BRITISH COLUMBIA ENERGY REGULATOR

May 13, 2025 Enforcement File: 2023-0129-01

Harvest Operations Corp.
Suite 2150, 736 – 6th Ave SW
Calgary, Alberta T2P 3T7

Attention: Darlene Loeffel, Vice-President, Operations

Re: General Order 2023-0129-01

Dear Ms. Loeffel,

On December 12, 2024, the BC Energy Regulator issued General Order 2023-0129-01 to Harvest Operations Corp. (Harvest).

Please be advised that pursuant to section 49(8) of the *Energy Resource Activities Act*, General Order 2023-0129-01 is hereby terminated.

If you have any questions or concerns, please do not hesitate to contact the BC Energy Regulator.

Sincerely,

R. A. Workman

Robert Workman
Manager, Enforcement
BC Energy Regulator

Physical/Courier
6534 100 Avenue
Fort St. John, BC V1J 4M6

T: 250.794.5200
F: 250.794.5390

www.bc-er.ca

BRITISH COLUMBIA ENERGY REGULATOR

GENERAL ORDER 2023-0129-01
Section 49 *Energy Resource Activities Act*

Issued to:

Harvest Operations Corp.
Suite 2150, 736 – 6th Ave SW
Calgary, Alberta T2P 3T7

Attention: Colleen Krahn

Order:

Pursuant to section 49(1)(d) of the *Energy Resource Activities Act* (the Act), I, Dax Bourke, order that Harvest Operations Corp. (Harvest) must:

1. By March 31, 2025, remove from the site located at C-58-H/094-I-9 (the incident site), and dispose at an authorized facility, all contaminated mineral soil having substances that exceed the upper cap concentrations detailed in Version 6.0 of Protocol 11 under the Contaminated Sites Regulation (CSR).
2. By March 31, 2025, remove from the incident site, and dispose at an authorized facility, all contaminated organic soil having pore water concentrations of chloride that exceed 1680mg/L chloride and/or pore water concentrations of sodium that exceed 1090mg/L sodium.
3. By April 11, 2025, provide a report detailing the disposal summaries of environmental media removed from the site as referenced in items 1 and 2, and the sampling of the incident site confirming that items 1 and 2 have been completed. Submission of the report shall be in electronic format to C&E@bc-er.ca.

Conditions:

A. This order shall remain in effect until amended or terminated in whole or in part by the BC Energy Regulator.

Reasons:

I make this order for the following reasons:

i. Harvest is the permit holder for pipeline project 16405-1 (the pipeline).
ii. On December 3, 2023, an incident on the right of way for the pipeline occurred at C-58-H/094-I-9.
iii. Harvest estimated the spill at approximately 20 m^3 of emulsion.
iv. The pipeline is in an environmentally sensitive area of muskeg.

v. March 1, 2024, was the last time Harvest reported any work had been done at the incident site.

vi. Despite requests from the BCER in April 2024 and July 2024, Harvest has not provided a written remediation plan to the BCER.

vii. Section 37(2) of the Act states the following:

If spillage occurs, a permit holder, an authorization holder or person carrying out an energy resource activity or an off-site environmental mitigation activity must promptly do all of the following:

(a) remedy the cause or source of the spillage;
(b) contain and eliminate the spillage;
(c) remediate any land or body of water affected by the spillage;
(d) if the spillage is a risk to public safety or the environment, report to the regulator
    (i) the location and severity of the spillage, and
    (ii) any damage or malfunction causing or contributing to the spillage.

viii. I am of the opinion that Harvest is not in compliance with section 37(2)(b) and (c) of the Act.

Review or Appeal

Harvest may request a review of this order under section 70 of the Act or appeal this order under section 72 of the Act. Both a review and an appeal of the order cannot be commenced simultaneously.

A request for review may be sent to: determinationreviews@bc-er.ca.

Alternatively, a notice of appeal may be sent to the Energy Resource Appeal Tribunal info@bcerat.ca or mailed to:

Energy Resource Appeal Tribunal
PO Box 4925 Stn Prov Govt
Victoria, BC V8W 9V1
Information regarding the process for appeals may be found at www.bcerat.ca

Dax Bourke
Executive Director, Compliance & Enforcement
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 12th day of December 2024.