



SAHTU Land and Water Board Water Licence

Pursuant to the *Mackenzie Valley Resource Management Act*, the *Northwest Territories Waters Act* and Regulations, and the SAHTU Land and Water Board, hereinafter referred to as the Board, hereby grants to

The Charter Community of Deline

(licencee)

of

**P.O. Box 180
Deline, Northwest Territories
X0E 0G0**

(Mailing Address)

hereinafter called the Licencee, the right to alter, divert or otherwise use water subject to the restrictions and conditions contained in the *Mackenzie Valley Resource Management Act*, the *Northwest Territories Waters Act* and Regulations made thereunder and subject to and in accordance with the conditions specified in this licence.

Licence Number	<u>S12L3-006</u>
Licence Type	<u>"B"</u>
Location	<u>65° 11' N Latitude, 123° 26' W Longitude Deline, Northwest Territories</u>
Purpose	<u>To Use Water For Municipal Purposes And To Dispose Of Municipal Wastes</u>
Effective Date of Licence	<u>December 5, 2012</u>
Expiry Date of Licence	<u>December 4, 2017</u>

This Licence issued and recorded at Fort Good Hope includes and is subject to the annexed conditions.

SAHTU Land and Water Board



Witness



Chairman

**This Licence and conditions shall be kept on site.
If you have any questions please call the SAHTU Land & Water Board at
(867) 598-2413**

SAHTU LAND AND WATER BOARD

LICENSEE: Charter Community of Deline
LICENCE NUMBER: S12L3-006
EFFECTIVE DATE OF LICENCE ISSUANCE: December 5, 2012

TERMS AND CONDITIONS

PART A: SCOPE AND DEFINITIONS

1. Scope

- a) This Licence allows for the use water and disposal of waste for municipal purposes at the hamlet of Deline, Northwest Territories.
Latitude – 65° 11', North, Longitude – 123° 26', West
- b) 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 with such regulations.
- c) Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable federal, territorial and municipal legislation.

2. Definitions

In this Licence: S12L3-006

“Act” means the *Mackenzie Valley Resource Management Act* and/or *Northwest Territories Waters Act*.

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

“Closure and Reclamation” means returning a developed site to a self-sustaining natural state as much as feasible.

“Spill Contingency Planning” means a plan to establish a state of readiness which will enable prompt and effective response to possible spill or system failure.

“Freeboard” means the vertical distance between water line and crest on a dam or dyke’s upstream slope.

“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 Aboriginal Affairs and Northern Development 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 an/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.

“Surveillance Network Program” means a set of sampling requirements with attached criteria that need to be assessed and complied with as part of the Licence.

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

“Waters” means any inland water, whether in a liquid or frozen state, on or below the surface of the land in the Northwest Territories.

PART B: GENERAL CONDITIONS

1. The Licensee shall file an Annual Report with the Sahtu Land and Water 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 all sewage discharged to the sewage lagoons;
 - c) a summary of the monthly and annual quantities of hazardous waste stored on site and transported off site;

- d) a summary of modifications and/or major maintenance work carried out on the Water Supply and Waste Disposal Facilities, including all associated structures;
 - e) tabular summaries of all data generated under the "Surveillance Network Program" and a copy of original lab results in an appendix;
 - f) a list of spills and unauthorized discharges;
 - g) a summary of any closure and reclamation 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 Sahtu Land and Water Board that relate to waste disposal, water use or reclamation, and a brief description of any future studies planned;
 - i) any revisions to the approved Spill Contingency Plan;
 - j) any revisions to approved Closure and Reclamation Plans;
 - k) the monthly and annual quantities of sludge removed from the sewage lagoons;
 - l) updates or revisions to the approved Operation and Maintenance Plans;
 - m) an outline of any spill training and communications exercises carried out; and
 - n) any other details on water use or waste disposal requested by the Sahtu Land and Water Board by November 1st of the year being reported.
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 Sahtu Land and Water Board.
 4. Meters, devices or other such methods used for measuring the volumes of water used shall be installed, operated and maintained by the Licensee to the satisfaction of an Inspector.
 5. The Licensee shall, within 60 days of issuance of this Licence, post the necessary signs, where possible, to identify the stations of the "Surveillance Network Program", and 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.
 6. 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.

