

October 24, 2022

By Email Only

David Sigurdson

Statement of Concern No. 31952
Orphan Well Association (OWA)
Application No. 30985739
Location: NW 13-039-28W4M

Dear David Sigurdson:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 30985739. 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 Detailed Site Assessment (DSA) was conducted on July 13, 2020, which showed the conditions of the vegetation, landscape and soil were comparable both onsite and offsite. The DSA indicated that all the parameters of the *2010 Reclamation criteria for Wellsite and Cultivated Lands* (Reclamation Criteria) were met.
- AER staff has determined the DSA appears satisfactory, along with the documentation of disturbance made by Lacombe County for road repair.
- Regarding concerns around soil contamination, AER staff reviewed the Soil Assessment Report dated May 19, 2021, and determined the soil samples met the *2010 Reclamation criteria for Wellsite and Cultivated Lands* (Reclamation Criteria) guidelines and therefore no further reclamation work is required.
- Regarding concerns around notification, the Orphan Well Association (OWA) must abide by *Specified Enactment Direction 002: Application Submission Requirements and Guidance for Reclamation Certificates for Well Sites and Associated Facilities*, in addition to Bulletin 2018-17: *Changes to Reclamation Application Presubmission Requirements*. The AER is satisfied the OWA has met the notification obligations as per the above requirements.

- The concerns around future use of the land are vague and you do not demonstrate how the proposed reclamation may directly and adversely affect future land use.

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
/gf

Attachment (1): Reclamation Certificate

cc: Darren Stokes, Orphan Well Association
SOC Inbox, AER
Brad Dunkle, Reclamation Assessor, AER
Field Operations West, AER
Reclamation Inbox, AER
ADR Inbox, AER