

April 21, 2023

By Email Only

Dave Moore

**Statement of Concern No. 32169
NuVista Energy Ltd. (NuVista)
Application No. 1941426**

Dear Dave Moore:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1941426. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the application, and all applicable requirements and other submissions or information about the application. The AER has decided that a hearing is not required to consider the concerns outlined in your SOC.

In our review of your concerns, we considered the following:

- Regarding your concerns around noise, NuVista must comply with the requirements set out in *Directive 038: Noise Control* which establishes maximum permissible daytime and nighttime noise levels that NuVista is required to meet. Additionally, AER technical staff have reviewed the additional Noise Impact Assessment submitted by NuVista and are of the view that the concerns have been addressed to the satisfaction of the AER. NuVista will also be required to address operational noise complaints if any arise. Please contact the AER at 1-800-222-6514 to report any operational noise concerns.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the application. The AER has issued the applied-for licence and this is your notice of that decision. A copy of the licence is attached.

All AER-regulated parties must comply not only with the conditions of their authorizations, but with all of the AER's regulatory requirements. To ensure industry compliance the AER has developed its

Integrated Compliance Assurance Framework, which embodies the three main components of all effective compliance assurance programs, those being education, prevention, and enforcement. You can find out more about how the AER verifies industry compliance and responds to noncompliance here: <https://aer.ca/regulating-development/compliance/compliance-assurance-program>.

You may file a regulatory appeal on the AER's decision to issue the licence if you meet the criteria within section 36 of the *Responsible Energy Development Act*. Filing instructions and forms are located here: <https://www.aer.ca/regulating-development/project-application/regulatory-appeal-process>.

If you have any questions please contact SOC@aer.ca.

Sincerely,

<Original signed by>

Lane Peterson
Director, Oil & Gas Surface
Regulatory Applications
/mc

Attachment (1): Licence

cc: Derrick Stephenson, Nu Vista Energy Ltd.
Kael Bunda, AER
SOC Inbox, AER
Field Operations Northwest, AER