

August 10, 2020

www.aer.ca

By Email Only

Shelley Horb

**Statement of Concern No. 31712
Orphan Well Association (OWA)
Application No. 1706761**

Dear Sir/Madam:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1706761. 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;

- A Phase 2 Environmental Site Assessment (ESA) was conducted by Stantec Consulting Ltd. December of 2016 that did not identify any areas of potential concern. No remediation work was deemed necessary as a result of the Phase 2 findings.
- During the site's reclamation in July of 2018, an area of contaminated soil was encountered in the southwest corner of the site. Northwind Land Resources Inc. collected samples and confirmed that the suspected area required remedial work removing the extent of the impacted soils. Reclamation work was concluded with no further issues following remediation closure.
- A Detailed Site Assessment (DSA) was conducted on August 13, 2019 by Terrence Environmental Consulting Ltd. (Terrence), which identified that the condition of the vegetation, landscape and soil were comparable both onsite and offsite. The DSA indicated that all parameters of the 2010 Reclamation criteria for Wellsites and Cultivated Lands (Reclamation Criteria) were met.

- The AER acknowledges your concern regarding the existing access road. The portion of the access road located at 12-22-049-26W4 is not being applied for as it is shared with a wellsite located at 02/11-22-049-26W4. This portion of the access road will be reclaimed with the 02/11-22-049-26W4 well, which is currently under the management of the OWA.
- The AER acknowledges the concern regarding application notification. OWA has met the AER's stakeholder engagement requirements.
- A site visit was conducted on June 16, 2020 with AER Reclamation Assessor Drew Lockwood, Shelley Horb, Curtis Morgan (OWA) and Steve Hoge (Terrence) in attendance. AER Reclamation Assessor Drew Lockwood determined that the vegetation, soils and landscape was comparable on and off site.
- The Reclamation Criteria requires an evaluation of whether "a site has met equivalent land capability." Given the findings made in the DSA and during the AER staff site visit, the AER is satisfied that the site has met equivalent land capability and that your concerns have been addressed.

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 approval and this is your notice of that decision. A copy of the approval 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 approval 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>

Jon Keeler
Acting Director, In Situ
Regulatory Applications
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Attachments (1): Approval

cc: Curtis Morgan, Orphan Well Association
Brittney Goudreau, AER
SOC Inbox, AER
Drew Lockwood, AER
Edmonton Field Centre, AER