



Nunavut Regional Office
P.O. Box 100
IQALUIT, NU X0A 0H0

June 28, 2012

Honourable Lorne Kusugak
Minister of Community and Government Services
Government of Nunavut
P.O. Box 1000, Station 700
IQALUIT, NU X0A 0H0

Dear Sir:

Use of Water and the Deposit of Waste in a Manner Inconsistent and Non-compliant with Authorizations Issued by the Nunavut Water Board under the Nunavut Water and Nunavut Surface Rights Tribunal Act

Aboriginal Affairs and Northern Development Canada (“**AANDC**”) has the jurisdiction to enforce compliance with the *Nunavut Water and Nunavut Surface Rights Tribunal Act* (the “**Act**”) and water licenses issued by the Nunavut Water Board (the “**Board**”) under the Act. AANDC’s statutorily appointed inspectors carry out this mandate by conducting compliance inspections, among other activities.

The Government of Nunavut, Department of Community and Government Services (“**CGS**”) is in a position of direct and indirect oversight and control over the planning, development, installation, operation and funding of municipal water and waste-water infrastructure in Nunavut.

As you are aware, AANDC’s annual inspection reports have demonstrated a widespread and continuing non-compliance with municipal water licenses issued by the Board and with the Act. Inspection reports outlining observed non-compliance have been brought to the attention of applicable municipalities and CGS for rectification on numerous occasions and most recently in a report to CGS in January of 2011. They have also been provided to the Board.

Since 2009, AANDC and other regulators have engaged in ongoing meetings and correspondence with CGS and Nunavut municipalities in an effort to facilitate voluntary compliance measures to be undertaken by CGS and the municipalities. As an example, I confirm the following non-exhaustive list of initiatives:

- In November 2009, in a meeting with AANDC officials and CGS, CGS committed to providing a priority action plan with respect to municipal non-compliance to both AANDC and Environment Canada (EC) by January 30, 2010. This action plan was



to include a list of priorities and attached timelines pursuant to which CGS would rectify specific municipal non-compliance with licences issued under the Act.

- On April 21, 2010 an AANDC Inspector wrote to CGS' Director, Community Infrastructure, requesting the submission of an action plan from CGS to demonstrate how municipalities will come into compliance with the Act by May 14, 2010.
- In January 2011, AANDC and CGS officials met to review CGS' participation during inspections for the 2011 field season to assist in identifying areas of non-compliance.
- On February 2, 2011, AANDC and CGS officials met to discuss joint efforts to facilitate municipal compliance with water licences.
- On July 8, 2011, in a meeting between AANDC, CGS and EC, AANDC again requested an action plan from CGS to demonstrate how municipalities will come into compliance with the Act. CGS committed to providing a Capital Plan to AANDC and EC to address these issues.
- On September 6, 2011, in a meeting with AANDC officials, CGS committed to providing a Capital Plan to AANDC and EC.
- On October 28, 2011, in a meeting between AANDC, CGS and the Nunavut Association of Municipal Administrators, CGS committed to providing a Capital Plan to AANDC and EC.
- On November 23, 2011, CGS provided a draft work plan to AANDC for managing municipal solid waste programs with a target date for developing an implementation plan of January 2012. This work plan was deemed to be insufficient by AANDC as it did not address compliance priorities, firm timetables and detailed task-lists for specific corrective action. This was communicated in a letter to CGS' Assistant Deputy Minister by AANDC's Regional Director General, Northern Regional Office, in a letter dated January 30, 2012.
- In AANDC's January 30, 2012 letter, AANDC requested that CGS submit individual compliance action plans for the five highest priority municipalities, as determined by CGS, based upon environmental, public health and safety risks. AANDC required that these plans contain a timetable with firm implementation dates that detail specific corrective measures to be undertaken for each such municipality to address identified non-compliance issues. AANDC requested that these five action plans be delivered by April 30, 2012, and that similar plans be developed for remaining municipalities by June 1, 2012. At that time AANDC provided a summary list of non-compliance identified in inspection reports between 2007 and 2011 to assist CGS.
- On April 30th AANDC officials telephoned CGS staff members requesting an update to determine if a meeting should take place to review the required compliance plans. During the call, CGS' request to delay submission of the required Plan was acknowledged by AANDC.



