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SLWB Work Plan for Imperial Waste Management Facility – Version 1.0 Amendment Application for Type A Water Licence S13L1-007

Dated: April 19, 2022

File Number	S13L1-007
Applicant	Imperial Oil Resources (N.W.T.) Ltd.
Project	Norman Wells Operations – Waste Management Facility – Amendment Application
Location	Proven Area, Norman Wells, NT
Activity	Industrial
Date of Work Plan	April 19, 2022
Work Plan Version	#1.0

Purpose of the Work Plan

To outline the processes and timelines to be followed for Imperial Oil Resources, Norman Wells Operation, (Imperial or Applicant) industrial Water Licence (Licence) Amendment Application S13L1-007.

Background

On July 31, 2020, the Applicant submitted Amendment Application for a type A Water Licence (Licence) for the Project to the Sahtu Land and Water Board (Board). On August 21, 2020, the Application was deemed incomplete by the Board. On September 30, 2021, the Applicant submitted additional information as requested. On February 2, 2022, the Board sent an email request to Imperial for additional information on engagement, and on February 22, 2022, the Board received the additional engagement information. April 19, 2022 the Application Package was deemed complete, and the public review of the Amendment Application will commence on the Board’s online review system (ORS).

Scope of the Proceeding

The scope of this Project includes the construction of a Waste Management Facility (WMF) for the disposal of waste associated industrial undertakings of oil and gas production, processing, and refining as outlined in Imperial’s Application Package:

- Construction and operation of Phase 1 to support progressive reclamation during the period leading up to the closure of the operation.

- Construction and operation of Phase 2 following end-of-operations, for the long-term (permanent) storage and containment of hydrocarbon impacted soils and waste materials generated from decommissioning, dismantling, demolition, and remediation activities during operational abandonment.
- On-site treatment of WMF leachates generated from the WMF.
- Monitoring of groundwater and integrity of the WMF liners and cover system.
- Maintenance of WMF as required over the long-term.

Guiding Principles

The following principles will guide the Board's regulatory proceeding:

- The Board will carry out the regulatory proceeding in a timely manner and in accordance with the Boards' [*Rules of Procedure*](#).
- The Board shall consider the impacts of the proposed Project on and the importance of conservation to the wellbeing and way of life of the Indigenous peoples of Canada (section 35 of the *Constitution Act, 1982*).
- The Board will review the Application Package and develop the licence based on the evidence and rationale submitted by the Applicant and other Parties.
- The Board will develop the licence in accordance with the Board's mandate and applicable policies to ensure protection of the environment and, where possible, consistency in decision-making throughout the Mackenzie Valley.

Work Plan Objectives

The Work Plan objectives are:

- Compile a broad range of input through the review process.
- Ensure adequate information is gathered to complete the Board's regulatory proceeding.
- Facilitate a thorough, inclusive, and timely regulatory proceeding.

Opportunities for Community Engagement

- The Board requires the Applicant to engage with potentially affected parties – including communities and Indigenous organizations and governments – regarding the Application Package prior to submission.
- The Board, the CER and MVEIRB will host a Preliminary Screening 101 Information Session for Indigenous communities and organizations in the Sahtu, within two weeks of commencing the public review process, to ensure that all potentially affected parties understand the roles of the approval agencies, the preliminary screening process, and how and when to participate in this process. Imperial will be invited as a guest only to observe.
- The Board is considering holding Oral Indigenous Knowledge (OIK) session(s) that would form part of the record of evidence for the Board's Preliminary Screening decision. The decision to hold Oral Indigenous Knowledge Sharing Sessions will be based on responses and interest received on this draft Workplan.
- The Board's procedure for Oral Indigenous Knowledge Sharing Sessions would be as follows:

- The session(s) will be virtual and/or a combination of in-person and virtual.
- The session(s) will be recorded and transcribed.
- Interpreters will be made available.
- The participants would include: SLWB Chair and Board Members; Imperial Representatives; Indigenous Speakers and their Support Team; potentially the Commissioners on the CER Panel for the Preliminary Screening Decision; Legal counsel for all parties.
- Oral Indigenous knowledge shared will be recorded and transcribed and will form part of the record of evidence.
- Requests for any of the IK presented to be treated as confidential will be accommodated.
- The recorded session(s) will be made available to all parties following the session(s), and transcripts will be posted on the SLWB website as soon as available.
- Questions may be asked of the presenters by all parties. The presenter can determine if they wish to answer the question at the time, or if it is more technical in nature, to provide a more detailed written response following the session.
- The session(s) will be held during the public review period, approximately 4 weeks after the application has been distributed for review. Depending on interest and number of speakers, two dates have been reserved.
- The Board will distribute the Application Package, a draft Work Plan, and a draft Licence for public review using the LWB Online Review System (ORS).
- The Board will distribute the Agenda for the Preliminary Screening Information Session with the review item.
- The Board will place a notification(s) regarding the review process in the newspaper.
- The Board will coordinate workshop(s) or technical sessions(s) to address specific issues that require more focused review and discussion.
- The Board will hold a public hearing and will place a notification regarding the hearing in the newspaper.
- The Board will hold any other consultation or engagement activity that the Board considers appropriate (for example, Oral Indigenous Knowledge Sharing Sessions if there is interest).

