Summary and Attachments
- Draft Decision Letter from the Board

Respectfully submitted,



Erica Janes  
Regulatory Specialist

**Review Comment Table**

<b>Board:</b>	MVLWB
<b>Review Item:</b>	Village of Fort Simpson - Spill Contingency Plan V1-2 (MV2015L3-0001)
<b>File(s):</b>	<a href="#">MV2015L3-0001</a>
<b>Proponent:</b>	Village of Fort Simpson
<b>Document(s):</b>	<a href="#">MV2015L3-0001 - Ft Simpson - Spill Contingency Plan - V1-2 - Feb21-18</a> (1.1 MB) <a href="#">MV2015L3-0001 - Village of Fort Simpson - Not Approved - Spill Contingency Plan V1-1 - Dec19-16</a> (188.4 KB)
<b>Item For Review Distributed On:</b>	Feb 27 at 10:29 <a href="#">Distribution List</a>
<b>Reviewer Comments Due By:</b>	Mar 21, 2018
<b>Proponent Responses Due By:</b>	Apr 4, 2018
<b>Item Description:</b>	<p>The Village of Fort Simpson has submitted a revised Spill Contingency Plan (Plan, Version 1.2), in accordance with Part H, condition 3 of their municipal Water Licence MV2015L3-0001. This Version of the Plan was also submitted in accordance with Board direction provided in the December 19, 2016 letter denying approval of Spill Contingency Plan Version 1.1 (see link).</p> <p>Reviewers are invited to submit questions, comments and recommendations on the Spill Contingency Plan Version 1.2 by <b>March 21, 2018</b>.</p> <p>If you have questions or comments regarding this review or the Online Review System, please contact Erica Janes at (867)766-7466 or <a href="mailto:ejanes@mvlwb.com">ejanes@mvlwb.com</a>.</p>
<b>General Reviewer Information:</b>	<p>In addition to the email distribution list, the following organizations received review material by fax:</p> <ul style="list-style-type: none"> <li>• Fort Simpson Métis Local #52 - Marie Lafferty, President (867)695-2040;</li> <li>• Hay River Metis Council - Trevor Beck, President (867)874-4472;</li> <li>• Northwest Territory Métis Nation - Tim Heron, NWTMN IMA Coordinator (867)872-3586; and</li> <li>• Liard First Nation – Kaska Dena Council - George Morgan, Chief (867) 536-7910</li> </ul>
<b>Contact Information:</b>	<p>Erica Janes 867-766-7466 Heather Scott 867-766-7463 Jen Potten 867-766-7468</p>

### Comment Summary

GNWT - ENR: Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	General File	<p><b>Comment</b> <a href="#">(doc)</a> ENR Letter - No Comments or Recommendations at this time.</p> <p><b>Recommendation</b></p>	--	Noted.



March 21, 2018

Erica Janes  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7<sup>th</sup> Floor – 4910 50<sup>th</sup> Avenue  
P.O. Box 2130  
Yellowknife, NT  
X1A 2P6

Dear Ms. Janes,

**Re: Village of Fort Simpson  
Water Licence – MV2015L3-0001  
Spill Contingency Plan 1-2  
Request for Comment**

The Department of Environment and Natural Resources, Government of the Northwest Territories has reviewed the plan at reference based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act*, the *Species at Risk (NWT) Act*, the *Waters Act* and the *Wildlife Act* and has no comments or recommendations for the consideration of the Board.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca).

Sincerely,

Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring Section  
Conservation, Assessment and Monitoring Division  
Department of Environment and Natural Resources  
Government of the Northwest Territories