- On May 15th AANDC received a letter from the Assistant Deputy Minister, Capital and Technical Services, CGS. The letter did not conform to the outlined requirements of a Compliance Plan, because of the following:
 - failure to identify and describe each of the identified priority communities based upon environmental, public health and safety risks to be addressed;
 - failure to submit individual Compliance Plans for each of the five identified communities with clearly defined timetables to rectify occurrences of non-compliance (e.g. start and end dates through which compliance activities may be independently verified); and,
 - failure to provide detailed list of milestones or targeted achievements through which Compliance with issued authorizations may be verified during the Inspection process.
- On June 4th, AANDC received email correspondence from CGS staff members indicating a commitment to providing sufficient information for the development of compliance plans, but indicating a desire for AANDC to provide a template compliance plan so AANDC and CGS can jointly produce an appropriate plan for identified communities.

Despite repeated attempts to find a voluntary compliance solution, AANDC has not received satisfactory a response demonstrating how CGS will identify its priorities, and take appropriate steps to rectify ongoing municipal noncompliance under the Act. While AANDC remains ready and willing to work with CGS, municipal compliance with Water Licenses issued under the Act is the responsibility of CGS, and not AANDC.

Having regard to the foregoing, I have concluded that it is reasonable and appropriate to issue an Inspector's Direction requiring you to bring the identified communities into compliance with the Act, and in the interim, submit compliance planning documents as more particularly described therein. Please see the attached Inspector's Direction which outlines the Terms and Conditions to be met by you within the specified timeline.

If you have any questions or concerns, please do not hesitate to contact me at 867-975-4289.

Sincerely,

Andrew Keim
A/Manager Field Operations
Aboriginal Affairs and Northern Development Canada
Nunavut Regional Office

cc:

Dionne Filliatrault, NWB
Peter Workman, GN-HSS
Robin Aitken, AANDC



- Inspector's Direction -

I, Andrew Keim, a duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“**Act**”), conducted a review of recorded occurrences (“**Occurrences**”) of non-compliance with municipal Water Licenses issued by the Nunavut Water Board (“**Board**”) under the Act for the hamlets of Hall Beach, Gjoa Haven, Taloyoak, Cape Dorset, and Kimmirut (the “**Municipalities**”). Such Occurrences have been observed and recorded by AANDC Water Compliance Officers in annual inspections conducted between 2007 and 2011. Inspection Reports were duly provided to the Government of Nunavut Department of Community and Government Services (“**CGS**”), applicable Municipalities and the Board.

The Occurrences are more particularly described in Schedule “A” to this Direction.

Having reviewed these reported Occurrences and the responses by applicable Municipalities and CGS, with respect to each of the Municipalities, I have reasonable grounds to believe that one or more of the following is the case:

- waters have been or may be used in contravention of subsection 11(1) of the Act, or of a condition of a license;
- waste has been or may be deposited in contravention of subsection 12(1) of the Act or of a condition of a license; and
- there has been or may be a failure of a work related to the use of waters or the deposit of waste.

Further, and with direct reference to the above, with respect to each Municipality, I have reasonable grounds to believe that the adverse effects of such use, deposit or failure are causing, or may cause, a danger to persons, property or the environment.

Therefore having a reasonable belief that the Occurrences have resulted in continuing non-compliance with the Act, and pursuant to Section 87(1) of the Act, I hereby direct you to take the following reasonable measures to prevent the use of waters or the deposit of waste or the failure of a work related to the use of waters or the deposit of waste, or to counteract, mitigate or remedy the resulting adverse effects:



- You shall rectify each and every Occurrence in the Municipalities and you shall bring each such Municipality into compliance with the terms of its Water Licence and the Act.
- Within 30 days of receipt of this Inspector's Direction, you shall submit, or cause to be submitted, to Aboriginal Affairs and Northern Development Canada, Environment Canada, and the Nunavut Water Board the following:
 - A complete and detailed Compliance Plan for each Municipality.
 - Each Compliance Plan must include but not be limited to the following minimum requirements:
 - A list of Occurrences, and any existing steps which have been taken to rectify same, along with documentary and photographic evidence to support your claim.
 - A timetable with firm implementation dates pursuant to which CGS and/or each Municipality will rectify any outstanding Occurrences to achieve compliance.
 - A detailed task-list outlining objectively verifiable corrective actions and milestones to be undertaken to implement the Compliance Plan and achieve compliance.

