Alberta Energy Regulator

Calgary Head Office
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Calgary, Alberta T2P 0R4
Canada

www.aer.ca

January 9, 2024

By Email Only

Kristian Toivonen, Barrister & Solicitor
KMSC Law LLP

Statement of Concern No. 32262
Veresen Midstream General Partner Inc. (Veresen)
Applications No. 1948251 and 1948255

Dear Kristian Toivonen:

You are receiving this letter because your client, Peter von Tiesenhausen, filed a statement of concern (SOC), about Applications No. 1948251 and 1948255. The Alberta Energy Regulator (AER) has reviewed Mr. von Tiesenhausen's SOC, along with the applications, and all applicable requirements and other submissions or information about the applications. The AER has decided that a hearing is not required to consider the concerns outlined in the SOC.

In our review of Mr. von Tiesenhausen's concerns, we considered the following:

- Versen has applied for two applications, one to amend its existing sour gas processing plant, and another to construct and operate a new sweet natural gas processing facility, applications No. 1948251 and 1948255, respectively. Both applications are proposed to be built on private lands owned by Veresen.
- The AER acknowledges the concerns regarding noise; Veresen submitted a noise impact assessment (NIA) to ensure compliance with AER *Directive 038: Noise Control* (Directive 038). AER staff reviewed the NIA and have deemed it technically complete as per requirements set out in Directive 038. Additionally, AER staff confirmed Veresen meets the established maximum permissible daytime and nighttime noise levels in order to control unacceptable noise impacts from its facility. Therefore, concerns regarding noise have been addressed to the AER's satisfaction.
- In addition to the above, Veresen has committed to additional sound mitigation measures such as silencers, acoustic enclosures and buildings. Veresen has also committed to doing pile driving

between 7:30am and 6:00pm and will attempt to minimize the duration of pile driving. Veresen stated it is willing to accommodate reasonable requests to mitigate the effects of construction, recognizing that certain noise and other impacts from construction of this type of development are unavoidable. Should any operational noise concerns arise, Veresen will be required to address them.

- The concerns around logging and greenhouse gases are general in nature, and there is insufficient information to show there may be a direct and adverse effect.
- The concerns around environmental impacts, such as white cloud and black smoke emissions, odours, flaring, ongoing noise, and light are operational in nature, relating to the already approved site. These concerns are outside the scope of the current application. Mr. von Tiesenhausen may report operational complaints by contacting the AER Northwest Field Center or the Energy and Environmental Emergency 24-Hour Response Line 1-800-222-6514.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the applications. The AER has issued the applied-for licences and this is your notice of that decision. A copy of the licences are 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 licences 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>

Lane Peterson
Director, Oil & Gas Surface
Regulatory Applications
/ml

Attachments (2): Licence

cc: Natasha Nassyrova, Veresen Midstream General Partner Inc.
Peter von Tiesenhausen
Matthew Bonko, AER
Field Operations - Northwest, AER
SOC Inbox, AER
ADR Inbox, AER