

Reasons for Decision – Request for Ruling

Imperial Oil Resources NWT Ltd. – Waste Management Facility

August 19, 2022

1. Introduction

On August 5, 2022, Imperial Oil Resource Ltd. (Imperial) submitted a Request for Ruling to the Mackenzie Valley Environmental Impact Review Board (Review Board) asking for a two-month adjournment in the environmental assessment of its proposed Waste Management Facility.¹ **On August 12, 2022, the Review Board granted the requested adjournment.**²

Accordingly, the environmental assessment for the Imperial Waste Management Facility is adjourned until **October 12, 2022**, and all procedural deadlines in this environmental assessment are extended for a period of two months.

This *Reasons for Decision* describes the Review Board’s rationale for granting the adjournment.

2. Background

On May 22, 2022, Imperial’s Water Licence amendment application to the Sahtu Land and Water Board, was referred to the Review Board for environmental assessment by the Sahtu Secretariat Incorporated.³ On July 19, 2022 the Review Board issued a *Notice of Proceeding* for scoping phase activities.⁴ Proposed scoping activities included information requests to Imperial

¹ [Request for Ruling - Imperial Oil Resources NWT Ltd. 5 August 2022](#)

² [Notice of Proceeding- Adjournment of environmental assessment](#)

³ [Letter of referral from Sahtu Secretariat Incorporated](#)

⁴ [Notice of Proceeding - scoping phase activities](#)

and other parties, community scoping meetings in Sahtu communities and a one-day scoping hearing following the community meetings.

On August 5, 2022, Imperial submitted its Request for Ruling to the Review Board. Imperial requested that the Review Board issue a ruling:

- a) adjourning the environmental assessment proceeding, and extending all existing procedural deadlines, for a period of two months; and
- b) providing such further and other relief as the Review Board may determine is appropriate.

In addition, Imperial asked that the Review Board issue the requested Ruling as expeditiously as possible.

The Review Board met on August 12, 2022, to decide on the Imperial Request for Ruling. After careful consideration, the Review Board granted the adjournment, and extended all procedural deadlines for a period of two months. The Review Board is varying its typical Request for Ruling process described in sections 46-50 of its *Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings, 2005*, by invoking section 49, allowing it to make this Ruling as expeditiously as possible.

3. Reasons for granting the requested adjournment

The Review Board's rationale for granting the adjournment described in Imperial's Request for Ruling includes the following:

1. The adjournment provides for a more inclusive and participatory environmental assessment process as there is more time for Imperial to consult with Indigenous Governments and organizations, and community members on its project prior to scoping activities. The Review Board wants people in Sahtu communities to have a good understanding of the Imperial's project. This adjournment will give Imperial time to accomplish this.
2. The adjournment provides additional time for Imperial and parties to respond to Review Board information requests as deadlines for comments and responses are extended by two months.
3. The adjournment does not prejudice other parties in this environmental assessment as the time requested is excluded from the time in which the Review Board is required to conduct the EA proceeding.

4. Other matters

On August 11, 2022 the Yamoga Land Corporation submitted a letter advising the Review Board that it does not oppose the adjournment requested by Imperial.⁵ This letter was received after the Review Board made its ruling and is therefore not included in the Reasons for Decision.

The Review Board requires that Imperial submit:

- 1) summaries of meetings with communities and Indigenous Governments and organizations using [the meeting report template](#) and
- 2) an updated engagement log for the public record.

The public record for this environmental assessment will remain open during the adjournment so that these documents and any other correspondence can be made public on the Review Board's website.

The Review Board is mindful of the ongoing regulatory review currently being conducted by the Canada Energy Regulator (CER) for Imperial's Waste Management Facility. The Review Board will coordinate upcoming environmental assessment activities with CER to the greatest extent possible so that the timing of the CER regulatory process does not overtake the timing of this environmental assessment.

5. Next steps

The Review Board will issue an updated *Notice of Proceeding* for the re-commencement of scoping activities for this environmental assessment including updated due dates for information request responses prior to the end date of this adjournment.



JoAnne Deneron
Chairperson
Mackenzie Valley Review Board

⁵ [Letter from Yamoga Land Corporation re: Imperial Request for Ruling](#)