

January 12, 2023

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By Email Only

Dennis and Lorraine Henning**Statement of Concern No. 32075
Imperial Oil Resources Limited (Imperial)
Application No. 31452718
Location: 07-23-51-27W4M**

Dear Dennis and Lorraine Henning:

You are receiving this letter because you filed a statement of concern (SOC) in respect of Application No. 31452718. 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:

- Detailed Site Assessments (DSA) were conducted by Golder Associates Ltd. (Golder) for landscape and soil on June 1, 2021, and for vegetation on August 16, 2021. The DSAs showed that the vegetation, landscape, and soil conditions were comparable both onsite and offsite, and they indicated that all parameters of the *2010 Reclamation criteria for Wellsites and Associated Facilities for Cultivated Lands* (Reclamation Criteria) were met.
- Golder conducted a Phase 2 Environmental Site Assessment (ESA) on November 19, 2019, where the remediation and confirmatory results concluded that the *Alberta Tier 2 Soil and Groundwater Remediation Guidelines* (AENV 2007 as amended) were met.
- The AER acknowledges the concerns regarding soil mixing, crop growth, topsoil and loss of moisture and fertilizer; however, the information from the AER site inspection conducted on August 26, 2022, and the DSAs demonstrates that the Reclamation Criteria for Cultivated Lands have been met

- The concerns around onsite cement, gravel and landscaping at the gate entrance into the lease (west portion). AER staff note that Imperial cleaned up the cement found at the site during their site visit; therefore, these concerns have been addressed to the AER's satisfaction.
- The Reclamation Criteria is applied to evaluate whether "a site has met equivalent land capability." Given the findings made in the DSA and Phase 2 ESA, as well as during the AER staff site visit, the AER is satisfied that the site has met equivalent land capability and that the SOC filer's 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: Drew Lockwood, Reclamation Assessor, AER
Tian Q. Che, Imperial Oil Resources Limited
Field Operations Central, AER
ADR Inbox, AER
SOC Inbox, AER
Reclamation Inbox, AER