



Sahtu Land and Water Board

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November 2, 2020

	File No.
Hugo Pabke Utilities Manager, Town of Norman Wells P.O. Box 5 Norman Wells, NT X0E 0V0 utilitiesmanager@normanwells.com	S18L3-003
Kirk Dolphus Director (Local Services), Deline Gotine Government P.O. Box 180 Deline, NT X0E 0G0 kirk.dolphus@gov.deline.ca	S18L3-001
Ben Coffie Senior Administrative Officer, Charter Community of K'asho Got'ine P.O. Box 80 Fort Good Hope, NT X0E 0H0 sao@fortgoodhope.ca	S15L3-002
Dawn Smeltzer Senior Administrative Officer, Incorporated Hamlet of Tulita P.O. Box 91 Tulita, NT X0E 0K0 sao@hamletoftulita.ca	S16L3-001
Joseph Kochon Senior Administrative Officer/Band Manager Behdzi Ahda First Nation P.O. Box 53 Colville Lake, NT X0E 1L0	NA

Re: Security estimate - municipal operations

Dear SAOs and Town Managers,

The Sahtu Land and Water Board (SLWB/the Board) met on October 27, 2020, to discuss waste management requirements related to facilities covered under municipal water licences and the capacities/resources needed to address these matters.

Various waste management facilities under the Sahtu region's municipal water licences have pending closure and reclamation work or are approaching the end of their estimated life. Some of the outstanding tasks in this regard are as follows:

- **Town of Norman Wells - WL- S18L3-003 (renewal of S07L3-002):** The decommissioning of the old Hazardous Waste Storage Facility and construction of two (2) new storage cells; pending since 2009/2010. (Reference: [GNWT-ENR Inspection Report, 2017](#); WL S07L3-002). The whole facility is layered with hazardous waste and garbage from years ago, and it requires a thorough clean-up (Reference: recent communication with GNWT-ENR, dated [October 22, 2020](#)).
- **Deline Gotine Government (DGG), Local Services – WL- S18L3-001:** Ongoing Closure and Reclamation work undertaken by GNWT-MACA on the Old Landfill site and Sewage Lagoon and upcoming closure; and reclamation work of Temporary Landfill. ([Reference: E-mail communications between SLWB and DGG, June 2020](#)).
- **Charter Community of Fort Good Hope – WL- S15L3-002:** Licence Renewal Application was submitted on October 28, 2020; the new licence should address and overcome many non-compliance issues, including issues with sewage exfiltration trench, pending waste disposal facilities' flow pathway study and lack of closure and reclamation plan, as listed in the issuance letter dated [July 27, 2020](#). Schedule 3, 1(h) of the currently active licence states, "...a proposal identifying measures by which reclamation costs will be financed by the licensee upon closure."
- **The Hamlet of Tulita- WL- S16L3-001:** The Hamlet's solid waste facility has exceeded its life expectancy and will require closure once a new facility is constructed and become operational. A Final Closure and Reclamation Plan is to be submitted six months before the closure of any existing facilities. As per the interim closure and reclamation plan ([ICRP; Dec 28_16](#)), the Hamlet planned to construct a new SWF in Q4 of 2018. The new SWF is not yet constructed; upon finalizing the construction plan for the new SWF, the WL has to be amended to include the new facility under the same. In its latest letter to SLWB, the Hamlet has expressed challenges with staying compliant with the WL and undertaking required studies/updates for activities under the licence (Reference: [Hamlet of Tulita's Response to SLWB's Compliance Concerns Letter, June 1, 2019](#)).
- **Charter Community of Colville Lake:** Peer-reviewed/Approved resource management plans and water licence to support municipal activities' proper functioning.

Mackenzie Valley Resource Management Act (MVRMA) Section 60 (1.1) (e) states that

A board has jurisdiction in respect of all uses of waters and deposits of waste on lands outside a federal area in its management area for which a licence is required under any territorial law and may, in accordance with that law,

require an applicant for a licence, a licensee or a prospective assignee of a licence to furnish and maintain security.

SLWB hereby is assessing the liabilities associated with these tasks and requests an update to your security estimate for the Board's records – you can seek the assistance of the Board staff if needed; Board Staff can advise about the preparation of the update. As part of this update, please answer the following questions:

- Please indicate who owns the lands (lands for municipal operations) upon which the facilities and operations associated with the appurtenant undertaking are located?
- If the licensee is not the landowner, SLWB hereby requests a copy of any land tenure agreement or arrangement which provides for the use of the lands.
- Who, in your view, is liable for the effects of activities on these lands and who is liable for closure and reclamation costs?

Your full cooperation is anticipated and appreciated. If you have any questions or concerns, please contact Paul Dixon (Executive Director at paul.dixon@slwb.com) and/or Aswathy Mary Varghese (Regulatory Specialist at ash.varghese@slwb.com).

Sincerely,



Larry Wallace
Chair, Sahtu Land and Water Board