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July 18, 2003

Phyllis Beaulieu  
A/Licensing Administrator  
Nunavut Water Board  
Gjoa Haven, NU



Dear Ms. Beaulieu:

**Re: Renewal of Water License for Resolution Island Cleanup NWB5RES**

Thank you for forwarding the above-mentioned water license renewal application. As the project has not changed since the original screening, the Board will not be re-screening at this time. The original Project Certificate that was issued for the cleanup is attached for your reference. An e-mail from Glen Stephens regarding no change in the water and waste amounts is also attached for your information.

The Board would however like to bring to your attention, that should the cleanup criteria change and an amendment be required, the project would at that time need to be re-evaluated and possibly screened. A letter regarding this issue is attached for your reference.

Sincerely,

Gladys Joudrey  
Sr. Environmental Assessment Officer  
Nunavut Impact Review Board

cc: Minister Nault  
Resolution Island Distribution List

**Nunavut Impact Review Board File No. 98D01N074**

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## **NUNAVUT IMPACT REVIEW BOARD**

### **PROJECT CERTIFICATE**

**For**

**The Clean up of PCBs at Resolution Island**

**NIRB Application # 98D01N074**

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*Date of Hearings: September 26, 2000,*

*October 9, 2000*

*Date of Report and Recommendations: November 10, 2000*

*Date of Minister's Decision: June 13, 2001*

*Date of Project Certificate: July 8, 2002*

**CERTIFICATE 98D01N074**

**IN THE MATTER OF** the Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Agreement);

**AND IN THE MATTER OF** the *Nunavut Land Claims Agreement Act* (NLCA), S.C., 1993, c. 29;

**AND IN THE MATTER OF** the *Canadian Environmental Protection Act* (CEPA), S.C., 1999, c. 33, as amended, and the Regulations made there under; and

**AND IN THE MATTER OF** an application by the Department of Indian Affairs and Northern Development (DIAND) dated September 2000 for a project certificate pursuant to Article 12.5.12 of the Agreement authorizing the removal and disposal of PCB-contaminated soils on Resolution Island in Nunavut (hereinafter referred to as the Resolution Island Clean Up Project);

**BEFORE** the Board on September 26 and October 9, 2000.

**WHEREAS** DIAND has represented that the Resolution Island Clean Up Project is required to meet the legislative requirements of the Agreement, the NLCA and CEPA;

**AND WHEREAS** public hearings were held pursuant to Article 12.5.3 in Iqaluit, Nunavut on September 26, 2000 and Kimmirut, Nunavut on October 9 2000, at which the Board heard DIAND and all interested parties;

**AND WHEREAS** pursuant to the Agreement, the Board has considered the information submitted by DIAND and has performed an environmental impact review of the Resolution Island Clean Up Project;

**AND WHEREAS** the Board has determined, pursuant to Article 12.5.5 of the Agreement, that the removal and disposal of PCB-contaminated soil at an off-site licensed facility, taking into account the implementation of the mitigative measures proposed by DIAND and set out in the conditions to this certificate, is not likely to cause significant adverse environmental effects;

**AND WHEREAS** the Board has found, pursuant to Article 12.5.5 of the Agreement and taking into account all matters relevant to its mandate, that the Resolution Island Clean Up Project will enhance and protect the existing and future well being of the residents and communities of the Nunavut Settlement Area;

**AND WHEREAS** the Minister of Indian Affairs and Northern Development, pursuant to Article 12.5.7 of the Agreement, in a decision dated the 13<sup>th</sup> day of June, 2001 has approved the issuance of this certificate;

**NOW THEREFORE** pursuant to Article 12.5.12 of the Agreement, the Board hereby issues this certificate in respect of the Resolution Island Clean Up Project.

This certificate is subject to the terms and conditions listed below.

### *Temporary Storage Procedures*

A. For the storage of contaminated soil in the temporary storage facility, DIAND must ensure that:

1. Workers in the Storage facility will wear protective clothing and follow established site protocols for working with contaminated soil.
2. Dust meters will be installed in the facility.
3. All personnel are trained to ensure that the requirements of the Workplace Hazardous Materials Information System (WHMIS) are followed.
4. An impermeable membrane is installed on the floor of the facility before storing contaminated soil.

