



**NIRB File No.: 10DN056**  
AANDC File No.: N2010X0020  
NWB File No.: 1BR-PEE1116

March 29, 2012

The Honourable John Duncan  
Minister of Aboriginal Affairs and Northern Development  
c/o Jeff Mercer, Manager Land Administration  
Aboriginal Affairs and Northern Development Canada  
Box 100, Iqaluit, NU  
X0A 0H0

Via email: [Jeff.Mercer@aandc.gc.ca](mailto:Jeff.Mercer@aandc.gc.ca) and [landsmining@aandc.gc.ca](mailto:landsmining@aandc.gc.ca)

**Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA:**  
**AANDC – Contaminated Sites Division’s “PIN-E Cape Peel” project**

Dear Jeff Mercer:

On March 21, 2012 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada (AANDC) for Quarry Permits associated with AANDC Land Use Permit N2010X0020 for AANDC-Contaminated Sites Division’s “PIN-E Cape Peel” project proposal.

Please be advised that the original project proposal (NIRB File No.: 10DN056) was received by the NIRB from Indian and Northern Affairs Canada (INAC, now AANDC) on November 29, 2010 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On January 11, 2011 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of INAC which indicated that the proposed project could proceed subject to the NIRB’s recommended project-specific terms and conditions.

On July 7, 2011 the NIRB received an application from INAC for an amendment to Land Use Permit N2010X0020 to allow for the inclusion of a quarry with project activities. After a thorough assessment of the amendment request, the NIRB determined that the application was exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report on July 13, 2011.

On November 18, 2011 the NIRB received an application from AANDC for an amendment to the Land Use Permit for the above mentioned project. After a thorough assessment of the amendment request, the NIRB determined that the application was exempt from further

screening pursuant to Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report on December 16, 2011.

The current AANDC application, the original NIRB Screening Decision Report (10DN056) and related file information are available from the NIRB's ftp site at the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2011/10DN056-INAC-PIN-E%20CAPE%20PEEL/>

#### PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 10DN056), the "PIN-E Cape Peel" project was located within the Kitikmeot region, approximately 80 kilometres (km) west of Cambridge Bay. AANDC-Contaminated Sites Division was proposing to carry out the remediation of the PIN-E Cape Peel Distant Early Warning (DEW) Line Site. The planned work was expected to be conducted on both Crown Land and Inuit Owned land during the summer and fall of 2011 and again between July and September 2012 when it was anticipated that clean-up would be completed.

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

- Access to site via sealift and fixed wing aircraft;
- Establishment of a camp to support site operations;
- Roads and the airstrip re-constructed and repaired as required;
- Demolition of existing site infrastructure, with segregation of demolition wastes into hazardous and non-hazardous materials for disposal;
- Disposal of all hazardous materials and soil at an off-site licenced disposal facility;
- Remediation of existing landfills/drums;
- Construction of a land farm for the treatment of hydrocarbon contaminated soil;
- Transportation of non-hazardous wastes to PIN-D Ross Point at the landfill;
- Consolidation of barrels with contents, these contents were to be incinerated or shipped to PIN-D Ross Point for disposal;
- Empty barrels to be crushed and transported to PIN-D Ross Point;
- Development of borrow sites;
- Fuel (diesel, gas and jet fuel) and propane to be drummed and stored on-site within a containment area;
- Spill kits at fuel transfer site; and
- Two temporary lagoons.

AANDC further applied for approval to allow for the extraction of materials from existing borrow sites previously identified during the original screening of the file.

The November 18, 2011 amendment included the proposed use of a double-walled Enviro Tank (1,000 litre tank) and double-walled utility tank (2,200 litre tank) for the storage of diesel fuel in place of previously approved storage of barreled fuel.

CURRENT APPLICATION:

AANDC-Contaminated Sites Division is currently applying for Quarry Permits associated with Land Use Permit N2010X0020 to allow for extraction from five borrow areas for the 2012 season. Two of the borrow areas were previously identified as disturbed areas and permitted for use in the original screening. The additional three borrow areas were identified to be previously disturbed/partially disturbed but have not been previously permitted.

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 permit applications do 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 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 January 11, 2011 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Sophia Granchinho, Technical Advisor, at (867) 793-4633 or [sgranchinho@nirb.ca](mailto:sgranchinho@nirb.ca).

Sincerely,



Ryan Barry  
Executive Director

cc: Natalie Plato, AANDC-Contaminated Sites  
Mark Yetman, AANDC-Contaminated Sites  
Phyllis Beaulieu, Nunavut Water Board  
Tracey McCaie, AANDC  
Isa Qamaniq-Mason, AANDC

Enclosed: NIRB Screening Decision Report, File No.: 10DN056 (January 11, 2011)