

March 31, 2021

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By Email Only

Linda Falstead
McMurray Métis (MNA Local 1935)**Statement of Concern No. 31912
Canadian Natural Resources Limited (CNRL)
Application No. 1932193**

Dear Sir/Madam:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1932193. 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:

- CNRL is not requesting a change to the SO₂ emission limit under EPEA Approval No. 224816-01-00, as amended, for the Jackfish Project. As a result, the maximum SO₂ emission rate that has been previously assessed for the Jackfish Project under EPEA remains unchanged, and CNRL will be able to operate under the existing 4 t/d SO₂ emission limit.
- The Compliance Assurance Plan (CAP) will provide the Jackfish 3 central processing facility (CPF) with a relaxation of the sulphur removal requirements outlined in Table 1 of Interim Directive 2001-3: Sulphur Recovery Guidelines for the Province of Alberta for In Situ project (ID 2001-03) and Condition 11 of Scheme Approval 10097 (as amended) for the first quarter of 2021, to allow CNRL to conduct inspections and operational readiness activities on the sulphur recovery unit (SRU). Subsequently, this will result in CNRL being able to safely re-start the Jackfish 3 SRU and return the facility to compliance with ID 2001-03 starting April 1, 2021.
- Jackfish 1 CPF and Jackfish 2 CPF are currently meeting the requirements of ID 2001-03.

- Métis Nation of Alberta, Region 1 and Métis Nation of Alberta Association, Fort McMurray Métis Local Council 1935 will not be negatively impacted by the application as it does not propose an increase to the SO₂ emission limit for the Jackfish Project.

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>

Andrew MacPherson
Director, In Situ
Regulatory Applications
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Attachment (1): Approval

cc: Tim Wozney, Canadian Natural Resources Limited
Brayden Twarynski, AER
Field Operations, Northeast, AER
SOC Inbox, AER
ADR Inbox, AER
Environmental Protection & Enhancement and Water, AER
Aboriginal Consultation Office