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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 3BM-CAP0810/Renewal

June 24, 2010

Mr. Bhabesh Roy
Municipal Planning Engineer
Community and Government Services
Baffin Region
P.O. Box 379, Pond Inlet X0A 0S0
By Email: broy@gov.nu.ca,

John Ivey
Senior Administrative Officer
Hamlet of Cape Dorset
PO BOX 30
Cape Dorset NU X0A 0C0
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Subject: 3BM-CAP0810, Hamlet of Cape Dorset; Receipt of Renewal Application

Dear Mr. Roy,

The Nunavut Water Board (NWB) acknowledges receipt on March 3, 2010 of an application from the Government of Nunavut Department of Community and Government Services (CGS) to renew, on behalf of the Hamlet of Cape Dorset, the above-cited Type B municipal water licence. The Licence expired on March 1, 2010. The renewal application contains the following documents:

- Letter dated February 4, 2010 from Mr. Roy (CGS) to Ms. Beaulieu (NWB);
- Appendix A: Renewal application dated January 22, 2010;
- Appendix B: Application fee reference;
- Appendix C: Project summary in English and Inuktitut;
- Appendix D: Operation and Maintenance Manual for the New Sewage Lagoon at P Lake, stamped and dated September, 2009;
- Appendix E: AMEC Geotechnical Engineer's Inspection Report of the Sewage Lagoon Berm dated October 24, 2008;
- Appendix F: Construction Deficiency Report for the Thermistors and Thermistor Location Drawings;
- Appendix G: Temperature Data for the Thermistors 2008 & 2009;
- Appendix H: Technical Specifications of Data Loggers;
- Appendix I: Photos of Existing Three Cell Lagoon;
- Appendix J: CGS Response to NWB letter of November 20, 2009;
- Appendix K: QA/QC Plan for Drinking Water Quality Monitoring;
- Appendix L: QA/QC Plan for Wastewater Quality Monitoring;
- Appendix M: Hamlet of Cape Dorset Metals Disposal Site Study;
- Appendix N: Compliance Plan;
- Appendix O: 2009 Annual Report; and
- Appendix P: Municipal Training Organization.

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-CAP0810/1%20APPLICATION/2010%20Renewal/>

Prior to proceeding with the review of the renewal application, the NWB requests that CGS address two important administrative issues related to file.

The first is the requirement under Part F, Item 1 of the Licence, for an Operation and Maintenance (O&M Manual), which states the following:

The Licensee shall submit to the Board, for approval in writing, within ninety (90) days of issuance of the Licence and prior to commissioning of the 2007 Sewage Disposal Facilities, a revised *Operation and Maintenance Manual, Sewage Treatment System, Hamlet of Cape Dorset, November 7, 2007*. The revision shall include the requirements of Schedule 2.

The NWB received an O&M Manual for the new sewage lagoon on June 17, 2009. Following the NWB’s review of the document, the NWB wrote to CGS on June 26, 2009 stating that the O&M Manual was insufficient. Having only addressed one of 26 revisions required pursuant to Schedule 2 of the Licence, CGS was asked to revise and resubmit the O&M Manual.

The NWB received a revised O&M Manual on September 4, 2009, which was distributed for review and comment by parties. Following the comment period, the NWB determined, on November 20, 2009, that prior to approving the O&M Manual an addendum was required to address the concerns identified during the review. The NWB notes that Appendix J of the renewal application is a response to the NWB’s letter of November 20, 2009, which states that the O&M Manual was revised and provides information aimed at addressing the issues identified. However, the O&M Manual submitted as Appendix D of the renewal application appears to be the same document that was submitted September 4, 2009. In addition, CGS was asked to address the concerns raised by parties during the review of the September 4, 2009 O&M Manual and the response in Appendix J simply states that this was “*addressed in the O&M Manual*” without any indication of what issues were addressed, how or where. Ultimately, from the NWB’s review, the O&M Manual appears unchanged from the version submitted September 4, 2009.

In order to proceed with the renewal application, the NWB requires that the O&M Manual be revised and updated to address the issues identified during the previous review. In order to facilitate review of the revised O&M Plan, CGS shall provide a concordance table along with the Manual, indicating how each issue was addressed and its location in the new version by section and page number.

Secondly, the NWB notes that the Licensee was required to submit a Plan for Compliance in accordance with Part A, Item 3(iv) of the previous Licence:

The Licensee shall, in relation to any application to renew or amend the Licence, have in place a Plan for Compliance approved by the Board in writing, to achieve full compliance with the conditions of this Licence, or a Plan for Compliance must be submitted at the time of Application, in order for the Application to be deemed complete.

And Part B, Item 6:

The Licensee shall submit to the Board, for approval in writing, within the lesser of ninety (90) days or the filing of any application in relation to the Licence, a Plan for Compliance that clearly demonstrates the ways and means the Licensee will undertake to achieve full compliance with the conditions of this Licence.

In the NWB's letter to CGS dated November 20, 2009, the Plan for Compliance was noted as not having been submitted. The Plan for Compliance submitted, is in fact dated November 20, 2009 coinciding with the distribution of the NWB's letter. However, because the Plan for Compliance contained the deficient September 2009 O&M Manual as an Appendix, its review was put on hold pending a response from CGS to the NWB's letter of November 20, 2009.

More recently with the submission of the renewal application, additional information pertaining to the Plan for Compliance is provided in Appendices J and N. However, the Plan for Compliance is now disjointed with information spread throughout different submissions. This makes it extremely difficult to follow and subsequently, difficult to assess. Given the importance of the Plan for Compliance to the renewal process and as a requirement under the currently expired Licence, in order to facilitate the review the NWB finds that the disjointed nature of the Plan must be corrected, revised into a comprehensive Plan, and re-submitted before the Renewal Application is determined to be complete. The NWB has taken the initiative to prepare a "template" for submission of a Plan for it is attached for your reference.

Upon submission of a revised O&M Manual and comprehensive Plan for Compliance, the NWB will proceed with the distribution of information to interested parties for the general technical review of the Application.

Should you have any questions please do not hesitate to contact the undersigned at dts@nunavutwaterboard.org.

Sincerely,

Original Signed By:

David Hohnstein, C.E.T.
Director Technical Services

DH/tla

c.c Hamlet of Cape Dorset
 Roy Green, GN-CGS
 Bill Westwell, GN-CGS