

Your file - Votre référence
3BM-RAN1214

July 3, 2015

Our file - Notre référence
IQALUIT #925322

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
GJOA HAVEN, NU X0E 1J0

Re: Aboriginal Affairs and Northern Development Canada Review of the Hamlet of Rankin Inlet's renewal and amendment application of Water Licence No. 3BM-RAN1214

Dear Ms. Beaulieu:

Thank you for your email of May 28, 2015, concerning the above mentioned water licence renewal and amendment application. A memorandum is provided for the Board's consideration. Comments and recommendations have been provided pursuant to Aboriginal Affairs and Northern Development Canada's mandated responsibilities under the Nunavut Waters and Nunavut Surface Rights Tribunal Act and the Department of Indian Affairs and Northern Development Act.

Please do not hesitate to contact me by telephone at 867-975-4282 or email at Ian.Parsons@aandc-aadnc.gc.ca for further information.

Sincerely,

Ian Parsons B.Sc.
Regional Coordinator
Water Resources Division
Resource Management Directorate
Aboriginal Affairs and Northern Development Canada
IQALUIT, NU X0A 0H0

Encl.

c.c.: Andrew Keim, A/Manager, Water Resources Division, AANDC Nunavut
Erik Allain, Manager, Field Operations Division, AANDC Nunavut

Memorandum

To: Phyllis Beaulieu, Nunavut Water Board

From: David Abernethy, Aboriginal Affairs and Northern Development Canada

CC: Andrew Keim (AANDC) and Erik Allain (AANDC)

Date: June 29, 2015

Re: Application to Renew and Amend Water Licence No. 3BM-RAN1214

Applicant: Hamlet of Rankin Inlet

Project: Solid Waste and Landfill Facilities

Region: Qikiqtani

Comments:

Background

In 2012 a renewal licence was issued to the Hamlet for the short term of two years due to outstanding compliance issues, one of which was failure to comply with an AANDC Inspector's direction that was issued in 2008.

Additionally, the Hamlet failed to submit a Compliance Plan which identifies and addressed ongoing compliance issues as well as outstanding revisions to Plans submitted with the renewal application. The Board incorporated the compliance plan and revisions/submissions into the terms and conditions of 3BM-RAN1214.

The entire list of requirements the Board identified during the decision process can be found from PG 2-7 under the heading "Decision" of the licence.

For the purpose of this review the applicable outstanding issues come mainly from AANDC 2014 site inspection as the water licence application gave very little detail, these issues are listed below;

Interested parties were asked to review this application and provide comments by July 3, 2015.

Results of review

On behalf of Aboriginal Affairs and Northern Development Canada, the following comments and recommendations are provided:

1. Operation and Maintenance (O&M) Plans for a complete application

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

1) A revision to the Solid Waste Management Facility Operation and Maintenance (O and M) Plan to address the requirements under Part F, Item 2 of the licence. The revised plan is required within ninety (90) days of licence issuance.

2) A revision to the Environmental Emergency Contingency Plan (EECP) to address the requirements under Part F, Item 3 of the licence. The revised plan is required within ninety (90) days of licence issuance.

Recommendation:

The applicant should submit revised O&M plans to the NWB to come into compliance with their current expired water licence (3BM-RAN1214) if the revised plans are not submitted in a timely fashion then the NWB should consider the current water licence application incomplete.

2. Landfill

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

The Hamlet has not initiated any work on the new landfill or the decommissioning of the old landfill including the development of an Abandonment and Reclamation Plan for the old Landfill.

Recommendation:

The applicant should provide additional information to the board regarding plans for the old/current landfill as well as new landfill.

3. Landfill

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

Waste/contact water (leachate) from the Landfill accumulates in two small ponded areas located at the rear of the facility.

Recommendation:

The accumulated Waste/contact water in the landfill facility must be dealt with.

The waste water that has exited the facility without the necessary controls should be sampled and treated if needed. If sample analysis based upon criteria set by the Board show that the waste water does not meet the specified criteria then it should be contained and treated. All seepage from these ponds must be controlled until sample analysis confirms that it is safe to discharge.

4. Landfill

Source: AANDC 2014 site inspection report: August 19, 2014.

Comment:

Contaminated soil is being stored in wooden crates at the landfill. The Hamlet of Rankin Inlet is reminded it cannot accept hazardous waste such as contaminated soil at the landfill. As per the O and M Plan this facility is for domestic waste and the hazardous materials are to be stored temporarily.

