

**RE: Outstanding submission (out of compliance)**

**Derek Donald** <derek.donald@nwb-oen.ca>  
To: Licensing Department <licensing@nwb-oen.ca>

Tue, Nov 19, 2019 at 4:30 PM

Hi Kayla

Can you save the email chain below to the following locations:

V:\Licensing\PR MAIN\10 INACTIVE EXPIRED\8BC-TAD0811\2 ADMIN\0 GENERAL CORRESPONDENCE

V:\Licensing\PR MAIN\8 MISCELLANEOUS\8B\8BW - Watercourse\8BW-IGD1921 City Iqaluit\2 ADMIN\0 GENERAL

V:\Licensing\PR MAIN\3 MUNICIPAL\3A\3AM - Municipality\3AM-IQA1626\2 ADMIN\0 GENERAL

I have included all three locations because this correspondence relates to all three Licences.

Thanks,  
Derek



Derek Donald-  $\cap \triangleright \mathcal{L}^b$   $\dot{\mathcal{C}} \mathcal{D}^{c,c}$

Technical Advisor - Conseiller technique ᐱᑐᕙᑦᓇᗵᒃᔭᓂᓄᖅ Δᒷᓪᓴᓆ-  
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NUNAVUT WATER BOARD - OFFICE DES EAUX DU NUNAVUT  
ᓄᓇᑭᑦ ᐃᓕᓕᓴᑦ ᑲᑎᓴᓴᑦ - NUNAVUT IMAJIRIYIN KATIMAYINGI

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Titigaqavua 119  
Uqhuqtunq, NU, X013 1J0

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Toll Free / Sans / <P9b^P9^b / Akiittug: 1-855-521-3745

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----- Forwarded message -----

From: **Derek Donald** <[derek.donald@nwb-oen.ca](mailto:derek.donald@nwb-oen.ca)>

Date: Tue, Nov 19, 2019 at 2:57 PM

Subject: Re: FW: Outstanding submission (out of compliance)

To: Matthew Hamp <[M.Hamp@iqaluit.ca](mailto:M.Hamp@iqaluit.ca)>

Cc: <[jonathan.mesher@canada.ca](mailto:jonathan.mesher@canada.ca)>, Karén Kharatyan <[karen.kharatyan@nwb-oen.ca](mailto:karen.kharatyan@nwb-oen.ca)>, Richard Dwyer <[richard.dwyer@nwb-oen.ca](mailto:richard.dwyer@nwb-oen.ca)>

Hi Matthew and Jonathan

With respect to the inquiry below, the NWB will no longer require the submittance of the 2008, 2009, and 2010 annual reports (as required by PART B, ITEM 1), or the specified Spill Contingency Plan (as required by PART G, ITEM 1), under Licence 8BC-TAD0811 ("Trail Area Deposit"), based on the following reasoning.

1. Although this information would be useful for our records, the Licensee has indicated that *"the City has no records to support these [annual] reports."* and therefore no useful information could be provided.

2. Currently Licence 8BW-IGD1921("North West Deposit") covers similar quarry access activities along the same access road, but starting at the Trail Area Deposit and going further out to the North West Deposit. Under this Licence (8BW-IGD1921) a Spill Contingency Plan is in place (attached) and has been approved by the NWB. The NWB would like to note that this plan applies to all activities associated with the quarry access development along the entire stretch of the access road.
3. This road is generally part of the municipal development and the City of Iqaluit has developed it under Water Licences 8BC-TAD081 and 8BW-IGD192. Therefore the City of Iqaluit is ultimately responsible for this road, its maintenance, and associated environmental mitigation.

From our view, once a final CIRNA Inspection is completed and we receive the Inspection Form, we will be ok to close this Licence. Please let me know if you have any questions or would like to follow up.

Regards,  
Derek



**Derek Donald- ᐃᑭᑦ ᑕᑭᑦ**

Technical Advisor - Conseiller technique ᐱᑭᑦᑕᑦᑕᑦᑕᑦ ᑕᑭᑦ  
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On Fri, Nov 15, 2019 at 3:14 PM Matthew Hamp <[M.Hamp@iqaluit.ca](mailto:M.Hamp@iqaluit.ca)> wrote:

Hi Derek,

The City received a directive from CIRNAC regarding an expired licence related to the development of a quarry that is no longer in use by the City (Ref#: 8BC-TAD0811) – see correspondence below for reference. There appear to be some outstanding annual reports for the years 2008, 2009 and 2010, and a Spill Contingency Plan associated with this licence. Unfortunately, the City has no records to support these reports. Also, there are no current staff members that were involved in the acquisition of this licence that were with the City at that time. I am not sure how the City can comply with this directive. Would the NWB be willing to waive these requirements given these realities?

