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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYIT  
OFFICE DES EAUX DU NUNAVUT

File No.: 3BM-GRI0911/ Renewal

March 13, 2012

Mr. Marty Kuluguqtuq  
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**Subject: Licence No. 3BM-GRI0911: Hamlet of Grise Fiord, Application for Licence Renewal and the Plan for Compliance.**

Dear Mr. Kuluguqtuq:

On August 2, 2011, the Nunavut Water Board (NWB or Board) received an application for the renewal of water licence 3BM-GRI0911 (Licence) from the Government of Nunavut Department of Community Government Services (GN-DoE) on behalf of the Hamlet of Grise Fiord (Hamlet). The Renewal Application is comprised of the following documents:

- Completed Water Licence Application form;
- 2010 Annual Report for the Hamlet of Grise Fiord;
- Technical Summary of Grise Fiord Water Licensed Facility (English); and
- Plan for Compliance Licence No. 3BM-GRI0911 Hamlet of Grise Fiord.

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-GRI0911/1%20APPLICATION/2011%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:

- Technical Summary document translated into Inuktitut; and
- Approved Plan for Compliance.

The Board notes that the Renewal Application includes a Plan for Compliance to address Part B, Item 11 of the 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 4 of the Licence within the Board's decision:

*The Board fully expects the Hamlet to take immediate steps to come into full compliance with all Licence requirements for its existing facilities. and to operate the Sewage Disposal Facility in accordance with the Licence. 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 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 11 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.*

As the Plan for Compliance (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 (i), (j), (l), (m);
- Part F, Item 1; and
- Part G, Item 1.

According to the submitted Plan for Compliance, a new solid waste management facility is scheduled for construction this summer along with the abandonment of the existing facility after the new facility is in operation. As such, the Licensee is required to submit to the Board, an application for Licence 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 1 of the expired Licence.

In addition, the Board notes that the Plan for Compliance 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 July 31, 2011. 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](mailto:eskiby@nunavutwaterboard.org), at your earliest convenience.

Yours truly,

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