



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

Your file - Votre référence :
3AM-IQA0712
Our file - Notre référence
9545-1-3.3AM.IQAG

January 13, 2014

John Hussey
Senior Administrative Officer
City of Iqaluit
PO Box 460
Iqaluit, NU X0A 0H0

Via electronic mail to: j.hussey@city.iqaluit.nu.ca

Re: Failure to Comply with Inspector's Direction

Dear Mr. Hussey,

On November 30th, 2013, the City of Iqaluit was to submit a Solid Waste Management Plan, an Updated Operation and Maintenance Manual for the West 40 Landfill, and an Abandonment and Restoration Plan for the West 40 Landfill. On December 10th, 2013, Quaterly Update Meeting #3 was held between Aboriginal Affairs and Northern Development Canada (AANDC), Environmental Canada, and the City of Iqaluit to discuss progress with the Compliance Plan. The City informed us that due to several key vacancies, the Updated Operation and Maintenance Manual for the West 40 Landfill and the Abandonment and Restoration Plan for the West 40 Landfill would be delayed until January 31st, 2013. The Solid Waste Management Plan was to be presented to council on December 2, 2013 and was going for approval on December 10, 2013 that evening. On December 11th, 2013 Meagan Leach notified AANDC that Counsel failed to approve the plan, and it was deferred to the Engineering Committee of the Whole to discuss it further. Ms. Leach informed AANDC that she would be working with administration to set up a committee meeting as soon as possible, but it would likely not occur until mid-January, she was to provide dates once they were set.

As it stands now, the City has failed meet the deadlines for the submission of the Solid Waste Management Plan, the Updated Operation and Maintenance Manual for the West 40 Landfill, and the Abandonment and Restoration Plan for the West 40 Landfill. Furthermore, regarding the Solid Waste Management Plan, AANDC has not received any correspondence from the City since December 11th, 2013. By consistently failing to meet the deadlines set in the Direction and by failing to address largely administrative matters, it appears that the City of Iqaluit is unwilling to voluntarily comply with its regulatory obligations.



This letter serves as notification that the City of Iqaluit is failing to comply with its Compliance plan, which is an official *Measure to be Taken* under the Inspector's Direction, issued to the City of Iqaluit on March 5th, 2013. Failure to comply fully or in part with an Inspector's Direction constitutes an offence under subsection 90(1) of the Nunavut Waters and Nunavut Surface Rights Tribunal Act and may entail, upon summary conviction, a fine of \$100,000 or to imprisonment for a term of one year, or both.

AANDC requires the City of Iqaluit to attend a meeting the week of January 13th, 2014 to discuss the final submission dates of these outstanding items. We suggest that members of City Council be present at the meeting since their decision to delay the approval of the Solid Waste Management plan has resulted in further postponing the resolution of a key requirement of the Direction. The expectation of this meeting will be to finalize submission dates, whereas AANDC expects the City to come to this meeting with a short term date for when the Solid Waste Management plan will be approved. Failure to meet this requirement will result in further enforcement action from Aboriginal Affairs and Northern Development Canada.

Sincerely,

Justin Hack

Acting Water Resources Officer
Aboriginal Affairs and Northern Development Canada
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CC: Meagan Leach, Director of Engineering and Sustainability, City of Iqaluit
Keith Couture, Director of Public Works, City of Iqaluit
John Graham, Mayor, City of Iqaluit
Erik Allain, Manager of Field Operations, AANDC
Damien Cote, Executive Director, Nunavut Water Board