



MUNICIPAL WATER USE INSPECTION REPORT FORM

Date: July 5, 2013	Licensee Rep. (Name/Title): Potoogook Toonoo Director of Public Works , Joe Joanasia, Acting Foreman , . Mr. Adrien Dascalescu, CG&S Government of Nunavut	
Licensee: Municipality of Cape Dorset		Licence No: 3BM-CAP0810 Expired

Comments: Mr. Joe Joanasia (Acting Foreman) and Mrs. Potoogook Tootoo (Director of Public works) joined the inspection and provided support for the duration of the sampling and Inspection. Mr. Adrien Dascalescu, from CG&S Government of Nunavut also attended for the duration of the Inspection. This inspection was completed to determine the state of compliance with the Compliance Plan submitted by the Government of Nunavut's Department of Community Government and Services (GN-CGS). Currently the Municipality has an expired License. The GN-CGS, in the Compliance Plan stated that the Renewal Process has been started. I note that an application for renewal was resubmitted on July 22, 2011 by the SAO for Cape Dorset. On that same day is a document from Mr. Bhabesh Roy (GNCGS) in cover letter format outlining the documents being submitted in support of the renewal application. On September 14th, 2011 the Nunavut Water Board (NWB) wrote back to the GN and the Licensee outlining the various issues and deficiencies found in the application. Since that time the GN has not submitted nor provided a response back to the NWB. The assertion by the GN in the submitted Compliance Plan that the application is in process is in fact incorrect as the Board will not process the application for renewal until such time as the application is complete.

WATER SUPPLY

Source(s): T-Lake	Quantity used: 26,167,929.8 L used to date
Owner:/Operator: Municipality of Cape Dorset	

Indicate: A - Acceptable U - Unacceptable NA - Not Applicable NI - Not Inspected

Intake Facilities: A	Storage Structure: A	Treatment Sys: A	Chemical Storage: A
Flow Meas. Device: A	Conveyance Lines: A	Pumping Stations: A	Screen : NI

Comments: The Inspector and representatives attended the Municipal Raw Water Source at T-Lake at 11:45. Weather was 4C with a mix of rain and light snow. Ice covered 90 % of the lake however the sampling site was found to be clear of ice and easily accessible. (CAP-1). The GPS location was recorded. It was noted that the SNP stations have not been marked with Signage or posts as yet. No signage has been installed however it was stated at the time of the Inspection that Signage for the Community had been ordered. Photographic evidence of installation is required by the Inspector to ensure continued adherence with the Compliance Plan submitted by the GN-CGS in response to the Inspector's Direction issued by AANDC. This is to be provided by the Municipality upon completion and is to include the SNP station markers as discussed, by no later than August 31st, 2013 and provided to the Inspector.

WASTE DISPOSAL

Sewage: Sewage Treatment System (Prim./Sec./Ter.): Primary (3 tier lagoon system)

Natural Water Body:	Continuous Discharge (land or water):	
Seasonal Discharge:	Wetlands Treatment:	Trench:

Indicate: A - Acceptable U - Unacceptable NA - Not Applicable NI - Not Inspected

Discharge Quality:	Decant Structure: U	Erosion: U
Discharge Meas. Device: NA	Dyke Inspection: NI	Seepages: U
Dams, Dykes: U	Freeboard: A	Spills: NI
Construction: U	O&M Plan: U	A&R Plan: U
Periods of Discharge:Con't	Effluent Discharge Rate: NI	

Comments: At the time of the Inspection the 2007 Lagoon remains unused. Results of the Dye testing conducted in 2012 indicate that a leak remains under the wall of the lagoon.



The cover for the main vault was opened and 2 feet of ice was noted inside the vault and covering the main gate valve. The thermisters were not inspected at this time.

The three tier lagoon system was found in fair condition. New cover had recently been applied to the top of the 3rd cell wall. The installed culvert (overflow) appears to be too short on the down gradient side and causing some of the erosion issues on the 3rd cell back wall. Work to shore up the third cell of the system had recently been completed.

The emergency lagoon (old lagoon) was found to contain a large amount of effluent. When questioned, it was indicated by Cape Dorset representatives that the Emergency Lagoon was used very frequently over the last year as the drivers did not use the 3 cell lagoon when the prevailing winds made using the 3 cell inconvenient or hazardous. It was noted that the Municipality had undertaken to add a significant amount of material to the roadway side of the emergency lagoon to prevent the continual overtopping of the lagoon across the roadway. Plans to mitigate the sludge and restore the site (A&R Plan) have still not been submitted by the licensee as required.

With respect to the 2007 Lagoon the GN-CGS committed to developing and implementing in the Compliance Plan an ACTION PLAN (D-8) to address community concerns with the 2007 Lagoon and it's commissioning. When questioned regarding this ACTION PLAN there was no response from either the Licensee or the GN-CGS representative. In fact the GN-CGS representative was unclear on any of the commitments contained within the Compliance Plan and advised the Inspector that he had not yet been provided a copy.

Additionally the GN-CGS was to have confirmed by June 1st receipt of the required AS-Built Drawings (E-5) with the NWB by June 1st, 2013. To date the Inspector has not received said notification.

Samples were collected by the Inspector at CAP-4 which it was decided would encompass the whole of the outfall area. It was indicated by the Licensee that they had collected samples the week prior to the Inspection.