Failure to comply fully or in part with an **Inspector's 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

Original signed duplicate filed this date

Inspector's Signature



Contact Information:

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Schedule A Compliance Summary

Hall Beach	3BM-HAL0810
Potable Source	River to Reservoir via gate valve
Licensee	Hamlet
Start and Expiry dates	5/16/2008 5/30/2010
Status	Expired
Sampling	None

2007 Reporting (Under Water Licence NWB3HAL0308)

- Part B(5) Failure to maintain the appropriate signage, and Surveillance Network Program (SNP)
- Part H(7) Failure to develop and submit to the Board a Quality Assurance/ Quality Control Plan
- Part F(1) Failure to develop and submit by April 1st 2004 a Sewage and Solid Waste Disposal Operations and Maintenance Manual,
- Part G(1) Failure to develop and submit an Abandonment and Restoration Plan – Old lagoon cell
- Part H (2) Failure to conduct sampling as required and submit the results

2008 Reporting (Under Water Licence 3BM-HAL0810)

- Part B (10) Failure to submit as required a Plan for Compliance
- Part B (1) Failure to submit Annual reports
- Part B(5) Failure to maintain the appropriate signage, and Surveillance Network Program (SNP)
- Part H (5b) Failure to immediately report the Lagoon failure in July of 2008 as required
- Part H(7) Failure to develop and submit to the Board a Quality Assurance/ Quality Control Plan
- Part G(1) Failure to develop and submit an Abandonment and Restoration Plan – Old lagoon cell
- Part H (2) Failure to conduct sampling as required and submit the results
- Part H Failure to Implement the requirements listed under the Monitoring Program
- Part F (1) Failure to submit Operation and Maintenance Manuals as required

2009 Reporting

- Failure to remediate and collect contaminated soils and gravel following the failure of the Lagoon in 2008 as required by the Inspector
- Part 5 (c) Failure to submit up-dates and clean up reports on the release from the Lagoon as required
- Part F 5(c) Failure to submit a report to the Inspector within 30 days of the release.
- Part D (7) Failure to segregate and contain hazardous wastes
- Part D (9) Failure to install suitable fencing to prevent off site migration of Municipal wastes
- Part B (1 a through i) Failure to submit required Annual reports
- Part B (5) Failure to maintain the appropriate signage, and Surveillance Network Program (SNP)
- Part B (10) Failure to submit as required a Plan for Compliance
- Part H Failure to Implement the requirements listed under the Monitoring Program
- Part F (1) Failure to submit Operation and Maintenance Manuals as required

2010 Reporting

- Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
- Part D (5) Failure to maintain the Sewage disposal facility
 - Previously failed lagoon cell (1) back in operation
 - Failure to contain effluent - Raw effluent noted in pools below lagoon



- Part H (5b) Failure to immediately report the Lagoon failure in July of 2009 as required
- Failure to implement the measures to address the failure of the lagoon in both 2008 and 2009 and required by the Inspector.
- Part B(5) Failure to maintain the appropriate signage, and Surveillance Network Program (SNP)
- Part D (9) Failure to install suitable fencing to prevent off site migration of Municipal wastes
- Part B (1) Failure to submit Annual reports
- Part B (10) Failure to submit as required a Plan for Compliance

2011 Reporting

Potable Source

- Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
- Part B (1) Failure to submit Annual reports
- Part B (10) Failure to submit as required a Plan for Compliance
- Part (H) Failure to Implement the requirements listed under the Monitoring Program
- Part (H) Failure to maintain records of testing for municipal vehicles

Waste: Solid Waste Management Area

- Part D (9) Failure to install suitable fencing to prevent off site migration of Municipal wastes
- Part D (8) Failure to segregate and store all hazardous materials and/or hazardous waste within the Solid Waste Disposal Facility in a manner as to prevent the deposit of deleterious substances into any water until such a time as proper disposal arrangements are made.
- Part D (2) Failure to notify the Inspector
- Part (H) Failure to Implement the requirements listed under the Monitoring Program
- Part D (9) Failure to install suitable fencing to prevent off site migration of Municipal wastes

