



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

ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᑲᑎᓕᓂᓪ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

July 27, 2010

Mr. Roy Green
Director of Community Infrastructure
Community & Government Services
Government of Nunavut
P.O. Box 1000, STN 700
4th Floor, W.G. Brown Building
Iqaluit, Nunavut
X0A 0H0

Email: rgreen@gov.nu.ca

Subject: Status Summary of Municipal Water Licence Applications

Dear Mr. Green,

I am writing this letter to provide you with a status update of the open municipal water licence applications currently with the Nunavut Water Board (NWB or Board).

I have also included as an attachment, an updated table summarizing the status of the municipal water licence applications. There are currently twelve (12) municipal water licence applications for new, renewal and/or amendment licences with the NWB, eleven (11) of which are expired and an additional four (4) municipal water licences due to expire in 2010/2011. As set out in the attached table, one (1) new water licence application is being processed by the NWB; four (4) expired licences with renewal/amendment applications are being processed by the NWB; six (6) expired licences with renewal/amendment applications are on hold pending submission and approval of Plans for Compliance; and one (1) expired licence with a renewal/amendment application is on hold pending submission of additional information. In addition, there are two (2) expired licences with no renewal applications on file.

Of immediate concern to the NWB, are the expired municipal water licences with renewal/amendment applications on hold, pending submission and approval of Plans for Compliance and submission of additional information. These include applications for the communities of Arctic Bay, Clyde River, Gjoa Haven, Cape Dorset, Hall Beach, Sanikiluaq, and the Resolute Bay Airport. Over the past few months, application specific correspondence outlining the information required to proceed with the water licensing process has been sent to the Government of Nunavut Community Government Services (GN-CGS) municipal engineers responsible for each of the pending files. For your information and to help move these applications forward, those requirements are summarized (and restated) below.

Arctic Bay (3BM-ARC0810)

On June 23, 2010 the NWB sent a letter to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region, and Mr. Joeli Qamanirq, Senior Administration Officer for the Hamlet of Arctic Bay, regarding deficiencies in the water licence renewal application for 3BM-ARC0810. This correspondence outlined the following deficiencies in the Plan for Compliance which must be addressed before the Board will proceed with processing the water licence renewal application received on March 22, 2010:

- Item B,15 – Plan for the submission of all available data generated under Licence NWB3ARC0207 and subsequent renewal 3BM-ARC0810;
- Item D,10 – Plan for the submission of a report identifying each Final Discharge Point of the existing Sewage Disposal Facility. The report shall at least include:
 - a. Plans, specifications, geographic coordinates and a general description of each Final Discharge Point; and
 - b. A description of how each Final Discharge Point is designed and maintained;
- Item E,10 – Plan for the submission of a Spill Contingency Plan for Board approval that specifically addresses the quarry site operations and existing facilities;
- Item F, 1 – Plan for the submission of an Operation and Maintenance Manual for Board approval for all existing and new facilities including the water supply facility, sewage and solid waste facilities, hazardous waste management, sewage sludge management, spill contingency plan, monitoring program quality assurance/quality control plan and instrumentation monitoring and surveillance plan;
- Item F, 3 – Plan for the submission of a Geotechnical Engineer's Inspection Report;
- Item G, 2 – Plan for the submission of a detailed Final Abandonment and Restoration Plan for the existing Sewage Disposal Facility;
- Item H, 16 – Plan for the submission of a detailed Instrumentation and Monitoring Surveillance Plan including:
 - i. Details of the proposed instrumentation plan, the frequency of measurements and trigger values or observations for remedial action;
 - ii. A review of geothermal monitoring plans including the number of thermistors to be installed, the location of thermistor installations, the installation of thermistors within the key trench, the depth of thermistor strings in subgrade soils, justification for the final chosen depth of thermistor strings, and the final detailed design of thermistor strings, taking into consideration reviewer comments; and
 - iii. Details of settlement monitoring at the upstream and downstream toes of the berms.

In addition, the Plan for Compliance is expected to provide clear linkages demonstrating how the proposed actions of the Plan will address specific Licence requirements and issues identified by the Inspector in inspection reports. These linkages are not provided in the current Plan. The Plan must also provide adequate detail and firm schedules for implementing proposed actions.

