

GENERAL ORDER 2024-0022-01
Amendment 1
Section 49 *Energy Resource Activities Act*

Issued to:

Powertech Labs
12388-88th Ave
Surrey, BC V3W7R7

Attention: Ben Skillings, Division Manager, Hydrogen Industry Technology & Testing

Order:

Pursuant to section 49(7) of the *Energy Resource Activities Act* (the Act), I, Robert Workman, amend General Order 2024-0022-01 issued on March 1, 2024, to Powertech Labs (PTL) by deleting item 1 and replacing it with the following:

1. Submit a complete application for a permit from the BC Energy Regulator (BCER) for the Hydrogen Station project (Project) located at 12388-88th Ave Surrey, BC by August 5, 2024.

Conditions:

- A. This order shall remain in effect until
 - i. a permit has been issued by the BCER in relation to the Project, or
 - ii. amended or terminated in whole or in part by the BCER.

Reasons:

I make this order for the following reasons:

- i. PTL has been working to develop its application for a permit.
- ii. PTL was registered with Petrinex on April 22, 2024.
- iii. PTL been working with BCER staff to resolve technical issues associated with the submission of its application.
- iv. I am satisfied that providing a reasonable extension time for PTL to submit its application is appropriate in the circumstances.

Review or Appeal

PTL 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



R.A. Workman
Manager, Enforcement
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 5th day of July 2024.

GENERAL ORDER 2024-0022-01
Section 49 *Energy Resource Activities Act*

Issued to:

Powertech Labs
12388-88th Ave
Surrey, BC
V3W7R7

Attention: Ben Skillings, Division Manager, Hydrogen Industry Technology & Testing

Order:

Pursuant to section 49(1)(d) of the *Energy Resource Activities Act* (the Act), I, Dax Bourke, order that Powertech Labs (PTL) must:

1. Submit a complete application for a permit from the BC Energy Regulator (BCER) for the Hydrogen Station project (Project) located at 12388-88th Ave Surrey, BC by July 5th, 2024.
2. Operate the Project in a manner that protects public safety and the environment and that is consistent with recognized and generally accepted good engineering practices.

Conditions:

- A. This order shall remain in effect until
- i. a permit has been issued by the BCER in relation to the Project, or
 - ii. amended or terminated in whole or in part by the BCER.

Reasons:

I make this order for the following reasons:

- i. PTL is the owner of the Project.
- ii. The Project includes the construction and operation of a facility for manufacturing hydrogen.
- iii. PTL initiated the Project in 2001 and it is currently operational.
- iv. On September 1, 2023, the construction or operation of a facility for manufacturing hydrogen became an energy resource activity under the Act that the BCER is now responsible for regulating.
- v. Section 21 of the Act provides:

Subject to section 23, a person must not carry out an energy resource activity unless

- (a) either
 - (i) the person holds a permit that gives the person permission to carry out that energy resource activity, or
 - (ii) the person is required to carry out that energy resource activity by an order issued under section 49, and
 - (b) the person carries out the energy resource activity in compliance with
 - (i) this Act and the regulations,
 - (ii) a permit issued to the person, if any, and
 - (iii) an order issued to the person, if any.
- vi. At the date of this order, PTL does not hold a permit for the Project.
- vii. Section 21(1)(a)(ii) provides authority for carrying out an energy resource activity pursuant to an order issued under section 49.
- viii. I am satisfied that the Project can operate so long as it is done in a safe and responsible manner while PTL completes the permit application process.

Review or Appeal

PTL 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:

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Dax Bourke
Executive Director, Compliance & Enforcement
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 4th day of March 2024.