Waste: Lagoon

- Part D (2) Seepages from cell one were noted during inspection. Decanting was ongoing during inspection without notification to Inspector
- Part D (5) Failure to ensure the Sewage Disposal Facility is maintained and operated in such a manner as to prevent structural failure
- Part D (6) Failure to conduct lethality testing on Lagoon effluent entering Foxe Basin
- Part (H) Failure to Implement the requirements listed under the Monitoring Program

HAMLET OF HALL BEACH

3BM-HAL0810 (EXPIRED)

Summary of documented and reported non-compliance between 2007 and 2011

Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)

Part B (1a through i) Failure to submit required Annual reports

Part B (2) Failure to Comply with the Monitoring Program

Part B (5) Failure to maintain the appropriate signage, Surveillance Network Program (SNP)

Part B (6) Failure to immediately report spills of waste to the 24 hour spill line

Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion

Part D (2) Failure to notify the Inspector and commence the monitoring program

Part D (5) Failure to maintain and operate the lagoon to prevent structural failure

Part D (8).Failure to segregate and store hazardous wastes in a manner as to prevent the deposit of deleterious substances into any water

Part D (9) Failure to fence the Waste Management Area as required by the Inspector

Part F (1) Failure to submit Operation and Maintenance Manuals as required

Part H (1 through 12) Failure to implement the requirements listed under the Monitoring Program



Gjoa Haven
Potable Source:
Licensee:
Start and Expiry Date:
Status:
Sampling:

3BM-GJO0409
Swan Lake
Hamlet
1/8/2004 **1/31/2009**
Expired
None

2007 Reporting

- Part B (1a-viii) Failure to submit annual reports
- Part D (5) Failure to maintain and operate the Sewage Disposal Facility, to the satisfaction of an Inspector and in such a manner as to prevent structural failure
- Part D (3) Failure to maintain a Freeboard limit of 1.0 metre, or as recommended by a qualified geotechnical engineer and as approved by the Board, shall be maintained at all dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.
- Part D (7) Failure to The Licensee shall implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water.
- Part F (1) Failure to submit submit to the Board for approval, a Plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with *"Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities"* (October 1996). This Plan shall specifically address the hazardous waste disposal and operational issues at the Solid Disposal Facility, as well as the operational issues identified at the Sewage Disposal Facility, which were identified in the August 22, 2002 DIAND Inspection Report.
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

2008 Reporting

- Part B (1a-viii) Failure to submit annual reports
- Part B (5) Failure to post signage as required
- Part D (5) Failure to maintain and operate the Sewage Disposal Facility, to the satisfaction of an Inspector and in such a manner as to prevent structural failure
- Part D (3) Failure to maintain a Freeboard limit of 1.0 metre, or as recommended by a qualified geotechnical engineer and as approved by the Board, shall be maintained at all dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.
- Part D (7) Failure to implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water.
- Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with *"Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities"* (October 1996).
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

2009 Reporting

- Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
- Part B (5) Failure to post signage as required
- Part C (2) failure to record all water usage; Unmeasured water withdrawal occurs at Water Lake (near WTP); Nunavut Airport truck observed extracting water at time of inspection
- Part C (3) failure to Maintain Water Supply Facilities to the satisfaction of the Inspector
- Part D (5) Failure to maintain and operate the Sewage Disposal Facility, to the satisfaction of an Inspector and in such a manner as to prevent structural failure
- Part D (3) Failure to maintain a Freeboard limit of 1.0 metre, or as recommended by a qualified geotechnical engineer and as approved by the Board, shall be maintained at all dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.



- Part D (7) Failure to implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water.
- Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with *"Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities"* (October 1996).
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

2010 Reporting

Potable source:

- Part C (3) failure to Maintain Water Supply Facilities to the satisfaction of the Inspector

Waste: Lagoon

- Part D (3) Failure to maintain a Freeboard limit of 1.0 metre, or as recommended by a qualified geotechnical engineer and as approved by the Board, shall be maintained at all dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.
- Part D (5) Failure to maintain and operate the Sewage Disposal Facility, to the satisfaction of an Inspector and in such a manner as to prevent structural failure
- Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with *"Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities"* (October 1996).
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

Waste: Solid Waste Management Area

- Part D (7) Failure to implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program
- Failure to submit a Compliance Plan and required by the Inspector

2011 Reporting

Potable:

- Part B (1a-viii) Failure to submit annual reports for 2004 to present
- Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B (5) Failure to post signage as required
- Part B (9) Failure to provide copies of reports and Plans in the specified number and format
- Part C (2) failure to record all water usage
- Failure to Maintain a Licence contrary to the Nunavut Water and Nunavut Surface Rights Tribunal Act

Waste: Lagoon

- Part D (3) Failure to maintain a Freeboard limit of 1.0 metre, or as recommended by a qualified geotechnical engineer and as approved by the Board, shall be maintained at all dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.
- Part D (5) Failure to maintain and operate the Sewage Disposal Facility, to the satisfaction of an Inspector and in such a manner as to prevent structural failure
- Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with *"Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities"* (October 1996).
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program



Waste: Solid Waste Management Area

- Part D (7) Failure to implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program
- Part B (5) Failure to post signage as required

HAMLET OF GJOA HAVEN

3BM-GJO0409 (Expired)

Summary of documented and reported non-compliance between 2007 and 2011

Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)

Part B (1a-viii) Failure to submit annual reports for 2004 to present

Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)

Part B (9) Failure to provide copies of reports and plans in the specified number and format

Part C (1) The Government of Nunavut Dept of Community and Government Services is conducting this appurtenant undertaking without the authority of a license.

Part D (2) Failure of Effluent discharged from the SDF to meet listed criteria

Part D (5) Failure to provide 10 day notification to the Inspector.

Part D (7) Failure to implement measures to ensure hazardous materials and/or leachate from the Solid Waste Disposal Facility does not enter water

Part D (8) Failure to submit to the Board for review within six (6) months of the issuance of this license a report identifying each Final Discharge Point

Part E (4) Failure to provide signed and stamped drawings to the NWB within 90 days.

Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and maintenance of the Sewage and Solid Waste Disposal Facilities

Part G (1) Failure to submit to the Board for approval, an Abandonment and Restoration Plan

Compliance Plan: Rejected by Inspector for lack of an initiation date, completion date or any milestones or timelines for the completion of major activities.



Taloyoak	3BM-TAL0813
Potable Source:	CANSO Lake
Licensee:	Hamlet
Start and Expiry Date:	12/11/2008 9/30/2013
Status:	Active
Sampling Results:	Incomplete

2007 Reporting: Unlicensed

- Failure to maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
- Failure to meet discharge Criteria from the Sewage Treatment discharge
- There is no fence around the landfill site and the landfill is poorly operated. Wastes are not segregated and signs do not identify the site.
- Hazardous waste, such as waste fuel/oil, batteries, propane or pressurized gas bottles, solvents and paint, are not segregated from the general waste stream and should be stored in a separate location until they can be transported to a licensed facility for disposal.
- A solution is needed to the standing water in the contaminated soils facility.

2008 Reporting: Unlicensed

- Failure to maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
- Fuel tank and sea-cans from Northern Store within the 30 m set back. These are to be removed.
- Spill kits not present in treatment facility
- Municipal wastes not contained within the Municipal Waste Management Area.
- Waste metals area remains un-segregated
- Failure to file the required Operations and maintenance manuals or spills plans
- Applications for renewal rejected by the NWB as insufficient

2009 Reporting:

- Failure to maintain a Water License: The issued licence only applies to water use, and not to Waste Disposal.
- Part B (1a-g) Failure to submit annual reports for 2004 to present
- Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B (5) Failure to post signage as required
- Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

Waste management activities remain unlicensed within the community. Specifically;

- Municipal dump is overflowing with construction and demolition debris; lack of segregation and designated haz-waste area; heavy hydrocarbon staining in some areas
- Waste Fuel Storage Area and Land farm (1BR-TAL0712) area are not being managed within the terms of the issued License. The Licensee has failed to supply O&M manuals for the facility.
- The Government of Nunavut has large quantity of fuel stored without secondary containment (no indication of recent monitoring based on condition)
- Fuel Tank farm: Water in containment berm was sampled: 9.6 mg/L hydrocarbons (total extractable). Water was discharged directly to Environment without treatment.
- Lack of appropriate secondary containment at refuelling areas and for heavy equipment: dark staining of substrate noted
- Fuel resupply line (barge area): red line appears to have slow leak (at cap)



2010 Reporting

Potable Source:

- Failure to maintain a Water License: The issued licence only applies to water use, and not to Waste Disposal.
- Part B (1a-g) Failure to submit annual reports for 2004 to present
- Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B (5) Failure to post signage as required
- Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

