

## ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

### QUESTION 495-18(2): ENVIRONMENTAL LIABILITIES ASSOCIATED WITH THE ACQUISITION OF NTCL ASSETS

February 2, 2017

**MR. O'REILLY:** Merci, Mr. Speaker. Earlier today, over the noon hour, we had the pleasure to hear from the Minister of Industry, Tourism, and Investment about the purchase of the Northern Transportation Company Ltd. assets in Hay River and elsewhere on the Mackenzie River system. There were lots of issues raised about environmental liabilities, and I'm just wondering if the Minister of Lands could give us a few highlights of what the department is doing with regard to these environmental liabilities with the NTCL assets that we've now acquired. Merci, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Lands.

**HON. LOUIS SEBERT:** Thank you, Mr. Speaker. As we did hear at lunch, of course, these assets have been turned over through the process, the bankruptcy process, from NTCL to our government. Detailed questions might be better addressed to the Minister of Public Works and Services.

The Department of Lands, of course, is regulator of these properties, and there has been a very preliminary inspection of the vessels and certain parcels of land, but there was no environmental testing of soil or land. I understand also that it was noted that there were some untended barges moored off the dock in Tuktoyaktuk which would be the responsibility of the federal government. That has been reported to the federal government, as it is their responsibility.

So there has been some very preliminary examination of these properties. We are, the Department of Lands, of course, the regulator. The operator is the DPW. As to historic responsibility for any environmental liabilities, that is a complex issue which I think my department, perhaps with Justice and Lands, will have to look into. Thank you, Mr. Speaker.

**MR. O'REILLY:** I'd like to thank the Minister for his response there. Maybe he's going to be wearing a different hat for this one. Can he tell the House whether GNWT has actually contacted the federal government with regard to liabilities on any of these properties?

**HON. LOUIS SEBERT:** I don't believe the federal government has been contacted about the specific lands that have been turned over to us from NTCL. As I did mention, there was a report made to the federal government about some barges moored off the dock in Tuktoyaktuk because that is their responsibility. We're still going through the paperwork of the acquisition of these properties, and I don't think we have been in contact with the federal government to discuss any potential long-term liability. Their position is likely to be that they have none in view of the time that has gone by, since NTCL was a federal Crown corporation.

**MR. O'REILLY:** I appreciate the answer from the Minister. Look, I recognize there's a lot of work that's being done on this issue by a number of departments, but if we haven't even actually started to contact the federal government -- earlier today at noon we heard that it was the position of our government that there was some federal responsibility here, so what is going on? Is there some federal liability for these lands or not? And, if there is, can the Minister share with this side of the House, in a legal opinion or whatever, what basis do they believe that there is some federal responsibility?

**HON. LOUIS SEBERT:** As we heard in the presentation at lunch, the government is going through a great number of documents that they did receive as part of the bankruptcy proceedings. We'll have to examine those documents to determine whether any responsibility still remains with the federal government.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

**MR. O'REILLY:** Merci, Mr. Speaker, and I appreciate the response from the Minister. Perhaps while he's looking through those documents, he might think about the devolution agreement, as well. Can the Minister tell the House whether the devolution agreement and the provisions in there pertain to these lands. Would they cover these lands? Because, I guess, through the agreement, we have the ability to go back to the federal government and work out some remediation details. Does the devolution agreement cover any of the NTCL lands? If the Minister can't answer us now, can he get back to us and let us know? Mahsi, Mr. Speaker.

**HON. LOUIS SEBERT:** Mr. Speaker, this is a complex question. I think we will have to go through the documentation. These lands are not only in Hay River. Those are the ones we often think about when we think about this bankruptcy, but there are Inuvialuit lands and there are lands in Norman Wells. I think we need to go through the documentation before we can give the Member an informed response. Thank you.