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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: NWB3PON0409

January 21, 2010

Mr. Bhabesh Roy
GN Dept. of Community & Government Services
and
Mr. Mike Richards
Senior Administrative Officer
Hamlet of Pond Inlet
Box 180,
Pond Inlet, NU X0A 0S0
Email: broy@gov.nu.ca; hamletpond_sao@qiniq.com

Subject: Renewal Application for Water Licence NWB3PON0409 (Hamlet of Pond Inlet).

Dear Mr. Roy,

Following the distribution of additional information provided by the Government of Nunavut Department of Community and Government Services (GN-CGS) on behalf of the Hamlet of Pond Inlet (Hamlet), the Nunavut Water Board (NWB) received comments from the Government of Nunavut Department of Environment (GN-DoE), Environment Canada, Indian and Northern Affairs Canada (INAC). Submissions were provided on or before the comment deadline of October 2, 2009.

The comments are available on the NWB's ftp site at the following link:

<ftp://nunavutwaterboard.org/1%20PRUC/3%20MUNICIPAL/3B/3BM%20-%20Municipality/3BM-PON0409/2%20ADMIN/3%20SUBMISSIONS/2009%20Renewal/>

In reviewing the additional information provided by GN-CGS, parties were asked to consider the current lack of funding available to bring the Hamlet into compliance with Licence conditions in light of the requirements set out in section 57 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*¹ (NWNSRTA). Parties also provided specific comments regarding the existing compliance issues. The GN-DoE specifically stated that it cannot support the renewal of the Hamlet's water licence until compliance with the existing licence is achieved. The GN-DoE noted that pursuant to the July 2009

¹ The Board may not issue a licence unless the applicant satisfies the Board that

(a) any waste produced by the appurtenant undertaking will be treated and disposed of in a manner that is appropriate for the maintenance of water quality standards and effluent standards that are prescribed by the regulations or, in the absence of such regulations, that the Board considers acceptable; and

(b) the financial responsibility of the applicant, taking into account the applicant's past performance, is adequate for

(i) the completion of the appurtenant undertaking,

(ii) such measures as may be required in mitigation of any adverse impact, and

(iii) the satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking.

Inspector's report, the Hamlet has failed to address the following issues:

- Seepages from the sewage lagoon;
- Waste oils leaching off site;
- Improper storage of barrels;
- Segregation of bulk metals; and
- Segregation of hazardous wastes.

INAC also suggested that the issuance of a renewal licence be withheld until the Hamlet can provide appropriate and suitable assurance that contraventions including outstanding plans, berm leakage and implementation of the monitoring program will be addressed. EC identified similar concerns with leachate prevention/management, drainage management, hazardous waste management, closure of the old sewage lagoon, landfarm operation, and spill contingency planning.

Given the significant concerns raised during the application review process, the NWB is providing the Applicant with a final opportunity to respond to the comments received from interested parties and the requirements of Section 57 of the NWNSRTA. Please refer to the detailed comments attached from the GN-DoE, INAC and EC when formulating your response. Please submit your response to the NWB's Manager of Licensing (Phyllis Beaulieu licensing@nunavutwaterboard.org) **prior to February 4, 2010.** Upon receipt of your submission, the NWB will consider the evidence and make a decision regarding the issuance of a licence.

If you have any questions please do not hesitate to contact me.

Sincerely,

Original signed by

David Hohnstein C.E.T.
Director of Technical Services

DH/tla

Attached: Comments from GN-DoE, EC and INAC.

Cc: Distribution List – Qikiqtani