



**Aboriginal Affairs and
Northern Development Canada**
www.inac.gc.ca

North Mackenzie District
P.O. Box 2100
Inuvik, NT X0E 0T0

**Affaires autochtones et
Développement du Nord Canada**
www.aadnc.gc.ca

Telephone: (867) 777-8901
Fax: (867) 777-2090

File S12L3-006

November 16, 2012

Tony Morris
Regulatory Specialist
SAHTU Land & Water Board
P.O. Box 1
Fort Good Hope, NT X0E 0H0

Fax: 867-598-2325

Re: Deline Municipal Water Licence S12L3-006 – November 2012.

Aboriginal Affairs and Northern Development Canada – North Mackenzie District and Water Resources Division (AANDC) has reviewed the Charter Community of Deline Water Licence Application. AANDC provides the attached comments in the Comment Table format.

Thank you for providing AANDC with the opportunity to comment on the above application. If you have any questions or concerns, please feel free to contact Jeanne Arsenault at 867-669-2658 or Jeanne.Arsenault@aadnc.gc.ca, or Jan Davies at 867-777-8909 or Jan.Davies@aadnc-aadnc.gc.ca.

Regards,

Conrad Baetz
District Manager
North Mackenzie District
Aboriginal Affairs and Northern Development Canada

Enclosure: Comment Table on Charter Community of Deline Water Licence Application

GENERAL INSTRUCTIONS FOR EXCEL TEMPLATE:

1. Do not leave blank rows above or between comments.
2. Do not modify the instructions or the column headings (i.e. the top three rows).
3. Each comment must have an associated recommendation.
4. All formatting will be lost when this file is uploaded to the Online Comment Table.
5. If necessary, adjust the cell width and height in order to view all text.
6. Cutting and pasting comments from WORD documents cannot include hard returns (spaces between paragraphs).
7. If you would like to create paragraphs within a single cell, please use a proper carriage return (ALT & ENTER).

App #: S12L3-006

**Review of: Charter Community of Deline Water Licence
Renewal**

**Reviewing Agency: Aboriginal Affairs and Northern
Development Canada**

Date: November 19, 2012

TOPIC

Be as specific as you think is appropriate; for example a section or page of the document, a recommendation #, general comment, etc.

COMMENT

Comments should contain all the information needed for the proponent and the Board to understand the rationale for the accompanying recommendation.

RECOMMENDATION

Recommendations can be for the proponent or for the Board. Recommendations should be as specific as possible, relating the issues raised in the "comment" column to an action that you believe is necessary.

<p>Water Licence Renewal Introduction</p>	<p>In an August 29th 2012 letter addressed to the SLWB, Stantec proposed that Déline's Solid Waste Disposal Facility (SWDF) and Sewage Disposal Facility (SDF) O&M Manuals not be requested for the current facilities, as the current facilities are planned to be decommissioned next season. The SWDF O&M Plan submitted with the Déline water licence renewal was drafted for the planned new Solid Waste Disposal Facility. It was also specified that in association with the project, Stantec will develop Closure and Reclamation plans (C&R) [formely refered to as Abandonment and Restoration (A&R) plans] for both the sewage lagoon and the solid waste disposal facilities.</p> <p>AANDC commends the Charter community of Déline for designing and constructing new waste management facilities. However, It is unclear at this point how long it will be before the new facilities are operational, and how long the existing facilities will remain in use without an approved O&M Manual. In addition, past inspections of the current facilities have identified the following non-compliance issues: non-respect of lagoon 0.5 meter freeboard (exceeded lagoon capacity requiring 2 decants per year instead of 1); lack of signage and garbage burrying at SWDF resulting in unkept household waste and windblown waste problems.</p>	<p>AANDC understands that drafting of two more O&M Manuals for current SWDF and SDF would incur further cost to the community.</p> <p>However, as these plans are requested under the water licence to protect surrounding water bodies from poor waste management practices, AANDC is concerned about the continued operation of the existing facilities without adequate O&M Manuals. Therefore, AANDC suggests that by September 2013, a set of O&M Manuals for the SWDF and SDF in operation at that time should be available to the Board.</p> <p>This means that, if the new facilities will not be operational by September 2013, then the community should be requested to produce O&M Manuals for the existing facilities.</p>
<p>Water Licence Renewal Operation and Maintenance Plan - Checklists</p>	<p>The submitted SWDF O&M Plan is well designed to offer proper guidance to staff and community members involved with the management of solid wastes. AANDC notes that in the past the community has experienced compliance issues at the SWDF including issues with windblown debris issues and signage maintenance needs.</p> <p>AANDC suggests that additional supporting tools such as user-friendly checklists summarising key tasks to be performed at the SWDF on a daily, weekly, monthly and yearly basis for safe and appropriate management of waste at the municipal SWDF could be included with the O&M Manual. Such a tool would provide additional support to staff and would help to minimize instances of non-compliance.</p>	<p>The community should consider including user-friendly checklists summarising key tasks to be performed at the SWDF on a daily, weekly, monthly and yearly basis with the O&M Manual.</p>

