

Via Email

May 15, 2019

CL Land Services Inc.
Attention: Lloyd MaxwellShell Canada Limited
Attention: Ken BonterzReclamation Programs Group
Attention: Francco De Luca

Dear Sirs:

**RE: Request for Regulatory Appeal by Martin Hillmer
Shell Canada Limited (Shell)
Reclamation Certificate No.: 151150
Location: 3-25-1-22-W4M
Regulatory Appeal No.: 1913546**

The Alberta Energy Regulator (AER) has considered the submissions filed in regards to the above captioned matter and has determined that a hearing into the Regulatory Appeal will be held as the legislative tests have been met. In his request for regulatory appeal, Mr. Hillmer raises concerns with the site's bare ground and the fact that he was not given the opportunity to present his concerns prior to the issuance of the reclamation certificate. Shell is of the view that the site meets or exceeds criteria.

In its letter dated September 24, 2018 the AER advised that, by operation of sections 91(1)(i) of the *Environmental Protection and Enhancement Act (EPEA)* and section 36 of the *Responsible Energy Development Act (REDA)*, the tests for appealable decision and eligible person appeared to have been met in this case. Further, the AER has determined there is no justification to dismiss the regulatory appeal request at this stage under section 39(4) of the *REDA*. In short, *EPEA* grants the owner of lands subject to a reclamation certificate that is in receipt of a copy of the reclamation certificate an automatic right of regulatory appeal barring extraordinary and obvious circumstances militating against that right. The AER found that no such circumstances exist in this case.

Given the above, the AER will be asking that the Chief Hearing Commissioner appoint a panel of hearing commissioners to conduct a hearing of the Regulatory Appeal.

Sincerely,

<original signed by>

Sean Sexton,
Vice President, LawCc: Martin Hillmer
Darren Mason, Shell Canada Limited