

Application 1918034

Notice of Hearing - Regulatory Appeal - Cold Lake Expansion Project

Notice of Hearing

Regulatory Appeal

Proceeding ID 376

Imperial Oil Resources Limited

Cold Lake Expansion Project

The Alberta Energy Regulator (AER) will hold a public hearing for a regulatory appeal of the amendments to *Environmental Protection and Enhancement Act (EPEA)* approval 73534-01-02 and *Oil Sands Conservation Act (OSCA)* approval 8558MM for the Cold Lake expansion project. This notice sets out how to request to participate in the hearing. The hearing will be scheduled after requests to participate are filed.

Description of the Proceeding

On March 10, 2016, Imperial Oil Resources Limited (Imperial) applied to amend the *EPEA* and *OSCA* approvals for the Cold Lake expansion project to continue phased development of Imperial's in-situ Cold Lake operations (see map below). The applications to amend the *EPEA* and *OSCA* approvals were approved on August 14, 2018. The Cold Lake operations are located on Crown land about 23 kilometres northwest of Cold Lake, Alberta, in Townships 65 and 66, Ranges 2, 3, and 4, West of the 4th Meridian.

On September 12, 2018, the AER received a request for a regulatory appeal from the Elizabeth Métis Settlement under Part 2, Division 3, of the *Responsible Energy Development Act* and Part 3 of the *Alberta Energy Regulator Rules of Practice (Rules of Practice)* of the AER's decision to approve the amendment applications.

The AER issued its decision to hold a hearing on the regulatory appeal on December 20, 2018. The purpose of the hearing is to determine whether the AER should confirm, vary, suspend, or revoke its decision to issue the approvals.

Where can I find information about the hearing?

To view or receive a copy of the hearing materials, or for information on AER procedures, contact Tammy Turner, Hearing Coordinator

Alberta Energy Regulator

Suite 1000, 250 – 5 Street SW

Calgary, Alberta T2P 0R4

Email: Hearing.Services@aer.ca (mailto:Hearing.Services@aer.ca)

Phone: 403-297-3232

Who are the current parties to this appeal?

The Elizabeth Métis Settlement, Imperial, and the AER's Authorizations Group are parties to this regulatory appeal. As parties, they may participate in the hearing and do not need to submit a request to participate. However, they must confirm their intention to participate in the hearing and the nature and scope of their participation no later than 4:00 pm on **April 16, 2019**.

How can I apply to participate in the hearing?

If you are not already a party to the regulatory appeal and want to participate in the hearing, you must submit a written request to participate. Requests to participate are placed on the public record of this proceeding.

Your request to participate must contain

a) a copy of your statement of concern, if applicable;

b) a concise statement indicating

1. why you may be directly and adversely affected by a decision of the AER on the regulatory appeal, or
 2. if you will not be directly and adversely affected by a decision of the AER on the regulatory appeal, explain
 - what the nature of your interest in the matter is and why you should be permitted to participate,
 - how your participation will materially assist the AER in deciding the subject matter of the regulatory appeal,
 - how you have a tangible interest in the subject matter of the regulatory appeal,
 - how your participation will not unnecessarily delay the regulatory appeal, and
 - how you will not repeat or duplicate the evidence presented by the other parties in the regulatory appeal;
- c) the outcome of the regulatory appeal that you advocate;
- d) the nature and scope of your intended participation;
- e) your contact information;
- f) if you have a representative, their contact information;
- g) if you are acting on behalf of a group or association of persons, the nature of your membership in the group or association; and
- h) your efforts, if any, to resolve issues associated with the proceeding directly with the party requesting the appeal or the approval holder, as the case may be.

Send the request to the hearing coordinator. Submissions should be PDF documents with bookmarks, page numbers, and optical character recognition.

Filing deadlines

April 16, 2019 - Final date to file a request to participate

April 23, 2019 - Final date to submit responses to any request to participate.

Is this a public process?

Yes. Section 49 of the *Rules of Practice* requires that all documents and information filed for a proceeding be placed on the public record. You must not include any personal information that you do not want to appear on or are not authorized to put on the public record. You should assume that anything you submit will be available online to the public. Section 49(2) of the *Rules of Practice* states how to apply to the AER for an order to keep information confidential.

How do I raise a question of constitutional law?