7. The Licensee shall ensure a copy of this Licence is maintained at the municipal office at all times.
8. The Licensee shall submit to the Sahtu Land and Water Board for approval a map or drawing indicating the locations of all "Surveillance Network Program" sampling stations, with associated GPS coordinates.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all water for municipal purposes from Great Bear Lake by using the intake structures and associated piping as described in Water Licence Application dated October 3, 2012, or as otherwise approved by the Sahtu Land and Water Board.
2. The Licensee may obtain water from an alternate water supply for use on an emergency basis upon approval from the Sahtu Land and Water Board, when it is not possible to obtain water from the source stated in Part C, Item 1.
3. The annual quantity of water used for all purposes shall not exceed 30,000 cubic metres.
4. The water intake hose used on the water pumps shall be equipped with a screen of a mesh size of 2.54 mm, sufficient to ensure no entrainment of fish, as per Fisheries and Oceans Canada requirements.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall direct all pumpout Sewage to the Sewage Disposal Facilities or as otherwise approved by the Sahtu Land and Water Board.
2. All sewage effluent discharged from the Sewage Disposal Facilities at "Surveillance Network Program" Station Number 0555-2 shall meet the following effluent quality standards:

PARAMETER	MAX. CONCENTRATION
Fecal Coliforms	<10 ⁴ CFU/100 ml
BOD ₅	80 mg/L
Total Suspended Solids (TSS)	100 mg/L

3. No other sewage effluent can be discharged, unless approved by the Sahtu Land and Water Board.
4. Discharge of sludge from the sewage lagoons requires prior approval from the Sahtu Land and Water Board.

5. A minimum of 1.0 metre freeboard shall be maintained at both of the cells of the sewage lagoons.
6. The Licensee shall advise an Inspector and the Sahtu Land and Water Board at least ten days prior to initiating the decant of the sewage lagoon.
7. In the event that the lagoon requires decanting at any time during the term of this Licence, the liquid effluent from the lagoon shall be decanted to the area described in the Water Licence Application dated October 3, 2012.
8. Decanting may be carried out as required with approval by the Sahtu Land and Water Board
9. The sewage lagoon shall be maintained and operated in such a manner as to prevent structural failure.
10. The Licensee shall maintain the Sewage Disposal Facilities to the satisfaction of an Inspector.
11. The Licensee shall dispose of all solid wastes at the Solid Waste Disposal Facilities or as otherwise approved by the Sahtu Land and Water Board.
12. The Licensee shall maintain the Solid Waste Disposal Facilities to the satisfaction of an Inspector.
13. The Licensee shall burn only clean combustible garbage.
14. Contaminated soils and snow shall be treated as hazardous waste and disposed of in accordance with the Guideline for General Management of Hazardous Waste in the NWT.
15. The Licensee shall develop a hazardous waste management plan as a component of the Operation and Maintenance Plan for the Solid Waste Disposal Facility following the Guide to Developing a Community Based Hazardous Waste Management Plan to be approved by the Sahtu Land and Water Board.

PART E: CONDITIONS APPLYING TO MODIFICATIONS

1. The Licensee may, without written approval from the Sahtu Land and Water 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 Sahtu Land and Water Board in writing of such proposed modifications at least 90 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 Sahtu Land and Water Board has not, during the 90 days following notification of the proposed modifications, informed the Licensee that review of the proposal will require more than 90 days; and
 - d) the Sahtu Land and Water 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 Sahtu Land and Water Board.
- 3. The Licensee shall provide to the Sahtu Land and Water Board as-built plans and drawings of the modifications referred to in Part E, Item 1 within 90 days of completion of the modifications.

PART F: CONDITIONS APPLYING TO CONTINGENCY PLANNING

- 1. The Licensee shall review the Spill Contingency Plan annually and modify the Plan as necessary to reflect changes in operation and technology. Any proposed modifications shall be submitted to the Sahtu Land and Water Board for approval.
- 2. If, during the period of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - a) employ the appropriate Spill Contingency Plan;
 - b) report the incident immediately via the 24 Hour NT-NU Spill Report Line. Currently the number is (867) 920-8130 or email spills@gov.nt.ca; and
 - c) submit to an Inspector and the Sahtu Land and Water Board, a detailed report on each occurrence not later than 30 days after initially reporting the event.

