



## MUNICIPAL WATER USE INSPECTION REPORT FORM

Date: August 8, 2013	Licensee Rep. (Name/Title): Mr. Saqiqtaq Temela - SAO , Mr. Miki Lyta – Hamlet Foreman
Licensee: Municipality of Kimmirut	Licence No.: 3BM-KIM0911 – Expired

**Comments:** Mr. Miki Lyta, Hamlet Foreman joined the inspection and provided support for the duration of the sampling and Inspection. Mr. Adrien Dascalescu, from CG&S Government of Nunavut also attended for the duration of the Inspection. A QIA representative also attended the inspection as an observer, Ms. Megan Pizzo-Lyall. This inspection was completed to determine the state of compliance with the Compliance Plan submitted by the Government of Nunavut’s Department of Community Government and Services (GN-CGS). Currently the Municipality has an expired License. The GN-CGS, in the Compliance Plan stated that the renewal process has been started and that Plans and a number of documents have been submitted in support of this application. A review of the Nunavut Water Board’s FTP site finds a copy of an O&M Manual in Draft form and a letter for the Nunavut Water Board dated August 10, 2012 advising the GN-CGS that there are a number of deficiencies in the submitted package and requesting further information. The letter goes on to indicate that the documents as submitted will not be accepted as part of the License files. A further review of the NWB’s FTP site found that an Annual Report for the community had been filed by the GN-CGS on behalf of the Licensee. A number of factual errors were found upon review and discussed in brief at the planning meeting for the Inspection. The GN-CGS is to provide a written repose to the Inspector to clarify the contents of the Annual Report as filed.

### WATER SUPPLY

Source(s): Fundo Lake	Quantity used: Not provided during the Inspection
Owner:/Operator: Municipality of Kimmirut	

Indicate: A - Acceptable U - Unacceptable NA - Not Applicable NI - Not Inspected

Intake Facilities: A	Storage Structure: A	Treatment Systems: A	Chemical Storage: NI
Flow Meas. Device: A	Conveyance Lines: NI	Pumping Stations: A	Screen : NI

**Comments:** The Inspector and representatives from the Hamlet, the CGS and QIA attended the Water intake and pumping station at Fundo Lake. The Inspector noted as follows;

- The site was very clean with no garbage or debris in the general area. The licensee has for the last few years undertaken a community clean up of the Water lake area and has done excellent work keeping the area clean and free of windblown debris. The proximity of the Water lake to the Municipal dump makes this a challenge for the Licensee.
- Water samples were collected at a site 50 Meters to the east of the usual location at the request of the mayor. The samples were collected to determine if any trace amount of explosives were left over from work done at a Marble Quarry adjacent to Fundo lake back in the mid-90’s.
- Chlorination records and testing logs were available for review during the Inspection.
- Work to contain the chlorination tanks was on-going during the Inspection.
- Signage along the roadway remains in place and SNP station locators are scheduled to be installed this season.

### WASTE DISPOSAL

Sewage: Discharge to Ditch	Sewage Treatment System (Prim./Sec./Ter.):None	
Natural Water Body: No	Continuous Discharge (land or water): Land	
Seasonal Discharge: NA	Wetlands Treatment: None	Trench: None

Indicate: A - Acceptable U - Unacceptable NA - Not Applicable NI - Not Inspected

Discharge Quality: U	Decant Structure: U	Erosion: U
Discharge Meas. Device: U	Dyke Inspection: NA	Seepages: NA
Dams, Dykes: U	Freeboard: NA	Spills: NI
Construction: NA	O&M Plan: U	A&R Plan: U



Discharge Quality: U	Decant Structure: U	Erosion: U
Periods of Discharge: Con.	Effluent Discharge Rate: Unknown	