**Matthew Hamp**

*Director of Public Works and Engineering*

**City of Iqaluit**

**Box 460, Iqaluit, NU**

**X0A 0H0**

Work: (867) 979-5653

Email: [m.hamp@city.iqaluit.nu.ca](mailto:m.hamp@city.iqaluit.nu.ca)

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**From:** Mesher, Jonathan (AADNC/AANDC) [mailto:[jonathan.mesher@canada.ca](mailto:jonathan.mesher@canada.ca)]  
**Sent:** Friday, November 15, 2019 9:16 AM  
**To:** Matthew Hamp; Amy Elgersma  
**Cc:** Richard Dwyer; Licensing Department  
**Subject:** RE: Outstanding submission (out of compliance)

Good morning Matthew,

The agreement to submit an Annual Report and a project specific Spill Contingency Plan was made between The City of Iqaluit and the Nunavut Water Board (NWB), if you feel these commitments should no longer be required or you are unable to fulfill this agreement, please consult with the NWB. My function as an Inspector in the Water Licence process is to ensure compliance and conduct on-site inspections. If The City of Iqaluit and the NWB determine that this report is no longer required I have no concern but, until that has been resolved it is still required under the Licence and is seen as an act of non-compliance. This failure to report has been communicated to you personally from Andrew Kiem on Wednesday January 21, 2015, please see the correspondence between yourself and My. Keim in the attached document.

I have Cc'd two emails for the NWB to help you further this discussion with the NWB, please keep me Cc'd on the correspondence.

If you have any questions or concerns please contact me with the information below.

Regards,

Jonathan Mesher

Water Resource Officer, Nunavut Region

Crown Indigenous Relations and Northern Affairs Canada – CIRNAC

[Jonathan.mesher@canada.ca](mailto:Jonathan.mesher@canada.ca)

Office #: 867-975-4296

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**From:** Matthew Hamp [<mailto:M.Hamp@iqaluit.ca>]  
**Sent:** Thursday, November 14, 2019 12:37 PM  
**To:** Mesher, Jonathan (AADNC/AANDC); Amy Elgersma  
**Cc:** Hack, Justin (AADNC/AANDC)  
**Subject:** RE: Outstanding submission (out of compliance)

Hi Jonathan,

Unfortunately, the City has no records to support these reports. Also, there are no current staff members that were involved in the acquisition of this licence that were with the City at that time. I am not sure how the City can comply with this directive, except perhaps the development of a Spill Contingency Plan.

I'm available to discuss this further at your convenience.

Best Regards,

**Matthew Hamp**

*Director of Public Works and Engineering*

**City of Iqaluit**

**Box 460, Iqaluit, NU**

**X0A 0H0**

Work: (867) 979-5653

Email: [m.hamp@city.iqaluit.nu.ca](mailto:m.hamp@city.iqaluit.nu.ca)

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**From:** Mesher, Jonathan (AADNC/AANDC) [<mailto:jonathan.mesher@canada.ca>]  
**Sent:** Tuesday, November 12, 2019 3:58 PM  
**To:** Matthew Hamp; Amy Elgersma  
**Cc:** Hack, Justin (AADNC/AANDC)  
**Subject:** Outstanding submission (out of compliance)

Hello,

The Nunavut Water Board (NWB) has informed the inspector that the City of Iqaluit is out of compliance with the following conditions of the licence 8BC-TAD0811:

- PART B, ITEM 1 which states; "The Licensee shall file an Annual Report on the appurtenant undertaking with the Board no later than March 31st of the year following the calendar year being reported, which shall contain the following information:" and,

- PART G, ITEM 1 which states; "The Licensee shall, within sixty (60) days of issuance of this licence, submit to the Board for approval, a project specific Spill Contingency Plan prepared in accordance with the document "Contingency Planning and Spill Reporting in Nunavut: A Guide to the New Regulations."

The City of Iqaluit is to submit the outstanding 2008, 2009 and 2010 Annual Reports and the Spill Contingency Plan, If this document is not submitted in 30 days from today, November 11, 2019, further enforcement action may be taken.

Regards,

Jonathan Mesher

Water Resource Officer, Nunavut Region

Crown Indigenous Relations and Northern Affairs Canada – CIRNAC

[Jonathan.mesher@canada.ca](mailto:Jonathan.mesher@canada.ca)

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**141204 8BW-IGD---- Spill Response and Erosion and Sediment Control Plan-IAAE.pdf**  
575K