Clyde River (3BM-CLY0909)

On March 18, 2010, the NWB sent a letter to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region, and Mr. Bill Buckle, Interim Senior Administration Officer for the Hamlet of Clyde River regarding the Board's decision to reject the current version of the Hamlet of Clyde River's Plan for Compliance. The Board required the submission of a revised Plan for Compliance that addresses the following deficiencies outlined during the review for written approval of the Board prior to the Board accepting and processing the water licence renewal application received on November 27, 2009:

1. General Format - EC and INAC commented on the piecemeal format and incompleteness of the Plan for Compliance noting concerns regarding the requirement for a clear plan and implementation schedule for all conditions in the expired Licence as well as issues raised during the public review of the August 2008 application and those of the Inspector's Reports dated August 19, 2009, August 18, 2008 and July 13, 2007. INAC recommended that the Plan for Compliance include a concordance table that references, where applicable, Licence requirements and additional requirements imposed by the NWB.
2. Operations and Maintenance Manual - EC and INAC both commented on the need for an Operations and Maintenance Manual in accordance with Part F Item 1 of the Licence, **for all infrastructure currently in use**. Both parties recommended that the Manual be revised to take into consideration any changes in water and waste management practices when necessary. EC recommended that the Licensee submit timelines for submission of Operation and Maintenance plans.
3. Soil Remediation Site / Landfarm - INAC commented on a soil remediation site/landfarm that was apparently constructed in 2000. To date, the NWB has not received documentation that would include a minimum of, 1) as-built construction drawings, 2) an operations and maintenance plan, 3) an abandonment and restoration plan or 4) soil quality or effluent monitoring reports specific to the facility being referenced. INAC recommended that the Plan for Compliance include information concerning the status of the contaminated soil remediation/landfarm facility and that the Hazardous Waste Management Plan, required as part of the Operations and Maintenance Manual, address any operational contaminated soil remediation/landfarm facilities.
4. Sludge Management - EC and INAC commented on the requirements in Part H of the Licence regarding sludge management. EC recommended that the Licensee submit a timeline and plan for the removal and disposal of sludge from the existing lagoon during the planned rehabilitation of the lagoon. INAC noted that Part H, items 6 and 8 of the Licence regarding the requirement for the quantitative and qualitative analyses of removed sludge and methods for its treatment, storage and disposal, should be addressed in a revised Plan for Compliance and in the Operations and Maintenance Plan as specified in Part F, Item(1)(d). INAC also recommended that sludge management procedures include the specific effluent quality characteristics/frequency of detection and trigger values that will be used to determine when sludge removal is necessary.
5. Monitoring Program - EC commented on the Licensee's plan to comply with the monitoring program, noting that the Licence requires a specific suite of parameters to be monitoring three times annually. EC recommended that the Licensee submit a timeline and plan to comply with the requirements of the Licence.

EC also commented on the lack of monitoring data submitted in accordance with Part B Item 1 and Part H Item 3 of the Licence, noting that if data does not exist, the Licensee should state as such.

EC also commented on the requirement for landfill leachate monitoring, in accordance with Part H item 7 of the Licence, recommending when monitoring should begin and the importance of such monitoring to the development of closure and restoration plans for the current landfill site. EC recommended that the Plan for Compliance include a timeline and plan for monitoring at station CLY-2.

6. Quality Assurance / Quality Control - EC noted that a QA/QC plan has not been approved. EC recommended that the Licensee submit a timeline and plan to provide a QA/QC plan. The Board notes that in accordance with Part H Item 13 of the Licence, the QA/QC plan must include a covering letter from the accredited laboratory and analyst, confirming acceptance of the Plan for analyses to be performed under the Licence.
7. Abandonment and Restoration - GN-DOE recommended that the Licensee provide an Abandonment and Restoration Plan for the existing landfill, or provide a timeline for the submission of this Plan.

Gjoa Haven (3BM-GJO0409)

On June 23, 2010 the NWB sent a letter to Mr. Gary Strong, Dillon Consulting Limited on behalf of the Hamlet of Gjoa Haven, copied to Eruk Paulosie, Senior Administrative Officer, Hamlet of Gjoa Haven (as well as R. Green and B. Westwell with CGS and Jennifer Jones, Dillon) regarding deficiencies in the water licence renewal application for 3BM-GJO0409 which must be addressed before proceeding with processing the water licence renewal application received on April 21, 2010. This correspondence requested that the Licensee submit a Plan for Compliance to address the issues outlined in the NWB's administrative compliance assessment which was sent to the Hamlet on May 13, 2009, as well as issues identified in Inspector's reports including the failure of the sewage lagoon, resulting effluent quality, solid waste management, monitoring, reporting, and the submission of plans in accordance with the licence. Plans required in accordance with the licence include the following:

- Item B,1 – Plan for the submission of annual reports for 2004 – 2008
- Item D,8 – Plan for the submission of a report identifying each Final Discharge Point of the existing Sewage Disposal Facility. The report shall at least include:
 - (a) Plans, specifications, geographic coordinates and a general description of each Final Discharge Point; and
 - (b) A description of how each Final Discharge Point is designed and maintained;
- Item E, 1 – Plan for the submission of as-builts for the water intake modification approved on June 7, 2004;
- Item E, 1 – Plan for the submission of written summary and photographs of culvert installation and creek alignment;
- Item F,1 – Plan for the submission of an Operations and Maintenance Manual for the sewage and solid waste disposal facilities; and
- Items F, 4 and 5 – Measures taken following sewage lagoon berm failure.

In addition, the NWB requested that the Licensee submit an executive summary of the application in English and Inuktitut. The NWB requested the deficient information by June 18, 2010.

Cape Dorset (3BM-CAP0810)

On June 23, 2010 the NWB sent a letter to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region, regarding deficiencies in the renewal application for 3BM-CLY0810. In order to proceed with processing the renewal application received on March 3, 2010, the NWB requires the submission of a revised Operations and Maintenance (O&M) Manual, updated to address the issues identified during the previous review including a concordance table. In addition, the NWB requires the submission of a revised comprehensive Plan for Compliance.

Hall Beach (3BM-HAL0810)

On July 12, 2010 the NWB sent a letter to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region and Anne Curly, Senior Administrative Officer for the Hamlet of Hall Beach containing the results of its preliminary technical review for the Hamlet's water licence renewal application. The following issues were identified:

1. Water Distribution Facility Operation and Maintenance (O&M) Plan;
2. Sewage Disposal Facility O&M Plan;
3. Sewage Sludge Management Plan;
4. Solid Waste Disposal Facility O&M Plan;
5. Spill Contingency Plan;
6. Monitoring Program Quality Assurance/Quality Control (QA/QC) Plan; and
7. Various administrative and operational issues identified by the INAC inspector.

Although GN-CGS submitted a Plan for Compliance as part of its renewal application, the Plan does not address all of the issues identified above or provide timelines to resolve the issues. The NWB requested submission of a revised Plan for Compliance.

Sanikiluaq (3BM-SAN0308)

On January 26, 2009 the NWB sent a letter to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region, outlining the following issues with the renewal application for 3BM-SAN0308:

1. The NWB does not have the annual reports for the years of 2003, 2004, 2005 and 2006;
2. Under Part D, Item 8 of the previous Licence, the Licensee was to submit a report identifying each of the final discharge points under the Licence. The NWB has not received this report;
3. Under Part F, Item 1 of the previous Licence, the Licensee was to submit an Operation and Maintenance Manual. The NWB has not received this manual;
4. Under Part H, Item 6 of the previous Licence, the Licensee was to submit a Quality Assurance and Quality Control Plan. The NWB has not received this Plan;
5. The application did not contain any drawings, maps or figures of the Water Supply, Waste Water Treatment or Solid Waste Disposal Facilities. The NWB requests any maps, drawings and figures of the facilities;
6. The water source for the community is not identified;
7. Clarification is requested on the maximum daily volume of water requested;
8. The application does not identify the screen mesh size on the water intake pipe;
9. The application states that water is only drawn intermittently from June to August and that there is no reservoir or water storage. How (where) is water taken between September and May?
10. The water supply facilities are identified as being in unsatisfactory condition, however no explanation is provided. A discussion or explanation is requested;
11. Modifications to the Water Supply, Solid Waste Disposal and Sewage Treatment Facilities are said to be in the planning stage but no details are provided. Is this short term, long term? Are these modifications or new facilities that are being planned;
12. A description of the burning practices for solid municipal waste is not provided;
13. It is unclear from the application if waste petroleum products, hazardous, metal and bulky wastes are segregated at the Solid Waste Disposal Facilities;
14. The date of the most recent INAC inspection is not filled out;

15. There is no information on how sampling is performed, who is responsible for the sampling, where the sample tests are performed or proof of the laboratories' accreditation. See above, Item 4; and,
16. The application states that 68 cubic metres of water per day is returned to source. Please elaborate on where this water is originally taken from and where it is returned to.