Regulatory Proceeding Timelines

Subsection 72.18(1) of the MVRMA requires the Board to make a decision on a water licence application within a period of nine months after the day on which an application is deemed complete and the review process begins. Based on section 28 of the *Federal Interpretation Act*, this is equivalent to 275 calendar days. The Board's day count stops whenever the Board requires the Applicant to provide information for the regulatory proceeding to continue (signified by the red shading in the table below). Once that information has been provided, the Board's day count resumes (signified by the green shading in the table below). Significant milestones have also been bolded in the table below.

The Work Plan table below sets out the main process steps and indicates the responsible Party and the anticipated completion date for each item.

Work Plan – version 1.0

Task	Responsible Party	Date Due or Completed	Board Timeline (275 days)
Application Package Submitted	Applicant	September 30, 2021	
Application Package Complete and Distributed for Review with Draft Work Plan, Draft Licence and Draft Preliminary Screening Information Session Agenda	Board Staff	April 21, 2022	0
Deadline for Comments on Draft Work Plan (only)	All Parties	May 05, 2022	14
Preliminary Screening Information Session (SLWB, CER, MVEIRB)		May 06, 2022	15
Oral Indigenous Knowledge session – Day 1 (ZOOM meeting) OPTIONAL – please indicate your interest	All Parties (Virtual)	May 18, 2022	27
Oral Indigenous Knowledge session – Day 2 (ZOOM meeting) OPTIONAL – please indicate your interest	All Parties (Virtual)	May 19, 2022	28
Deadline for Comments on Application Package and for Notices of Compensation Claims	Reviewers	May 31, 2022	41
Deadline for Applicant’s Responses to Comments	Applicant	June 21, 2022	41
Preliminary Screening Determination and Notification	Board	July 12, 2022	62
End of 10-day Pause Period		July 22, 2022	62
Technical Session or Workshop Day 1 –	All Parties (TBD – Virtual and/or in-person in YK or FGH)	August 3, 2022	74
Technical Session or Workshop Day 2 –	All Parties (TBD)	August 4, 2022	75
Technical Session or Workshop Day 3 –	All Parties (TBD)	August 5, 2022	76
Distribute Technical Session or Workshop Information Requests	Board Staff	August 8, 2022	79
Deadline for Information Request Responses	All Parties	August 30, 2022	79

Task	Responsible Party	Date Due or Completed	Board Timeline (275 days)
Pre-Hearing Conference - Finalize key issues and parties	All Parties (Virtual)	September 8, 2022	88
Deadline for Interventions and for Compensation Claims	Interveners and Compensation Claimants	September 22, 2022	102
Deadline for Applicant's Response to Interventions	Applicant	October 12, 2022	102
Deadline for Interveners' Public Hearing Presentations	Interveners	November 2, 2022	123
Deadline for Applicant's Public Hearing Presentation	Applicant	November 4, 2022	123
Public Hearing Day 1	All Parties (TBD – FGH)	November 15, 2022	134
Public Hearing Day 2	All Parties	November 16, 2022	135
Public Hearing Day 3	All Parties	November 17, 2022	136
Distribute Public Hearing Undertakings	Board Staff	November 21, 2022	140
Deadline for Public Hearing Undertakings	All Parties	December 5, 2023	140
Distribute Revised Draft Water Licence for Review	Board Staff	December 9, 2023	144
Deadline for Comments on Revised Draft Water Licence	All Parties	December 22, 2023	157
Deadline for Applicant's Comments on Revised Draft Water Licence	Applicant	January 19, 2023	157
Deadline for Closing Arguments	All Parties	February 9, 2023	178
Deadline for Applicant's Closing Arguments	Applicant	February 16, 2023	178
Board Meeting	Board	April - May, 2023 (April 6)	227
Draft Water Licence and Reasons for Decision sent to the Minister	Board	May 2023 (May 4)	255
Licence Decision from Minister	Minister	Up to 90 days	

Task	Responsible Party	Date Due or Completed	Board Timeline (275 days)
Board issuance of the Licence and Reasons for Decision	Board	Following the Minister's Decision	

Please note that the Work Plan has been created based on the information available and is subject to change at any time. All changes will be tracked in a Revision History Table.

Work Plan Revision History

Version	Date	Rationale for Revision
#1.0 ¹	April 19, 2022	Draft Work Plan distributed with Application

¹ See SLWB Online Registry www.slwb.com for Imperial Oil Norman Wells Operation – Amendment - Waste Management Facility – Draft Work Plan – Version 1.0 – April 19_22.