



NIRB File No.: 11DN029
AANDC File No.: N2011X0017
NWB File No.: 1BR-ROS1116

December 16, 2011

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

Via email: jeff.mercer@aandc.gc.ca and landsmining@aandc.gc.ca

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

Dear Jeff Mercer:

On December 12, 2011 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs Northern Development Canada (AANDC) – Lands Division for an amendment to Land Use Permit N2011X0017 for AANDC – Contaminated Sites Division’s “PIN-D Ross Point” project proposal.

Please be advised that the original project proposal (NIRB File No.: 11DN029) was received by the NIRB from Indian and Northern Affairs Canada (INAC) on April 7, 2011 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On June 13, 2011 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of INAC indicating the proposed project could proceed subject to NIRB’s recommended project-specific terms and conditions.

On July 7, 2011 the NIRB received an application from AANDC for Quarry Permits related to Land Use Permit N2011X0017 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 July 17, 2011.

The current AANDC application, the original NIRB Screening Decision Report (NIRB File 11DN029) and related file information are available from the NIRB’s ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2011/11DN029-INAC%20Contaminated%20Sites-PIN-D-Ross%20Point/>

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 11DN029), the “PIN-D Ross Point” project was located in the Kitikmeot region approximately 186 kilometres (km) northeast of Kugluktuk and 250 km east of Cambridge Bay. The Proponent proposed to remediate and clean-up the Ross Point site which was reserved by the Department of National Defence in 1956 as well as the PIN-D Intermediate Distant Early Warning (DEW) Line Site which was constructed in 1959 and deactivated in 1963. The program was proposed to commence June 1, 2011 and be completed by December 31, 2012. This proposed project was expected to be completed in conjunction with the previously screened “PIN-E Cape Peel” project (NIRB File No. 10DN056).

The proposed project activities included:

- Bring necessary equipment by barge and remove by barge at end of project;
- Establish a 30 person camp;
- Access to site for personnel and supplies by fixed wing aircraft;
- Construct a non-hazardous waste landfill;
- Construct and operate a land farm for hydro contaminated soils;
- Demolish and dispose of previously existing site infrastructure;
- Remove hazardous materials and soils off site to licensed disposal facility;
- Remediate existing landfills/dumps on site;
- Clean-up contaminated soils appropriately;
- Crush and dispose of barrels on or off site depending on contents;
- Collect and dispose of all surface debris;
- Re-construct or repair roads or airstrips as required;
- Develop new borrow sites;
- Store fuel (diesel, gasoline, jet B and propane); and
- Dispose of camp wastes appropriately.

On July 17, 2011 AANDC – Contaminated Sites Division applied for Quarry Permits to be associated with Land Use Permit N2011X0017, to allow for extraction from borrow sites previously identified during the original screening for this file.

CURRENT APPLICATION:

AANDC-Contaminated Sites Division is currently proposing to amend Land Use Permit N2011X0017 to allow the contractor to use a 1,000 litre double walled Enviro tank and a 30,000 litre double wall Enviro tank for the storage of diesel fuel in place of the currently approved storage of barreled fuel.

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 amendment 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 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 June 13, 2011 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Kelli Gillard, Technical Advisor, at (867) 983-4619 or kgillard@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

cc: Natalie Plato, Aboriginal Affairs and Northern Development Canada – Contaminated Sites
Stanley Anablak, Kitikmeot Inuit Association
Phyllis Beaulieu, Nunavut Water Board

Enclosed: NIRB Screening Decision Report, File No.: 11DN029 (June 13, 2011)