PART G: CONDITIONS APPLYING TO CLOSURE AND RECLAMATION

- 1. The Licensee shall submit to the Sahtu Land and Waters Board for approval a Closure and Reclamation Plan at least six months prior to closure of any water and/or waste disposal facilities. The Plan shall include, but not be limited to:
 - a) contaminated site remediation;
 - b) leachate prevention;
 - c) an implementation schedule;
 - d) maps delineating all disturbed areas, borrow material locations, and site facilities;

- e) consideration of altered drainage patterns;
 - f) type and source of cover materials;
 - g) future area use; and
 - h) hazardous wastes.
 - i) the potential for groundwater contamination;
 - j) any facility that is part of the Charter Community of Deline's Water Licence.
2. The Licensee shall implement the Plan specified in Part G, Item 1 as and when approved by the Sahtu Land and Water Board.
 3. Notwithstanding the time schedule referred to in the Closure and Reclamation Plan, the Licensee shall endeavour to carry out progressive restoration of areas which are abandoned prior to closure of operations.
 4. The Licensee shall complete the restoration work within the time schedule specified in the Plan, or as subsequently revised and approved by the Sahtu Land and Water Board.
 5. Upon implementation of the Closure and Reclamation Plan, the Licensee shall provide to the Sahtu Land and Water Board updates of all closure and reclamation activities by March 31st of each year.
 6. Compliance with the Closure and Reclamation Plan specified in this Licence does not limit the legal liability of the Licensee, other than liability arising from provisions of the *Act* and its regulations.

PART H: CONDITIONS APPLYING TO CONSTRUCTION

1. Prior to any new construction related to the Water Supply Facilities or Waste Disposal Facilities, other than as contemplated in an approved Spill Contingency Plan, the Licensee shall submit to the Sahtu Land and Water Board a rationale and design drawings.
2. Prior to construction of any dams, dykes, or structures intended to contain, withhold, divert or retain water or wastes other than as contemplated in the Spill Contingency Plan, the Licensee shall submit to the Sahtu Land and Water Board a rationale and design drawings.
3. As-built drawings of any new construction shall be stamped by a qualified engineer registered in the Northwest Territories and submitted to the Sahtu Land and Water Board within 90 days of construction completion.
4. Any fill materials used in the construction of any structures must be clean and free of contaminants.


PART I: CONDITIONS APPLYING TO OPERATION AND MAINTENANCE

1. At the request of the Sahtu Land and Water Board, or no later than 30 days after the commissioning of any new facility, the Licensee shall submit to the Sahtu Land and Water Board for approval a revised Operation and Maintenance Plan for the Sewage and Solid Waste Facility, and Water Intake Facility. The plan shall include, but not be limited to the following:
 - a) controlling effluent discharge quality;
 - b) runoff and drainage control within and around the facility, and restoration of erosion;
 - c) treatment of contaminated drainage;
 - d) prevention of windblown debris;
 - e) managing hazardous waste;
 - f) segregation of domestic, metal and recyclable waste materials;
 - g) method and frequency of site maintenance, including burning where permitted; and,
 - h) training methods and reporting requirements.
2. The Licensee shall implement the plan specified in Part I, Item 1 as and when approved by the Sahtu Land and Water Board.

SAHTU LAND AND WATER BOARD



Witness



Chairman

SAHTU LAND AND WATER BOARD

LICENSEE: Charter Community of Deline
LICENCE NUMBER: S12L3-006
EFFECTIVE DATE OF LICENCE ISSUANCE: December 5, 2012

SURVEILLANCE NETWORK PROGRAM

A. Location of Surveillance Stations

<u>Station Number</u>	<u>Status</u>	<u>Description</u>
0555-1	Active	Raw water supply from Great Bear Lake at the pumphouse.
0555-2	Active	Effluent at point of discharge from the secondary sewage lagoon.
0555-3	Active	Effluent at point of entry of seepage from the sewage lagoon at Airplane Lake.
0555-4	Active	Runoff from the solid waste disposal site.

