

September 12, 2024

[www.aer.ca](http://www.aer.ca)

By Email Only

Keith Peterson  
Resident of Grande Prairie**Statement of Concern No. 32535  
NuVista Energy Ltd. (NuVista)  
Application No. 00502572-001**

Dear Keith Peterson:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 00502572-001. 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:

- NuVista has applied under the *Environmental Protection and Enhancement Act (EPEA)*, for a Letter of Authorization (LOA) to divert and re-use up to 15,000 cubic meters of Treated Final Effluent (TFE) from Beaverlodge's Wastewater Facility for hydraulic fracturing. The wastewater facility is located approximately 32 km from the City of Grande Prairie, where you reside. Your noted concerns have not demonstrated a sufficient degree of connection and location to the land in relation to the subject application and have not established how you may be directly and adversely affected by the project.
- Regarding concerns related to the temporary surface pipeline that will be used to transport the effluent, this concern is considered out of scope of the subject application and relates to an existing AER approval that was submitted in accordance with *Directive 077: Pipelines – Requirements and Reference Tools (D077)*. NuVista received approval for the temporary surface pipeline on May 2, 2024, and prior to application submission, land access permissions were

granted by private landowners and the County of Grande Prairie along the proposed route. The AER notes that no activity related to the subject application has commenced and once granted, NuVista must adhere to all terms and conditions set out in the EPEA LOA.

- Although environmental and health concerns related to the temporary surface pipeline remain out of scope of the subject application, the AER notes that NuVista met the technical requirements within D077 which include a detailed plan for incident response and reporting, and decommissioning procedures for the end of operations. Should an incident occur relating to the operation of the temporary pipeline, NuVista must report it to the AER 24-hour reporting line. The volume of treated effluent subject to this application will be used for hydraulic fracturing and will not be disposed of by alternative means, except by prior approval from the AER.
- The AER acknowledges your concerns with the use of raw, untreated wastewater / sewage. The AER has reviewed the application and notes that NuVista does not propose the use of raw, untreated wastewater within its subject application. NuVista has applied for use of treated municipal wastewater originating from the Town of Beaverlodge's wastewater facility/lagoon for the purpose of hydraulic fracturing.

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 Letter of Authorization, and this is your notice of that decision. A copy of the Letter of Authorization 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 Letter of Authorization 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](mailto:SOC@aer.ca).

Sincerely,

*<Original Signed By>*

Lane Peterson  
Director, Surface Oil & Gas  
Regulator Applications  
/as

Attachment (1): Letter of Authorization

cc: Zoë Thomas, Integrated Sustainability  
SOC Inbox, AER  
Ayan Sarker, AER  
Field Operations Northwest, AER