Waste management activities remain unlicensed within the community. Specifically;

Waste Lagoon:

- Deposit of waste at the site is an unlicensed activity.
- Failure to maintain a Water License

Waste: Solid Waste Management Area

- Deposit of waste at the site is an unlicensed activity.
- Failure to maintain a Water License

2011 Reporting

Potable Source:

- Failure to maintain a Water License: The issued licence only applies to water use, and not to Waste Disposal.
- Part B (1a-g) Failure to submit annual reports for 2004 to 2010
- Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B (5) Failure to post signage as required
- Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

Waste management activities remain unlicensed within the community. Specifically;

Waste Lagoon:

- Deposit of waste at the site is an unlicensed activity.
- Failure to maintain a Water License

Waste: Solid Waste Management Area

- Deposit of waste at the site is an unlicensed activity.
- Failure to maintain a Water License



HAMLET OF TALOYOAK

3BM-TAL0813

Summary of documented and reported non-compliance between 2007 and 2011

**Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)
Waste Management activities remain unlicensed within the community.**

Part B (1a-viii) Failure to submit annual reports for 2004 to 2010

Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)

Part B (9) Failure to provide copies of reports and plans in the specified number and format

Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion

Part E (3) Failure to provide signed and stamped drawings to the NWB within 90 days.

Part F (1) Failure to submit to the Board for approval, a Plan for the Operation and maintenance of the Sewage and Solid Waste Disposal Facilities

Part G (1) Failure to submit to the Board for approval, an Abandonment and Restoration Plan

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Cape Dorset	3BM-CAP0810
Potable Source	T-Lake to Water Point holding tank
Licensee	Hamlet
Start and Expiry Dates	3/7/2008 3/1/2010
Status	Expired
Sampling	None

2007 Report (Water License expiring) NWB3CAP0207

- Part B (1) failure to file complete Annual reports including all conditions (i through viii)
- Part B (2) failure to Comply with the Surveillance Network Program
- Part B (5) Failure install Signage
- Part D (3) failure to maintain a 1 meter Freeboard in Sewage Disposal Facilities
- Part D (8) failure to segregate hazardous Wastes
- Part F (1) Failure to Submit a plan for the Operation and Maintenance of the Sewage and Solid Waste Disposal Facilities in accordance with "*Guidelines for preparing an Operation and Maintenance Manual for Sewage and solid Waste Disposal Facilities*" (October 1996).
- Part H (5) Failure to develop and conform to a Quality Assurance/ Quality Control Plan,

2008 Reporting 3BM-CAP0810

- Failure to comply with an Inspector's Direction issued September 25th, 2007
- Failure to Comply with Section's 11 and 12 of the Nunavut Water and Nunavut Surface Rights Tribunal Act by undertaking constructed of Sewage Waste Treatment Area without the authority of a valid Water License
- Part B(1) Failure to submit as required a complete Annual report
- Part B (6) Failure to submit a complete and detailed Compliance Plan
- Part D (11) Failure to segregate and securely store hazardous wastes
- Part E (5) Failure to submit required Plans and Drawings as required
- Part F (1) Failure to submit a revised Operation and Maintenance Manual, Sewage
- Part F (2) failure to submit an Operation and Maintenance Manual for the Water Supply Facilities and the Solid Waste Disposal Facilities prepared in accordance with the "Guidelines for Preparing an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities", October 1996.
- Part F (5) failure to submit engineer's report and implementation plan

2009 Reporting

- Part B(1) Failure to submit as required a complete Annual report
- Part B (6) Failure to submit as required a Plan for Compliance
- Part E (5) Failure to submission of a completed Summary Report including revised as-built plans for the New Lagoon (2007)
- Part D (11) Failure to segregate and securely store hazardous wastes
- Part F (1) Failure to develop and submit an Operation and Maintenance Manual, Sewage Treatment System, Hamlet of Cape Dorset, November 7, 2007 subject to the requirements of Schedule 2
- Failure to submit the Operation and Maintenance Manual for the Water Supply Facilities and the Solid Waste Disposal Facilities (Part F(2))
- Part F (5) Failure to submit of a geotechnical Inspection report and implementation Plan
- Part G (2) Failure to submit as required conceptual Abandonment and Restoration Plans
- Part H Failure to implement the requirements listed under the Monitoring Program
- Part H – Failure to all parts that apply currently and not subject to the commissioning of the New lagoon (2007)