In order to proceed with processing the renewal application received on November 24, 2008, the NWB requires a response to the above issues.

Resolute Bay Airport (3BM-YRB0308)

On October 23, 2009, the NWB sent an email to Mr. Tom Livingston, GN-CGS Municipal Planning Engineer for the Kitikmeot region, with a request for a Plan for Compliance that addresses Inspector reports and direction as well as issues raised in reviewer comments.

To assist the GN-CGS towards the preparation of the required Plans for Compliance, the NWB took the initiative to draft a Guide to the Development of a Plan for Compliance including a template. This draft Guide was provided to GN-CGS for review and comment on June 16, 2010 and has been made available to applicants and licensees in the interim, through the letters indicated above, while awaiting a response from the GN-CGS.

I would also like to take this opportunity to remind GN-CGS that pursuant to section 46 of the Nunavut Waters Nunavut Surface Rights Tribunal Act, although many of the above mentioned municipal water licences have expired, the licensees are not relieved from obligations imposed by the licences.

If you wish to discuss any of the above information further, please do not hesitate to contact the undersigned via email at dts@nunavutwaterboard.org or by phone at 780-443-4406.

Yours truly,

Original signed by:

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

DH/tla

Attachment: Status Summary of Municipal Water Licence Applications – July 2010

cc. Bill Westwell, GN-CGS

Status Summary of Municipal Water Licence Applications – July 2010

(New Licences, Expired Licences, and Licences due to Expire in 2010-2011)

Community	Licence Number	Date Licence Issuance	Date Licence Expiry	Name of Licensee	Status
New Licences					
New Licence Applications being processed by the NWB					
Resolute Bay	3BM-RUT----	Not assigned	Not assigned	Community Government Services Government of Nunavut	<p>A new application was received by the NWB on November 24, 2006.</p> <p>Application was distributed to interested parties for review and comment on October 17, 2007. Comments were received on November 17, 2007.</p> <p>Application is being processed.</p>
Expired Licences					
Expired Licences with Renewal/Amendment Applications being processed by the NWB					
Arviat	3BM-ARV0408	Jan. 9, 2004	Dec. 31, 2008	Hamlet of Arviat	<p>Licence is expired.</p> <p>A New Type A licence application was received by the NWB on January 5, 2009.</p> <p>Public Hearings are scheduled in July 2010.</p>
Baker Lake	3BM-BAK9904	Oct. 1, 1999	Oct. 1, 2004	Hamlet of Baker Lake	<p>Licence is expired.</p> <p>A renewal application was received by the NWB November 16, 2005.</p> <p>Renewal licence is awaiting Board approval.</p>
Chesterfield Inlet	3BM-CHE0308	Dec. 15, 2003	Dec. 31, 2008	Hamlet of Chesterfield Inlet	<p>Licence is expired.</p> <p>An application for renewal and amendment was received by the NWB on September 9, 2008. Additional information was requested on July 10, 2009. Additional information was received.</p> <p>Application is being processed.</p>

Community	Licence Number	Date Licence Issuance	Date Licence Expiry	Name of Licensee	Status
Rankin Inlet – Solid Waste	3BM-RAN0207	Dec. 1, 2002	Nov. 30, 2007	Hamlet of Rankin Inlet	<p>Licence is expired.</p> <p>A renewal application was received March 19, 2009. Application was distributed to interested parties for review and comment on July 31, 2009. Comments were received on August 30, 2009.</p> <p>Application is being processed.</p>
Expired Licences with Renewal/ Amendment Applications on hold pending submission and approval of Plans for Compliance					
Arctic Bay	3BM-ARC0810	March 17, 2008	March 31, 2010	Hamlet of Arctic Bay	<p>Amendment approved April 16, 2009.</p> <p>Licence is expired.</p> <p>A renewal application was received by the NWB on March 22, 2010.</p> <p>On June 23, 2010 the NWB requested additional information to address deficiencies in the Plan for Compliance before processing the renewal application.</p>
Cape Dorset	3BM-CAP0810	March 7, 2008	March 1, 2010	Hamlet of Cape Dorset	<p>Licence is expired.</p> <p>A renewal application was received by the NWB on March 3, 2010.</p> <p>On June 23, 2010 the NWB requested a comprehensive Plan for Compliance and a revised Operations and Maintenance Manual before processing the renewal application.</p>

