

GENERAL ORDER 2023-0129-02
Section 49 *Energy Resource Activities Act*

Issued to:

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

Attention: Darlene Loeffel, Vice-President, Operations

Order:

Pursuant to section 49(1)(e)(ii) of the *Energy Resource Activities Act* (the Act), I, Robert Workman, order that Harvest Operations Corp. (Harvest) must:

1. Cease storing any contaminated environmental media having substances that exceed industrial land use concentrations under the Contaminated Sites Regulation (CSR) at B-064-H/095-I-9 (the Site), also known as “Kebel’s Keep”, and remove all such contaminated environmental media to a waste management facility as defined in section 1 of the *Environmental Management Act* (EMA) by June 30, 2025.
2. Provide a report to the British Columbia Energy Regulator (BCER), detailing completion of Item 1 including volumes removed, location removed to and photographs of the Site once all contaminated environmental media has been removed, by e-mail to C&E@bc-er.ca by July 4, 2025.
3. Complete a detailed site investigation overseen by a qualified professional as defined in the CSR, as described in section 59 (1) & (2) of the CSR, of the Site by August 15, 2025.
4. Provide a report, prepared by a qualified professional as defined in the CSR, as described in section 59 (3) of the CSR, of the detailed site investigation completed under Item 3 by e-mail to C&E@bc-er.ca by September 15, 2025.

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 holds a Licence of Occupation (the “Licence”) for the purpose of a Land Farm issued under the Land Act by the BCER on July 21, 2023, for a parcel of land located at the Site.
- ii. ‘Protocol 15 For Contaminated Sites’ established under section 64 of EMA states that land farming “means a method of reducing the concentrations of hydrocarbon constituents in soil through biodegradation characterized by spreading contaminated soil over a large surface area in the absence of engineered structures designed to contain the contamination.”
- iii. The Licence does not relieve Harvest from any requirement to obtain an authorization under EMA in relation to treatment, recycling, storage, disposal or destruction of waste.
- iv. On April 11, 2025, Harvest notified the BCER that approximately 2904 to 3404 m³ of contaminated environmental media, containing constituents other than hydrocarbon constituents, had been transported directly from the site of a December 3, 2023, spill (BCER incident 080100031-001, DGIR 234701) at C-58-H/094-I-9 and deposited at the Site.
- v. An inspection by BCER staff on April 28, 2025, found that the Site does not meet minimum soil treatment facility design requirements identified under ‘Protocol 15 for Contaminated Sites’ established under section 64 of EMA.
- vi. There are no authorizations issued under EMA for the Site.
- vii. I am of the opinion that this order is necessary to protect the environment.

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



Robert Workman

Manager, Enforcement

BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 30th day of May 2025.