



Water Resources  
Nunavut Regional Office  
P.O. Box 100  
Iqaluit, NU, X0A 0H0

NWB file - Votre référence  
1BR-NUN0511 - Renewal

AANDC file - Notre référence  
IQALUIT - # 504803

February 17, 2012

Phyllis Beaulieu  
Manager of Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU, X0A 1J0

**Re: Water License No. 1BR-NUN0511, Renewal Application – Landfarm Project – Nunatta Environmental Services Inc. – Qikiqtani Region**

Aboriginal Affairs and Northern Development Canada (AANDC) has performed a review of Nunatta Environmental Services Inc's Water License Number 1BR-NUN0511 – Landfarm Project Renewal. The Nunavut Water Board distributed the application for comment on January 18, 2012. The following comments are provided pursuant to AANDC's mandated responsibilities for the enforcement of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act*.

In conducting this review, I have referred to all documents on the Nunavut Water Board's FTP site as it relates to 1BR-NUN0511. Attached is a Technical Review Memorandum for your consideration.

Please feel free to contact me should you have any questions or comments. I can be reached at 867.975.4566 or by email at [Andrea.Cull@aandc-aadnc.gc.ca](mailto:Andrea.Cull@aandc-aadnc.gc.ca).

Sincerely,

*Originally signed by*

Andrea Cull  
Pollution Policy Specialist, AANDC

Cc: Ian Parsons, A/Manager of Water Resources, AANDC  
Andrew Keim, A/Manager of Field Operations, AANDC

## Technical Review Memorandum

**To:** Phyllis Beaulieu – Manager of Licensing, Nunavut Water Board

**From:** Andrea Cull – Pollution Policy Specialist, Aboriginal Affairs and Northern Development Canada

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**Re: Water License No. 1BR-NUN0511, Renewal Application – Landfarm Project – Nunatta Environmental Services Inc. – Qikiqtani Region**

### Background

Nunatta Environmental Services Incorporated (NESI) has an active/approved water license #1BR-NUN0511 dated on September 12, 2005 with an expiry date on December 31, 2011.

Water License #1BR-NUN0511 allows for the use of water and the disposal of waste for an undertaking classified as Miscellaneous at the NESI Landfarm Treatment Facility in the North 40 Industrial Park, within the City of Iqaluit, Nunavut (City of Iqaluit Lot 1, Block 229).

### Recommendations/Comments

On behalf of the AANDC Water Resources Division the following comments/recommendations are provided for the Board's consideration,

- **Spill Contingency Plan**

The Spill Contingency Plan should make reference to the Nunavut Spill Report Line and include a copy of the Nunavut Spill Report Form. This form can be obtained from the Nunavut Water Board public registry at <http://www.nunavutwaterboard.org>.

Please note that the 24-hour Spill Report Line telephone number is 867.920.8130 and facsimile number is 867.873.6924. Furthermore, AANDC requests the proponent report all spills to the Manager of Field Operations/AANDC, by phone at 867.975.4295 and by fax at 867.975.6445, as well as the Nunavut Spill Report Line.

- **Hazardous Waste**

AANDC recommends that Hazardous waste/waste oil materials and hydrocarbon contaminated soil stored on-site should be clearly labeled so they will be visible under all conditions and in all seasons. This recommendation is intended to prevent possible damage or misplacement of

the containers.

AANDC recommends that the proponent remove all hazardous materials/waste oil from the site on a regular basis to prevent the over accumulation of these materials. Hazardous waste/waste oils must be disposed of at an approved facility outside of the Territory of Nunavut (no known facilities within Nunavut). All transfer of this type of waste must be in accordance with the GN's "Guideline for General Management of Hazardous Waste - January, 2002". In addition hazardous wastes should be stored within a lined secondary containment structure to prevent any off site impacts (other secured structures would also be acceptable).

AANDC recommends that the proponent be required to submit copies of all manifest forms related to the transport of hazardous waste/waste oil as part of the Annual Report for this site.

- **Monitoring Requirements**

License #1BR-NUN0511 - Part J: Conditions Applying to the Monitoring Program, Item 10, the Licensee shall include a summary of all data and information collected by the "Monitoring Program" (Table 1 and Part J, Item 4 & 8) in the Licensee's Annual Report required under Part B, Item 1.

AANDC recommends that the proponent submit all Monitoring Reports from 2005, 2006, and 2007. If data is not available then AANDC suggests that the proponent provide a rational on why the Monitoring Reports were not submitted.

AANDC also recommends that the proponent have a third party (Geotechnical Engineer) inspect the landfarm site to determine if the overall structure of the site is in compliance with the existing expired water license.

- **Annual Reports**

License #1BR-NUN0511 - Part B: General Conditions, Section 1, the Licensee shall file an Annual Report on the appurtenant undertaking with the Board no later than March 31<sup>st</sup> of the year following the calendar year reported.

Record of Submission dates of Annual Reports (2005-2010):

2005 Annual Report - Submitted January 2011  
2006 Annual Report - 2007 and 2008 - Submitted January 2011  
2009 Annual Report - Submitted November 2010  
2010 Annual Report - Submitted May 2011

AANDC recommends that the 2011 Annual Report be submitted by March 31, 2012 to ensure compliance with the now expired license and to facilitate the review of the submitted renewal application.

- **Current Water License Expired**

License #1BR-NUN0511 - Part B: General Conditions, Item 4, note that if the License expires before the NWB issues a new one, then water use and waste disposal must cease, or the Licensee will be in contravention of the Nunavut Land Claims Agreement.

Water License # 1BR-NUN0511 has expired on December 31, 2011. AANDC recommends that the proponent continue to follow the terms and conditions of the current water license (See above: Part B: Item 4).

- **Discharge**

License #1BR-NUN0511 - Part E: Conditions Applying to Waste Disposal, the licensee shall provide at least fifteen (15) days written notice to an Inspector prior to any planned discharges from the Cells and/or Water Treatment Facilities. The notice shall include the volumes proposed for discharge and the affluent quality of the discharge.

Environment Canada (EC) and AANDC inspectors were called to the facility twice over the duration of the license to address discharges from the facility when notifications were not made in a timely manner. Follow-up to these incidents resulted in changes to the Licensee's operations and have not recurred since.

No Inspections were conducted by AANDC between 2005 and 2011 on the facility however they are planned for the 2012 season.

- **Compliance Plan**

AANDC recommends that a Compliance Plan be submitted within 3 months prior to approval of the new water license. This plan is to include reasoning for missing Monitoring Reports and late Annual Reports. This plan should also address how the proponent will meet all future deadlines on approval of the new type 'B' water license.

Prepared by Andrea Cull

Cc: Ian Parsons, A/Manager of Water Resources, AANDC  
Andrew Keim, A/Manager of Field Operations, AANDC