

WITH RESPECT TO:

THE DISPUTED SIO SILICA RESPONSES AND HEARING DELAY REQUEST FROM DLN,

THE NOTICE OF MOTION OF THE PARTICIPANT DLN SEEKING ADDITIONAL INFORMATION FROM THE PROPONENT, AND

THE NOTICE OF MOTION FROM THE PARTICIPANTS MBEN/OLS SEEKING THE RELEASE OF UNREDACTED COPIES OF A REPORT OR ALTERNATIVE RELIEF

Notice to Participants

Because the hearings are scheduled to start next week the panel is advising of its decision on these matters today. Reasons will be delivered at a later date.

Disputed Sio Silica Responses and Hearing Delay AND Motion Seeking Additional Information from DLN

The panel has decided that the disputed responses are not sufficient to prevent the hearing from continuing. The matters (to the extent they are relevant) can be dealt with by DLN in its examinations of the Sio Silica witnesses.

Motion Seeking the Release of Unredacted Copies of a Report or Alternative Relief

The panel has decided that questioning related to the information that the proponent considers confidential in the Stantec report can proceed *in camera* for those participants who have signed non-disclosure agreements. As the authors of the report will be present at the hearing there is no need to direct the proponent to produce them.

The panel's present intention is to schedule the *in camera* session at the beginning or end of one of the scheduled hearing days, so that all questions on confidential matters can be dealt with at one time.

Dated this 24th day of February, 2023

MANITOBA CLEAN ENVIRONMENT COMMISSION

Original signed by

John Doering, Panel Chair

On behalf of the Panel: Ian Gillies, Terry Johnson, Laurie Streich