

**Joint Review Panel  
Sydney Tar Ponds and Coke Ovens Sites Remediation Project**

**PROCEDURES FOR PUBLIC HEARINGS**

**1.0 INTRODUCTION**

1.0.1 This document outlines procedures for the public hearings to be conducted by the Joint Review Panel (the Panel) appointed to review the Sydney Tar Ponds and Coke Ovens Sites Remediation Project.

1.0.2 The Panel will conduct the public hearings in a manner that ensures a thorough examination of matters relevant to the Panel's mandate while at the same time encouraging public input as directed by the Joint Panel Agreement as signed by the Minister of the Environment for Canada and the Minister of Environment and Labour for Nova Scotia. The Joint Review Panel will hold its hearings within the Cape Breton Regional Municipality and will announce the timing and location of the hearings once the Panel is satisfied it has been provided with all of the necessary information related to the Environmental Impact Statement.

1.0.3 The objective of the public hearings is to provide opportunities for:

- (a) the Sydney Tar Ponds Agency (STPA) to explain the Project and respond to concerns and questions raised by other participants during the hearings
- (b) individuals, organizations and government representatives to provide their views on the implications of the proposed Undertaking, and
- (c) the Panel to receive information that will help them address the factors to be considered as identified by the Joint Panel Agreement.

1.0.4 These procedures are intended to ensure that the public hearings take place in a fair and equitable manner, with maximum co-operation and courtesy. The Panel Chair will maintain order and efficiency in a structured atmosphere as indicated by the procedures outlined in this document. However, the hearings will not follow the strict rules of procedure and evidence required by a court. For example, witnesses will not be sworn in. The Panel encourages groups and individuals to speak on their own behalf and ask their own questions at the public hearings. Representation by legal counsel is discouraged. The Panel considers the hearings to be an essential part of the review process, and will give careful consideration to all submissions, whether oral or written.

1.0.5 The chairperson has the discretion to modify or waive specific procedures where, in the opinion of the Panel, there are reasons why the objectives of the hearings can be better achieved by taking a different approach.

## **2.0 PROCEDURES**

2.0.1 The Panel provides the following procedures for the hearings.

### **2.1.0 General**

2.1.1 Persons wishing to make a presentation are asked to register by contacting the Panel's information office, at the coordinates found at the end of this document, ten calendar days in advance of the start of hearings.

2.1.2 Persons who do not register in advance but instead register just prior to or during a hearing session will still have the opportunity to address the Panel if time allows. The opportunity for persons who have not registered to present will be granted at the discretion of the Panel chair.

2.1.3 The Panel strongly encourages all participants to provide written submissions before attending the hearings. Participants should present their written submissions (hard copy and electronic) to the Panel's information office ten days in advance of their scheduled presentation. This will allow at least a one-week period for the Panel and other participants to review submissions prior to the scheduled session.

2.1.4 Persons may choose to only submit a written brief and not make a presentation at the hearings. In this case, the written brief should be sent to the Panel 10 days prior to the start of hearings so that the Panel and other participants may consider this information within the hearing process.

2.1.5 Persons making presentations at these sessions may be asked questions by the Panel and other participants for the purposes of clarification.

2.1.6 All submissions will be placed on the public registry and made available for viewing at the Panel's information office. Those participants wishing an advance copy of a submission are asked to contact the Panel's information office.

2.1.7 Presenters are encouraged to bring an electronic and three hard copy versions of any additional documentation (for example, slideshows) related to their scheduled presentation.

2.1.8 The hearings will progress as follows:

- a) Opening remarks by the Panel chairperson on the first day of hearings.
- b) Proponent's technical presentation on the first day of hearings. This presentation will be limited to 90 minutes and is intended to provide a general overview of the

proposal and main findings of the EIS. The presentation will be followed by a question and answer period led by the Panel, followed by questions from other participants and the public. Additional time may be granted at the discretion of the Panel chair.

