

## REASONS FOR DECISION

### To Order an Environmental Assessment of Imperial Oil Resources N.W.T. Limited – Norman Wells Operations Closure and Reclamation, under Subsection 126 (3) of the MVRMA

April 25, 2025

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#### 1. Introduction

This document sets out the Mackenzie Valley Environmental Impact Review Board's (the Review Board or the Board) reasons for ordering the proposed closure and reclamation of Imperial Oil Resources N.W.T. Limited's (Imperial) Norman Wells Operations (NWO) to environmental assessment (EA) under subsection 126 (3) of the *Mackenzie Valley Resource Management Act* (MVRMA). The Board notified Imperial of this order in its commencement of an environmental assessment letter on April 23, 2025.<sup>1</sup>

On March 31, 2025, Imperial formally requested that the Board exercise its discretionary authority under subsection 126 (3) of the MVRMA to conduct an EA for the closure of its long-standing oilfield operation in the Sahtu Settlement Area.<sup>2</sup> Imperial expressed a desire for a collaborative and holistic approach to planning final closure and noted that an EA process would support transparent dialogue and integrated decision making.

This decision reflects the Board's determination that an EA of the proposed closure and reclamation of Imperial's Normal Wells Operations is necessary, based on the reasons outlined below. The Board would like to commend Imperial Oil for listening to parties on the importance of proper and comprehensive planning for final closure of its Norman Wells Operations and initiating this EA process through its own initiative.

#### 2. Legislative Context

The purpose of Part 5 of the MVRMA is, in part, to establish a process whereby potential impacts on the environment of proposed developments receive careful consideration before actions are taken in connection with them.<sup>3</sup> The environmental impact assessment processes required by the MVRMA must have regard for the protection of the environment from

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<sup>1</sup> [Notice to the developer on the commencement of environmental assessment](#)

<sup>2</sup> [Letter from Imperial to the Review Board requesting the Board initiate an EA on closure](#)

<sup>3</sup> See subsection 114(b) of the MVRMA.

significant adverse impacts and the protection of the social, cultural, and economic well-being of residents and communities in the Mackenzie Valley.<sup>4</sup>

Subsection 126 (3) of the MVRMA states:

“Notwithstanding any determination on a preliminary screening, the Review Board may conduct an environmental assessment of a proposal for a development on its own motion.”<sup>5</sup>

This provision allows the Review Board to order an EA of a proposed development using its own discretion after considering the proposed development’s potential for adverse impacts and public concern. This helps ensure that a proposed development receives careful consideration with due regard for the protection of the environment and the social, cultural and economic well-being of residents and communities in the Mackenzie Valley. The Board must provide written reasons when using its discretion to do so.<sup>6</sup>

### 3. Background

Imperial has operated the Norman Wells Operations for over a century. The facility comprises land- and river-based infrastructure and is subject to various regulatory authorizations issued by the Canada Energy Regulator (CER) and the Sahtu Land and Water Board (SLWB). Imperial submitted an Interim Closure and Reclamation Plan (ICRP) in 2016, approved by the SLWB in 2017, which outlines its interim approach to long-term remediation and closure.<sup>7</sup>

Since 2016, parties have raised closure-related issues in numerous processes, including:

- The 2016 ICRP Process;
- The Sahtu Secretariat Inc.’s (SSI) referral of Imperial’s proposed long-term waste management facility (WMF) in 2022;<sup>8</sup>
- The 2024 10-year water licence and CER operations authorization renewals;
- The 2024 Line 490 Replacement EA<sup>9</sup>.

Parties have consistently expressed that closure should be addressed holistically. Their concerns go well beyond the scope of individual regulatory processes and include the

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<sup>4</sup> See subsections 115(a) and (b) of the MVRMA.

<sup>5</sup> Subsection 126 (4) clarifies how the Board may order an EA without a preliminary screening.

<sup>6</sup> As required by section 121 of the MVRMA.

<sup>7</sup> [SLWB decision letter regarding approval of the ICRP, Jan5 2017](#)

<sup>8</sup> [SSI Referral letter of the Norman Wells Waste Management Facility to EA2223-01](#)

<sup>9</sup> E.g. SRRB information requests of March 17 for the Line 490 EA

interrelationship of closure elements, cumulative effects, Indigenous rights, economic transition, and cultural continuity.

#### 4. Imperial's Request

Imperial's March 31, 2025, request to the Review Board proposes using the ICRP and related materials to help define the scope of a closure EA. Imperial explicitly recognized that closure and reclamation are significant alterations to the existing development, and requested an EA as a venue to:

- develop a shared understanding of closure objectives and risks;
- support early engagement on closure planning;
- enable community participation through access to participant funding; and,
- provide an integrated forum for addressing environmental, social, and cultural issues.

Imperial acknowledged that although its request does not strictly follow the Board's *Guideline for an Optional Pathway to Environmental Assessment*, the company views the ICRP as sufficient to define the proposed development. The Board agrees that it is sufficient for the purposes of considering Imperial's request, but that the scope of development will be further delineated early in the EA scoping process.<sup>10</sup>

#### 5. Public Concern and Issues Raised

The Review Board notes that SSI and K'ahsho Got'ine Committee<sup>11</sup> have expressed numerous concerns about the NWO that are relevant to closure and reclamation.<sup>12</sup> The Board finds that these concerns warrant an EA. These concerns include:

- cumulative and project effects on the land, water, and wildlife of the Mackenzie Valley;
- social, cultural, and economic well-being impacts related to the potential end of a century-long development;
- loss of traditional land use opportunities and intergenerational knowledge transmission;
- inadequate consideration of closure options, such as the artificial islands and WMF; and,

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<sup>10</sup> The Review Board has the authority under subsection 117(1) of the MVRMA to set the scope of development for an EA.

