

June 30, 2010

Tyree Mullaney  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7<sup>th</sup> Floor – 4910 50<sup>th</sup> Avenue  
P.O. Box 2130  
Yellowknife, NT  
X1A 2P6

Dear Ms. Mullaney,

**Re: Hamlet of Enterprise  
Type B Water Licence - MV2008L3-0004  
Interim Closure and Reclamation Plan  
O&M Plan and Solid Waste Site Planning Study  
Phase I and II ESA  
Request for Review and Comments**

The Department of Environment and Natural Resources (ENR) has reviewed the above noted project based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act* and the *Wildlife Act* and provides the following comments and recommendations for consideration by the Board.

**Topic: Operations and Maintenance Plan**

**Comment(s)**

The distinction between hazardous waste that is acceptable and not acceptable at the SWDF has not been clearly defined in Sections 3.1 and 3.7. For example, Sections 3.1 and 3.7 (see section below) contradict each other. It should be noted that hazardous waste can originate from household/residential use (commonly referred to as household hazardous waste (HHW) or from the Institution, Commercial, and Industrial (ICI) sector.

### 3.1 General Operation

*“Waste not disposed of in trenches includes car bodies, bulky metals, wood, tires, white goods, and household hazardous waste. Separate areas have been designed for the disposal of these items”.*

### 3.7 Hazardous Waste

*“The solid waste facility does not accept Hazardous Waste and does not have a separate area to contain Hazardous Waste. At no time in the future does the Solid Waste Facility intend to accept Hazardous Material.”*

### Recommendation(s)

- ENR recommends the community develop a Hazardous Waste Management Plan that clearly explains what types of hazardous waste will be accepted and how they will be managed. HHW contains a wide variety of materials that require distinct management methods. ENR has developed the following draft guidance document title “Developing a Community Based Hazardous Waste Management Plan” to assist the community in making decisions about the hazardous wastes that will be accepted, from which sources, and how they will be managed. Please contact Gerald Enns (867 920-8044) for further clarification.

### Topic: Phase 1 Environmental Site Assessment

### Comments(s)

The purpose of a Phase 1 Environmental Site Assessment (ESA) is to identify actual and potential environmental contamination. ENR understands that a Phase 1 ESA was conducted at the Solid Waste Disposal Facility (SWDF) in December 2008. Considering that the site is a SWDF and the conclusion of the December 2008 ESA indicated that there was a “high environmental risk”<sup>1</sup>, ENR does not feel that another Phase 1 ESA of the SWDF in April 2010 (less than one and a half year later) was necessary.

ENR’s original recommendation during the water license application process in August 2009 was that, “An Environmental Site Assessment that builds on the existing Phase 1 ESA...”<sup>2</sup> - ENR did not recommend another Phase 1 ESA – but rather implied a Phase 2 ESA. ENR recommended continued work on Environmental Site Assessment because it was understood that the Hamlet of Enterprise intended to close the current SWDF; a Phase 2 ESA would be required for site closure and final abandonment and reclamation planning. Given that the Hamlet of Enterprise now

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<sup>1</sup> Phase 1 Environmental Site Assessment. FSC Architects & Engineers. December 2008.

<sup>2</sup> Hamlet of Enterprise Type B Water Licence MV2008L3-0004 Request for Review Comments. Environment and Natural Resources. August 13, 2009.

plans to use the SWDF for at least another two decades<sup>3</sup>, conducting a Phase 2 ESA of the SWDF would not be practical at this time. However, ENR understands that the current cell will reach capacity by 2011<sup>4</sup>. Therefore, this needs to be assessed and considered in the Interim Closure and Reclamation Plan.

### **Recommendation(s)**

- Given that the current cell will reach capacity by 2011, ENR recommends that the Hamlet perform an assessment to assess and develop an appropriate Interim Closure and Reclamation Plan for this cell. However, if the plan is to close the entire SWDF within the near future, then a Phase 2 ESA should be conducted on the entire SWDF to be closed, and in accordance with the Canadian Standard Association (CSA) *Standard Z769-00 Phase 2 Environmental Site Assessment*.

### **Topic: Solid Waste Site Planning Study**

#### **Comment(s)**

##### *Section 3.1 Site Conditions March 2010*

There are two references to drawing SK1 in Appendix A but the only drawing in Appendix A is labeled as SK2. As noted in Section 2.1, Project Understanding, the fourth bullet states that mapping showing past, existing and potential sites will be provided. Drawing SK2 does not include the past site. Furthermore, the "Waste Segregation Area" on Drawing SK2 does not identify which waste are segregated and where they are (i.e. bulky waste, construction waste, etc.).

#### **Recommendation(s)**

- Provide Drawing SK1.
- More details including depicting on Drawing SK2 the location of the previous cells, and the location of the segregated waste area by type.

### **Topic: Section 4.2 Classification of Wastes**

#### **Comment(s)**

Table 4.1 Waste Classification Table does not acknowledge that there could be hazardous waste components in construction waste (i.e. asbestos from siding, lead from leaded paint, etc.) and bulky waste (i.e. ozone depleting substances, mercury switches from vehicles, etc.). Furthermore, hazardous waste could be generated by both residential and Institution, Commercial, and Industrial (ICI) sectors.

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<sup>3</sup> Hamlet of Enterprise Solid Waste Planning Study. FSC Architects & Engineers. April 2010. Page 3

<sup>4</sup> Hamlet of Enterprise Solid Waste Planning Study. FSC Architects & Engineers. April 2010. Page 9

## **Recommendation(s)**

- ENR recommends the community develop a Hazardous Waste Management Plan that clearly states the hazardous wastes that will be accepted and from which sector (household and/or ICI) and how they will be managed. ENR has developed the following draft guidance document title “Developing a Community Based Hazardous Waste Management Plan” to assist the community in making decisions about the hazardous wastes that will be accepted, from which sources, and how they will be managed. Please contact Gerald Enns (867 920-8044) for further clarification.

## **Topic: Interim Closure and Reclamation Plan**

### **Comment(s)**

#### 3.1 Hazardous Waste

Although the Hamlet may not accept hazardous waste from the ICI sector, ENR understands that it still accepts household hazardous wastes. Furthermore, there could be hazardous waste in construction waste and bulky waste. As such, ENR is concerned that the Hamlet does not have a plan in place to manage hazardous waste for closure and reclamation.

### **Recommendation(s)**

- ENR recommends that the Hamlet include the management of hazardous waste in their Interim Closure and Reclamation Plan (Interim C&R Plan).

## **Topic: Solid Waste Disposal Facility**

### **Comment(s)**

ENR understands that the current cell will reach capacity in 2011. However, the Interim C&R Plan does not reflect this.

### **Recommendation**

- ENR recommends that the Interim C&R Plan consider that the current cell will reach capacity in 2011 and provide details and an implementation schedule for its closure and reclamation.

Comments and recommendations were provided by ENR technical experts in the Environment Division and South Slave Region, and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM).

Should you have any questions or concerns please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst, at (867) 920-6591 or [patrick\\_clancy@gov.nt.ca](mailto:patrick_clancy@gov.nt.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Clancy', written in a cursive style.

Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring  
Department of Environment and Natural Resources