



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

File No.: 3BM-PAN0810/Renewal

April 05, 2012

Mr. Ron Mongeau
Senior Administrative Officer
Hamlet of Pangnirtung
P.O. Box 123
Pangnirtung, Nunavut X0A 0R0

E-mail: pang_sao@qiniq.com

Subject: Licence No. 3BM-PAN0810: Hamlet of Pangnirtung, Application for Licence Renewal and Plan for Compliance.

Dear Mr. Mongeau:

On October 19, 2011, and re-submitted on March 08, 2012, The Nunavut Water Board ("NWB" or "Board") received an application for the renewal of water licence 3BM-PAN0810 ("Licence") from the Government of Nunavut Department of Community Government Services (GN-DoE) on behalf of the Hamlet of Pangnirtung (Hamlet). The Renewal Application is comprised of the following documents:

- Completed Water Licence Application Form;
- 2010 Annual Report;
- Technical Summary (English and Inuktitut); and
- Plan for Compliance.

All documents related to the Renewal Application can be obtained from our ftp site, using the username of "public" and the password of "registry", without the quotes, at the following link or by contacting our office:

<ftp://nunavutwaterboard.org/1%20PRUC/3%20MUNICIPAL/3B/3BM%20-%20Municipality/3BM-PAN0810/1%20APPLICATION/2010%20Renewal/>

Following an internal preliminary review of the Renewal Application the NWB has been determined that the Renewal Application is incomplete due to the following deficiencies:

- Approved Plan for Compliance.

The Board notes that the Renewal Application includes a Plan for Compliance (Plan) required under Part B, Item 11 of the expired Licence which states:

The Licensee shall submit to the Board for approval, within ninety (90) days of Licence issuance or upon the filing of any application in relation to the Licence within that time, a

Plan for Compliance that clearly demonstrates the measures the Licensee will undertake, including an implementation schedule, to achieve full compliance with the conditions of this Licence, including the issues raised in the Inspector's Reports.

The reason for this Licence condition was discussed on page 3 of the Licence within the Board's decision:

The Board fully expects the Hamlet to take immediate steps towards full compliance with all Licence requirements for its existing facilities. Upon submission of an application to renew the Licence in approximately twenty one (21) months, the Board expects the Hamlet to be in full compliance with the licence. This shorter licence duration also permits the Board to increase its level of confidence of the Licensee that the facilities are operating as they should. As per Part B, Item 10 of the Licence, the Licensee must submit a Plan for Compliance that clearly demonstrates how the Hamlet will achieve full compliance with the Licence conditions during this time period.

As the Plan was only submitted recently with the Renewal Application, the Board has not had the opportunity to review or approve the Plan prior to the processing of the Application. Given the importance of this Plan to the renewal process, the NWB has determined that clarifications in the Plan identified through the NWB's internal preliminary review must be addressed and that the Plan be approved by the Board in writing, before the Renewal Application is determined to be complete.

Specifically, the NWB requires clarification in the Plan for Compliance regarding the short and long term plans for the following Licence conditions as they relate to the Hamlet's solid waste disposal facility:

- Part B, Item 1 (f), (g), (h), (i);
- Part F, Item 1; and
- Part G, Item 2.

According to the submitted Plan, a new solid waste management facility is scheduled for construction in 2014-2015 with the abandonment of the existing facility after the new facility is in operation. The technical summary provided with the application states that the new facility is scheduled to be completed in sometime in 2013-2014. Nevertheless, the Licensee is required to submit to the Board, with the renewal application, details of the amendment, including technical details describing plans for the new facility as well as a stand-alone Abandonment and Restoration Plan for the existing facility in accordance with Part G, Item 2 of the expired Licence.

In addition, the Board notes that the Plan does not address the issues raised in the Inspector's reports, in particular those issues outlined in the 2011 report requiring forthcoming Inspector Direction.

The Board will proceed with processing the Renewal Application upon receipt of a satisfactory response to the above issues and once Board approval of the Plan for Compliance is in place.

The NWB notes that the current Licence expired on August 31, 2010. The NWB reminds the Licensee of its responsibility, pursuant to section 46 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, that the expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence.

Should you have any questions, please feel free to contact the undersigned at (867) 360-6338 or eskiby@nunavutwaterboard.org, at your earliest convenience.

Regards,

Original signed by:

Erik Skiby
Assistant Technical Advisor

cc: Robin Aitken, AANDC
Melissa Joy, AANDC
Bill Westwell, GN-CGS
Roy Green, GN-CGS