



Phyllis Beaulieu <phyllis.beaulieu@nwb-oen.ca>

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**Re: 140822 3BM-HAL0810 Outstanding Issues with AANDC-OMLE**

1 message

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**Andrew Keim** <Andrew.Keim@aandc-aadnc.gc.ca>

Wed, Aug 27, 2014 at 2:12 PM

To: "Beaulieu, Phyllis" <phyllis.beaulieu@nwb-oen.ca>

Cc: "Allain, Erik" <Erik.Allain@aandc-aadnc.gc.ca>, Damien Côté <damien.cote@nunavutwaterboard.org>, "Joseph, Sean" <sean.joseph@nwb-oen.ca>

Good afternoon Phyllis,

I hope this short note finds you well. I am very sorry for the delay in responding.

Thank you for the opportunity to speak to this issue,

With respect, specifically to the question at hand IE: Hall Beach... " Can I provide some confirmation on whether the issues in question have been adequately addressed to AANDC's satisfaction... etc etc etc."

In short, No. I can not.

Non-Compliance issues identified in 2013 and 2014 were essentially the same with some minor improvements with respect to administration, the filing of an annual report by the GN on the Communities behalf. However there does still remain a sewage lagoon with a hole in the middle of it that releases approximately 10 million liters of raw (frozen/thawed) effluent directly to the environment through a hole in the bottom every spring.

It was identified that a fence had been installed at the solid waste management area this year.. It appears to be approximately 6 feet tall and it not anywhere near adequate for the task of retaining municipal waste within the SWM area...

Posts had been installed at some monitoring locations.. No signage.. In one case the pole had been removed and was found about 100 meters from the sampling location.

I suspect some sampling training has been carried out and I am given to understand that EXP ( GN consultant) provided the board a written report on the status of the community and their compliance with the Water License. ( I have not confirmed this off the FTP as yet). Barrels of waste oil have been moved from a lot in the center of the community to a lined facility outside the community.

I have not had an opportunity to compile the 2014 Inspection Report as yet but these undertakings will be identified.

In short, there has been some improvement but neither the GN nor the community have fulfilled their commitments under the submitted compliance plan for Hall Beach.

That being said, why has AANDC not accepted or rejected the compliance plan ? My answer is two fold.. If AANDC accepts the Plan as submitted knowing they are in Non-compliance with it already.. then

AANDC could be viewed as not acting in Good faith. If AANDC rejects the Plan then the GN and the Municipality are again (remain) in Non-compliance.

The question regarding whether or not AANDC intends to take further or subsequent enforcement action at this point is undecided. If asked, I would of course suggest that in my opinion we have no other choice but to do so.. This may or not be the opinion that carries the day however for various reasons.

However, I question why this needs clarification. As I note, Gjoa Haven is another community that is under the same Direction, was found in the same state of Non-compliance with the submitted Plan, and was even found to have constructed and commissioned a new lagoon without proper approvals etc. But was issued a renewal license in the form of a Class B license that likely should have been a class A.

From the outside looking in there appears to be some inconsistency in the way these files are being managed. If a license can be issued to Gjoa Haven, a community in the same state as Hall Beach, why would clarification from the Inspector be required for this file?...

I hope this helps answer some of the questions we have been running into.

All the best,

Andrew

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>>> Phyllis Beaulieu <[phyllis.beaulieu@nwb-oen.ca](mailto:phyllis.beaulieu@nwb-oen.ca)> 8/22/2014 1:44 PM >>>

Good morning Andrew

The attached was forwarded to you in (wait for this one) .....2012. Can you please provide any information that will assist the NWB in moving this file forward and issuing the renewal licence. Thanks

