

December 11, 2024

Environment and Climate Change Canada

Attention: Minister Guilbeault

Public Inquiries Centre
7th floor, Fontaine Building
200 Sacré-Coeur Boulevard
Gatineau QC K1A 0H3

By Email and Registered Mail

Dear Minister Guilbeault,

RE: CNRL's Failure to Report Emissions to the NPRI

This letter is an Application for Investigation pursuant to section 17 of the *Canadian Environmental Protection Act* (“CEPA”)¹ for alleged offences under the CEPA by Canadian Natural Resources Limited (“CNRL”) for non-compliance with the National Pollution Release Inventory (“NPRI”). NPRI reporting requirements are set out in the *Notice with respect to the substances in the National Pollutant Release Inventory for 2022, 2023 and 2024* (“Ministerial Notice” or “Notice”).²

An analysis of the production data submitted by CNRL in Alberta’s production accounting reporting system, Petrinex, reveals that numerous facilities meet reporting thresholds to the NPRI, but do not report as required. The data I rely on in this Application for Investigation has been prepared by Richard Hepp, the President and CEO of eMission Software Inc., whose experience, credentials, data analysis and methodology are set out in his expert report attached as **Appendix A** (“Hepp Report”).

The data in the Hepp Report concludes that, in total, there are at least 119 non-bitumen CNRL facilities and potentially 412 bitumen CNRL facilities that are in violation of these NPRI reporting obligations. There are 54 non-bitumen sites and 373 bitumen sites that are likely violating the VOC and Benzene Reporting Requirements (Group 1) and 65 non-bitumen sites and 39 bitumen sites that are likely violating the Part 4 Substance and Benzene Reporting Requirements (Group 2). In addition, it also identifies an additional 34 non-bitumen CNRL facilities and 34 bitumen CNRL facilities for which there was inadequate information on the NPRI to determine compliance with NPRI reporting requirements. Of the Group 1 possible violators, 52 also hit the Group 2 reporting threshold. Of the Group 2 possible violators, 55 also hit the Group 1 reporting threshold.

¹ Canadian Environmental Protection Act, 1999, SC 1999, c 33, <<https://canlii.ca/t/562ts>>

² “Canada Gazette, Part 1, Volume 156, Number 7: Supplements: DEPARTMENT OF THE ENVIRONMENT: CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999: *Notice with respect to the substances in the National Pollutant Release Inventory for 2022, 2023 and 2024*” (12 February 2022), online: *Government of Canada* <<https://www.gazette.gc.ca/rp-pr/p1/2022/2022-02-12/html/sup1-eng.html>> [2022-2024 Notice].

These facilities are subject to the reporting requirements of the Notice because of their level of either: (i) annual oil throughput levels; or (ii) because they released fine particulate matter (“PM_{2.5}”) above NPRI threshold levels. In addition to these identified facilities, the Hepp Report also identifies an additional 34 non-bitumen CNRL facilities and 34 bitumen CNRL facilities for which there was inadequate information on the NPRI to determine compliance with NPRI reporting requirements.

As explained with reference to evidence below, the specific substances for which these facilities have failed to report are Part 4 Substances and benzene. Part 4 substances, also known as Criteria Air Contaminants, are identified in the Notice as carbon monoxide (“CO”), nitrogen oxides (“NO_x”), PM_{2.5}, particulate matter with a diameter ≤10 micrometres (“PM₁₀”), sulphur dioxide (“SO₂”), total particulate matter (“TPM”) and Volatile Organic Compounds (“VOCs”).

Failure to report substance releases pursuant to the Ministerial Notice constitutes an offence or offences under sections 272.1(1)(a) and/or 272.1(1)(b) of the *CEPA* pursuant to section 46(5) of the *CEPA*. Collectively, this report shows potentially over 500 violations of the *CEPA* (the “Alleged Violations”).

While the Hepp Report focuses on a small portion of facilities from just one operator in Alberta, the massive scale of this alleged non-compliance highlights a far greater systemic problem of under-reporting to the NPRI. The NPRI database is an important tool for individuals, community groups, government, Indigenous groups, and non-governmental groups – among others. But the NPRI is only useful if its reporting requirements are followed.

