

## **Appendix 4**

### **Land Use permit #N2001X0011**

cc'd to file

Indian and Northern  
Affairs CanadaAffaires indiennes  
et du Nord Canada

Land Administration  
P.O. Box 100  
Iqaluit, NU, X0A 0H0  
Phone: (867) 975-4275 FAX: (867) 975-4286

Your file    Your reference

Our file    Your reference

May 17, 2001

DIAND  
Contaminated Site Office  
P.O. Box 1500  
Yellowknife, NT.  
X1A 2R3

ATTENTION SCOTT MITCHELL

Dear Scott:

Re: Land Use Permit #N2001X0011  
Type of Operation: Site Clean Up  
Location: Resolution Island, Baffin



Enclosed is your copy of Land Use permit number N2001X0011 authorizing your project as described in your application dated April 4, 2001.

Your application has received a wide distribution to other Federal departments, Government of the NWT departments, communities in the area of your operation and concerned native groups. In distributing your application the Nunavut Impact Review Board (NIRB) sought comments from these various agencies based on their area of expertise that will help ensure minimum negative impact on the environment. The issuance of this permit indicates that as a result of the NIRB environmental screening process it was decided that the potentially adverse environmental effects that may be caused by your proposal are mitigable with known technology and are not significant. The terms and conditions in the permit will, in our opinion, provide the necessary protection to the environment.

The Nunavut Impact Review Board has also recommended the following:

1. That you use the latest bear detection and deterrent techniques to minimize man-bear interactions and report any Man-Bear Interactions to the nearest Nunavut Wildlife Officer.
2. That aircraft pilots do not disturb wildlife. Raptor nesting sites and concentrations of nesting or molting waterfowl should be avoided by aircraft at all times.
3. That you make all efforts to minimize harassment to wildlife including reduction of operation in sensitive areas during critical time periods (denning, nesting stage etc.).

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4. That you be aware that harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the *Fisheries Act*. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
5. That you ensure that all in stream construction is carried out during the low water period.
6. That you follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youth (CLEY) letter annexed to your Permit.
7. That you comply with Section 36 of the *Fisheries Act* which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
8. That transportation of fuel be done in compliance with the Transportation of Dangerous Goods Act and regulations.
9. That you ensure that all fuel is stored and dispensed in accordance with CCME Environmental Code of Practice for Above Ground Storage Tank System and The National Fire Code Regulations
10. That you follow the *Camp Sanitation Regulations* made under the authority of the *Public Health Act* of the Northwest Territories.

Please ensure that you adhere to the operating conditions annexed to your permit. Should you have any questions regarding any conditions of this permit, please contact our District Office at Iqaluit, phone number (867)975-4296.

Yours truly,



Michael Immaritok  
Land Administrator Specialist  
Land Administration

cc: RMO  
NPC  
NIRE



Indian and Northern Affairs Canada  
Affaires Canada et du Nord Canada

**LAND USE PERMIT  
NORTHERN AFFAIRS PROGRAM**

**PERMIS D'UTILISATION DES TERRES  
PROGRAMME DES AFFAIRES DU NORD**

Permit Class - Permis Catégorie <b>A</b>	Permit No - N° du permis <b>N2001X0011</b>
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Subject to the Territorial Land Use Regulations and the terms and conditions in this permit, authority is hereby granted to:

Sous réserve du Règlement sur l'utilisation des terres territoriales et des conditions de ce permis:

**DIAND CONTAMINATED SITES OFFICE**

Permittee - Détenteur de permis

To proceed with the land use operation described in the application of:

Est autorisé à entreprendre les travaux d'exploitation des terres décrits dans la demande de permis du:

Signature <b>Scott Mitchell</b>	Date <b>April 28, 1998</b>
Type of Land Use Operation - Genre de travail d'exploitation des terres <b>Site Clean Up</b>	
Location - Emplacement <b>Resolution Island NT., NTS Map Sheet : 25H</b>	

This permit may be assigned, extended, discontinued, suspended or cancelled pursuant to the Territorial Land Use Regulations.

Ce permis peut faire l'objet d'une cession, d'une prolongation d'une cessation d'une suspension ou d'une annulation, en vertu du Règlement sur l'utilisation des terres territoriales.

Dated at

Date à **Yellowknife**

Engineer

Ingénieur

*[Signature]*

This

On **17th** Day of **May**, **2001**.

Commencement Date

Date du début des travaux **May 17, 2001**

Expiry Date

Date d'achèvement **May 16, 2003**

**NOTE**

IT IS A CONDITION OF THIS PERMIT THAT THE PERMITTEE COMPLY WITH ANY OTHER APPLICABLE ACT, REGULATION, ORDINANCE BY - LAW OR ORDER. DEFAULT HEREOF MAY RESULT IN SUSPENSION OR CANCELLATION OF THIS PERMIT.

**REMARQUE**

LE DÉTENTEUR DU PRÉSENT PERMIS DOIT SE CONFORMER À TOUT AUTRE RÉGLEMENT, LOI, DÉCRET, RÉGLEMENT MUNICIPAL OU ARRÊTÉ APPLICABLE. LE MANQUEMENT À CETTE OBLIGATION POURRAIT DONNER LIEU À LA SUSPENSION OU À L'ANNULATION DU PERMIS.

