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Ms. Dionne Filiatrault
Executive Director
Nunavut Water Board
P.O. Box 119
Gjoa Haven, Nunavut
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Dear Ms. Filiatrault:

The following letter is written in support of the City of Iqaluit's Water Licence amendment application. For clarity and ease of review the numbering used corresponds directly to the City's Water Licence.

According to Section 43(1)(b) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*:

43. (1) Subject to this Act, the Board may

- (a) on application by the licensee, renew a licence, with or without changes to the conditions of the licence;
- (b) amend, for a specified term or otherwise, any condition of a licence
 - (i) on application by the licensee,
 - (ii) to deal with a water shortage, or
 - (iii) where the Board considers the amendment to be in the public interest;

49. The Board may delegate to its chief administrative officer the power

- (a) to issue, amend, renew or cancel a licence in relation to which no public hearing is required.

The City of Iqaluit received official approval of its Water Licence (3AM-IQA0611) on July 25, 2006 from the Minister of Indian and Northern Affairs. The effective date of the licence is May 15, 2006.

The City originally requested a formal amendment of certain conditions in the Licence on October 22, 2006. Based on the original request, and recent discussions with the Nunavut Water Board, the City is resubmitting the request for a formal amendment of certain conditions in the Licence taking into account the following comments and concerns. In addition, the City has attached documentation requested in the Water License and originally not available within the time frame specified and referenced in the October 22, 2006 letter.

PART D: CONDITIONS APPLYING TO WATER USE AND WATER MANAGEMENT PLANS

Part D – Item 3: Representatives of the City of Iqaluit have met with Gary Cooper of the Department of Fisheries and Oceans (DFO) and reviewed the issue of Lake Geraldine being a fish bearing waterway. From the meeting, the City is to supply DFO information demonstrating the historical conditions of the water course after which DFO will render a decision regarding the necessity for the installation of a screen. Therefore the City of Iqaluit requests this condition be revised to read “If it is determined that Lake Geraldine is a fish bearing waterway, the Licensee shall equip the water intake(s) with a screen with a mesh size sufficient such that no entrainment of fish can occur.”

Part D – Item 4: As per the previous point, the City of Iqaluit requests the condition be revised to read “If it is determined that Lake Geraldine is a fish bearing waterway, the Licensee shall ensure that the rate of water withdrawal is such that fish do not become impinged on the screen.”

PART E: CONDITIONS APPLYING TO WASTE DISPOSAL AND WASTE MANAGEMENT PLANS

Part E – Item 3: The effluent criteria for the discharge of the wastewater treatment plant currently would put the City of Iqaluit in non-compliance if adopted as presented due to the fact the current phase of the sewage treatment plant will not meet the effluent criteria listed. It is the City’s recommendation that Item 3A be rewritten to allow the effluent criteria included to govern the primary treatment plant or the condition be reworded as follows:

“All discharges by the Licensee from the wastewater treatment plant at monitoring Station Number IQA-02, shall upon commissioning of Phase 2 of the project, comply with the following effluent criteria.”

Part E – Item 4: Similar to Part E – Item 3, the City of Iqaluit would propose the following rewording “Undiluted effluent shall be non-acutely toxic, upon commissioning of Phase 2 of the wastewater treatment plant...”

Part E – Item 5: Discharges from the Sewage Lagoon shall require authorization from an Inspector in accordance with Part E, Item 20 and 21. There does not appear to be a Part E, Item 20 and 21.

Part E – Item 7: The City of Iqaluit has retained a consultant to complete an assessment of the sludge management pilot project. The schedule for the completion of the assessment is December 31, 2008 based on this schedule the City requests the statement be revised to “The Licensee shall submit to the board for approval a final assessment of the sludge management pilot project by December 31, 2008. This timeline will allow for the complete assessment to be made rather than a progress report.

Part E – Item 15: There does not appear to be any date for compliance tied to this condition.

Part E – Item 16: “The licensee shall collect and contain all leachate within the West 40 Landfill” – this is not possible given the landfill site does not have an impermeable liner. The City recommends the statement be revised as follows: “The licensee shall collect and contain all surface runoff from within the West 40 landfill, and shall divert away from the landfill all surface runoff that originates outside the landfill site.”

Part E – Item 17: The requirement to provide ninety days notice to a proposed release, discharge or transfer of leachate seems excessive as it will require a new leachate retention pond to be excessively large and may limit the City’s ability to operate a facility. The City would suggest a much shorter period of 5 to 10 days.

PART F: CONDITIONS APPLYING TO CONSTRUCTION

Part F – Item 8: A copy of the design drawings for the Lake Geraldine Raw Water Storage Phase II has been attached to this submission (see Trow Project Number OTCD00017616).

Part F – Item 9: The Dam Safety Review on the Lake Geraldine Raw Water Storage Upgrade Phase II has been attached to this submission.

Part F – Item 10: A copy of the Drainage Improvement and Management design drawings for the operations of the West 40 Landfill are included in this submission (see EarthTech Project Number 93107).

Part F – Item 11: A copy of the Final Design for the West 40 Landfill Northern Expansion is included in this submission (see EarthTech Project Number 93107).

Part F – Item 12: A copy of the Final Design for Sludge Management Facility is included in this submission.

PART J: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

Part J – Item 1: The October 22, 2008 request for amendment stated:

The requirement for the preparation of an Abandonment and Restoration Plan for the West 40 Landfill Site within ninety days of the effective date of the licence may be an onerous task. The City is requesting additional time be made available for this task and/or the condition being changed to read, “Draft Conceptual Abandonment and Restoration Plan”. In addition, the reference to the West 40 Landfill Site should be clarified to ensure it only applies to the existing facility, and does not include the expansion facility.

In absence of a response to this request, the City had not prepared the required documents. As part of this submission, the City is requesting the following schedule for delivering of the Abandonment and Restoration Plan:

- Contract Award for the preparation of Abandonment and Restoration Plan January 5, 2009
- Draft Conceptual Abandonment and Restoration Plan March 31, 2009
- Final Abandonment and Restoration Plan 30 days after receipt of comments

Part J – Item 6: This point reads as the implementation of the Abandonment and Restoration Plan for the West 40 Landfill Site upon its approval. This may be taken to mean that the site would have to be abandoned and restoration begins upon the approval of the Board. The City of Iqaluit is requesting the word implementation be replaced with adopted.

MONITORING CRITERIA

The water quality monitoring criteria for the Phase I Sludge does not appear reasonable given

the solids content is approaching 20 percent, as well, the frequency of the sludge monitoring should be consistent with the sludge management program as nine months of the year the sludge will be frozen.

It is the City's opinion and recommendation that the monitoring criteria for the Phase I sludge be moisture, biological (limited to coliforms per gram), ICP metals (concentration per gram), and nutrients (nitrogen and phosphorus). The City further recommends the frequency of testing be on an annual basis. Additional monitoring criteria should also be required for any processed sludge and should include the same parameters as the unprocessed sludge, tested annually.

The initial sampling completed in March of 2006 indicated the sludge was of a high quality in terms of solids and metal concentrations.

CONCLUSION

We trust the above comments and concerns will be of assistance to you in your review of the City's request for an amendment to the conditions of Water Licence 3AM-IQA0611. Should you have any questions, or require any clarification or explanation of the comments and concerns contained in this correspondence, please do not hesitate to contact the undersigned.

Best regards,

A handwritten signature in black ink, appearing to read "Michèle Bertol". The signature is fluid and cursive, with the first name clearly legible.

Michèle Bertol
Senior Director, Planning and Lands