I therefore request that the Minister investigate these Alleged Violations to determine whether offences have been committed and/or are ongoing under sections 272.1(1)(a) and/or 272.1(1)(b) of the *CEPA*. Investigating the Alleged Violations and enforcing the Ministerial Notice are necessary to fulfill the important public purposes of the NPRI and *CEPA*, and to uphold the Minister’s duties under the *CEPA* Enforcement Policy.

BACKGROUND AND CONTEXT

THE NPRI IS AN IMPORTANT PUBLIC RESOURCE

The NPRI is a public registry of industry substance releases and was established pursuant to section 48 of the *CEPA* in 1998.³ The database serves many important functions. Most notably, it seeks to provide Canadians with public access to accurate and timely information about industry emissions in their communities so that they can monitor local air quality and its potential health-impacts.⁴ The NPRI is therefore a lynchpin in operationalizing the public’s environmental rights to access information on harmful pollutants that may impact the health of their communities.

NPRI data is also essential to environmental monitoring and policy development by government, Indigenous groups, and non-governmental groups. It allows environmental issues and regulatory

³ SC 1999, c 33 [*CEPA*].

⁴ Environment Canada, “National Pollutant Release Inventory: About the NPRI 1998,” at 1, 11, online (pdf) <<https://publications.gc.ca/collections/Collection/En40-495-1-1998-1E.pdf>>.

priorities to be identified across Canada and for the tracking of progress in emissions reduction efforts undertaken by government.⁵ Indeed, NPRI data is used, along with science-based estimation methods, to create the Air Pollutant Emissions Inventory (“APEI”), Canada’s inventory of national, provincial, and territorial air pollutants.⁶ NPRI data is, therefore, an essential foundation for a broad web of environmental data and policy.⁷ Emissions reductions are increasingly the focus of legal and policy initiatives, measuring the success of which depends on the ability to accurately track industry substance releases.⁸ The Canadian government has also expressed that the NPRI is an important source of encouragement for industry to voluntarily reduce emissions.⁹

The importance of emissions data monitoring to the continued improvement of the environment is illustrated by the recent study of the air quality around Alberta’s oilsands conducted by researchers from Yale University and ECCC. That study found emissions levels were 20-64 times higher than reported by the industry, including VOC emissions.¹⁰ In response to this study, ECCC expressed that the findings could “lead to improvements on how emissions are tracked and mitigation opportunities to improve air quality downwind of the oilsands region.”¹¹

The reporting obligations contained in the Ministerial Notice are also the law. Investigating and enforcing reporting failures are therefore necessary to uphold the purposes of *CEPA* and its equal application to the oil and gas industry. They are mandatory and should be strictly complied with.

ENFORCING THE NOTICE IS NECESSARY TO FULFILL THE OBJECTIVES OF CEPA & THE MINISTRY’S POLICY COMMITMENTS

Ensuring individuals and corporations subject to the Ministerial Notice fulfill their NPRI reporting requirements is necessary to fulfill the important objectives of *CEPA* and ECCC’s commitments

⁵ *Ibid.*

⁶ Environment and Climate Change Canada, “Air Pollutant Emissions Inventory: overview,” (last modified 15 03 2024), online: Government of Canada <<https://www.canada.ca/en/environment-climate-change/services/pollutants/air-emissions-inventory-overview.html>>.

⁷ *Ibid.*

⁸ See for example the newly proposed federal VOC emissions regulations, online <<https://canadagazette.gc.ca/rp-pr/p2/2022/2022-01-05/html/sor-dors268-eng.html>>.

⁹ Environment Canada, “National Pollutant Release Inventory: About the NPRI 1998,” at 1.

¹⁰ Benjamin Shingler, “Alberta’s oilsands pump out more pollutants than industry reports, scientists find” (25 January 2024), online: *CBC News* <<https://www.cbc.ca/news/science/alberta-oilsands-research-emissions-1.7093626>>; Megan He *et al.*, “Total organic carbon measurements reveal major gaps in petrochemical emissions reporting” (25 January 2024), 383: 6681 *Science* 426-432, online <<https://www.science.org/doi/10.1126/science.adj6233>>.

