

REPORT TO PARTIES

Pre-hearing Meeting #1
Manitoba Clean Environment Commission Proceeding

VIVIAN SAND EXTRACTION PROJECT

October 4, 2022 at 10:00 AM
Winnipeg Convention Centre [Millennium Suite]

1. Process Overview

- The Hearing Directive for the Vivian sand extraction project proposed by Sio Silica was reviewed. In particular, parties were provided an overview of:
 - the review process; how to participate; submitting documents; hearings; and completion of the review, especially, Appendices I, II, and III.
- The Process Guidelines Respecting Public Hearings were reviewed.
 - Attention was drawn to the Practice Directions appended to the Process Guidelines, in particular, to **Information Requests (IRs)**.
 - Participants were directed to the **Code of Conduct for Parties and Representatives**.
 - It was noted that all Parties are expected to be familiar with the Hearing Directive, the Process Guidelines Respecting Public Hearings, including the Practice Directions, and with the Code of Conduct, and to abide by these directions.

2. Motions

- Parties are encouraged to advise the hearing panel in advance, either through the Secretary or commission counsel, of any intended motions.

3. Information Requests (IRs)

- IRs are to be submitted by the Participants to the Proponent. The Panel may also submit IRs to the Proponent.
- Participants were encouraged to submit IRs progressively as they are completed.
- IRs are to be submitted directly to the Proponent, Sio Silica, with copies to the Commission Secretary and to all other parties.
- The proponent, Sio Silica, will send responses when they are completed, not at the deadline.
- The submission of IRs was summarized as follows:
 - use the CEC form in preparing IRs;
 - send IRs and responses to all parties on the contact list;

- send IRs as electronic attachments; do not put IRs in the body of an email;
- submit IR by the deadline; and
- note that round two IRs must specifically identify the round one response that requires further clarification. **No new question can be raised in round two of IRs.**

- **Round 1 IR dates**

- Deadline for IR submissions: Noon, November 8, 2022
- Deadline for Proponent to respond: Noon, November 29, 2022

- **Round 2 IR dates**

- Deadline for IR submissions: Noon, December 13, 2022
- Deadline for Proponent to respond: Noon, January 3, 2023

4. Information Distribution

- The Commission will provide a contact list to all Parties, who, in turn, will be required to distribute all submitted documents, IRs, submissions, *etc.* to all Parties on the list.
- In due course, the Commission will provide other information regarding information distribution.
- Prior to the start of the hearings, the Commission will advise parties as to how many hard copies of documents will be required for distribution.
- Note that **ALL documents submitted to the Commission must be in electronic format**, in addition to any other format determined.

5. Deadlines, Witnesses, and Presentations

- Deadlines will be strictly adhered to ensure proceedings are efficient and that materials are available in a timely manner for all involved.
- A detailed outline of your presentation, **the list of witnesses you intend to bring** as well as their qualification, and the list of authorities, articles, literature, *etc.* that you intend to rely on, **is required by NOON, 14-days, before the commencement of the hearings.**
- **The final version of your submission must be delivered by NOON, 7-days prior to the day you will be making your presentation.** Copies of the presentation should be supplied on the day of the presentation in electronic and printed form.
- All the information you have, or will provide, counts as your submission, but parties will need to provide the CVs of individuals who will be making your presentation or answering question under the 14-day rule and provide copies of your presentations on or before the day of the presentation.

6. Attendance list

The Parties and the names of their designated representatives will be shown under the 'Appearances' section of the daily transcripts. This does not connote actual attendance at any particular time. Attendance will include those that attended virtually.