

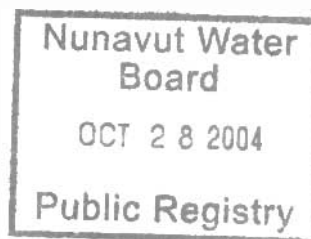


Environment Canada
Environnement Canada

Environmental Protection Branch
Suite 301, 5204 - 50th Avenue
Yellowknife, NT, X1A 1E2

October 27, 2004

Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU
X0B 1J0



Our file: 4782 036

Via facsimile

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Re: NWB3KUG – 2003 Annual Report Requirement – Hamlet of Kugluktuk

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned documentation. The following comments are provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

The Hamlet of Kugluktuk has submitted the 2003 Annual Report as required under the August 3, 2003 Municipal Water Use Inspection Report.

Environment Canada would like to remind the Hamlet that meeting the requirements of the *Fisheries Act* is mandatory, irrespective of any other regulatory or permitting system. Section 36(3) of the *Fisheries Act* specifies that unless authorized by federal regulation, no person shall deposit or permit the deposit of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water. The legal definition of deleterious substance provided in subsection 34(1) of the *Fisheries Act*, in conjunction with court rulings, provides a very broad interpretation of deleterious and includes any substance with a potentially harmful chemical, physical or biological effect on fish or fish habitat.

The Hamlet has indicated they are consulting engineering staff to determine ways to increase storage capacity and retention time in the sewage lagoon. Environment Canada strongly supports this action and encourages the Hamlet to address both these issues in a timely manner. It also appears that the Hamlet is unofficially treating effluent via an existing wetland area. Is there a possibility of officially incorporating this wetland area into the Hamlet's sewage treatment facility? Please note that any changes to the Municipal sewage system must be authorized prior to commencement.

1. Environment Canada recommends that waste oil and/or fuel barrels should be stored in a lined and bermed area.
2. Please note as well that hazardous materials, e.g., battery acid, should be neutralized and stored in sealed and labeled containers.
3. Environment Canada recommends the use of an approved incinerator for the disposal of combustible material.
4. **All spills** are to be documented and reported to the NWT 24 hour Spill Line at (867) 920-8130.

If there are any changes in the proposed project, EC should be notified, as further review may be necessary.

Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 669-4708 or by email at ivy.stone@ec.gc.ca.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'I' and 'S' followed by a horizontal line.

Ivy Stone
Environmental Assessment

cc: Steve Harbicht (Head, Assessment & Monitoring, Environment Canada, EPB, Yellowknife, NT)
Mike Fournier (Northern Environmental Assessment Coordinator, EPB, Environment Canada, Yellowknife, NT)