



COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board (NIRB) has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. To assess the environmental and socio-economic impacts of the project proposal, NIRB would like to hear your concerns, comments and suggestions about the following project proposal application:

Project Proposal Title:	Renewal and Amendment of the Hamlet of Pond Inlet Water Licence #3BM-PON2025 - Water Supply Facility		
Proponent:	Municipal Works Division - Government of Nunavut		
Location:	Pond Inlet		
Comments Due By:	September 10, 2026	NIRB #:	26WA001

Indicate your concerns about the project proposal below:

☐ no concerns	☐ traditional uses of land
☐ water quality	☐ Inuit harvesting activities
☐ terrain	☐ community involvement and consultation
☐ air quality	☐ local development in the area
☐ wildlife and their habitat	☐ tourism in the area
☐ marine mammals and their habitat	☐ human health issues
☐ birds and their habitat	☒ other: <u>Regulatory requirements</u>
☐ fish and their habitat	
☐ heritage resources in area	

Please describe the concerns indicated above:

Transport Canada does not have concerns about the proposed project but does note the project may be subject to the *Canadian Navigable Waters Act* and *Transportation of Dangerous Goods Act* and *Transportation of Dangerous Goods Regulations*. For the information of the Board, the Proponent, and reviewers of the project, relevant information about these acts and regulations is provided below.

Canadian Navigable Waters Act

Transport Canada has reviewed the project proposal and notes the project includes water withdrawals using a water intake from Salmon Creek. Works, such as water intakes for water withdrawals, in navigable waterways are subject to the *Canadian Navigable Waters Act* (CNWA). To determine the applicability of the CNWA to the project:

- The proponent will need to complete a self-assessment of the navigability of Salmon Creek. (Please see below for more information.)
- If Salmon Creek is navigable, the water intake that will be used for water withdrawal may be a “minor work” under the CNWA. (Please see below for more information.)

The proponent is to complete the navigability self-assessment using Transport Canada Navigation Protection Program’s (NPP) “Project Review Tool” at the following link: <https://npp-submissions-demandes-ppn.tc.canada.ca/projectreview-outildexamenduprojet> for Salmon Creek. The project review tool will assist the proponent in determining whether 1) Salmon Creek is navigable, and 2) if the water



intake may be a minor work. (For all the requirements for a water intake to be a minor work, please see: <https://laws-lois.justice.gc.ca/eng/regulations/sor-2021-170/index.html>).

For any water intake in a navigable waterway that is a minor work, the proponent will need to file a “notification of a minor work” on the Navigation Protection Program’s External Submission Site (<https://npp-submissions-demandes-ppn.tc.canada.ca/auth/login-connexion?ret=/&GoCTemplateCulture=en-CA>).

If the proponent cannot meet all the criteria outlined in the Minor Works Order for water intakes, they have two options under the CNWA:

- Voluntarily apply to the Minister of Transport for approval of the works. (Please note there are fees for the review of applications.); or
- Seek authorization for the works using the public resolution process set out in the CNWA.
 - The public resolution process requires proponents to post on the Navigation Protection Program External Submission Site a “notification of work on a non-scheduled waterway and publish a notice inviting public comments. The notice gives the public 30 days to comment on the project.
 - i. If no concerns are raised, the proponent can proceed with the work.
 - ii. If there are concerns, the proponent and the commenter have 45 days to resolve any navigation-related concerns.

If concerns are resolved within that timeframe, the proponent may proceed with the work. If the concerns aren’t resolved after 45 days, the commenter has 15 days to request a decision from the NPP. In this case, after reviewing your proposal and any public input, the NPP will confirm whether the proponent will need to apply for an approval.

Transportation of Dangerous Goods (TDG)

As identified in the project application form, “Hazardous waste will be delivered [by seacan] to an accredited hazardous waste disposal facility in the South.” Any transport of dangerous goods for the project must be done in accordance with the Transportation of Dangerous Goods Regulations (TDGR). This includes TDGR training, which is required for the domestic shipment of dangerous goods. Training under the International Marine Dangerous Goods Code is not required for domestic marine transportation of dangerous goods.

Another requirement of the TDGR is the requiring of Emergency Response Assistance Plans (ERAPs). ERAPs describe what to do in the event of a release or anticipated release of certain higher-risk dangerous goods while they are in transport. Each plan is specific to certain dangerous goods, modes of transport (road and/or rail), the means of containment (containers or packaging) used to hold the dangerous goods, and the geographical area in which the dangerous goods will be transported.

Any operator, who offers for transport (usually the shipper) or importer of such dangerous goods, must submit an ERAP to the TDG directorate in Ottawa for review and approval. The ERAP must be current (reviewed and revised as necessary) and be active at all times during the transport of dangerous goods.

Either the proponent or third-party contractors hired by the proponent must comply with the TDG Act and Regulations, including having the requisite training and ERAPs.

The proponent is advised to contact Transport Canada's Navigation Protection Program if they have questions about the applicability of the CNWA to the project or the Project Review Tool.

Email: NPPPNR-PPNRPN@tc.gc.ca

Transport Canada takes no position on the merits of the Project.

Signature: SCOTT KIDD **Date:** September 8, 2026

Date: September 8, 2026