**Comments:** During the period of Inspection the Inspector noted the following issues;

- The Hamlet of Kimmirut continues to discharge its raw effluent to a ditch in the waste management area that drains directly to the ocean
- The constructed lagoon roadway remains very narrow in places and continues to be a concern for the Licensee.
- During the Inspection of the new lagoon system it was again confirmed that a flow from under the second cell’s berm wall exists. The Licensee was asking for a dye test to determine the extent of the leak. The Inspector directed the Licensee to empty the second cell of the water that has built up in the cell to slow the flow of water running under the Berm wall and thus prevent further damage to the cell wall.
- The cell’s wall (berm) is not lined and water from within the containment area is flowing under the wall of the cell and down the hill side. The second cell is not providing any containment. Down grade from the cell wall a mixture of fine particles from the matrix of the newly constructed berm wall were found in pooled water ( as identified in previous inspection)
- Visual inspection of the lower half of the second cell wall noted rutting and washing out of the toe of the berm. This has been noted in previous inspections and has become significantly more pronounced.
- The new Lagoon remains un-commissioned and not in use (ready to be used) by the Licensee. This is contrary to statements made in the Annual Report. The GN is to provide clarification on this to the Inspector and the NWB.
- During the Inspection it was noted that a consultant was scheduled for later in the month to come into the community and look at the possibility (risk) of effluent contaminating a local fishing site down grade from the discharge. This report is to be provided to the Inspector and the NWB upon completion.
- The municipality has indicated that they are awaiting support from the GN to address all of the deficiencies found in the 2009 Inspection report and as yet have only undertaken what they can do.

**Solid Waste:**

**Owner/Operator:** Municipality of Kimmirut \_\_\_\_\_

Landfill: A	Burn & Landfill: U	Other: Bulk metals area
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**Comments:** The Inspector noted as follows;

- A hazardous materials area segregated from other wastes generated within the municipality has not yet been constructed however contaminated soils and barrels have been moved into the Solid Waste Management Area and liner is scheduled to arrive on the next Sea-lift boat.
- Waste oil and other drums (belonging to the housing authority have been removed from the roadway outside the Municipal Waste Management Area
- Bulk metal wastes have seen a great deal of work over the last year. Metals and wood have been sorted and placed in discrete piles. Work on segregating other hazardous wastes like batteries onto pallets at the Municipal garage is on-going. The Licensee has put great effort into managing the bulk waste metals area.
- The Municipal Waste Management Area (Burn and bury) was lit by the Northern Store following a drop off by the store. The Municipality had not burned in some time and the result was a smouldering fire that is not hot enough to combust all of the materials. The Licensee must actively manage this area and burn materials on a more regular basis while maintaining the practice of covering the burned ask on a regular basis to prevent ejection.



**FUEL STORAGE:** Not inspected .

Indicate: A - Acceptable U - Unacceptable NA - Not Applicable NI - Not Inspected

Berms & Liners: NI	Water within Berms: NI	Evidence of Leaks: NI
Drainage Pipes: NI	Pump Station & Catchments Berm: NI	
Pipeline Condition: NI	Condition of Tanks: NI	

**Waste Oil Storage:** At Hamlet garage

**Owner/Operator:** Municipality of Kimmirut

**URVEILLANCE NETWORK PROGRAM (SNP)**

Samples Collected	Owner /Operator: No samples from Municipality have been submitted	
3	INAC: Potable water source, Effluent discharge and Secondary Water Source	
Signs Posted	SNP: (potable source)	Warning: None
Records & Reporting: No records of water usage, Annual report was found with inaccuracies.		
Geotechnical Inspection: N/A		

**Non-Compliance of Act or Licence:**

A great deal of work to achieve compliance with the now expired license has been undertaken by the Licensee over the last year. The Licensee has seen great success in their efforts to maintain the Water Intake area. The water reservoir and intake were in operation and well kept. Record keeping, sampling and submission of chlorination testing results were found on site and well kept. This is a huge improvement over previous inspections.

The Solid Waste Management Area has seen a great deal of work over the last year as well. The work to segregate materials and hazardous waste continues. The Hamlet has done an excellent job so far and the Inspector looks forward to seeing the new lined Haz-mat storage area constructed this year.

