



NWB Tools

Robin Ikkutisluk &lt;robin.ikkutisluk@nwb-oen.ca&gt;

## [Licensing] Fwd: 131211 3AM-IQA0611 Renewal - Amendment Application - Qikiqtani Distribution List

5 messages

Damien Côté &lt;damien.cote@nwb-oen.ca&gt;

Sat, Jan 11, 2014 at 11:46 AM

To: Erik Allain &lt;Erik.Allain@aandc-aadnc.gc.ca&gt;

Cc: "Teresa L.. Meadows" &lt;teresa@shoresjardine.com&gt;, Technical Department &lt;technical@nwb-oen.ca&gt;, Licensing Department &lt;licensing@nwb-oen.ca&gt;, Ben Kogvik &lt;ben.kogvik@nwb-oen.ca&gt;

Hi Erik,

While you may have seen this already, please take note of the attached letter we sent to the City of Iqaluit in mid-December.

As you'll see, the City has missed an important deadline of November 30, 2013 to submit to the Board, as part of their Type "A" Water Licence Application, their Solid Waste Management Plan. Based on the news articles included below, this delay seems to be mostly politically driven. Indeed, perceiving perhaps erroneously that the City has the luxury of time, "[c]ouncil passed a motion to take the proposal back to the engineering committee of the whole for discussion." The juxtaposition of these circumstances against the Council's approval of a \$30 million Aquatic Center - only 6 days later - reveals volumes about the City's sense of priorities. I can't help wonder whether a renewed enforcement strategy on this file would go some ways to help realign political priorities at the City and ensure that our licensing process on this file moves forward at once.

[http://www.nunatsiaqonline.ca/stories/article/65674in\\_the\\_long\\_run\\_iqaluit\\_needs\\_waste\\_incinerator\\_city\\_council/](http://www.nunatsiaqonline.ca/stories/article/65674in_the_long_run_iqaluit_needs_waste_incinerator_city_council/)

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[http://www.nunatsiaqonline.ca/stories/article/65674iqaluit\\_gives\\_green\\_light\\_to\\_30\\_million\\_aquatic\\_centre/](http://www.nunatsiaqonline.ca/stories/article/65674iqaluit_gives_green_light_to_30_million_aquatic_centre/)

As you know, the history on this file is worrisome, to say the least. The latest incarnation of Licence 3AM-IQA0611 was issued on May 15, 2006 with an expiry date of May 15, 2011. Then, by way of a June 17, 2011 letter, the Minister agreed to the City's request for an emergency amendment to the Licence allowing for an extension in its term to bring it to July 15, 2012. This was an unusual step taken in part to help the City fulfill its obligation and enter into (and complete) a full renewal process of its (expired) Licence. Indeed, in his letter, the Minister expressed concern about "the use of emergency amendments to address largely administrative matters". Moreover, the Minister noted that "[t]his emergency amendment will allow the City of Iqaluit to continue to provide municipal services while developing a comprehensive plan to move into compliance with their licence issued by the Nunavut Water Board" (emphasis added). On July 13, 2012, the City sent a request to the NWB, yet again requesting an extension to the term of the Licence (e.g. a second one). In the spirit of the Minister's previous letter, the Board refused (letter, July 20, 2012), and on July 15, 2012, the licence effectively expired. It has remained expired ever since (i.e. 545 days as of today, or about 18 months).

At this time, namely one month later, we have not received an answer to our December 11, 2013 letter to the City (attached). In light of the foregoing circumstances, we trust that you are monitoring this situation closely, given your mandate and jurisdiction. We are, after all, dealing here with the Territory's largest City and its Capital; if anything, you would expect it to set a positive example for others to follow when it comes to their regulatory obligations.

Please don't hesitate to contact me with any questions you may have.

Regards,

Damien

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

From: Robin Ikkutisluk &lt;robin.ikkutisluk@nwb-oen.ca&gt;

Date: Wed, Dec 11, 2013 at 2:22 PM

Subject: 131211 3AM-IQA0611 Renewal - Amendment Application - Qikiqtani Distribution List

To: John hussey &lt;j.hussey@city.iqaluit.nu.ca&gt;

Cc: Meagan Leach &lt;m.leach@city.iqaluit.nu.ca&gt;, Licensing Department &lt;licensing@nwb-oen.ca&gt;

Hello,

Please find attached a letter providing an update with respect to the Nunavut Water Board's (NWB or Board) Licensing Process for the City of Iqaluit Type "A" Water Licence Renewal-Amendment Application that is before the Board.

Regards,

Robin Ikkutisluk



## Robin Ikkutisluk- ᑭᑭᑭᑭᑭᑭ ᑭᑭᑭᑭᑭᑭ

Licence Administrator Assistant- Administratrice des permis  
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## Damien Côté- ᑭᑭᑭᑭᑭᑭ ᑭᑭᑭᑭ

Executive Director- Directeur général  
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131212 3AM-IQA0611 City of Iqaluits Type A Renewal Application Follow-up Correspondence-OSJE.pdf  
49K

Phyllis Beaulieu <phyllis.beaulieu@nwb-oen.ca>  
To: Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

Mon, Jan 13, 2014 at 8:50 AM

Please save your copy of this email from Damien to the confidential folder for Iqaluit.