¹¹ Benjamin Shingler, “Alberta’s oilsands pump out more pollutants than industry reports, scientists find” (25 January 2024), online: *CBC News* <<https://www.cbc.ca/news/science/alberta-oilsands-research-emissions-1.7093626>>.

under the CEPA Compliance and Enforcement Policy, which sets forth the enforcement guidelines that must be met in this matter.¹² As stated in its Introduction:

[T]his compliance and enforcement policy establishes the principles for enforcement of CEPA and tells everyone who shares a responsibility for protection of the environment - governments, industry, organized labour and individuals - what is expected of them. It also lets everyone know what to expect from Environment and Climate Change Canada and the officers who enforce the *Canadian Environmental Protection Act, 1999* and its regulations. The policy has been developed in co-operation with the Department of Justice.¹³

Section 2(1) of *CEPA* and its preamble list several objectives of the statutory scheme, including:

- recognizing the importance of minimizing risks posed by exposure to toxic substances and the cumulative effects of toxic substances;
- removing threats to biological diversity through pollution prevention as well as the control and management of the risk of any adverse effects of the use and release of toxic substances, pollutants and wastes;
- upholding the Government of Canada's commitment to openness, transparency, and accountability in respect of the protection of the environment and human health;
- recognizing the importance of Canadians having information ... regarding the risks posed by toxic substances to the environment or to human health;
- allowing the Government of Canada to fulfil its international obligations in respect of the environment;
- encouraging the participation of the people of Canada in the making of decisions that affect the environment;
- facilitating the protection of the environment by the people of Canada; and
- providing information to the people of Canada on the state of the Canadian environment.

Permitting the Alleged Violations of the Notice and *CEPA* to go uninvestigated would constitute a disregard for the critical role played by the NPRI in fulfilling these objectives.

It would also constitute a disregard for the commitments set out in the *CEPA* Compliance and Enforcement Policy.¹⁴ According to this policy, the following guiding principles govern the application of the *CEPA*:

- compliance with the act and its regulations is mandatory;
- enforcement officers throughout Canada will apply the act in a manner that is fair, predictable and consistent;

¹² Government of Canada, "Canadian Environmental Protection Act: compliance and enforcement policy" (March 2001), online: <<https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/publications/compliance-enforcement-policy.html>>.

¹³ *Ibid.*, Introduction.

¹⁴ *Ibid.*

- enforcement officers will examine every suspected violation of which they have knowledge, and will take action consistent with this compliance and enforcement policy; and
- enforcement officers will encourage the reporting of suspected violations of the act.

The *CEPA* Compliance and Enforcement Policy underscores the importance of the NPRI as it lists the Minister’s authority to require the submission of information (the NPRI) as the first element of the *CEPA*. While the *CEPA* Compliance and Enforcement Policy provides different enforcement options, it states that “[p]rosecution will always be pursued when:”¹⁵

- there is serious harm or risk to the environment, human life, or health; or
- the alleged violator knowingly provided false or misleading information, or made a false or misleading test of a substance in purported compliance with the act.

It also states that the nature of the alleged offence, including whether an offence is a repeated occurrence and whether there are attempts to subvert the objectives and requirements of the *CEPA*, is to be considered when deciding on which enforcement action to take.

Finally, mandating compliance with the NPRI is necessary to protect the Right to a Healthy Environment that all individuals in Canada possess. As the Declaration in the *CEPA* clearly states: “the Government of Canada recognizes that every individual in Canada has a right to a healthy environment as provided under this Act.”¹⁶ Adequate monitoring and reporting of harmful pollutants is a key component to protecting this right.

Given the scale of the alleged non-compliance and the widespread failure to provide reporting data coupled with the important public reporting mandate of the NPRI, the Minister must thoroughly investigate these Alleged Violations.

NPRI REPORTING IS ESSENTIAL TO CANADA’S INTERNATIONAL COMMITMENTS

In addition to being a potential violation of domestic law, widespread failure to comply with NPRI reporting requirements poses serious risks towards Canada’s international commitments under the Gothenburg Protocol as part of the United Nations Economic Commission for Europe’s (“UNECE”) Long Range Transboundary Air Pollution Convention. Under the Gothenburg Protocol, Canada has committed to reducing emissions from 2005 levels for 2020 and beyond by 55% for SO₂, 35% for NO_x, 20% for VOCs, and 25% for PM_{2.5}.¹⁷ This commitment requires that

¹⁵ *Ibid*, chapter 7.

¹⁶ *CEPA*, Declaration.

¹⁷ Environment and Climate Change Canada “Gothenburg Protocol to reduce transboundary air pollution” (last modified 2 September 2022), online: *Government of Canada* <<https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/gothenburg-protocol-air-pollution.html>>.