You must give notice according to section 12 of the *Administrative Procedures and Jurisdiction Act* and schedule 2 of the *Designation of Constitutional Decision Makers Regulation*. In addition, you must include the following information in your submission:

- a) the constitutional question you intend to raise,
- b) the legal argument you intend to make, and
- c) the evidence you intend to rely on in support of your legal argument.

What is outside of the AER's jurisdiction?

Compensation for land use is not dealt with by the AER and should be referred to the Alberta Surface Rights Board.

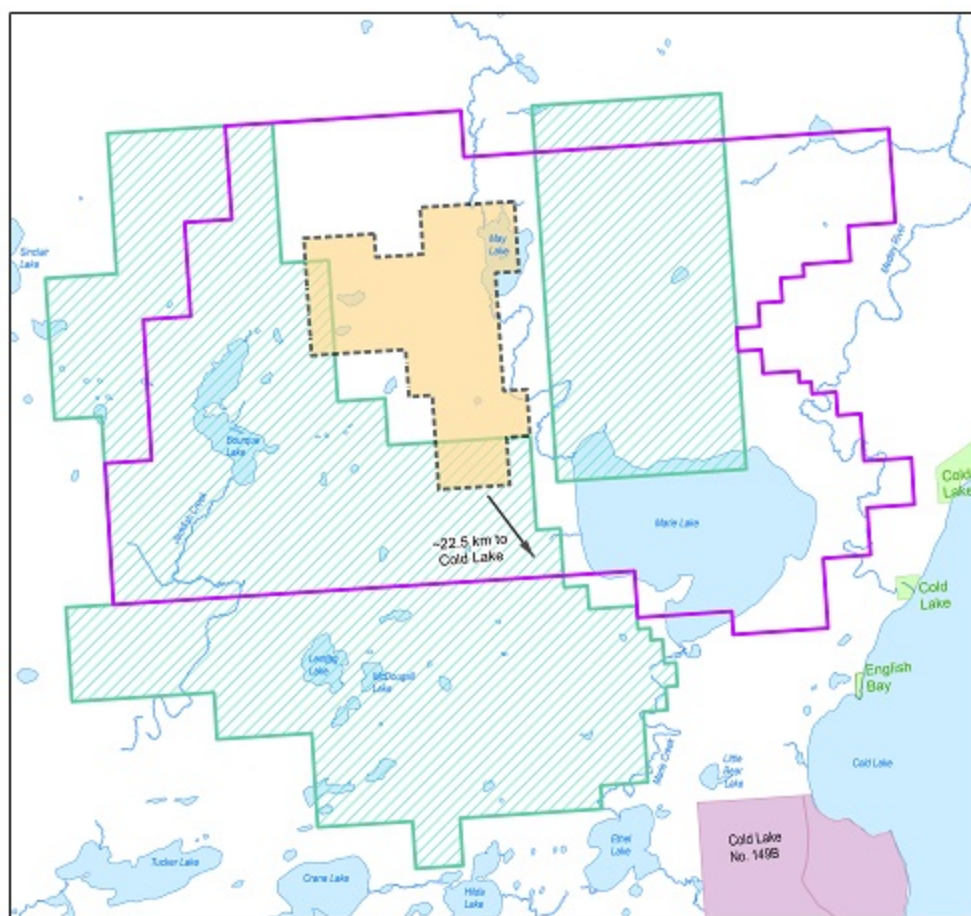
Consultation with Alberta's First Nations and Métis settlements and assessment of its adequacy are managed by the Aboriginal Consultation Office.

If my request to participate is approved, can I apply to get reimbursed for hearing-related costs?

If you are participating in a hearing, you may be eligible to have some of your costs paid. [Directive 031: REDA Energy Cost Claims \(/regulating-development/rules-and-directives/directives/directive-031\)](#) explains how and when to apply.

Issued at Calgary, Alberta, on April 1, 2019.

ALBERTA ENERGY REGULATOR



Cold Lake expansion project (CLEP)

- Lower Grand Rapids deposit development area
– approved Aug 14, 2018
- Lower Grand Rapids deposit project area
– approved Aug 14, 2018
- Previously existing Clearwater deposit project areas
- First Nation reserve
- Provincial parks
- Lakes; rivers; reservoirs

0 2.5 5 10 km N
1:175,000

Projection and Datum: 10TM AEP Forest, NAD83

Publication/Data Date: March 20, 2019

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