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July 18, 2022

G22L1-005

Norman Snowshoe  
Superintendent, Inuvik Regional Office  
GNWT Environment and Natural Resources  
PO BOX 2749  
INUVIK NT X0E0T0

Sent via email

Dear Mr. Snowshoe,

**RE: Information Request – KBL Inuvik Soil Treatment Facility – Licence Compliance**

KBL Environmental Ltd. (KBL) applied to the Gwich'in Land and Water Board (GLWB or Board) to renew Water Licence G17L1-002, for the Inuvik Soil Treatment Facility (STF). On June 7, 2022, the Board circulated KBL's Application (G22L1-005) for public review using the Online Review System, and by June 28, comments were received from the Government of the Northwest Territories Department of Environment and Natural Resources (GNWT-ENR) and the Gwich'in Tribal Council, Department of Lands and Resources (GTC).<sup>1</sup>

The GTC commented that it had concerns regarding a volume of contaminated soil and water that had been transported to the STF from Aklavik. During a site visit, GTC representatives made observations which suggested that KBL was in non-compliance with its Licence while managing these materials: the GTC indicated that KBL was not following the approved operations and maintenance plan for stockpile height and windrow placement, that there was plastic garbage mixed with the stockpiled soil, and that facility fencing had not been completed. The GTC requested that the GLWB enact Section 72.15 (1)(a) of the Mackenzie Valley Resource Management Act, and hold a Public Hearing, "based on the need for further clarity on the project, as well as to address concerns tied to current non-compliance issues."

KBL's response to the GTC explained that the material heights had been exceeded as the soil was being received, but that the windrowing had been undertaken. KBL also clarified that fencing construction had been delayed but was scheduled to take place this summer, and that any garbage within the soil would be removed during the treatment process. KBL disagreed with the need for a public hearing and with the suggestions that KBL was not adhering to its approved management plans. KBL recommended that "any concerns with non-compliance follow the Boards and ENR's established routes of inspections and enforcement."

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<sup>1</sup> See [new.onlinereviewssystem.ca](http://new.onlinereviewssystem.ca) for [KBL - Type B Water Licence Renewal - Inuvik STF \(G22L1-005\)](#)

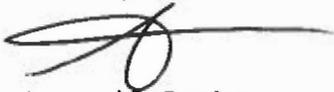
The Board notes that the Inuvik STF was licenced in June 2017; however, construction was not completed until late 2021. It is the Board's understanding that no water licence inspections have been undertaken by GNWT-ENR to date, as no inspection reports have been submitted to the Board.

The Board has determined it requires additional information before it can make a decision in respect to the need for a public hearing for this Application. In accordance with Rule 61 of the Mackenzie Valley Land and Water Boards' Rules of Procedure, the Board is requesting that GNWT-ENR provide a Water Licence Inspection Report for the Inuvik Soil Treatment Facility, so that evidence regarding licence compliance is available to the Board.

Please submit this information for the Board's consideration by July 29, 2022.

If you have any questions or concerns regarding the Information Request, please feel free to contact Leonard DeBastien by email, or phone 867-777-4954.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. DeBastien', written over a horizontal line.

Leonard DeBastien  
Executive Director

Bcc'd to: GLWB Distribution List  
Katie Oliver, KBL