

From: Sylvia Novoligak [snovoligak@nirb.ca]

Sent: Wednesday, February 27, 2008 4:55 PM

To: 'Chris, Adule'

Cc: agluark@npc.nunavut.ca; licensing@nunavutwaterboard.org; 'Leslie Payette'; 'Jaida Ohokannoak'; 'Jeff Rusk'

Subject: Schedule 12-1 Exemption Quarry Permit Arctic Bay

Attachments: 080227-08QN016 - Application Exempt Issued.pdf; 060413-C&GS_Screening_Decision_Report-FMAE.PDF

Dear Minister Brown:

On February 15, 2008 the Nunavut Impact Review Board (NIRB) received a revised quarry application QB07-001 from the Community and Government Services – Baffin Region for an additional amount of material (220,000 cubic metres total) to be removed from the Arctic Bay quarry to be used for the Arctic Bay Airport Redevelopment Project and the new sewage lagoon.

Section 12.3.2 of the Nunavut Land Claims Agreement (NLCA) provides for project proposals to be exempt from the NIRB screening process if they fall within Schedule 12-1. Based on the information received NIRB understands the quarry permit application is to obtain the additional aggregate material for the new sewage lagoon from an existing quarry in Arctic Bay.

As such, the activity as described in the correspondence is considered to be exempt, as it falls under Schedule 12-1 (3) which states:

'All construction, operation and maintenance of all buildings and services within an established municipality, except for bulk storage of fuel, power generation with nuclear fuels, or hydro power and any industrial activity'.

NIRB does not consider the removal of aggregate material from an existing quarry site to be an industrial activity. However, if this activity requires an expansion or the creation of a new quarry site location, this would be considered to be industrial in nature and would be subject to a NIRB screening prior to issuance of a quarry permit.

The new sewage lagoon construction portion of the project activity is also exempt from screening as it is the construction of a "service" within a municipality.

Please be advised on November 21, 2007, NIRB exempt the original quarry permit QB07-001 for removal of 120,000 cubic metres from the quarry for the Arctic Bay Airport Redevelopment Project under Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA) as it understood that the GN-CGS application for the expansion to the quarry was previously screened (NIRB File 06UN036 – Arctic Bay Redevelopment Project) and the NIRB's screening decision was to allow the project proposal to proceed subject to specific terms and conditions.

In the spirit of environmental protection, I am attaching the May 5, 2006 (NIRB File 06UN036) screening decision report which contains standard terms and conditions which could be included into the permit for the removal of aggregate within an existing quarry.

If you have any questions or concerns, feel free to contact NIRB's Manager of Environmental Administration, Leslie Payette at lpayette@nirb.ca or (867) 983-4605.

Regards,

Sylvia Novoligak
Environmental Administrator
NIRB