B. Sampling and Analysis Requirements

1. Effluent at Station Number 0555-2 shall be sampled at the beginning, and every three days thereafter during periods of decant, and shall not exceed criteria as per Part D (2) of the License:

Fecal Coliforms
Total Suspended Solids
BOD₅

All analyses shall be performed in a laboratory approved by the Analyst

2. Water at Station Number 0555-3 shall be sampled at the request of an Inspector.

3. Station No. 0555-4 shall be sampled monthly during periods of flow and analyzed for the following parameters:

pH	Sodium
Suspended Solids	Total Phosphate
Magnesium	Sulphate
Potassium	Total Arsenic
Fecal Coliform	Total Lead
BOD ₅	Total Nickel
Total Organic Carbon	Total Chromium
Nitrate and Nitrogen	Total Cadmium
Ammonia Nitrogen	Total Iron
Oil and Grease	Total Mercury
Total Phenols	Total Zinc
Conductivity	Total Copper
Calcium	

4. More frequent sampling or additional sampling locations may be required at the request of an Inspector.
5. All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of "Standard Methods for the Examination of Water and Wastewater", or by such other methods approved by an Analyst.
6. All analyses shall be performed in a laboratory accredited by the Canadian Association of Environmental Analytical Laboratories (CAEAL) for the specific analyses to be performed or as approved by an Analyst.

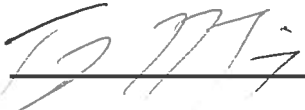
C. Flow and Volume Measurement Requirements

1. The monthly and annual quantities of raw water pumped from Surveillance Network Program Station Number 0555-1 shall be measured and recorded in cubic metres.
2. The monthly and annual quantities of wastes discharged to the primary sewage lagoon shall be recorded.
3. The monthly and annual quantities of effluent decanted from the primary sewage lagoon to the secondary sewage lagoon shall be recorded.
4. The monthly and annual quantities of effluent discharged from the secondary sewage lagoon shall be recorded.
5. The monthly and annual quantities of sewage solids removed from the sewage disposal facility shall be measured and recorded.

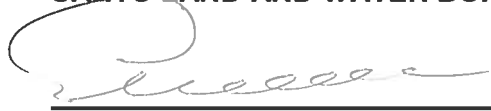
D. Reports

1. The Licensee shall, unless otherwise requested by an Inspector, include all of the data and information required by the "Surveillance Network Program" in the Licensee's Annual Report, which shall be submitted to the Sahtu Land and Water Board on or before March 31st of the year following the calendar year being reported.

SAHTU LAND AND WATER BOARD



Witness



Chairman



SAHTU Land & Water Board
REASONS FOR DECISION
Issued Pursuant to Section 121 of
The Mackenzie Valley Resource Management Act
and Section 26 of
The Northwest Territories Waters Act

Water Licence Number: S12L3-006 (Type "B")

This is the decision of the SAHTU Land & Water Board with respect to an application for a Water Licence dated October 3, 2012, made by:

The Charter Community of Deline
P.O. Box 180
Deline, Northwest Territories
X0E 0G0

for: The use of water for municipal purposes and the disposal of municipal wastes located within the municipal boundaries of the Charter Community of Deline, Northwest Territories.

With respect to this application, notice was given in accordance with Sections 63 & 64 of the *Mackenzie Valley Resource Management Act* and Section 23 of the *Northwest Territories Waters Act*. There was no Public Hearing held in association with this application.

DECISION

After having been satisfied that the project had been screened pursuant to the *Mackenzie Valley Resource Management Act*, and that any potential adverse environmental effects were insignificant or mitigable with known technology, and as such the application could proceed through the regulatory process and after reviewing the submission of the Applicant and after reviewing the written comments received by the Board; the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the *Mackenzie Valley Resource Management Act* and the *Northwest Territories Waters Act* and Regulations made thereunder has determined that:


Water Licence S12L3-006 be issued subject to the terms and conditions contained therein.

The Board's reasons for this decision are as follows:

1. This Licence is in the public interest and essential to the socio-economic well being of the community.
2. Conducting the undertaking in compliance with the terms and conditions imposed by the Licence will minimize any disturbance to the natural conditions of surrounding water bodies.
3. The use of water proposed by the Licensee is of a nature contemplated by the *Mackenzie Valley Resource Management Act*, and the *Northwest Territories Waters Act*.
4. The five year term of the Licence is in recognition of the future work on new municipal facilities in the Charter Community of Deline.

Water Licence S12L3-006 contains provisions that the Board feels necessary to ensure and monitor compliance with the *Mackenzie Valley Resource Management Act* and the *Northwest Territories Waters Act* and the Regulations made thereunder and to provide appropriate safeguards in respect of the Applicant's use of the waters affected by the Licence. The Board will provide any referenced material or documents and/or reasons for decision for any specific clause or clauses contained within the application if requested to do so in writing.

SIGNED this day of 5th day of December, 2012 on behalf of the SAHTU Land & Water Board.



Larry Wallace (Chairman)
SAHTU Land & Water Board

