



**NIRB File No.: 13UN039**

AANDC File Nos.: N2013U0021, N2013F0024

NWB File No.: 1BR-ELR---

KIA File No.: KVRW14F01

June 10, 2014

The Honourable Bernard Valcourt  
Minister of Aboriginal Affairs and Northern Development  
c/o Tracey McCaie  
A/Manager Land Administration  
Aboriginal Affairs and Northern Development Canada  
Iqaluit, NU X0A 0H0

*Sent via email:* [tracey.mccaie@aandc.gc.ca](mailto:tracey.mccaie@aandc.gc.ca); [landsmining@aandc.gc.ca](mailto:landsmining@aandc.gc.ca)

**Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Aboriginal Affairs and Northern Development Canada – Contaminated Sites Division’s “Ennadai Lake Remediation” Project, Kivalliq Region**

Dear Tracey McCaie:

On May 22, 2014 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada – Lands Administration (AANDC) for a Quarry Permit associated with Aboriginal Affairs and Northern Development – Contaminated Sites Division’s (the Proponent) “Ennadai Lake” project proposal. On May 30, 2014 the NIRB received confirmation from the Nunavut Planning Commission (NPC) that the previous conformity determination issued for this file on December 12, 2013 continues to apply to the current application.

Please be advised that the NIRB received the original project proposal (NIRB File No.: 13UN039) from AANDC on October 24, 2013. Further, on November 14, 2013 the NIRB received an application for a Type B water licence from the Nunavut Water Board. On December 12, 2013 the NIRB received a positive conformity determination (Keewatin Regional Land Use Plan) from the NPC for the AANDC Land Use Permit application (No.: N2013U0021) which encompassed components of the Ennadai Lake Remediation project proposal but excluded the overland mobilization and demobilization of the proposed project. On December 16, 2013 the NIRB received confirmation from the NPC that its December 12, 2013 conformity determination (Keewatin Regional Land Use Plan) as issued would also apply to overland hauling activities to be undertaken by Kudlik Construction Ltd. The NIRB received Kudlik

Construction Ltd.'s Land Use Permit application (No.: N2013F0024) from AANDC – Lands Administration on December 18, 2013. This application requested permission to conduct the overland mobilization and demobilization of equipment on Crown Land that is associated with the proposed Ennadai Lake Remediation project proposal. The NIRB considered the two Land Use Permit applications as comprising a single project proposal. This file was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On February 24, 2014 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Aboriginal Affairs and Northern Development which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

The current AANDC application, the original NIRB Screening Decision Report (File No.: 13UN039) and related file information are available from the NIRB's online public registry at the following location:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2014/13UN039-AANDC-Ennadai%20Lake%20Remediation/>.

#### PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No.: 13UN039), the “Ennadai Lake Remediation” project was located within the Kivalliq region, approximately 380 kilometres (km) west of Arviat, 450 km southwest of Whale Cove and 500 km southwest of Rankin Inlet. The Proponent indicated that it intended to remediate the former weather station at Ennadai Lake which was abandoned in the early 1990s. The remediation project was proposed to take place from January 2014 to March 31, 2016.

The activities and components associated with the previously screened proposal included:

- Winter trail development between Arviat, Henik Lake and Ennadai Lake for the transportation of equipment and supplies via CAT Train in 2014;
- Establishment of temporary 25 person camps at Henik and Ennadai Lake to support remediation activities;
- Use of aircraft to transport personnel and equipment to Ennadai camp in summer and winter, if required;
- Transportation, storage and use of fuel for overland mobilization, demobilization and remediation activities;
- On-site storage at Ennadai Lake of 200,000 litres (L) of arctic diesel, 4,920 L of gasoline and 6,560 L of aviation fuel;
- Use of 250,000 L of diesel, 1,000 L of gasoline and 2,000 L of aviation fuel for the overland mobilization and demobilization activities, with fuel being stored at Henik Lake site and in Arviat;
- Estimated water consumption at the camp of 3,000 litres per day (L/day);
- Production and onsite treatment of approximately 750 L/day of sewage and 4,250 L/day of greywater;
- Construction, use and decommissioning of two temporary lagoons for further treatment and disposal of site sewage and greywater wastes;

- Construction and use of a landfill for disposal of non-hazardous wastes, including scattered surface debris and partially buried non-hazardous debris;
- Use of incinerator for non-hazardous, combustible waste. Ash would be disposed of on-site or at an approved off-site facility;
- Consolidation of barreled waste materials to be either incinerated on-site or shipped off-site for disposal, and crushing and landfilling of empty barrels;
- Demolition of site infrastructure and segregation of hazardous and non-hazardous waste for proper disposal;
- Removal of hazardous waste to a licensed disposal facility off-site (including disposal of Tier II soils);
- Remediation of all landfills;
- Construction of a landfarm for the treatment of hydrocarbon contaminated soil;
- Re-construction and repair of roads and airstrip as required;
- Development of borrow sources for the remediation work (borrow areas to be primarily backfilled with clean material from the landfarm when remediation complete, re-graded and sloped to prevent erosion); and
- Final site demobilization via CAT train where all project supplies and contaminated material would be shipped off-site to Arviat via a winter trail in 2015/2016 followed by transportation of all material and equipment out of Arviat via sealift.

#### CURRENT APPLICATION:

Within the current Quarry Permit application, the Proponent has proposed to establish borrow areas at specific locations to support soil remediation activities.

Please note that Section 12.4.3 of the NLCA states that:

*“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:*

*(a) such component or activity was not part of the original project proposal; or*

*(b) its inclusion would significantly modify the project.”*

After completing a review of the information provided in support of the current application, the NIRB is of the understanding that the proposed application does not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original February 24, 2014 Screening Decision Report (enclosed).

If you have any questions or require additional clarification, please contact Heather Rasmussen, Technical Advisor, at (867) 983-4606 or [hrasmussen@nirb.ca](mailto:hrasmussen@nirb.ca).

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry  
Executive Director  
Nunavut Impact Review Board

cc:       Natalie Plato, Aboriginal Affairs and Northern Development Canada – Contaminated Sites Division  
          Erika Solski, Aboriginal Affairs and Northern Development Canada – Contaminated Sites Division  
          Phyllis Beaulieu, Nunavut Water Board  
          Luis Manzo, Kivalliq Inuit Association

Enclosure:       NIRB Screening Decision Report, File No.: 13UN039 (February 24, 2014)