

P.O. Box 100  
Iqaluit, NU, X0A 0H0

October 6, 2006  
Delivered Via E-mail  
File # **NWB3IQA**

Crystal Jones  
Project Officer  
Dept. Of Engineering  
City of Iqaluit  
XOA OHO

**Deposit of Waste Water from Solid Waste Management Area.**

**- Inspector's Direction -**

I, Andrew Keim; duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, direct and order as follows;

As stipulated in subsection 12 (2) of the ACT, except in accordance with the conditions of a Licence, no person shall deposit or permit the deposit of waste in any other place under conditions in which the waste, may enter waters in Nunavut.

At the time of the drafting of this letter the City of Iqaluit is in the process of completing construction activities in relation to the expansion of the solid waste facility as outlined in their water license. As part of that expansion, a retention pond and wet-lands treatment area is also in the process of being completed.

The City, because of, the expansion of the solid waste facility has a need to move two quantities of standing water (leachate) from both the Metal Waste leachate area and the "expansion" area. The City has proposed to move the runoff from the "expansion" area of the land fill to the existing Sewage Lagoon. This proposal is not an acceptable alternative.

As per the terms of the City of Iqaluit's Water license ( s.16) the City is required to collect and contain all leachate within the West 40 Landfill.

As stated during our meeting, if the City wishes to characterize this movement of leachate as conforming to section 19 ( requirement for a 90 day notification ) as being included in the initial application as "part of the overall scope of work" within the Construction section then, if the retention pond is not complete and thus not ready to

receive a transfer of leachates a case must be made to qualify this transfer or discharge as an emergency whereby an inspector may authorize a discharge as defined by section 19.

As presented, the delay in construction of the retention pond and thus subsequent delay in the expansion plans for the solid waste management area does not meet the test to qualify for an emergency variance. Thus the Department of Indian and Northern Affairs can not sanction the movement of any standing waters ( leachate) into the sewage lagoon treatment area at this time.

The City of Iqaluit, pursuant to subsection 87 (1) (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* is therefore directed to;

1. Complete with their contractor in all good haste the work necessary to ensure that the retention pond is able to receive the standing waters (leachate) from both locations.
2. Provide the Inspector with an update on the levels of standing water within the Metal waste containment area and ensure that if a discharge is necessary from this location that an inspector is notified and available to be on-scene prior to any controlled discharge.
3. Ensure that Betax and Hexane Extractable Material ( oil and grease) samples are collected and the results analyzed to determine the level of petroleum products within the expansion area prior to a discharge into the retention pond.

Failure to comply fully or in part with an **Inspector's Direction** constitutes a offence under subsection 90 (1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and entails, upon summary conviction, a fine of \$100,000 or to imprisonment for a term of one year, or both.

Further pursuant to subsection 90 (4) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, each day on which the **Inspector's Direction** is not complied with shall be considered a separate offence.

If you have any questions or concerns, please do not hesitate to contact me at (867) 975-4298 or [keima@inac.gc.ca](mailto:keima@inac.gc.ca)

Sincerely,

*APK*

Andrew Keim  
Water Resources Officer,  
INAC - Nunavut District

P.O. Box 100, Iqaluit, NU, X0A 0H0

cc. -Nunavut Water Board, Gjoa Haven