



June 28, 2022

Ms. Elizabeth Wright, Chair  
Gwich'in Land and Water Board  
P.O. Box 2018  
Inuvik, NT X0E 0T0

**KBL Environmental Ltd. - Type B Water Licence Renewal - Inuvik STF (G22L1-005)**

Dear Elizabeth,

Thank you for the invitation to review and provide feedback on the proposed renewal of a Type B Water Licence application submitted by KBL Environmental Ltd. (KBL) within the Gwich'in Settlement Area. In communications with KBL on April 28, 2022 and in consultation with the Nihtat Gwich'in Council, some clarifications on initial concerns were made, however several concerns remain.

In April of 2022, large amounts of contaminated materials from Aklavik, including contaminated water, were hauled and stored onsite (treatment pad and retention pond) under License G17L1-002 (the 'License'). Initial concerns around the volume of materials being stored at the site were conveyed to the applicant during the April 28, 2022 meeting. Of particular concern was the evident non-compliance surrounding the height of the stockpiled soil materials, which exceeded the 4m criteria stipulated in the Licence, and the lack of material placement into windrows as stated in Section 6.2 of KBL's Operations and Maintenance Plan. The stockpile also contained pieces of plastic material and the site was not fenced to limit access.

Furthermore, during the April 28, 2022 meeting, KBL provided assurance that the site's non-compliance issues would be managed and remedied during their Treatment Campaign Plan in June 2022. However, it does not appear that this has taken place, which is particularly concerning because the non-compliance has continued even as considerations are being made to renew the water licence for the site's operations.

Although the past and current application addresses many of the concerns surrounding the operation and management of the soil treatment cell through various plans, the observed disregard for adhering to those plans is concerning.

Based on the need for further clarity on this project, as well as to address concerns tied to current non-compliance issues, the Gwich'in Tribal Council requests the Gwich'in Land and Water Board enacts Section 72.15 (1)(a) of the *Mackenzie Valley Resource Management Act*, whereby:

*If a board is satisfied that it would be in the public interest, it may hold a public hearing in connection with any matter relating to its objects, including, in respect of a federal area or lands outside a federal area,*

*(a) the issuance or renewal of, or an amendment to, a type B licence; hold a public hearing on this application.*

Should you require further information with regard to this request, please feel free to contact Leigh-Ann Williams-Jones, our Manager of Lands and Resources, by phone at (867) 777-7910 or by email at [leighann.williamsjones@gwichintribal.ca](mailto:leighann.williamsjones@gwichintribal.ca) .

Hai' (thanks),



Ken Kyikavichik  
Grand Chief

cc. Kelly McLeod, President, Nihtat Gwich'in Council  
Barry Greenland, President, Nihtat Renewable Resource Council  
Leonard DeBastien, Executive Director, Gwich'in Land and Water Board  
Tom Weegar, GTC Chief Executive Officer  
Leigh-Ann Williams-Jones, GTC Manager of Lands and Resources  
Christina Martin, GTC Lands and Resources Coordinator