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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 3BM-KIM0911/Amendment

June 26, 2009

Mr. Bhabesh Roy, M.A.Sc., P.Eng.
Municipal Planning Engineer
Community Government Services
Baffin Region, Government of Nunavut
P.O. Box 379
Pond Inlet, NU
X0A 0S0
&
Mr. Ageeko Ikkidluak
Acting Senior Administrative Officer
Hamlet of Kimmirut
PO Box 120
Kimmirut, Nunavut
X0A 0N0

By Email: RBhabesh@GOV.NU.CA

Subject: Amendment Application for Water Licence 3BM-KIM0911

Dear Mr. Roy,

The Nunavut Water Board (NWB) acknowledges receipt of your application for amendment of the above-cited municipal water licence (Licence) dated June 8, 2009. Additional information was also submitted on June 22, 2009.

The amendment application is submitted in follow-up to a teleconference dated February 13, 2009 discussing issues raised in a letter dated January 27, 2009 from Trow Associates Inc. acting on behalf of the Government of Nunavut Community Government Services (GN-CGS). The letter and the subsequent amendment request now before the NWB concerns the following areas of the Licence:

1. Sewage effluent discharge criteria;
2. Flow monitoring requirements for sewage lagoon discharge; and
3. Method of sewage disposal during construction of the Enhanced Sewage Disposal Facility.

Following a preliminary technical review, the NWB requested additional information on June 18, 2009 to clarify the following three items:

- i. The status of the Quarry Management Plan required as a condition of Part D Item 10 of the Licence. This Plan was to be submitted to the Board for approval, sixty (60) days (March 10, 2009) following Licence issuance;

- ii. An abandonment and restoration plan, as required under Part G Item 1 of the Licence is to be submitted to the Board for approval at least 6 months prior to a) abandoning of any facilities and b) the construction of new facilities to replace existing ones. Although the NWB acknowledges that the amendment application states that a consultant will be working on this Plan, the NWB requests an estimated timeframe for the submission of a Plan; and
- iii. The Plan for sewage disposal during construction of the Wastewater Treatment Facility. This issue was raised in correspondence dated January 27th, 2009 from Trow Associates Inc. to GN-CGS;

A response to the above request was received on June 19, 2009 and is included with the application information. The amendment application submission includes the following information:

- Cover letter dated June 8, 2009 to NWB, from Government of Nunavut Community Government Services (GN-CGS). Sub: Application for the amendment of the existing Water licence #3BM-KIM0911 for the Hamlet of Kimmirut, Baffin Region, Nunavut. This submission includes the following:
 - Signed four (4) page Water Licence Application Form (amendment);
 - Email correspondence between GN-CGS and the NWB;
 - Answers to requirements/questions to the Hamlet of Kimmirut's Water Licence 3BM-KIM0911;
 - Letter dated May 11, 2009 from Trow Associates Inc. to GN-CGS re: Effluent Criteria at the Compliance Point Kimmirut Sewage Lagoon;
 - Technical Report of the Environmental Facilities Hamlet of Kimmirut;
 - Translation of the Technical Report of the Environmental Facilities Hamlet of Kimmirut;
 - Annual report for the Municipality of Kimmirut. 2008-2009 financial year; and
 - Draft Operations and Maintenance Manual for the Wastewater Treatment Facility prepared for the Department of Community Government Services Government of Nunavut by Trow Associates Inc. OTCD00018881A, May 2009.
- Letter dated June 19, 2009 from GN-CGS to NWB in response to email request from Mr. Hohnstein, NWB on June 18, 2009 including a Quarry Management Plan for Kimmirut.

The application can be obtained from our ftp site, **Username: public, Password: registry** at the following link or by contacting our office.

<ftp://nunavutwaterboard.org/PRUC/3%20MUNICIPAL/3B/3BM%20-%20Municipality/3BM-KIM0911/1%20APPLICATION/2009%20Amendment/>

Following additional review of your application, the NWB concluded that it meets the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* ("Act"). However, the NWB retains the right to request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act.

In accordance with S.11.5.10 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project proposal falls outside a

proposed land use plan and is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is exempt from screening.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB ***within 30 days from the date of this letter.*** The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

With regard to issue Number 3 (Method of sewage disposal during construction of the Enhanced Sewage Disposal Facility) above, it is the Board's understanding based on information contained in the previous Licence application and correspondence of January 27, 2009, that the Hamlet of Kimmirut intends to continue discharging its untreated wastewater via a ditch into the sea¹ until such time as the Enhanced Sewage Disposal Facility is commissioned. If these circumstances have changed, please advise the Board as soon as possible, otherwise the NWB asks interested parties to comment on this proposal, with any recommended amendment requirement to condition Part D, Item 1.

In addition, the Board advises interested parties that it is in receipt of the following plans requiring Board approval, which were submitted along with the Licence amendment application:

- Plan for Compliance in accordance with Part B Item 11 of the Licence
- Quarry Management Plan in accordance with Part D Item 10 of the Licence; and
- Draft Operations and Maintenance Manual for the Wastewater Treatment Facility in accordance with Part F Item 1 of the Licence.

Interested parties are invited to review the above plans and provide comments as part of their review of the amendment application.

Should you, or interested parties, have any questions please do not hesitate to contact me at your earliest convenience. If your questions are of a technical nature, please contact David Hohnstein at (789) 443-4406 or Karlette Tunaley at (ktunaley@envireview.ca or 403-697-7897).

Yours truly,

Original signed by:

Richard Dwyer
Licensing Administrator

Cc: Akeego Ikkidluak, Acting SAO, Hamlet of Kimmirut
Distribution list
K. Tunaley, TLA

¹ *Design Brief Rehabilitation and Expansion of Existing Sewage Lagoon for the Hamlet of Kimmirut*, prepared for Department of Community Government and Services, Government of Nunavut by Trow Associates Inc., January 2008.