



**Mackenzie Valley Land and Water Board**  
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**Staff Report**

<b>Applicant:</b> GNWT-Department of Transportation	
<b>Location:</b> Yellowknife, NT	<b>Application:</b> MV2001L3-0012
<b>Date Prepared:</b> May 10, 2010	<b>Meeting Date:</b> May 13, 2010
<b>Subject:</b> Request to Waive 60 Day Notification Period	

**1. Purpose/Report Summary**

The purpose of this report is to present a request to the Mackenzie Valley Land and Water Board (the Board) made by GNWT-Department of Transportation (GNWT-DOT) to waive the 60 day notification period as per Part E Item 1a of Water Licence (WL) MV2001L3-0012.

Part E of WL MV2001L3-0012 states:

1. *The Licensee may, without written consent from the Board, carry out modifications to the Water Supply and Waste Disposal Facilities provided that such modifications are consistent with the terms of this License and the following requirements are met:*
  - a) *the Licensee has notified the Board in writing of such proposed modifications at least sixty (60) days prior to beginning the modifications;*
  - b) *such modifications do not place the Licensee in contravention of either the License or the Act;*
  - c) *the Board has not, during the sixty (60) days following notification of the proposed modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and*
  - d) *the 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, can be carried out only with written approval from the Board.*
3. *The Licensee shall provide to the Board as-built plans and drawings of the modifications referred to in Part E, Item 1 within ninety (90) days of completion of the modifications.*

## **2. Background**

- December 14, 2001 – application for water licence (WL) submitted to the Board;
- June 13, 2002 – WL issued for a period of two years;
- June 11, 2004 – WL expiry;
- April 15, 2005 – WL renewal application received;
- September 7, 2005 – WL renewal issued for a period of five years;
- July 17, 2007 – request from GNWT-DOT to waive 60 notification period as per Part E of the WL to upgrade the Glycol Retention Facility (GRF);
- July 26, 2007 – the Board decided to waive the 60 day notification period to allow GNWT-DOT to upgrade the GRF;
- April 21, 2010 – request from GNWT-DOT to spray glycol contaminated water to the airport infield;
- April 29, 2010 – the Board denied the request made by GNWT-DOT;
- May 10, 2010 – request from GNWT-DOT to waive the 60 day notification period to allow GNWT-DOT to construct a new GRF; and
- September 6, 2010 – WL expiry.

## **3. Discussion**

The purpose of the renewal WL (2005) was to manage waste associated with the airport, including the construction of a GRF.

In July 2007 GNWT-DOT requested the Board waive the 60 day notification for modification as stated in the WL under Part E. The modification was to construct a new GRF (current location).

In October 2008, GNWT-DOT requested that the Board allow it to temporarily store glycol as the GRF was at capacity.

During the week of April 1, 2009, a glycol spill occurred at the airport; the estimated volume of pooling glycol was 300,000 litres.

On April 21, 2010, GNWT-DOT sent a letter to the Board requesting emergency approval under the water licence to dispose of glycol-contaminated water by spraying it to the infield within airport property.

On April 29, 2010 the Board made the motion to deny the request based on the amount of unknown factors relating to the request such as:

- the characteristics and properties of the soil;
- flow rate and direction of groundwater;
- inability to control the level of glycol entering the groundwater;
- inability to treat the groundwater if the levels are not declining; and
- the risk of contaminated water reaching Long Lake, which is a recreational lake.

On May 10, 2010 GNWT- DOT made the request to the Board to waive the 60 day notification period to allow immediate construction of a new 2,000,000L GRF (see attached map).

GNWT-DOT is estimating to complete the construction before the start of the glycol season this fall. The construction of the GRF will not change the terms and conditions of the license.

GNWT-DOT plans to begin the work immediately and must do so before weather conditions deteriorate and glycol is once again needed at the airport. Due to the sensitive timing, if GNWT-DOT is required to provide notification 60 days in advance, it may be too late to complete the modifications prior to the start of the winter season.

The glycol contaminated water from the current GRF would be transferred into the new GRF for aeration treatment and then possible discharge if limits allow GNWT-DOT to do so.

**4. Comments**

n/a

**5. Review Comments**

n/a

**6. Security**

n/a

**7. Conclusion**

There is currently no plan in place for the abandonment and restoration of the current GRF.

The current Glycol Mitigation and Operation Plan does not include the new facility.

**8. Recommendation**

Staff recommends that the Board waive the 60 day notification of modification as per Part E Item 1 a of the WL MV2001L3-0012.

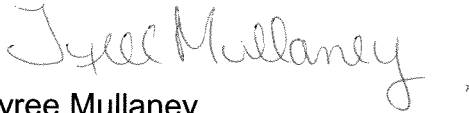
Staff recommends that the Board request an Abandonment and Restoration Plan for the current GRF prior to decommissioning.

Staff also recommends that GNWT-DOT provide to the Board an update of the GMOP to reflect the new GRF facility.

**9. Attachments**

- Email from Rhonda Batchelor (GNWT-DOT) dated May 10, 2010
- Request from GNWT-DOT dated May 10, 2010
- Draft Approval Letter

Respectfully submitted,

A handwritten signature in cursive script that reads "Tyree Mullaney".

Tyree Mullaney  
Regulatory Officer