Canada report to the UNECE annually on these pollutant emissions and every four years on its emissions projections.¹⁸

Canada's ability to fulfill these commitments is dependent on accurately measuring domestic emissions of these substances. The failure of facilities to report emissions for these Part 4 NPRI substances on the scale detailed in the Application for Investigation means that neither ECCC nor the public have the information necessary to measure progress towards Canada's international commitments under the Gothenburg Protocol. Simply put – if large numbers of operators are not reporting their emissions, Canada may be inaccurately reporting its overall emissions. This calls into question the accuracy of previous reports submitted to the UNECE.

The Alleged Violations

CNRL FACILITIES REQUIRED TO REPORT EMISSIONS

The focus of the analysis in the Hepp Report is on the year 2022, for which all emissions data had to be reported by June 1, 2023. However, there is no reason to suggest that this lack of reporting is limited to 2022. There is ample evidence that warrants investigation by the Minister that non-compliance has been occurring for many years.

The Alleged Offences set out in this Application for Investigation fall into two categories of facilities under the Ministerial Notice:

- (1) Group 1: facilities with light or medium oil batteries with 1,900m³ or more of annual oil throughput who are required report their total VOC and benzene emissions (the "VOC and Benzene Reporting Requirement");¹⁹ and
- (2) Group 2: facilities that exceed the reporting threshold for any Part 4 Substance and who must report emissions for *all* Part 4 substances and benzene emissions (the "Part 4 Substance and Benzene Reporting Requirement").²⁰

The VOC and Benzene Reporting Requirement (Group 1) is set out in sections 11(3) and 15(2) of the Notice. Section 11(3) requires that VOC releases be reported for light or medium crude oil batteries with an annual throughput of ≥ 1900 m³ where employees work less than 20,000 hours in the relevant calendar year. Section 15(2) requires that facilities meeting this criteria also report their benzene releases.²¹ The Hepp Report shows that there are at least 54 CNRL non-bitumen facilities and 373 CNRL bitumen facilities that were required to report under the VOC and Benzene

¹⁸ *Ibid*; "Report of the Executive Body on its forty-second session" ECE/EB.AIR/150/add.1 (27 March 2023), online (pdf): *United Nations Economic and Social Council* <https://unece.org/sites/default/files/2023-09/ECE_EB.AIR_150_Add.1_2305250E.pdf>.

¹⁹ Notice, sections 11(3) and 15(2).

²⁰ Notice, sections 11(2) and 15(2).

²¹ See also Environment and Climate Change Canada, "Oil and gas industry: guide to reporting" (last modified 13 April 2023) at "Case 3. Facilities from the oil and gas extraction sector that have less than 20,000 employee hours and meet the threshold for at least one Part 4 substance," online: *Government of Canada* <<https://www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/report/sector-specific-tools-calculate-emissions/oil-gas-guide.html>>.

Reporting Requirement but that failed to do so. It also concludes that there are 5 non-bitumen CNRL facilities and 28 bitumen CNRL facilities for which there was inadequate information on the NPRI to determine conclusively whether they were in compliance with, or in violation of, the VOC and Benzene Reporting Requirements.

The Part 4 Substance and Benzene Reporting Requirement (Group 2) is set out in sections 11(2) and 15(2) of the Notice and applies to non-oil sand, oil and gas facilities classified under the North American Industry Classification System (NAICS) 2017 version 2.0 Canada code 211110 [Oil and gas extraction (except oil sands)], excluding compressor stations, where employees work a total of less than 20,000 hours in the relevant calendar year. Where one such facility exceeds an emissions threshold of any Part 4 substance, that facility must report emissions data for *all* Part 4 substances, even if those release amounts are zero. This is referred to as the “meet 1, report all” requirement for Part 4 substances.²²

The reporting thresholds for Part 4 substances are the following:

- ≥ 20 tonnes of carbon monoxide;
- ≥ 20 tonnes of nitrogen oxides;
- ≥ 0.3 tonnes of PM_{2.5};
- ≥ 0.5 tonnes of PM₁₀;
- ≥ 20 tonnes of sulphur dioxide;
- ≥ 20 tonnes of total particulate matter; and/or
- ≥ 10 tonnes of volatile organic compounds (VOCs).²³

While the Hepp Report only looked at those facilities that exceeded the threshold for PM_{2.5}, it concluded that at least are 65 confirmed CNRL non-bitumen facilities and 39 CNRL bitumen facilities that were required to report under the Part 4 Substance and Benzene Reporting Requirement. He also concludes that there are 29 non-bitumen CNRL facilities and 6 bitumen CNRL facilities for which there was inadequate information on the NPRI to determine conclusively whether they were in compliance with, or in violation of, the Part 4 Substance and Benzene Reporting Requirements.