2010 Reporting

- Failure to maintain a Water License.
- Part B (1) Failure to submit as required a complete Annual report
- Part B (6) Failure to submit as required a Plan for Compliance
- Part D (11) Failure to segregate and securely store hazardous wastes
- Part E (5) Failure to submit a completed Summary Report including revised as-built plans for the New Lagoon (2007).
- Part F(2) Failure to develop and submit an *Operation and Maintenance Manual, Sewage Treatment System, Hamlet of Cape Dorset, November 7, 2007* subject to the requirements of Schedule 2. (Part F (1)) Operation and Maintenance Manual for the Water Supply Facilities and the Solid Waste Disposal Facilities.
- Part F (5) Failure to submit a geotechnical Inspection report to be completed annually in July.
- Part G Failure to submit all Abandonment and Restoration Plans.
- Part H – Failure to all parts that apply currently and not subject to the commissioning of the New lagoon (2007)

2011 Reporting

Potable Source:

- Failure to maintain a Water License
- Part B (1 i-viii) Failure to submit complete annual reports
- Part B (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B (10) Failure to submit a suitably detailed Plan for Compliance with the required dates for completion
- Part G Failure to submit all Abandonment and Restoration Plans.
- Part H (1 through 11) Failure to initiate and maintain the requirements under the monitoring program

Waste: Lagoon(s)

- Part F (1) Failure to develop and submit an Operation and Maintenance Manual, Sewage Treatment System, Hamlet of Cape Dorset, November 7, 2007 subject to the requirements of Schedule 2
- Part F (5) failure to submit engineer's report and implementation plan
- Part G (2) Failure to submit as required conceptual Abandonment and Restoration Plans
- Part H Failure to implement the requirements listed under the Monitoring Program

Waste: Solid Waste Management Area

- Part G (2) Failure to submit as required conceptual Abandonment and Restoration Plans
- Part H Failure to implement the requirements listed under the Monitoring Program



HAMLET OF CAPE DORSET

3BM-CAP0810 (EXPIRED)

Summary of documented and reported non-compliance between 2007 and 2011

Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)

Part B (1) Failure to submit as required a complete Annual reports

Part B (6) Failure to submit as required a Plan for Compliance.

Part E (5) Failure to submit a completed Summary Report including revised as-built plans for the New Lagoon (2007).

Part F (1) Failure to develop and submit an Operation and Maintenance Manual, Sewage Treatment System, Hamlet of Cape Dorset, subject to the requirements of Schedule 2.

Part F (2) Failure to develop and submit an Operation and Maintenance Manual for the Water Supply Facilities and the Solid Waste Disposal Facilities.

Part F (5) Failure to submit a geotechnical Inspection report to be completed annually in July.

Part G Failure to submit all Abandonment and Restoration Plans.

Part H – all parts that apply currently and not subject to the commissioning of the New lagoon (2007) Failure to implement the requirements listed under the Monitoring Program.



Kimmirut

3BM-KIM0911

Source:

Fundo Lake

Licensee:

Hamlet

Start and Expiry Date:

1/9/2009

1/29/2011

Status:

Expired

Sampling:

No

2007 Reporting (NWB3KIM0207)

- Part B (1) Failure to submit the required Annual reports
- Part B Failure to comply with the Surveillance Network Program (SNP)
- Part B Failure to install and maintain appropriate signage
- Part H Failure to develop a Quality Assurance/ Quality Control Plan
- Part F Failure to develop a Solid Waste Disposal Operations and Maintenance Manual
- Part D Failure to Maintain the Sewage Disposal facility to the satisfaction of the Inspector
- Part D Failure to segregate and store Hazardous Wastes
- Part G Failure to submit the required Abandonment and Restoration plans as required
- Part H Failure to implement the requirement of the Monitoring Program

2008 Reporting

- Part B (1) Failure to submit the required Annual reports
- Part B Failure to comply with the Surveillance Network Program (SNP)
- Part B Failure to install and maintain appropriate signage
- Part H Failure to develop a Quality Assurance/ Quality Control Plan
- Part F Failure to develop a Solid Waste Disposal Operations and Maintenance Manual
- Part D Failure to Maintain the Sewage Disposal facility to the satisfaction of the Inspector
- Part D Failure to segregate and store Hazardous Wastes
- Part G Failure to submit the required Abandonment and Restoration plans as required
- Part H Failure to implement the requirement of the Monitoring Program