Community	Licence Number	Date Licence Issuance	Date Licence Expiry	Name of Licensee	Status
Gjoa Haven	3BM-GJO0409	Jan. 8, 2004	Jan. 31, 2009	Hamlet of Gjoa Haven	<p>Licence is expired.</p> <p>An amendment was granted on September 15, 2008.</p> <p>On March 30, 2009 a licence renewal was requested. On April 21, 2010 the NWB received a renewal application.</p> <p>On June 23, 2010, the NWB requested a Plan for Compliance and executive summaries in English and Inuktitut before processing the renewal application.</p>
Clyde River	3BM-CLY0909	March 18, 2009	Nov. 13, 2009.	Hamlet of Clyde River	<p>Licence is expired.</p> <p>A renewal application was received October 27, 2009.</p> <p>On March 18, 2010, the NWB rejected the Hamlet's Plan for Compliance and required the submission of a revised Plan. The Hamlet was advised that a Plan for Compliance must be approved by the Board prior to the Board accepting and processing the renewal application.</p>
Resolute Bay Airport	3BM-YRB0308	Nov. 30, 2003	November 30, 2008	Department of Community Government and Transportation, Government of Nunavut	<p>Licence is expired.</p> <p>An application for renewal was received by the NWB on November 28, 2008.</p> <p>Application was distributed to interested parties for review and comment on May 15, 2009. Comments were received on June 15, 2009.</p> <p>On October 23, 2009, the NWB requested additional information from the applicant, specifically a Plan for Compliance, before completing the water licence process.</p>

Community	Licence Number	Date Licence Issuance	Date Licence Expiry	Name of Licensee	Status
Hall Beach	3BM-HAL0810	May 29, 2008	May 30, 2010	Hamlet of Hall Beach	<p>Licence is expired.</p> <p>A renewal application was received by the NWB on May 21, 2010.</p> <p>The application is undergoing an internal preliminary technical review. Letter sent on July 12, 2010 to Mr. Bhabesh Roy, GN-CGS Municipal Planning Engineer for the Baffin Region and Anne Curly, Senior Administrative Officer, requesting additional information and a revised Plan for Compliance.</p>
Expired Licences with Renewal/Amendment Applications on hold pending submission of additional information					
Sanikiluaq	3BM-SAN0308	Nov. 29, 2003	Nov. 15, 2008	Hamlet of Sanikiluaq	<p>Licence is expired.</p> <p>An application for renewal was received by the NWB on November 24, 2008. On January 29, 2009 the NWB requested additional information to complete the application before processing.</p>
Expired Licences – No renewal application on file					
Resolute Bay	3BM-RES9699	1996	1999	Applicant was Hamlet of Resolute Bay	<p>Expired NWT licence.</p> <p>An application for renewal was received by the NWB on December 3, 2007. Additional information was requested on May 5, 2008 before processing.</p> <p>On May 7, 2010, the NWB requested an update on the status of the additional information. No response was received. On May 22, 2010 the NWB closed the file.</p> <p>See also application below for the new utilidor.</p>
Repulse Bay	3BM-REP0409	June 11, 2004	May 31, 2009	Hamlet of Repulse Bay	Licence is expired.
Licences due to expire in 2010 - 2011					
Licences that require submission of a Plan for Compliance					
Grise Fiord	3BM-GRI0911	July 25, 2009	July 31, 2011	Hamlet of Grise Fiord	Plan for Compliance was due October 2009
Pangnirtung	3BM-PAN0810	August 8, 2008	August 31, 2010	Hamlet of Pangnirtung	Plan for Compliance was due November 2009

Community	Licence Number	Date Licence Issuance	Date Licence Expiry	Name of Licensee	Status
Kimmirut	3BM-KIM0911	Jan. 9, 2009	Jan. 29, 2011	Hamlet of Kimmirut	<p>An amendment application was received on June 8, 2009 including a Plan for Compliance.</p> <p>On March 19, 2010 the NWB issued its decision not to amend the Hamlet's water licence and requested that the Licensee revise and resubmit the Plan for Compliance due to substantial deficiencies.</p>
Licences that do not require submission of Plan for Compliance					
Iqaluit	3AM-IQA0611	May 15, 2006	May 15, 2011	City of Iqaluit	The City has notified the NWB that it will submit an amendment and renewal application the summer of 2010.