

BY EMAIL ONLY

May 15, 2019

Mr. Lyle M Butler

**HUSKY OIL OPERATION LIMITED (Husky)**

**APPLICATION NO. 347573**

**STATEMENT OF CONCERN NO. 31279**

Dear Lyle M Butler:

You are receiving this letter because you filed a statement of concern about Application No. 347573. The Alberta Energy Regulator (AER) has reviewed your statement of concern, 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 statement of concern.

In its review of your concerns, the AER considered the following:

- Husky commissioned a Detailed Site Assessment (DSA) for the site conducted on September 14, 2017, which showed that the conditions of the soil, landscape, and vegetation were comparable both onsite and offsite. The DSA indicated that all parameters of the *2010 Reclamation Criteria for Wellsites and Associated Facilities for Cultivated Lands* (Reclamation Criteria) were met.
- The AER conducted a site visit on August 17, 2018, during which the AER staff confirmed that onsite and offsite vegetation, landscape and soil parameters appeared to be comparable.
- Your concerns regarding livestock issues, mishaps on the access road, and prior arbitrations are historical in nature and outside of the scope of this application.
- The Reclamation Criteria require an evaluation of whether “a site has met equivalent land capability.” Given the findings made in the DSA and during the AER staff site visit, the AER is satisfied that the site has met equivalent land capability and that your 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 on our website under Regulatory Appeal Process.

If you have any questions, contact Megan Carfantan at 403-297-8415 or [megan.carfantan@aer.ca](mailto:megan.carfantan@aer.ca)

Sincerely,

<Original Signed By>

Tania de Silva  
Director, Director, Oil, Gas & Pipeline

Enclosure (1): **(Reclamation Certificate)**

cc: Heather Whelan, Husky Oil Operations Limited  
AER SOC Assessor  
AER Wainwright Field Centre