**Canada**

**CONDITIONS ANNEXED TO AND FORMING PART  
OF LAND USE PERMIT NO. N2001X0011.**

**31 (1) (a) - Location and Area**

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|----|---|---------------------------|
| 1. | The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the Engineer.  | PLANS                     |
| 2. | The Permittee shall bury all scrap metal, discarded machinery and parts, barrels and kegs at a site and in a manner designated by a Land Use Inspector in writing.  | BURY<br>WASTE<br>MATERIAL |
| 3. | The Permittee shall use existing campsite.  | CAMP<br>LOCATION          |
| 4. | The Permittee shall locate all lines, trails and rights-of-way to be constructed parallel to streams a minimum of 30 metres from any stream except at crossings unless otherwise authorized in writing by a Land Use Inspector. | PARALLELING<br>STREAMS    |

**31 (1) (b) - Time**

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|----|--|------------------------------|
| 5. | The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Iqaluit office of the Department of Indian Affairs and Northern Development, Phone Number (867)979-4405, at least 48 hours prior to the commencement of this land use operation. | CONTACT<br>INSPECTOR         |
| 6. | The Permittee shall advise a Land Use Inspector at least 10 days prior to the completion of the land use operation of (a) his plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the lands used will be completed.   | REPORTS<br>BEFORE<br>REMOVAL |

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|----|---|-----------------------------|
| 7. | The Permittee shall notify a Land Use Inspector at least 10 days prior to backfilling any sump.   | BACKFILLING<br>NOTIFICATION |
| 8. | The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.                    | CLEAN-UP                    |
| 9. | The Engineer reserves the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe. | CLOSURE                     |

**31 (1) (c) - Equipment**

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|-----|--|-------------------------------|
| 10. | The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application, unless otherwise authorized in writing by the Land Use Inspector. | ONLY<br>APPROVED<br>EQUIPMENT |
| 11. | The Permittee shall use a forced-air fuel-fired incinerator to incinerate all combustible garbage and debris.  | INCINERATORS                  |
| 12. | The Permittee shall keep all garbage and debris in a covered metal container until disposed of.  | GARBAGE<br>CONTAINERS         |
| 13. | The Permittee shall not place dirt or debris into streams to serve as ramps for loading or unloading ships or barges, unless authorized in writing by a Land Use Inspector.                  | DIRT<br>RAMPS                 |

**31 (1) (d) - Methods and Techniques**

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| 14. | The permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 k pa. | DETOURS<br>& CROSSINGS |
|-----|---|------------------------|

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|-----|---|-----------------------------------|
| 15. | The Permittee shall slope the sides of excavations and embankments except in solid rock to a horizontal/vertical ratio of 2:1 unless otherwise authorized in writing by the Land Use Inspector. | EXCAVATIONS<br>AND<br>EMBANKMENTS |
|-----|---|-----------------------------------|

**31 (1) (e) - Type, Location, Capacity and Operation of Facilities**

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|-----|---|-----------------------------|
| 16. | The Permittee shall not locate any sump within thirty (30) metres of the normal high water mark of any stream.  | SUMPS<br>FROM<br>WATER      |
| 17. | The Permittee shall backfill and restore all sumps prior to the expiry date of this permit.   | BACKFILL<br>SUMPS           |
| 18. | The Permittee shall:<br><br>(a) Place all excavated material over the sump area.<br><br>(b) Overlap the replaced material a minimum of two (2) metres beyond the edges of the existing sump wall. | BACKFILL<br>SUMP<br>OVERLAP |
| 19. | The Permittee shall ensure that the camp area, is kept clean and tidy at all times.   | CLEAN<br>CAMP<br>AREA       |

**31 (1) (f) - Control or Prevention of Flooding, Erosion and Subsidence of Land**

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|-----|---|-------------------------------------|
| 20. | The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.   | NATURAL<br>DRAINAGE                 |
| 21. | The Permittee shall not cut any stream bank unless authorized in writing by a Land Use Inspector.   | STREAM<br>BANKS                     |
| 22. | The Permittee shall install culverts or bridges as construction of the road progresses, unless otherwise authorized in writing by a Land Use Inspector. | INSTALLATION<br>CULVERTS<br>BRIDGES |

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| 23. | The Permittee shall not use the bed of streams for access routes except for the purpose of crossing the streams unless otherwise authorized by a Land Use Inspector.             | STREAM<br>BEDS<br>ACCESS          |
| 24. | The Permittee shall not ford wet streams unless authorized in writing by a Land Use Inspector.   | NO FORDING<br>OF STREAMS          |
| 25. | The Permittee shall not construct interceptor or off-shoot drainage ditches unless approved in writing by the Land Use Inspector.  | DITCHES                           |
| 26. | The Permittee shall install erosion control structures as the land use operation progresses unless otherwise authorized by a Land Use Inspector.                                 | EROSION<br>CONTROL<br>WHEN        |
| 27. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.   | PREVENTION<br>OF<br>RUTTING       |
| 28. | The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. | VEHICLES<br>MOVEMENT<br>FREEZE-UP |
| 29. | The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs.  | SUSPEND<br>OVERLAND<br>TRAVEL     |
| 30. | The Permittee shall re-grade the landfills to match the contours of the land.  | RE-GRADE<br>LANDFILLS             |