Phyllis Beaulieu- ᐱᓕᓐ ᓂᓕᓐ

Manager of Licensing- Responsable des permis

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Damien Côté <damien.cote@nwb-oen.ca>

Mon, Jan 13, 2014 at 4:17 PM

To: Erik Allain <Erik.Allain@aandc-aadnc.gc.ca>

Cc: Ben Kogvik <ben.kogvik@nwb-oen.ca>, Licensing Department <licensing@nwb-oen.ca>, Technical Department <technical@nwb-oen.ca>, "Teresa L. Meadows" <teresa@shoresjardine.com>

Hi Erik,

Firstly, as per your request, please find attached a copy of the letter referenced in my previous email.

Second, we are pleased to see the developments from your side re: City of Iqaluit. That said, we are unable to locate in our records (or public registry) the "direction" that is referred in the "failure to comply with a direction" (emphasis added) in the subject line of the letter.

If such a "direction" exists and was previously sent to the NWB, could we ask for it again as we do not seem to have it in our records. As per s. 87 (2) of the *Act* read in concert with s. 15 (c) of the *Regulations* (see below), we do need to collaborate to ensure that any Direction issued by AANDC finds its way to our public registry (which is usually the case). There may or may not have been any omissions here but for some reason, our public registry doesn't contain any recent (i.e. last 12 months) compliance documents on this file.

Thanks for clarifying,

Damien

s. 87 (2) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*

(2) The inspector **shall advise the Minister and the Board of any direction given** under subsection (1).

s. 15 (c) of the *Nunavut Water Regulations*

(c) all documents received or provided by the Board in **respect of compliance with the conditions of a licence** or the conditions imposed on the use of waters or deposit of waste without a licence; and

Good morning Damien,

I want to reassure you that AANDC Field Operations share the same concerns you identified in your email below. We are indeed concerned with the delays encountered so far in this process and we are taking measures to address these deficiencies. AANDC Field Operations currently meets quarterly with the City of Iqaluit to ensure progress is made on the issued Direction. Our last face to face meeting with the City was on December 10th and we discussed the fact that the November 30th deadline was missed for the Solid Waste Management plan submission. We were told that our concerns regarding wastewater disposal were addressed in the Solid Waste Management plan and that it was to be presented to council for approval on December 10th. As you know the decision was taken to send the proposal to the engineering committee for further review on issues related to incineration. After being informed of this news, we contacted the City of Iqaluit engineer, Megan Leech, to re-enforce the issue of non-compliance with the current Direction and that a satisfactory Solid Waste Management plan needed to be approved without delay. Mrs. Leech informed us that the council would meet again in early January. Since then we have not heard anything from the City. We have requested another face to face meeting to press the issue and we will make it clear that if a satisfactory Solid Waste Management plan is not approved within a very short period of time, they are to expect further enforcement action on our behalf.

In your email, you refer to a letter addressed to the City of Iqaluit dated December 11, 2013. The letter is not attached as mentioned, could you provide a copy for our review?

I will keep you informed of the outcome of our meeting with the City, which should take place this week.

Regards,

Erik Allain  
Manager, Field Operations  
867-222-8458

>>> Damien Côté<[damien.cote@nwb-oen.ca](mailto:damien.cote@nwb-oen.ca)> 1/11/2014 1:46 PM >>>

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Damien Côté-  $\mathbb{C} \Gamma \triangleleft^a \mathfrak{d} \mathbb{C} \Delta$ 

Executive Director- Directeur général

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**Phyllis Beaulieu** <phyllis.beaulieu@nwb-oen.ca>  
To: Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

Mon, Jan 13, 2014 at 4:24 PM

Save this email to confidential folder for City of Iqaluit. thanks



Phyllis Beaulieu- Δαφνίη Σαββή

Manager of Licensing- Responsable des permis

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**Damien Côté** <damien.cote@nwb-oen.ca>  
To: Erik Allain <Erik.Allain@aandc-aadnc.gc.ca>

Mon, Jan 13, 2014 at 8:27 PM

Cc: Ben Kogvik <ben.kogvik@nwb-oen.ca>, Licensing Department <licensing@nwb-oen.ca>, Technical Department <technical@nwb-oen.ca>, "Teresa L. Meadows" <teresa@shoresjardine.com>

Hi Erik,

Thanks for the note. The letter may have been sent by Andrew previously - but if so, we for some reason don't have a record. Either way, sending it again would be much appreciated. Along with the letter from today, we will be able to update our FTP site.

Damien

On Mon, Jan 13, 2014 at 6:08 PM, Erik Allain <[Erik.Allain@aandc-aadnc.gc.ca](mailto:Erik.Allain@aandc-aadnc.gc.ca)> wrote:

Salut Damien,



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