

February 28, 2023

By Email Only

Michael Golinowski

Statement of Concern No. 31821
Husky Oil Operations Limited
Application No. 30803018
Location: NE15-21-051-03W4M

Dear Michael Golinowski:

You are receiving this letter because you filed a statement of concern (SOC) with respect to Application No. 30803018. 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:

- A Phase 2 Environmental Site Assessment (ESA) was conducted by Ridgeline Canada Inc. (Ridgeline). The remediation and confirmatory results provided on January 9, 2016, concluded that the *Alberta Tier 2 Soil and Groundwater Remediation Guidelines* (AENV 2007 as amended) were met.
- A Detailed Site Assessment (DSA) was conducted by Vertex Professional Services Ltd. (Vertex) on August 15, 2020, for landscape, vegetation, and soil, which showed that the conditions of the vegetation, landscape and soil were comparable both onsite and off-site. The DSA indicated that all parameters of the *2010 Reclamation criteria for Wellsites and Cultivated Lands* (Reclamation Criteria) were met.
- Site visits were conducted on May 3, 2021, and October 5, 2022, wherein AER staff determined that the vegetation, landscape, and soil were comparable on and off-site.

- The AER acknowledges the concerns regarding contour, lease topography and crop growth; however, the information from the DSA and the AER site visits confirm that the Reclamation Criteria for Cultivated Lands have been met.
- 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 application. The AER has issued the applied-for Reclamation Certificate, and this is your notice of that decision. A copy of the Reclamation Certificate 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 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

Attachment (1): Reclamation Certificate

cc: Jayme Scott, Husky Oil Operations Limited
Brad Dunkle, Reclamation Assessor, AER
Field Operation East, AER
ADR Inbox, AER
SOC Inbox, AER
Reclamation Inbox, AER