**31 (1) (e) - Use, Storage, Handling and Disposal of Chemical or Toxic Material**

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|-----|---|-----------------------------|
| 31. | The Permittee shall not use chemicals in connection with the land use operation without the prior approval of the Engineer. | APPROVAL<br>OF<br>CHEMICALS |
| 32. | The Permittee shall burn all garbage and debris at least daily.   | GARBAGE<br>DISPOSAL         |



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| 33. | The Permittee shall deposit all sewage into a sump, at a location approved by a Land Use Inspector.   | SEWAGE<br>DISPOSAL                               |
| 34. | The Permittee shall remove all non-combustible garbage and debris from the land use area to a disposal site approved in writing by a Land Use Inspector.  | REMOVE<br>GARBAGE                                |
| 35. | The Permittee shall dispose of all by combustible waste petroleum products from all equipment and machinery by incineration or removal.   | WASTE<br>PETROLEUM<br>DISPOSAL                   |
| 36. | The Permittee shall dispose of all fluids used to wash machinery and equipment, not directly in contact with PCB contaminated soils, into a sump unless otherwise authorized by a Land Use Inspector. | EQUIPMENT<br>WASH<br>DISPOSAL                    |
| 37. | The Permittee shall report all spills immediately in accordance with instructions contained in "NWT Spill Report" (form NWT 1752/0593) to the Twenty four (24) hour spill report line (867)920-8130.  | REPORT<br>CHEMICAL<br>AND<br>PETROLEUM<br>SPILLS |
| 38. | The Permittee shall store all hazardous materials in accordance with the Canadian Environmental Protection Act, at a site and in a manner approved by the Department of Environment.                  | STORAGE<br>OF<br>HAZARDOUS<br>MATERIAL           |

**31 (1) (h) - Wildlife and Fisheries Habitat**

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|-----|--|--------------------------|
| 39. | The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation. | HABITAT<br>DAMAGE        |
| 40. | The Permittee shall not obstruct the movement of fish while conducting this land use operation.      | FREE<br>FISH<br>MOVEMENT |

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|-----|---|---------------------|
| 41. | The Permittee shall not detonate explosives within fifteen (15) metres of any body of water which is not completely frozen to the bottom. | EXPLOSIVES<br>WATER |
|-----|---|---------------------|

31 (1) (i) - Objects and Places of Recreational, Scenic and Ecological Value

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|-----|--|---------------------------|
| 42. | The Permittee shall not feed wildlife. | NO<br>FEEDING<br>WILDLIFE |
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31 (1) (k) - Petroleum Fuel Storage

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|-----|---|----------------------------|
| 43. | The Permittee shall ensure that fuel storage containers are not located within thirty-one (31) metres of the ordinary high water mark of any body of water unless authorized by the Minister. | FUEL<br>BY<br>STREAM       |
| 44. | The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.   | FUEL<br>CONTAINMENT        |
| 45. | The Permittee shall construct a dyke around each stationary fuel container or group of stationary fuel containers where any one container has a capacity exceeding 4,000 litres.              | DYKE<br>FUEL<br>CONTAINERS |
| 46. | The Permittee shall line the dyke and area enclosed by the dyke with a type of plastic film liner approved by the Engineer.   | LINE<br>DYKE               |
| 47. | The volume of the dyked area shall be 10% greater than the capacity of the largest fuel container placed therein.   | CAPACITY                   |
| 48. | The Permittee shall ensure that the dyke and the area enclosed by the dyke shall be impermeable to petroleum products at all times.   | IMPERMEABLE<br>DYKE        |



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49. The Permittee shall:
- (a) examine all fuel storage containers for leaks a minimum of once every 7 days.
- (b) repair all leaks immediately.
50. The Permittee shall mark all stationary petroleum products storage facilities with flags, posts or similar devices so that they are at all times plainly visible to local vehicle travel.
51. The Permittee shall seal all container outlets except the outlet currently in use.
52. The Permittee shall mark all fuel containers with the Permittee's name.
- CHECK FOR LEAKS**
- MARK FUEL LOCATION**
- SEAL OUTLET**
- MARK CONTAINERS**
- 31 (1) (m) - Matters Not Inconsistent with the Regulations**
53. The Permittee shall not remove any material from below the ordinary high water mark of any stream without first obtaining written permission from a Land Use Inspector.
54. The Permittee shall display a copy of this permit in a conspicuous place in each campsite established to carry out this land use operation.
- APPROVAL NEEDED**
- DISPLAY PERMIT**

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55. The Permittee shall provide in writing to the Engineer, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:

IDENTIFY  
AGENT

- (a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;
- (b) alternates;
- (c) all the indirect methods for contacting the above person(s).

56. PART 1 - In this Permit:

"stream" means any lake, river, pond, swamp, marsh, channel, gully, coulee or draw that continuously or intermittently contains water.