SOLID WASTE MANAGEMENT AREAS:

Landfill: NA	Burn & Landfill: U	Other: Metal Dump
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Comments: Cape Dorset continues to have issues with the management of the Solid Waste Metals Area. It was noted that the two sea-cans that were placed on site to contain hazardous materials were locked with Pad-locks to prevent vandalism. The Sea Cans contain paints and old batteries waiting for crating and shipment off site. The open 45 gallon drums containing broken batteries and water remained onsite despite continued warnings by the Inspector. The Municipality is required to address this issue and report back to the inspector by August 31st on how this issue was addressed and provide photographic evidence as to their removal and subsequent containment.

The berm that was constructed in 2008 to contain and control run off from the Solid Waste Metals Area has developed a wash out in one area. The Hamlet was directed in 2011 to repair this as soon as possible and this remains undone. Water as now created a channel through this section and it appears this may now not be remediated by reconstruction of the berm wall without some water management work being undertaken on the site. This is to be addressed by the contractor due into the community on July 27th, 2013 and a report submitted to the Inspector and the Nunavut Water Board (NWB) no later than March 31st 2014 and included in the Annual report.

The Municipal Waste Management (Burn and bury) area for municipal wastes still requires appropriate fencing to prevent transport of wastes off site as well as proper monitoring by the Licensee to curb dumping of hazardous wastes into the MWMA.

Waste Oil Storage: Not Inspected



SURVEILLANCE NETWORK PROGRAM (SNP)

Samples Collected		Owner /Operator:	
		AANDC 3- Raw water, Run off from Metal Dump and Effluent	
Signs Posted	SNP: NONE posted		Warning: Required
Records & Reporting: Records and sampling results from Chlorine testing noted on site.			
Geotechnical Inspection: No reports provided .			

NON-COMPLIANCE OF ACT OR LICENCE:

The Municipality of Cape Dorset remains in non-compliance with an expired Water License. A Compliance Plan has been submitted and it remains the responsibility of the Government of Nunavut and the Municipality of Cape Dorset to take such actions as are required this summer to ensure the bench marks and mile stones included in the submitted Compliance Plan are met so that the Compliance Plans can be accepted by the Regulator. Failure to do so will result in rejection of the Compliance Plan and thus a failure on the part of the Government of Nunavut to fulfil their obligation to comply with an issued Inspector’s Direction.

A review of the submitted Compliance Plan for Cape Dorset was completed and the results are as follows;

- The Government of Nunavut and the Licensee have failed to supply the Nunavut Water Board with the outstanding document required to process the application for renewal. The Compliance plan indicates the process is underway however no information has been sent to the Nunavut Water Board following the receipt of the September 14th, 2011 letter outlining what was required to initiate this process.
- B-1. The Government of Nunavut committed to providing a report prepared by their consultants following the community visit that was to be held in Cape Dorset prior to the end of February 2013. This report was to have been submitted to the NWB prior to March 31st 2013. The report has not been submitted.
- B-2. The Government of Nunavut committed to providing an Action Plan including QA/QC protocols to the Nunavut Water Board by June 1st, 2013. This report was to have been based on a report prepared by their consultants. As of July 5th, 2013 the day of the Inspection this Plan had not been received by the Board.
- D-8. The Government of Nunavut committed to providing a Plan of Action based on issues reported by EXP concerning the commissioning of the 2007 lagoon. This Plan of Action was to have been submitted by July 1st, 2013. As of July 5, 2013 this report had not been submitted to the Nunavut Water Board, the Licensee or the Inspector.
- E-5. The Government of Nunavut committed to confirming receipt by the Nunavut Water Board of the outstanding As-Built Plans developed following the Construction of the 2007 Lagoon. This was to have been completed by June 1st, 2013.
- F-1. The Government of Nunavut Committed to developing and providing a report on the status of the O&M Manual as part of the Community Visit Report prior to March 31st, 2013. This report has not been submitted to the Inspector or the Nunavut Water Board.
- G-1. The Government of Nunavut committed to providing a copy of the Community Visit Report to be completed by March 31st, 2013. The report was to have included the A&R plans for specific infrastructure including the 2001 three tier lagoon and the Emergency lagoon.
- G-2. The Government of Nunavut committed to providing a report on the Scope of the Abandonment and Restoration Plans for infrastructure not specifically captured under G-1 by June 1st, 2013.
- H-6. The Government of Nunavut committed to providing a report on the Thermistors which was to be included in the Community Report due on March 31st, 2013. The government also committed to providing the information necessary to justify the change in depth and to have provided that



information to the Nunavut Water Board by May 15th, 2013. A further amendment request was to have been submitted by the Government of Nunavut to the Nunavut Water Board by June 1st, 2013.

The Inspector notes that the contractor (EXP) hired by the Government of Nunavut to address this and the other four communities deficiencies is due into Cape Dorset again on July 26th, 2013. Additionally, that the signage has been ordered and that plans to install the SNP station markers is on-going within the Municipality. This is great news and commendable given the issues facing the community. The Municipality is encouraged to continue to work and make progress on the issues identified during this and previous inspections.

Further, the Licensee is to take such actions as are required to address the Batteries stored in the open 45 gallon drums at the metal dump by no later than August 31st, 2013.

In conclusion the Government of Nunavut has not to date fulfilled the majority of their commitments made in the submitted compliance plans and as such are in violation of the Inspectors Direction originally served on Minister Kusugak on the 1st of May 2012.

Failure to comply with an Inspectors 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.

Andrew Keim

Inspector's Name

Sent by E-mail (Original signed and on file)

Inspector's Signature

Cc:

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