

December 14, 2023

www.aer.ca

By Email Only

Mr. Cody Cuthill
Normtek Radiation Services Ltd.**Statement of Concern No. 32235**
Secure Energy Services Inc. (Secure)
Application No. 1943077

Dear Mr. Cuthill:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1943077. 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:

- Secure has applied under *Directive 058* and *Directive 058 Addendum* to amend South Grande Prairie Oilfield Waste Management Facility (Approval No. WM 122) to accept naturally occurring radioactive material (NORM) laden waste at the facility.
- Secure must adhere to the *Canadian Guidelines for the Management of Naturally Occurring Radioactive Materials* (CNG), Revised 2011, *Packaging and Transport of Nuclear Substances Regulations* (PTNSR), *Transport of Dangerous Goods Regulations* (TDGR), and *Occupation Health and Safety Act* (OH&SA). Any concerns that are about requirements set out in these regulations are outside the jurisdiction of the AER and should be addressed by the appropriate regulating body.
- AER staff have reviewed and are satisfied with the information provided regarding the Radiation Protection Plan (RPP). Secure is required to complete a site-specific RPP as per the CNG including background monitoring prior to the receipt of any NORM impacted material.
- With respect to radiochemical analysis, the generator is responsible for radiochemical analysis and classification of waste prior to disposition to Secure's facility. Secure must test for radiochemical contaminants when sending residual for final disposal.

- Regarding landfill disposal limits, there is no provincial legislative requirement for 10 Bq/g and the landfill in question is authorized by Alberta Environment and Protected Areas (AEPA). This landfill is not under the AER's jurisdiction and concerns should be directed to AEPA.
- With respect to concerns around mixing and dilution of NORM, Secure must adhere to conditions No. 23 and 24 of the Approval, which state:
 - 23) Approval Holder must segregate and manage NORM and non-NORM waste separately. Approval Holder has designated the west side of the waste receiving pad for NORM waste.
 - 24) Approval Holder must segregate NORM waste received based on dose levels if the generator did not provide analytical with NORM activity levels. High-level NORM waste is greater than or equal to 2,000 nSv/hour and low-level NORM waste is less than 2,000 nSv/hour.

Therefore, the concerns have been addressed to the satisfaction of the AER.

- Regarding the concerns around water, Secure has committed to monitor wastewater, groundwater, and surface water. Additionally, the AER Approval requires Secure to test water twice a year and report the results annually. Therefore, the concern has been addressed to the satisfaction of the AER.
- The SOC does not show a factual connection to how you will be directly and adversely affected by the approval of the application. The concerns within the SOC are not about how the proposed facility may operate, but primarily how the principles are being applied. Commercial concerns that may affect the NORM industry are outside of the AER's jurisdiction.

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>

Steven Thomas
Director, Oil & Gas Subsurface, Waste & Storage
Regulatory Applications
/gf

Attachment (1): Approval

cc: Andrea Snodgrass, Secure Energy Services Inc.
Kerry Robertson-Baldwin, AER
SOC Inbox, AER
Field Operations Northwest, AER
ADR Inbox, AER