



Jacques Plante
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Sepember 2, 2008
CIDM : 246106
Your File # 1955-CNC

**Re: Correspondence to the Nunavut Water Board dated June 13, 2008 in regard to
burning of wastes at NWS sites.**

Mr. Plante,

The Field Operations Section, Nunavut District Office, INAC has completed a review of your June 18, 2008 correspondence to the Nunavut Water Board and felt that a number of the items you have brought up in the letter required clarification. Your correspondence was primarily in regard to a water license inspection conducted at the FOX-MAIN, Hall Beach, North Warning Site by a Water Resources Officer on July 17, 2007. You make several points in your letter which are summarized as follows,

- 1) Reference is made to six water licenses including the Hall Beach site as well as the CAM-MAIN, CAM-3, FOX-3, DYE-MAIN, and BAF-3 sites. The corresponding water licenses are also referenced.
- 2) You note that your company has routinely practiced the open burning of wastes at five of the sites with CAM-MAIN, Cambridge Bay being the exception. You further note that Nasittuq was “passed direction,” during inspections at four of the above sites in 2007, to cease open burning of domestic wastes at the sites as it was deemed to be in contravention of the licenses.
- 3) It is stated in paragraph two that the water license issued for FOX-MAIN calls for incineration despite your application indicating that solid waste was to be burnt. It is also stated that the inspector’s follow-up written comment advised that an approved incinerator must be used at the site – “which meets or exceeds Canada-wide Standards for Dioxins and Furans and Canada-wide Standards for Mercury Emissions.”
- 4) Nasittuq acknowledges that none of the six referenced sites have such an incinerator and that during the remainder of 2007 and into spring 2008 Nasittuq has complied with the inspector’s directive largely by back hauling waste and disposing of such at municipal disposal sites (CAM-MAIN) or through minimal waste generation to the other sites as they are unattended for the majority of fall, winter and spring.



- 5) You advise that you are ramping up activity at BAF-3 and that, to date, domestic waste has been flown back to Iqaluit for disposal. You further state that you are reasonably certain that the waste being taken back to Iqaluit is burned as opposed to being incinerated and that the storage and transport of such waste has become a health and safety issue. Finally, you further advise that you have plans to ramp up three remaining unattended sites during this summer and you anticipate the same health and safety concerns from the transport and storage of waste as those experienced at BAF-3.
- 6) For the reasons stated above you have given notice to the Nunavut Water Board that you plan to recommence open burning of wastes.

In an effort to provide clarity on the above in general and specifically on the inspection carried out at the FOX-MAIN site at Hall Beach on August 10, 2008 I am providing you with the following information. It would be prudent on your part to consider this in the operation of the NWS sites across Nunavut.

- The FOX-MAIN, Hall Beach inspection report (dated Feb 4/08) for water license # NWB6SHE0409 explicitly states that the open burning of hazardous wastes is to cease. A verbal direction was provided to your on site staff on July 16, 2007 as a result of the Inspector noting paint cans, aerosol cans, fluorescent light tubes and other partially combusted items of a hazardous nature in the Burn Box on site. Item # 3, Part D of the water license requires the licensee to ensure that all hazardous wastes are disposed of at an approved site outside of Nunavut. This is a license requirement implemented by the Nunavut Water Board in all licenses issued throughout Nunavut and is not open for negotiation unless through the formal amendment process. Item # 2, Part D of the water license states that all combustible wastes be incinerated – again a requirement of operation. By virtue of these license conditions, hazardous waste is not to be considered as combustible waste at your sites. It is suggested that a review of the information available on the Government of Nunavut – Department of Environment in regard to hazardous waste determination, handling and disposal procedures be undertaken by your offices.
- As stated, combustible wastes, other than hazardous wastes, are to be incinerated. I see no reference in either the inspector's report of Feb 4, 2008 or the Municipal Water Use Inspection Form dated July 16, 2007 as to the requirement that an incinerator which meets or exceeds the Canada-wide Standards for Dioxins and Furans and the Canada-wide Standard for Mercury Emissions is to be used however these criteria do appear in most licenses issued by the Nunavut Water Board. Additionally, the Government of Nunavut – Department of Environment's "Note on Incineration from the Government of Nunavut in Conjunction with Environment Canada," July 29, 2008 states that, for medium sized camps (10 – 50 people), the proponent shall apply appropriate technologies to ensure the complete combustion of wastes, and the use of a dual chamber, forced air



incinerator is recommended. It goes on to say that the proponent shall make determined efforts to achieve compliance with Canada-wide Standards. INAC and other regulatory agencies in Nunavut and in-fact Canada are concerned with the deposition of waste associated with incomplete combustion (open burning) and the leachate from the ash residue that may impact waters within Nunavut.

- For Clarification; the City of Iqaluit does not practice open burning of wastes that are disposed of at their site. It is land filled.
- With regard to Nasittuq stated concerns regarding wildlife attraction, Nasittuq may choose to explore the possibility of constructing odor, leak and animal proof waste containers to facilitate the back haul waste from your sites in order to comply with your water license requirements. The same may be utilized for on site storage. Another favorable option may include the purchase an appropriate mobile incinerator that would allow for the incineration of on site generated waste (with the exception of hazardous waste). Once again the practice of open burning of wastes at your sites is a contravention of the conditions of your water licenses as issued.
- As you may or may not be aware, a re inspection of the FOX-MAIN, Hall Beach site was carried out by the INAC Field Operations unit on August 10, 2008, this following receipt of your June 13th letter. As a result of the Inspector's findings, a formal written Inspector's Direction pursuant to Sec 85(1) of the Nunavut Waters and Nunavut Surface Rights Tribunal Act has been issued to Canada's Department of National Defense. I have attached a copy for your information. The Direction requires DND to cease open burning at all of their NWS sites and to submit a plan that will address this issue within 30 days (among other things).



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

At this time I am requesting that you liaise with your counterparts at DND to develop a plan of action that will ensure compliance with your current water licenses as well as the Inspector's Direction issued on August 10, 2008.

Should you have any questions please feel free to contact me at 867-975-4290 or at macisaacb@inac-ainc.gc.ca.

Yours Truly,

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Manager Field Operations
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cc. Phyllis Beauleau, NWB
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