

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:

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 4th day of March 2024.