- c) Presentations by Federal Government Departments and Agencies will be heard following the questioning of the Proponent. Each individual Federal Department and/or Agency will be limited to a 40 minute presentation. These presentations will be followed by a question and answer period led by the Panel, followed by questions from other participants and the public. Additional time may be granted at the discretion of the Panel chair.
- d) Presentations by Provincial Government Departments and Agencies will be heard following the questioning of Federal Departments and Agencies. Each individual Department and/or Agency will be limited to a 40 minute presentation. These presentations will be followed by a question and answer period led by the Panel, followed by questions from other participants and the public. Additional time may be granted at the discretion of the Panel chair.
- e) Presentations by other registered participants will be heard following the questioning of Provincial Departments and Agencies. Each registered participant will be limited to a 40 minute presentation. Each participant's presentation may be followed by a question and answer period led by the Panel, followed by questions from other participants and the public. More than one individual may participate in a presentation by an organized group. When a presentation is made by several persons, the collective presentation must take place within the maximum 40 minute time period. Additional time may be granted at the discretion of the Panel chair.
- f) In the event that the presentations by registered participants conclude before the 19th day of hearings, the Panel may choose to declare a break and adjourn the hearings until closing remarks on the final two days of hearings.
- g) The final two days of the public hearings will be reserved for closing remarks by participants, the proponent, and the Panel. Only those who have previously presented to the panel may make closing remarks, which will be limited to 15 minutes per participant. Participants who choose to make closing remarks should summarize their views on the environmental effects of the Project, rather than bringing forward new information.

## **2.2.0 Questioning**

2.2.1 Persons making presentations at these sessions may be asked questions by the Panel and other participants for the purposes of clarification. Questioning during the hearings will allow the Panel and all participants to gather information and explore

issues related to the potential environmental effects of the Project. The purpose of the questions should always be to elicit information that will help the Panel understand more fully the issues that relate directly to its mandate. All participants should pose their questions in a manner that is courteous and respectful. Clarity and brevity are encouraged. Each presenter may be questioned immediately following his or her presentation. The order of questioning will be at the discretion of the Chair but typically the Panel will begin, followed by the proponent, and interested parties and the public. Panel members may ask questions at any time during the hearings.

2.2.2 Questions should initially be directed through the Panel chair who may subsequently allow a participant to put questions directly to the presenter. Where a person does not adhere to the procedures and the direction of the Panel chair, the Panel chair has the authority to refuse to permit further questioning from that individual.

2.2.3 The Panel chair may limit or exclude questions or comments that fall outside the mandate of the Panel, are repetitive, irrelevant, or immaterial.

2.2.4 The Panel chairperson may limit discussion that exceeds the time limit.

### **2.3.0 Close of Hearings**

2.3.1 No new information will be considered by the Panel after public hearings have closed.

### **2.4.0 Interpretation**

2.4.1 English and French interpretation services will be provided during the hearings.

### **2.5.0 Audio Visual Equipment**

2.5.1 If audio-visual equipment is required for a presentation, the presenter should inform the Panel's information office not less than 10 days before the presentation. Presenters must ensure that all presentation materials, including any audio-visual aids, are setup within the allotted time periods for individual presentations.

### **2.6.0 Posted Schedule**

2.6.1 A public hearings schedule listing the order of registered participants will be available at the beginning of the hearings. The schedule will be updated as required.

### **2.7.0 Media**

2.7.1 Media inquiries regarding the Panel's activities should be directed to the Panel's communications advisor.

2.7.2 Media are entitled to attend the hearings and to sit in the public seating area. No questions, filming, taping or photographs will be allowed in the meeting rooms unless there is prior approval from the Panel Chair. No media interviews or reporting will be allowed in the rooms where the hearings are taking place.

### **2.8.0 Transcripts**

2.8.1 Written transcripts will be made of all hearings, and will be made available to the public within a reasonable period of time.

**For further information or register for the hearings, please write or call:**

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