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March 11, 2024

File: MV2019L3-0007

John McKee
Senior Administrative Officer
Hamlet of Fort Liard
General Delivery
Fort Liard NT X0G 0A0

Sent by email

Dear John McKee,

**Re: Solid Waste Disposal Facilities Design and Construction Plan Version 1.0 – Not Approved –
Hamlet of Fort Liard – Municipal Water Licence – Fort Liard, NT**

The Mackenzie Valley Land and Water Board (Board) met on February 29, 2024 and considered the Solid Waste Disposal Facilities Design and Construction Plan (Design and Construction Plan) Version 1.0¹ submitted by the Hamlet of Fort Liard (Hamlet) on November 7, 2023 as required by Water Licence (Licence) MV2019L3-0007.

The Board has **not approved** the Solid Waste Disposal Facilities Design and Construction Plan, Version 1.0 because it does not meet Part D, Condition 14 of Licence MV2019L3-0007, which requires the Hamlet to act in accordance with the best practices outlined in Environment and Climate Change Canada's [Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document](#), specifically Table 3-5: Water Table and Best Practices for MSW Facility Siting, Best Practices for Site Selection and Typical Setback Distance, Developed at an appropriate distance above the seasonal high water table (1.5m -3m).

As per Part B, Condition 7 in the Licence, the Board requires that the Hamlet revise the Solid Waste Disposal Facilities Design and Construction Plan and submit Version 2 to the Board, for approval, by **May 31, 2024**. The revision must address the items listed in Table 1 below and must be prepared in accordance with the Land and Water Board (LWB) *Document Submission Standards*² and *Standard Outline for*

¹ See MVLWB Online Registry www.mvlwb.com for [Ft Liard - Design and Construction Plan for new SWDF cell - Nov7 23](#).

² See MVLWB Policies and Guidelines webpage for LWB [Document Submission Standards](#).

Management Plan.³ Once submitted, the revised Design and Construction Plan Version 2.0 will undergo the Board’s standard public review process before being considered by the Board.

Table 1: Revisions required for Design and Construction Plan Version 2.0

	Revision required	Review reference
1.	Meet the guidance and standards in Environment and Climate Change Canada’s Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document , and/or provide further evidence as to why it is good engineering practice to not meet the design to groundwater depth recommended. This evidence could include examples and/or monitoring and mitigation activities that will ensure the design does not lead to a facility that is impacting the receiving environment.	MVLWB 1 & 3
2.	Clearly map out the groundwater table to the best of the Hamlet’s ability, using the best available data, and clearly illustrate the designed cell depth with respect to groundwater levels around the site.	MVLWB 2
3.	Convey how groundwater depth will be determined prior to construction, in order to avoid encountering the groundwater table during construction. In addition, include specific construction/field procedures for encountering water during construction of the cell.	MVLWB 4 & 5
4.	Remove Figure 3 and correct inaccuracies in the References section.	MVLWB 9 & 11

As per Part B, Condition 6 in the Licence, the Hamlet may not commence the activities described in the Design and Construction Plan until the revised Design and Construction Plan is approved.

In addition to the revisions required, the Board reminds the Hamlet of the following:

1. The design drawings required by Part E, Condition 6 of the Licence should clearly illustrate the buffer between waste and the groundwater table;
2. Design drawings must be signed and stamped by a Professional Engineer, who, in accordance with Licence definitions, is “a person registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists in accordance with the territorial Engineering and Geoscience Professions Act, and whose principal field of specialization is appropriate to address the components of the undertaking at hand.”; and
3. Any changes to existing practices at the SWDF will require the Hamlet to revise and resubmit the SWDF Operation and Maintenance Plan for Board approval.

³ See MVLWB Policies and Guidelines webpage for LWB [Standard Outline for Management Plans](#).

The Board anticipates and appreciates the Hamlet's continued commitment to fulfilling the requirements of their Water Licence. Please direct questions or concerns regarding this letter to Kathy Racher via [email](#).

Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Hamlet of Fort Liard ORS Distribution List
 Harrison Roberts – Dillon Consulting
 Vania Chivers – Dillon Consulting
 Wendy Bidwell – Inspector, GNWT-ECC