<p>Water Licence Renewal Hazardous Wastes Management</p>	<p>The most recent inspection report identified non-compliance surrounding use of the hazardous waste area for permanent storage of hydrocarbon and other miscellaneous wastes.</p> <p>A Hazardous Waste Management plan will greatly assist the Community in clarifying/determining hazardous wastes management policies and procedures at the SWDF. AANDC recommends that a Hazardous Waste Management Plan be developed and implemented either as part the SWDF Operation and Maintenance (O&M) Plan, or as a stand alone document. Once completed, this plan will help both the SWDF staff and Déline's population to recognize which of the following materials will, or will not, be accepted at the SWDF: Asbestos; Batteries (Lead Acid); Glycols (Antifreeze, Heating Fluid); Heating Oil Tanks; Household Hazardous Waste; Hydrocarbon Contaminated Soil / Snow / Water; Mercury Containing Materials; Oil debris; Old Fuel; Ozone Depleting Substances; Paint; Propane Tanks; Residue Fuel Tanks/Drums; Used Oil; Vehicles Containing Batteries, Fluids, Mercury Switches, etc.</p> <p>The GNWT guideline document "Developping a Community Based Hazardous Waste Management Plan", provides more detailed guidance for developing a community-based Hazardous Waste Management Plan. GNWT - Department of Environment and Natural Resources (ENR) can provide further clarifications and assistance with these matters. For further information, please contact Gerald Enns at 867-920-8044.</p>	<p>AANDC recommends that Déline's water licence contain a condition for the establishment of a Hazardous Waste Management Plan, either as a section of the SWDF O&M Plan (Part I), or as separate condition of Part D - Conditions Applying to Waste Disposal.</p>
<p>Spill Contingency Plan Contact Information</p>	<p>Table 5.3: Community & Other Resources found on page 5.13 of the Spill Contingency Plan has the wrong name and number for the Indian and Northern Affairs Canada Inspector. This information should be updated to be Aboriginal Affairs and Northern Development Canada Inspector at (867) 777-8900.</p>	<p>AANDC recommends that the Spill Contingency Plan should be updated to include this information so the correct Inspector can be contacted when a spill or other emergency occurs. The accuracy of the other contact numbers should be confirmed to ensure the right people can be contacted when necessary.</p>

<p>Spill Contingency Plan Scenarios</p>	<p>The Spill Contingency Plan provides guidance for responding to spills occurring in/on water, land, snow and ice.</p> <p>Sections 4.1 to 4.3 identify potential sources of spill contamination (e.g. fuel storage area) found within Deline community limits as well as sensitive areas that should be protected. However, the Spill Contingency Plan should also describe probable scenarios and responses specific to Deline including identified sources of contamination, storage locations, and identified sensitive areas along with appropriate responses that staff/individuals should follow to best address each of these potential spill emergencies.</p>	<p>AANDC recommends that most probable response scenarios, specific to Deline and including worst case scenarios, be included in the community's Spill Contingency Plan.</p>
<p>Spill Contingency Plan Training</p>	<p>Section 6 of the Spill Contingency Plan identifies that training is important, but does not provide specific guidance on what training or exercises would be appropriate.</p> <p>Training programs are designed to best prepare the staff/response team and promote a good understanding of their action plan procedures, hazardous material and response equipment storage locations, as well as off-site resources. The community of Deline would benefit from having additional training details provided within the Spill Contingency Plan. The training/exercises should be specific to the most probable scenarios described elsewhere within their Spill Contingency Plan. Training details can always be modified and changed in the future to reflect reality and training needs and changes should be indicated as updates to the SCP.</p>	<p>AANDC recommends that the Spill Contingency Plan should include a component on training and spill response exercises.</p>
<p>Water licence Part A Definitions</p>	<p>A definition for the following terms should be added to the water licence:</p> <ul style="list-style-type: none"> * "Waters" means any Waters as defined by section 2 of the <i>Northwest Territories Act</i> * "Water use" means the use of Water as defined by section 2 of the Northwest Territories Act and shall include freshwater from all sources. <p>The more commonly used term of "Closure and Reclamation" should replace the outdated term "Abandonment and Restoration" all through out the licence.</p>	<p>AANDC recommends the new licence include these definitions/adjustments.</p>