### *Loading Procedures*

B. For the loading of contaminated soil into shipping containers, DIAND must ensure that:

1. Workers in the storage facility will wear protective clothing and follow safety protocols for working with contaminated soil.
2. Any spillage will be immediately cleaned up and reloaded into PCB containers.
3. WHMIS standards are fully adhered to.

C. The loading procedures for containers onto the barge and ship shall be conducted from high to low tide, when the weather conditions **do not** exceed the following criteria:

1. Winds of 10 knots for the NE-E and/or SE-S;
2. Winds of 15 knots from N and/or SW;
3. Winds of 25 knots from W and/or SW;
4. Ice concentrations greater than 3/10ths overall coverage of Brewer Bay;
5. High density fog with less than 0.25 nautical mile visibility;
6. Swell/waves of 3 feet or more;
7. Icebergs blocking the barging area.

Additionally:

1. Conditions must be such that the barges will be pulled up immediately adjacent to the vessel, leaving no space large enough for a container to fall through between the two vessels.
2. PCB containers will be strong enough to easily withstand dropping events without any breakage of the seal.

3. Containers will be secured on the barge.
4. The containers will be waterproof and will withstand corrosion in seawater for a minimum of 15 years.
5. The containers will comply with the *International Maritime Organization Dangerous Goods Code* and the *Transportation of Dangerous Goods Act*, and will be approved by Transport Canada prior to use.
6. Containers will be physically connected by chains or safety lines to the barge or vessel at all times during the transfer.
7. If the containers are reused in subsequent years, the containers will be decontaminated, and washing effectiveness measured and compared to a minimum standard (i.e. <1.0 mg/m<sup>2</sup> PCBs by wipe test).
8. A gravel skid pad will be used on the beach for the barge to pull upon.
9. Containers will rest on a wooden platform that will be used solely for this purpose each season. Containers will not rest directly on the beach.

### ***Handling Procedures***

- D. In general, for all handling operations, beginning at Resolution Island and ending at the licensed facility in Quebec, DIAND will follow not only the requirements of the *Transportation of Dangerous Goods* legislation in Canada, but also the following legislative requirements:

1. The *Arctic Waters Pollution Prevention Act*;
2. The Guidelines for the Operation of Tankers and Barges in Canadian Arctic Waters;
3. The Arctic Ice Regime Shipping System Standards;
4. The *Transportation of Dangerous Goods Act*; and
5. The *International Maritime Organization Dangerous Goods Code*.
6. All other environmental and regulatory laws in Canada, including but not limited to: the *Fisheries Act*; *Canada Shipping Act*; *Safe Containers Convention Act*; *Nunavut Public Health Act*; *Nunavut Safety Act*; *Nunavut Spill Contingency Planning and Reporting Regulation*; and the *Canada Labour Act*.

### ***Transportation Procedures***

- E. For transportation at sea, DIAND will ensure these requirements are met:

1. The designated carrier will have seaworthy certifications and Ice Class certification.
2. The designated carrier will follow all environmental regulations specified under the *Arctic Waters Pollution Prevention Act*, Guidelines for the Operation of Tankers and Barges in Canadian Arctic Waters, Arctic Ice Regime Shipping System Standards, *Transportation of Dangerous Goods Act*, the *International Maritime Organization Dangerous Goods Code*, and other applicable environmental legislation.

3. The containers will be secured to prevent movement during sea transport.
4. The container design will be able to withstand corrosion and will not leak for a minimum of 15 years.
5. The vessel will be on a direct route and will not approach any communities, thereby reducing the possibility of a vessel wreck occurring in proximity to community food chains.
6. The designated carrier obtains shipping insurance sufficient to enable an environmentally proper salvage in the unfortunate event of a shipwreck.
7. The shipping facilities will have a retrieval process in place for retrieving containers if they should sink.
8. All containers will be double sealed.
9. Containers will be stored in the cargo hold of the vessel.
10. The pick-up will be scheduled during the ice-free period.