It is noted that recently the Government of Nunavut (GN-CGS) has started accepting contaminated soils into their landfarm (water licence 1BR-RAN0914) which is across the street from the Hamlet's Landfarm (which currently is not accepting contaminated soil)

Recommendation:

The Hamlet of Rankin Inlet should seek authorization from the GN to remove all contaminated soil from its landfill facility and place it in the GN's landfarm facility. It is not acceptable to leave the contaminated soil in the landfill.

5. Landfill

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

Though progress has been made on sorting new hazardous waste the historical waste found inside the landfill remains an issue. There are historical wastes from the former mine that needs to be identified and dealt with in a responsible manner instead of covering or burying it over. There are also 300 plus drums of unknown materials are found lining the entrance road of the dump.

Recommendation:

The applicant should submit a plan to the NWB detailing how they plan to address the historical and hazardous waste inside the landfill. Also the applicant should identify the substances inside the drums lining the landfill facility and deal with these substances accordingly.

6. Landfill

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

The Landfill is lacking proper segregation. Hazardous waste are not properly stored or segregated to prevent the deposit of deleterious substances into water.

Recommendation:

The applicant when developing their new or revised O&M plan should include a section which clearly demonstrates how they will effectively segregate all materials entering into the landfill facility, thereby utilizing the facility to its utmost, as well as providing evidence that hazardous wastes will be properly stored until removal to an approval facility.

7. Landfarm

Source: AANDC 2014 site inspection report: August 19, 2014

Comment:

The Hamlet of Rankin Inlet should be required to submit a Landfarm Operational Contingency (LOC) Plan outlining the measures that will be taken should seepage become an issue. The contingency plan is to be included as part of the addendum to the EECF due within ninety (90) days of licence issuance.

With three additional requirements specific to the landfarm;

- 1) Have a qualified engineer undertake an annual geotechnical inspection to report on structural integrity and make recommendations on remedial works, where required.
- 2) Install groundwater monitoring wells, with one located up-gradient and one down-gradient of the facility
- 3) Submit stamped as-built drawings of the facility following the first geotechnical inspection in 2012 and installation of the groundwater monitoring wells.

Recommendation:

The applicant should submit a Landfarm Operational Contingency (LOC) Plan to the NWB to come into compliance with their current expired water licence (3BM-RAN1214) if this plan is not submitted in a timely fashion then the NWB should consider the current water licence application incomplete.

8. Landfarm

Source: Water Licence Application "Project Description" distributed by the NWB on May 28, 2015.

Comment:

The Landfarm is no longer accepting contaminated soil and the future plan is for the facility to be decommissioned.

Recommendation:

The applicant is advised to submit an Abandonment and Reclamation Plan for this facility to the NWB for review and approval.

9. Environmental Emergency Contingency Plan

Source: Water Licence Application "Environmental Emergency Contingency Plan" distributed by the NWB on May 28, 2015

Comment:

There is incorrect contact information for the AANDC Manager of Field Operations of the Nunavut Regional Office.

Recommendation:

AANDC advises the applicant to change all AANDC contact information to the following: AANDC Manager of Field Operations – Phone (867) 975-4295. Fax (867) 979 6445.

10. Annual Reports

Source: NWB ftp site

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Comment:

There is either missing (2013) or incomplete annual reports (i.e monitoring requirements) submitted to the NWB during the term of the current/expired water licence 3BM-RAN1214.

Recommendation:

The applicant should submit to the NWB all missing and required information regarding annual reports for years 2012, 2013 and 2014.

11. Monitoring

Source: NWB ftp site

Water Licence Renewal and Amendment application 2015

AANDC 2014 site inspection report: August 19, 2014

Comment:

The applicant has failed to produce all sampling results required under water licence 3BM-RAN1214.

Recommendation:

The applicant is advised to send all monitoring records to the NWB to come into compliance with their water licence. If all records cannot be produced the applicant should send justification to the NWB as to why sampling results have not been provided.

12. Licence Term

Source: Water Licence Renewal and Amendment Application for 3BM-RAN1214.

Comment:

The applicant is asking for a Licence Renewal of 23 years.

Recommendation:

Due to the number of comments and recommendations as well as compliance issues, AANDC is not in favour of a 23 year water licence renewal for water licence 3BM-RAN1214.

However to prevent the applicant from having to go through the renewal process over again in the near future AANDC is in favour of a 5 to 10 year renewal upon the submission of all outstanding information required to properly review the application.

This time frame would give the applicant sufficient time to implement these new and revised plans for a few years before having to go through a new renewal process.