



Indian and Northern
Affairs Canada

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INAC, Nunavut District

P.O. Box 100
Iqaluit, NU, X0A 0H0

September 15, 2003

Elwood Johnson
Senior Administrative Officer (SAO)
Municipality of Kugaaruk
General Delivery
Kugaaruk, NU X0E 1K0

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Nunavut Water Board	
SEP 16 2003	
Public Registry	

Faxed to: (867) 769-6069

Deposit of Waste in Contravention of Water Licence NWPPEL9803

- Inspector's Direction -

I, Constantine Bodykevich; duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, conducted an inspection on September 5, 2003 of Kugaaruk.

At the time of the drafting of this letter ^{Kugaaruk} ~~Kimminut~~ was in contravention of subsection 12 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. The Water Resources Officer observed drums of waste at Kugaaruk with markings consistent with those used for industrial purposes. These drums were not stored in accordance with Hazard Waste Guidelines.

As stipulated in subsection 12 (1) Except in accordance with the conditions of a licence, no person shall deposit or permit the deposit of waste in any other place under conditions in which the waste, may enter waters in Nunavut.

As stipulated in subsection 12 (3) Where waste is deposited in contravention of this section, every person who owns or has the charge, management or control of the waste, or who caused or contributed to the deposit, shall, subject to the regulations, without delay report the deposit to an inspector.

As such, under the authority vested in me pursuant to subsection 87 (1) (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, I hereby direct, Elwood Johnson to immediately:

Canada

- ☐ Immediately insure that any 45 gallon drums of oil, fuel and solvent are consolidated and properly stored in an upright position with all bungs in place on level ground with no visible signs of leakage. All drums are to be stored within the municipal solid waste disposal facilities in Kugaaruk.

- ☐ Insure that no drums of waste oil, waste fuel or other associated waste products from industrial sources (Nunavut Power Corporation) are deposited to the municipal waste facilities of Kugaaruk.

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.

If you have any questions or concerns, please do not hesitate to contact me at (867) 975-4298 or bodykevichc@inac.gc.ca.

Sincerely,



Constantine Bodykevich
Water Resources Officer,
INAC - Nunavut District
P.O. Box 100, Iqaluit, NU, X0A 0H0

cc. -Nunavut Water Board, Gjoa Haven



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P.O. Box 100
Iqaluit, NU, X0A 0H0

September 15, 2003

Earnest Merdock
Director of Safety
Nunavut Power Corporation
P.O. Box 250
Iqaluit, NU X0A 0H0

Faxed to: (867) 975-3024

INTERNAL	
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Deposit of Waste in Contravention of Water Licence NWBPEL9803

- Inspector's Direction -

I, Constantine Bodykevich; duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, conducted an inspection on September 5, 2003 of Kugaaruk.

At the time of the drafting of this letter Kugaaruk was in contravention of subsection 12 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. The Water Resources Officer observed drums of waste at Kugaaruk with markings consistent with those used to identify Nunavut Power Corporation property.

As stipulated in subsection 12 (1) Except in accordance with the conditions of a licence, no person shall deposit or permit the deposit of waste in any other place under conditions in which the waste, may enter waters in Nunavut.

As stipulated in subsection 12 (3) Where waste is deposited in contravention of this section, every person who owns or has the charge, management or control of the waste, or who caused or contributed to the deposit, shall, subject to the regulations, without delay report the deposit to an inspector.

As such, under the authority vested in me pursuant to subsection 87 () (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, I hereby direct, Earnest Merdock Director of Safety Nunavut Power Corporation to immediately:

Canada

- ☐ Immediately insure remove any 45 gallon drums of oil, fuel and solvent from all municipal solid waste disposal and storage facilities in Kugaaruk.
- ☐ Insure that no drums of waste oil, waste fuel or other associated waste products are deposited to the municipal waste facilities of Kugaaruk.

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.

If you have any questions or concerns, please do not hesitate to contact me at (867) 975-4298 or bodykevichc@inac.gc.ca.

Sincerely,



Constantine Bodykevich
Water Resources Officer,
INAC - Nunavut District
P.O. Box 100, Iqaluit, NU, X0A 0H0

cc. -Nunavut Water Board, Gjoa Haven