<sup>11</sup> The KGC is made up of the following organizations: the Fort Good Hope Metis Nation Local #54 Land Corporation, the Fort Good Hope Dene Community Council, the Fort Good Hope Renewable Resources Council, the K'ahsho Got'ine Foundation, and the Yamoga Lands Corporation.

<sup>12</sup> Eg, [KGC Letter to Saktu Land and Water Board, July 17, 2024](#); [SSI Referral letter of the Norman Wells Waste Management Facility to EA2223-01](#); [CER Oral Indigenous Knowledge Hearing transcript of May 15, 2024](#), pp. 15, 18, 21, 24, 32, 33, 37, 49, 107.

- perceived “project splitting” and regulatory fragmentation.

The Board notes that SSI represents the Sahtu First Nation as defined in the land claim agreement, and represents seven Indigenous Land Corporations, both Dene and Métis.

The available evidence also suggests a lack of adequate engagement and consultation in the current closure planning framework. An EA will provide a structured, transparent, and inclusive forum where these concerns can be addressed meaningfully.

## 6. Discussion

### 6.1. EA Provides the Most Appropriate Venue

The Board finds that closure-related issues—including cultural resilience, local economic futures, and land stewardship—cannot be fully addressed through the SLWB and CER project-specific regulatory processes. An EA is uniquely suited to examine:

- cumulative effects;
- social, cultural, and economic well-being impacts; and,
- interconnected closure components.

An EA also allows for the incorporation of Indigenous Traditional Knowledge when assessing impacts in ways that regulatory processes alone cannot accommodate.

### 6.2. EA Scope May Extend Beyond the ICRP

While the ICRP forms a useful starting point, this EA is not limited to the ICRP’s scope. The Board expects all parties to be prepared for difficult but necessary conversations about the broader implications of closure, which may include:

- the long-term prospects and economic sustainability of Norman Wells;
- future land use and reclamation options; and,
- governance roles in post-closure land and resource stewardship.

The EA can help identify and assess preferred closure options that may be otherwise limited by Imperial’s ongoing closure activities in the absence of a comprehensive EA. A piecemeal assessment of Imperial’s related closure activities risks foreclosing on options for closure that may be important for avoiding significant impacts.

### 6.3. Timing, Process, and Participant Support

Imperial has suggested a 6-year schedule for timing of the EA process. The Board will define and schedule the EA process, in accordance with its [Rules of Procedure](#) and the timelines outlined in the MVRMA and through consultation and engagement with parties to the EA process.

The Board's Mission is to conduct fair, effective, timely, and evidence-based environmental impact assessment processes. This can be achieved through:

- scoping in consultation with parties;
- access to participant funding under the *Northern Participant Funding Program* administered by Crown Indigenous Relations and Northern Affairs Canada;
- early planning for engagement, Traditional Knowledge, and capacity support.

The Board strongly encourages all parties to begin preparations as soon as possible, including identifying key issues, prioritizing what issues need the most attention in the EA and identifying leads for engagement in the EA process.

#### 6.4. Combined Scoping

The Review Board is looking at options to conduct scoping of this EA concurrently with [EA2425-02](#) (Norman Wells Operations). The Board would like to examine if a coordinated and comprehensive scoping of closure and the remaining operations can promote efficiency, avoid duplication, and improve the EA process for all parties. The Board will issue a Notice of Proceeding outlining proposed steps for the coordinated scoping activities shortly and will host an EA kickoff meeting to discuss next steps with interested parties.

### 7. Decision

The Review Board finds that the proposed closure and reclamation of the Norman Wells Operations:

- is a significant alteration of an existing development;
- may cause adverse impacts to the environment, Indigenous culture, and community well-being;
- is the subject of public concern; and,
- requires a coordinated and holistic review.

Additionally, Indigenous Governments have indicated the necessity for a comprehensive and holistic review of the closure and reclamation of the Norman Wells Operations. This concern was raised in SSI's letter of EA referral of the Waste Management Facility, during start up

meetings for that EA<sup>13</sup>, and during Imperial's engagement that led to the request for Imperial to request a cancellation of that EA.<sup>14</sup>

For these reasons and based on the available evidence, the Board has concluded that potential identified significant adverse impacts and public concern are best considered in an environmental assessment process.

Accordingly:

**The Review Board orders an Environmental Assessment of Imperial Oil Resources N.W.T. Limited's closure and reclamation of the Norman Wells Operations as per its authority under ss. 126 (3) of the MVRMA.**

A handwritten signature in black ink, appearing to read 'JoAnne Deneron'.

JoAnne Deneron  
Chairperson  
Mackenzie Valley Environmental Impact Review Board

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<sup>13</sup> [Summary notes from EA start up meeting](#) of the Imperial Oil WMF EA on June 29, 2022.

<sup>14</sup> [Letter from Imperial requesting withdrawal of application](#) for the Waste Management Facility on September 26, 2022.