However the Municipality of Kimmirut remains in non-compliance, raw effluent continues to be deposited by truck to a ditch that runs down gradient directly to the ocean adjacent to the Municipality. This issue remains as the largest single issue for the Inspector.

Other issues that were identified and remain outstanding are as follows;

- Submission of the report on wetlands treatment and overland flow monitoring.
- Relocation of the new land fill from on top of the mountain to a more suitable location.
- Development and submission of the required Abandonment and Restoration plans.

The Municipality of Kimmirut was one of the five communities included in the Inspector's Direction imposed by AANDC on the Government of Nunavut. That Direction required the submission of a Compliance Plan to address the continuing Non-compliance. A Compliance Plan has been submitted and it remains the responsibility of the Government of Nunavut and the Municipality of Kimmirut to take such actions as are required to ensure the bench marks and mile stones included in the submitted Plan are met so that the Plan can be accepted by the Regulator. Failure to do so will result in rejection of the Compliance Plan and thus a failure on the part of the Government of Nunavut to fulfil their obligation to comply with an issued Inspector's Direction.

A review of the submitted Compliance Plan for Kimmirut was completed following the Inspection and the results are as follows;

- The Government of Nunavut and the Licensee have failed to supply the Nunavut Water Board with the outstanding document required to process the application for renewal. The Compliance plan



indicates the process is underway however a letter from the Nunavut Water Board dated August 10, 2012 indicating their rejection of the submission of a draft O&M plan is the last document sent by the board in relation to this file. ( It is noted that a document completed by EXP titled Operation and Maintenance Plan Volumes 1 and 2 appear on site as well. It is unclear if this newest plan dated August 29 2012 has been accepted by the Board or not). Finally, it is also noted that an application for renewal of the existing and now expired license has not been submitted or is not on file with the Nunavut Water Board.

- B-2. The Government of Nunavut committed to providing an Action Plan including QA/QC protocols to the Nunavut Water Board by June 1<sup>st</sup>, 2013. This report was to have been based on a report prepared by their consultants. As of August 8, 2013 the day of the Inspection this Plan had not been received by the Board. ( It is noted that a submission found on the FTP site of the Nunavut Water Board and completed by EXP consultants entitled Operation and Maintenance Plan Volumes 1 and 2 does appear to contain this QA/QC plan but has not been acknowledged by the Board).
- B-2. The Government of Nunavut committed to providing recommendations on training to the NWB by March 31<sup>st</sup> 2013. No record of this submission could be located following the August 8<sup>th</sup> 2013 Inspection.
- B-9. The Government of Nunavut committed to having their consultant EXP produce a report on the status of outstanding reports due to the NWB by May 31<sup>st</sup>, 2013. A copy of this report was not located following the August 8<sup>th</sup> 2013 Inspection.
- D-1. The Government of Nunavut committed to developing, following the Site visits by EXP, a Plan of action to address the concerns of the Hamlet by July 1<sup>st</sup>, 2013. A copy of this Plan was requested during the inspection but was not available for review. A search of the Nunavut Water Board's FTP site also could not locate a copy of this Plan. CG&S is asked to provide clarity and to advise the Inspector if this Plan has been completed or not and if so to submit that Plan to both the Inspector and Nunavut Water Board immediately.
- G-1. The Government of Nunavut committed to providing a Report on the Scope of the Abandonment and reclamation Plans required for Municipality of Kimmirut. . This report was to have been submitted by June 1<sup>st</sup>, 2013. As of August 8, 2013 this report had not been received by the Board.

Based on the above it is the finding of the Inspector that the Government of Nunavut has not to-date fulfilled all of their commitments made in the submitted Compliance Plan and as such are in violation of the Inspectors Direction originally served on Minister Kusugak on the 1<sup>st</sup> of May 2012.

Failure to comply with an Inspectors Direction constitutes an 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's Name

Sent by E-mail (Original signed and on file)

Inspector's Signature

Cc:

Erik Allain - Manager Field Operations, AANDC

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