F. For transportation of containers by land, DIAND will ensure that:

1. The designated carrier will follow approved Transportation of Dangerous Goods Regulations.
2. Containers will be secured to prevent movement during land transport.
3. The designated carrier will have a spill contingency plan in place that will immediately and effectively remove all spilled PCB-contaminated soil in the event of a spill.
4. The carrier must have insurance coverage of a minimum of \$5 million for public liability and property damage, and a minimum of \$10 million for pollution legal liability insurance.
5. Trained personnel will perform the handling, loading and driving operations.
6. The carrier will have a waste-tracking system in place.

### *General*

G. In addition to the above terms and conditions, DIAND will ensure that:

1. All contractors, including those handling the soils on-site, the shipping company, and the company responsible for transporting the soils in Quebec, are fully licensed and have all the permits necessary to operate such facilities.
2. The best available technologies (BAT) will be used throughout the project.
3. Bennett Environmental Inc. and Nunavut Eastern Arctic Shipping Company and/or their successors will prepare and submit a comprehensive health and safety plan and emergency plan before the project starts.
4. Monitoring of soil and water contaminants will continue.

H. DIAND will ensure that business opportunities are maximized in Nunavut to the fullest extent possible.

FROM : LAND AND SEA RESOURCES LTD FAX NO. : 867 857 4100

Jul. 19 2002 03:16PM P1

18-Jul-2002 09:12pm From-Nunavut Impact Review Board

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T-040 P.002/002 F-050

- I. DIAND will notify the closest community (see) in Labrador, at least once per year, of the annual PCB shipments south. The format, timing, and location of the annual notice will be left to the discretion of DIAND.
- J. Funding for the project will be based on an annual allocation from DIAND.
- K. DIAND will file a comprehensive report with the Board on or before January 1, 2004 to ensure that circumstances relating to the project or the effect of the Terms and Conditions are achieving their purpose. The report should advise the Board on whether there is new information or technological developments that, after January 1, 2004, might provide a more efficient method of accomplishing the purpose of the Terms and Conditions. The report should also discuss issues of abandonment, restoration, and monitoring.

Issued at Cambridge Bay, Nunavut on the 8 day of July, 2002.

NUNAVUT IMPACT REVIEW BOARD

  
(Board Chairperson)

**Gladys Joudrey**

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**From:** Glen Stephens [stephensg@inac-ainc.gc.ca]  
**Sent:** July 18, 2003 11:11 AM  
**To:** gjoudrey@nirb.nunavut.ca  
**Subject:** Re: Resolution Island

Hello.

As we discussed on the telephone earlier today, there should not be a change in either the water or waste amounts. The scope of work for this coming field season at Resolution Island remains as described in the Project Certificate with the key objective of removing the PCB's in concentrations of greater than fifty parts per million (50 ppm) from the site.

I hope this helps and if you have any questions, please do not hesitate to contact me.

GS

Glen Stephens  
Manager, Environment Division  
Nunavut Regional Office  
Building 918  
P.O. Box 100  
Iqaluit, Nunavut X0A 0H0

Tel: (867) 975-4549  
Fax: (867) 975-4585

>>> "Gladys Joudrey" <gjoudrey@nirb.nunavut.ca> July 18, 2003 11:30:32 AM >>>  
NatureHi Glen,

You are the contact listed on Natalie's e-mail as she is out of the office. Hope that you can help with this, in the Water License Renewal are there any changes from the original. I know that the clean-up will be changing some in the future but not sure if this would change the water and waste amounts on site. Please let me know ASAP as I am going on vacation Monday.