While Mr. Hepp notes in his report that he was unable to access employee working hours, the Hepp Report concludes that the majority, if not all of the facilities identified in the report would almost certainly have fewer than 20,000 employee hours worked in a year. It also concludes that even if this opinion is incorrect, because of the rule that facilities with more employees have greater reporting obligations and because the Group 2 Violation facilities would still have obligations to report to the NPRI, that the facilities he has identified will be in violation of their NPRI reporting obligations regardless of employee working hours.

²² Notice, Part 4, s 11(2).

²³ <https://www.gazette.gc.ca/rp-pr/p1/2022/2022-02-12/html/sup1-eng.html>

NON-REPORTING IS AN OFFENCE UNDER SECTION 272.1 OF CEPA

Section 46(5) of the *CEPA* requires everyone to whom a notice, such as the Ministerial Notice, is directed to comply with that notice. The Ministerial Notice is directed to “any person who owns or operates a facility described in Schedule 3 to this notice, and who possesses or who may reasonably be expected to have access to information described in Schedule 4, shall provide the Minister of the Environment with this information.”²⁴ Schedule 3 states that the notice applies to any person who owns or operates a facility that meets the Part 4 criteria – which includes all of the facilities identified in the Hepp Report (light or medium oil and gas facilities with throughputs of 1,900 m³ or facilities with PM_{2.5} emissions above the NPRI threshold levels). CNRL must comply with the Ministerial Notice in respect of these facilities.

Section 272.1(1)(a) of the *CEPA* makes it an offence for any person to contravene any provision of the *Act*, including the above-mentioned section 46(5). The conduct set out in this Application to Investigate may also constitute an offence under section 272.1(1)(b) because the Ministerial Notice may be considered “an obligation, requirement, or a request made under the *CEPA*.” Failing to comply with the 2022 substance release reporting obligations set out in the Ministerial Notice is therefore an offence under s.272.1(1)(a) and/or s. 272.1(1)(b) of the *Act*, requiring investigation by the Minister.

AT LEAST 500 CNRL FACILITIES HAVE NOT REPORTED

This section summarizes the evidence set out in the attached Hepp Report (Appendix A) and details the Alleged Violations.

The Hepp Report consists of his expert report, his attached CV (Annex A), a spreadsheet detailing Group 1 Violations and a spreadsheet detailing Group 2 Violations (Annex B). In preparing his report, Mr. Hepp reviewed and aggregated publicly available production and fuel consumption data from the Petrinex database for certain CNRL facilities in Alberta. The Petrinex database is operated by the Government of Alberta along with other partners and provides accurate and “data of record” for oil and gas operations. The Hepp Report describes how this Petrinex data is inputted into this software to sort which facilities are subject to the VOC and Benzene Reporting Requirements and which facilities are subject to the Part 4 Substance and Benzene Reporting Requirements. Mr. Hepp cross-referenced this list of facilities with the NPRI database to determine whether certain of those facilities had complied with both the NPRI requirements he examined. The Hepp Report, and its two annexed spreadsheets, list the Group 1 and 2 Violations which are summarized below.

(a) Group 1 Violations from Facilities with 1900 m³ or More Annual Oil Throughput Required to Adhere to the VOC and Benzene Reporting Requirement

The Hepp Report shows that in 2022 there were 427 CNRL light or medium battery facilities that had an oil or condensate throughput of 1,900 m³ or more and which did not report VOC or benzene

²⁴ Notice, see also Notice, Schedules 3 and 4.

emissions data to the NPRI.²⁵ As set out above, an annual oil throughput level of 1,900 m³ or more triggers the requirement to report their total VOC and benzene releases to the NPRI.²⁶

The Group 1 Violations spreadsheet (Annex B) in the Hepp Report confirms that all 427 CNRL facilities had an oil or condensate throughput of 1,900 m³ based on aggregated Petrinex data. The Hepp Report also details how Mr. Hepp cross-referenced the facilities listed on the Group 1 Violations spreadsheet against the NPRI and removed any facilities that had complied with the VOC and Benzene Reporting Requirements. Mr. Hepp marked those facility entries which did not comply with the VOC and Benzene Reporting Requirements with a “no” entry in Column K of the Group 1 Violations spreadsheet.