2009 Reporting

-
- Part B Item (1) Failure to submit annual reports for 2007 to present
- Part B Item (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B Item (5) Failure to post signage to identify the stations of the monitoring program
- Part B Item (9) Failure to provide copies of reports and Plans in the specified number and format
- Part B Item (11) Failure to submit a complete and detailed **Compliance Plan** as specified in the licence
- Part D Item (2) Failure to meet discharge criteria
- Part D Item (5) Failure to maintain and operate the lagoon in such a manner as to prevent structural failure
- Part D Item (7) Failure to segregate and store hazardous materials/waste appropriately
- Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility
- Part F Item (2) Failure to submit to the Board for approval, a revised O&M Manual including the following plans:
 - a. Sewage and Solid Waste Operation and Maintenance Plan;
 - b. Hazardous Waste Management Plan;
 - c. Sludge Management Procedures;
 - d. Spill Contingency Plan;
 - e. A plan for the modification of streams and bodies of water within the municipality including crossing; and
 - f. Monitoring Program Quality Assurance/Quality Control Plan (QA/QC Plan).



- Part G Item (1) Failure to submit an Abandonment and Restoration plan prior to the construction of new facilities

2010 Reporting

The Municipality was provided a short term license to allow the Municipality the time necessary to come into compliance with the Terms and conditions contained within the License.

Potable Source:

- Part B Item (1) Failure to submit annual reports at the time of the Inspection
- Part B Item (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B Item (11) Failure to submit a complete and detailed **Compliance Plan** as specified in the licence

Waste: Lagoon

- Part D Item (2) Failure to meet discharge criteria
- Part D Item (5) Failure to maintain and operate the lagoon in such a manner as to prevent structural failure
- Part D Item (7) Failure to segregate and store hazardous materials/waste appropriately
- Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility

Waste: Solid Waste Management Area

- Part D Item (7) Failure to segregate and store hazardous materials/waste appropriately
- Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility

2011 Reporting

Potable Source:

- Part B Item (1) Failure to submit annual reports at the time of the Inspection
- Part B Item (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)
- Part B Item (11) Failure to submit a complete and detailed **Compliance Plan** as specified in the licence

Waste: Lagoon

- Part D Item (2) Failure to meet discharge criteria
- Part D Item (5) Failure to maintain and operate the lagoon in such a manner as to prevent structural failure
- Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility

Waste: Solid Waste Management Area

- Part D Item (7) Failure to segregate and store hazardous materials/waste appropriately
- Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility



HAMLET OF KIMMIRUT

3BM-KIM0911 (Expired)

Summary of documented and reported non-compliance between 2007 and 2011

Failure to Maintain a Water License (Nunavut Water and Surface Rights Tribunal Act)

Part B Item (1) Failure to submit annual reports for 2007 to present

Part B Item (2) Failure to implement the Monitoring Program (this includes those requirements as listed in Part H – Monitoring Program)

Part B Item (5) Failure to post signage to identify the stations of the monitoring program

Part B Item (9) Failure to provide copies of reports and Plans in the specified number and format

Part B Item (11) Failure to submit a **Compliance Plan** as specified in the licence

Part D Item (1) Failure to direct all sewage to the Sewage Disposal Facility or the Enhanced Sewage Disposal Facility

Part D Item (2) Failure to meet discharge criteria

Part D Item (5) Failure to maintain and operate the lagoon in such a manner as to prevent structural failure

Part D Item (7) Failure to segregate and store hazardous materials/waste appropriately

Part D Item (8) Failure to implement measures to control wind-blown litter at the Solid Waste Disposal Facility

Part F Item (2) Failure to submit to the Board for approval, a revised O&M Manual including the following plans:

a. Sewage and Solid Waste Operation and Maintenance Plan;

b. Hazardous Waste Management Plan;

c. Sludge Management Procedures;

d. Spill Contingency Plan;

e. A plan for the modification of streams and bodies of water within the municipality including crossing; and

f. Monitoring Program Quality Assurance/Quality Control Plan (QA/QC Plan).

Part G Item (1) Failure to submit an Abandonment and Restoration plan prior to the construction of new facilities