Thanks  
Gladys Joudrey  
Senior Environmental Assessment Officer  
Nunavut Impact Review Board (NIRB)  
PO Box 2379  
Cambridge Bay, NU X0B 0C0  
Tel: (867) 983-2593  
Fax: (867) 983-2574  
gjoudrey@nirb.nunavut.ca





July 3, 2003

Mr. Stephen Traynor  
Director, Operations  
Indian and Northern Affairs Canada  
Nunavut Regional Office  
PO Box 2200  
Iqaluit, NU  
X0A 0H0

Dear Mr. Traynor:

**Re: Resolution Island Cleanup**

Thank you for your letter of July 2, 2003 which identifies that a new cleanup plan for Resolution Island is being proposed which will remediate the site according to a combination of CCME guidelines and DEW Line Cleanup Criteria and protocols.

You have indicated that the cleanup standard for PCB's has been lowered and that the scope of work for this coming field season remains unchanged and remains as described in the Project Certificate with the key objective of removing the PCB's in concentrations of greater than fifty parts per million ( 50 ppm) from the site.

You have asked the Board to return the submission date for the Comprehensive "K" report back to January 1, 2004 and have indicated the desire to meet with the Board and or its staff to discuss the nature of the report and to clearly understand the expectations of the Board prior to its submission. You also indicated that you wish to initiate discussions with NIRB in the Fall which will lead to a new land use permit application which outlines the change in scope of the project (i.e. the engineered landfill and non-hazardous landfill and the disposal of the 1-50 ppm PCB soils in these facilities).

NIRB is satisfied with the details and terms of your letter, specifically that the scope of work for this coming field season has not changed and we agree to return the date of the report back to January 1, 2004. We are encouraged to hear of your plans to work with NIRB on both the new

land use application and the Comprehensive "K" report and would like to set firm dates for these discussions as soon as possible. I will be in touch with you in the near future on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie Briscoe". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Stephanie Briscoe  
Executive Director

cc: Resolution Island Distribution List

**Distribution List for the Nunavut Impact Review Board****Project Name: Resolution Island Removal and Disposal of PCB Contaminated Soils Project****Baffin List**

# of Pages \_\_\_\_\_

	<b>Contact Name:</b>	<b>Phone #:</b>	<b>Fax #:</b>
<b>Nunavut:</b>			
NTI	Environmental Manager	983-2517	983-2723
QIA	Lands and Resources Manager	867-979-5391	867-979-4779
NPC	Luke Coady	983-2730	983-2732
QWB	Chairperson	867-979-1560	867-979-1491
Inuit Heritage Trust	Rhoda Arreak	867-979-0731	867-979-6700
NWB	Rita Becker	867-360-6338	867-360-6369
NWMB	Michelle Wheatley	867-979-6962	867-979-7785
NRI	Mary Ellen Thomas	867-979-4108	867-979-4681
<b>Federal:</b>			
DIAND - Nunavut	Peter Kusugak Wilf Atwood	867-979-4405	867-979-6445
DIAND - Water	Michelle McChristie	867-975-4550	867-975-4585
DIAND - Natural Resources & Enviro. Program	Ricki Hurst Sarah Kalff Julie Chouinard Joanne Ankersmit	819-994-7457	819-953-2590
DIAND - Environmental Division	Glen Stephens	867-975-4549	867-975-4585
DFO	Jordan DeGroot Burt Hunt Patrice Simone Jeffrey Maurice	867-979-8003	867-979-8039 867-979-8039
DOE	Colette Meloche Francois Rainville Laura Johnston - E.P.B.	867-975-4639 867-979-3660 867-669-4700	867-975-4645 867-979-6808 867-920-6648
CCG	Ken Brant	519-383-1862	519-383-1989
<b>Territorial Government:</b>			
Sustainable Dev.	Earl Battalo Robert Eno	867-975-5911	867-975-5980
HSS	Dr. Roberts	867-975-5743	867-975-5705
CGT	Timoon Toonoo	867-897-8006	867-897-8014
CLEY	Dr. Douglas Stanton	867-975-5500	867-975-5504
<b>Others:</b>			
Labrador Inuit Assoc.	President	709-922-2941	709-922-2931
Qikiqtaaluk Corporation	President	867-979-8400	867-979-8444
Queen's University	Dr. John Poland	613-533-2642	613-533-2897

**Communities:****Iqaluit:**Hamlet  
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867-979-3390**Kimmirut:**Hamlet  
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