

March 3, 2023

By Email Only

Wayne Golinowski

Husky Oil Operations Limited (Husky)

Application Nos.: 30790708, 30981950, 30788255, 30982393, 30980711 and 30808988

Statements of Concern No.: 31829 to 31834

Location: 051-03W4M

Dear Wayne Golinowski:

You are receiving this letter because you filed statements of concern (SOC) in respect to the aforementioned Applications. The Alberta Energy Regulator (AER) has reviewed your SOC's, 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 your SOC's.

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

- Detailed Site Assessments (DSA) were conducted at each of the subject wellsites and associated access roads by Ridgeline Canada Inc. (Ridgeline) or Vertex Professional Services Ltd. (Vertex), which showed that the conditions of the vegetation, landscape and soil were comparable onsite and offsite. The DSAs indicated that all parameters of the *2010 Reclamation criteria for Wellsites and Cultivated Lands* (Reclamation Criteria) were met.
- Phase 2 Environmental Site Assessments were conducted on each of the subject wellsites and associated access roads by Ridgeline, where the remediation and confirmatory results concluded that *Alberta Tier 1 Soil and Groundwater Remediation Guidelines* (AENV 2007, as amended) were met.

- Onsite visits were conducted on May 3, 2021, and October 5, 2022, by representatives from the AER, representatives from Husky and yourself. The AER staff determined that the landscape, soils and vegetation were comparable onsite and offsite.
- The AER acknowledges the concerns regarding lease topography and contouring. AER staff note that Husky completed recontouring work after harvest in both 2021 and 2022 to address any outstanding concerns. The information from the DSA's and the May 3, 2021, and October 5, 2022, AER site inspections confirm that the Reclamation Criteria for Cultivated Lands have been met.
- Furthermore, the concerns regarding onsite drainage and standing water were also mitigated through the lease recontouring conducted by Husky. The crop growth at each lease location as observed by AER staff in 2022, is deemed satisfactory.
- The Reclamation Criteria requires an evaluation of whether "a site has met equivalent land capability." Given the findings made in the site visits, the AER is satisfied that the site has met equivalent land capability and that the concerns have been addressed.

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 Reclamation Certificates, and this is your notice of those decisions. Copies of the Reclamation Certificates 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 Reclamation Certificate 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
/ma

Attachments (5): Reclamation Certificate

cc: Jill McCue-Laing, Husky Oil Operations Limited
Brad Dunkle, Reclamation Assessor, AER
Field Operation East, AER
ADR Inbox, AER
Reclamation Inbox, AER
SOC Inbox, AER