

Edmonton (Twin Atria)
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Edmonton, Alberta T6B 2X3
Canada

BY E-MAIL ONLY

November 16, 2018

Fort McKay First Nation
Attn: Bori Arrobo

tel 780-638-4491
fax 780-442-1459

www.aer.ca

Re: Syncrude Canada Ltd.
Application No. 1910996
Statement of Concern No. 31282

Dear Sir/Madam:

You are receiving this letter because you filed a statement of concern regarding application no. 1910996. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the company's application, and all applicable requirements and other submissions or information about the application. The AER has decided that your concerns outlined in your statement of concern have been adequately addressed.

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

- Your concerns in regards the potential degradation to air quality and odours during loading and unloading practices will be addressed through the hydrotreater feed tanks vapour recovery system and vent scrubber used to manage fugitive emissions.
- Section 6.2(2)(c) of the AER Rules of Practice provides that the Regulator may disregard a concern raised in a statement of concern if in the Regulator's opinion the concern in regards to environmental impacts has been adequately dealt with or addressed through a hearing or other proceeding under any other enactment or by a decision on another application.
- The Mildred Lake Mine is located on Crown land and any 'loss' of land has already occurred.
- Your statement of concern does not raise specific concerns about this application in particular that have not already been addressed by previous decisions.
- There are no discernible changes to the already assessed and approved risks or impacts of Mildred Lake arising from the approval of application 1910996. And

other than vapour emissions, which have been addressed above, there are no new or different environmental effects that have not already been assessed and approved.

- The stated concerns regarding trucking operations are outside the AER jurisdiction, and should be directed to Alberta Transportation.
- The stated concerns regarding Aboriginal consultation process are outside the AER jurisdiction, and should be directed to the Aboriginal Consultation Office (ACO).
- The AER acknowledges your concerns expressed regarding future pipeline applications. As per Directive 056, Syncrude is required to include parties with known concerns within its participant involvement notification program for any future infrastructure applications in the area, and to notify them when those applications are submitted.
- In summary, the objections raised in your SOC have been addressed to the AER's satisfaction.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

Based on the above, the AER is of the view that your concerns outlined in your statement of concern have been adequately addressed. Furthermore, the AER has decided a hearing is unnecessary for the purposes of rendering its 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 approval, 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>.

Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*.

If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website, <http://www.aer.ca/regulating-development/project-application/decisions>.

If you have any questions, please contact Brittney Goudreau at 780-641-9038 or by
E-mail [Brittney.Goudreau@aer.ca](mailto:Brittney.Goudreau@ aer.ca).

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Sincerely,

<Original Signed By>

Elizabeth Grilo
Director, Regulatory Efficiency and Innovation
Authorizations

Attachment (1): (Approval)

cc: Ross Noble, Syncrude Canada Ltd.
AER SOC Coordinator
AER Fort McMurray Field Centre
AER Indigenous Relations
Vince Biamonte, Aboriginal Consultation Office
Aboriginal Consultation Office