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INAC, Nunavut District

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

July 21, 2004

Lori Nash
Senior Administration Officer
P.O. Box 180
Pond Inlet, NU X0A 0S0

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Nunavut Water
Board 1/2
JUL 27 2004
Public Registry

Faxed to: (867) 983-2193

PON 0409

Deposit of Waste in Contravention of Water Licence NWB3CAM0207

- Inspector's Direction -

I, Constantine Bodykevich; duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, conducted, on July 15, 2004 an Inspection of Pond Inlet dump.

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.

At the time of the drafting of this letter the Municipality of Pond Inlet was in contravention of subsection 12 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

On July 15, 2004 Lori Nash -(Senior Administrative Officer Pond Inlet) was directed to:

1. Insure that no further industrial hazardous waste be accepted by the Municipality of Pond Inlet and it's employees at any and all Waste Disposal Facilities.

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, **Lori Nash Senior Administrative Officer Pond Inlet** to immediately take all reasonable measures to prevent further unauthorized deposits of fuel, waste oil and associated products from entering the Pond Inlet Solid Waste Facilities. No hazardous waste shall be transferred from (Nunavut Power Corporation or any other industrial generator of Hazardous Waste) to Pond Inlet Waste Treatment Facilities (dump, metal dump and sewage lagoon) without the written authorization of the Nunavut Water Board and any other permitting required for the Transportation and Storage of Hazardous Waste.

- ☐ Immediately insure drums of fuel are properly sealed with all bungs in place. Place and label waste fuel and oil in a proper bermed storage area. Remove any 45 gallon drums of waste oil, waste fuel of other waste that have been deposited at the Pond Inlet dump by the Nunavut Power Corporation, any privately owned business it's employees or subcontractors.
- ☐ Install a lockable gate across the entrance to the Solid Waste Disposal Facility to limit access to the waste oil and solvent storage area.
- ☐ Restrict access to the dump. Keep locked during hours when supervision not available.

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,

A handwritten signature in black ink, appearing to read 'C. Bodykevich', with a long horizontal stroke extending to the right.

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

cc. -Nunavut Water Board, Gjoa Haven