In addition to these 427 CNRL facilities, at paragraph 22 of the Hepp Report it notes that there is insufficient publicly accessible information to confirm whether at least 33 additional CNRL facilities that are subject to the VOC and Benzene Reporting Requirements reported to the NPRI. The Hepp Report explains that because there does not appear to be any obligation for operators to report to the NPRI using standard nomenclature or to report using the names identical to that in Petrinex for facilities, in some cases Mr. Hepp was not able to match a given facility subject to an NPRI entry.

(b) Group 2 - Part 4 Substance and Benzene Reporting Requirement - Oil and Gas Facilities Meeting Threshold for 1 Part 4 Substance

The Hepp Report also identifies 104 oil and gas facilities licenced by CNRL that released at least ≥ 0.3 tonnes of PM_{2.5} in 2022 and which have not reported Part 4 and benzene emissions data to the NPRI for 2022.²⁷ As summarized above and as described in more detail in the Hepp Report, Mr. Hepp consolidated monthly fuel consumption data into an annual amount for each facility. Relying on this annual figure, he used widely accepted emissions factors to determine the annual PM_{2.5} emissions for each facility and produced a list of those facilities with PM_{2.5} emissions above the threshold. He then cross-referenced those facilities with the NPRI database to determine which facilities which were subject to the Part 4 Substance and Benzene Reporting Requirements had not adhered to those requirements. The Group 2 Violations spreadsheet (Annex B) marks all those facilities that had not adhered to those requirements with a “no” entry in Column K of that spreadsheet.

In addition to these 104 CNRL facilities, the Hepp Report notes that there is insufficient publicly accessible information to confirm whether at least 35 additional CNRL facilities are subject to the Part 4 Substance and Benzene Reporting Requirements reported to the NPRI because of non-standard use of facility names, as described above in relation to the Group 1 Violations.

(c) Overlap Between CNRL Group 1 Violations and Group 2 Violations

Finally, the Hepp Report notes that in some cases some facilities identified in Group 1 are the same as those identified in Group 2. Of the Group 1 possible violators, 52 also hit the Group 2 reporting threshold. Of the Group 2 possible violators, 55 also hit the Group 1 reporting threshold.

²⁵ Hepp Report, Annex B.

²⁶ Notice, Part 4, s 11(3) and 14(2)

²⁷ Hepp Report, Annex B.

THE MINISTER MUST INVESTIGATE THESE FACILITIES

The reporting failures set out above require investigation by the Minister, effective enforcement, and prosecution, where applicable. Allowing industry to neglect or evade their emissions reporting obligations undermines the many important public purposes of the NPRI and *CEPA* and public confidence in ECCC's commitment to its own mandate. Furthermore, as set out in the Hepp Report, there is evidence suggesting that these widescale violations are not isolated to 2022 nor to just this one company, but rather is an endemic problem which risks undercutting the purpose of the NPRI. I therefore request that the Minister investigate these facilities and take appropriate action in response to their findings.

Affirmation of Requirements for Application

Pursuant to *CEPA* s.17(2), I request this investigation in my personal capacity and declare that: (1) my name is Deborah Donnelly; (2) I am a resident of Canada over the age of 18; (3) I have provided my current address below; and (4) I believe the evidence and allegations as set out in this application are true. I am the Executive Director of Alberta Wilderness Association (AWA), the oldest Alberta-based environmental conservation group with more than 7,500 members and supporters in Alberta and around the world. AWA seeks the completion of a protected areas network and good stewardship of Alberta's public lands, waters, and biodiversity to ensure future generations enjoy the abundant benefits they provide.

Please update me every 90 days on the status of your investigation at awaed@abwild.ca, as required by section 19 of *CEPA*. I would also ask that you please copy my legal counsel on any updates at their email addresses below/in the covering letter submitting this application/at these email addresses: scalabrese@ecojustice.ca and fthomson@ecojustice.ca.

Sincerely,



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Encl:

- **Appendix A:** Expert Report of Richard Hepp (“Hepp Report”)
- **Hepp Report, Annex A:** CV of Mr. Hepp
- **Hepp Report, Annex B:** Spreadsheets of Petrinex facility information for Group 1 and Group 2 reporting requirements