

GENERAL ORDER 2024-0127-02

Amendment 1

Section 49 *Energy Resource Activities Act*

Issued to:

Saba Oil and Gas Ltd.
Suite 800 215 9th Ave SW
Calgary, Alberta
T2P 1K3

Attention: Ozmen Binli, VP Engineering

Order:

Pursuant to section 49(7) of the *Energy Resource Activities Act* (the Act), I, Dax Bourke, amend General Order 2024-0127-02 issued November 29, 2024 (the Order) to Saba Oil and Gas (Saba) as follows:

1. By extending each of the deadlines referenced in items 1, 2 and 3 to March 15, 2025.
2. By adding Items 6 and 7 as follows:
 6. Provide a report regarding progress and remaining work to complete remediation of the site impacted by the spill situated at 14-35-85-14 on February 17, 2025, and every 7 days thereafter concluding March 17, 2025.
 7. The reports required under Item 6 must be submitted to the BC Energy Regulator (BCER) by e-mail to C&E@bc-er.ca.

Conditions:

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

Reasons:

I amend the order for the following reasons:

- I. On January 29, 2025, the BCER conducted an inspection of site affected by the spill located at 14-35-85-14 (the site) and noted that the site had not been remediated.
- II. On February 4, 2025, Saba discussed with the BCER a plan to remediate the site affected by the spill at 14-35-85-14.
- III. On February 5, 2025, Saba submitted a plan to the BCER regarding cleanup and remediation of the site, and requesting an extension of the March 15, 2025, deadline referenced at Items 1, 2 and 3 of the order.
- IV. Under the circumstances the BCER considers a one-month extension reasonable to complete the remaining remediation work. The BCER considers weekly updates from Saba regarding progress and remaining remediation work to be necessary in the interim.

Review or Appeal

Saba 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 10th day of February 2025.

January 28, 2025

Enforcement File: 2024-0127

Saba Oil and Gas Ltd.
Suite 800 215 9th Ave SW
Calgary, Alberta
T2P 1K3
Attention: Ozmen Binli, VP Engineering

Re: General Order 2024-0058-03

Dear Mr. Binli,

On November 14, 2024, the BC Energy Regulator issued General Order 2024-0127-01 to Saba Oil and Gas Ltd.

Please be advised that pursuant to section 49(8) of the *Energy Resource Activities Act*, General Order 2024-0127-01 is hereby terminated.

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

Sincerely,



Dax Bourke
Executive Director, Compliance & Enforcement
BC Energy Regulator

GENERAL ORDER 2024-0127-01
Section 49 *Energy Resource Activities Act*

Issued to:

Saba Oil and Gas Ltd.
800 215 9th Ave SW
Calgary, Alberta
T2P 1K3

Attention: Ozmen Binli, VP Engineering

Order:

Pursuant to section 49(1)(d) of the *Energy Resource Activities Act* (the Act), I, Dax Bourke, order that Saba Oil and Gas Ltd. (Saba) must:

1. No later than December 15th, 2024, complete delineation and remediation of the remaining contamination at the pipeline spill located at 14-35-85-14.
2. No later than December 15th, 2024, remove all stockpiled contaminated soil and insitu contaminated soil situated at 14-35-85-14 to an authorized disposal facility.
3. No later than December 15th, 2024, backfill all hydrovac holes related to remedial activities associated with the spill at 14-35-85-14.
4. No later than May 31, 2025, provide a report completed by a Qualified Professional to the British Columbia Energy Regulator (BCER) confirming soil and groundwater impacted by spillage from the pipeline at 14-35-85-14 has been remediated to applicable numerical or risk-based standards under the Contaminated Sites Regulation (CSR).
5. The report required under Item 4 must be submitted to the BCER by e-mail 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. Saba is the permit holder for the pipeline at 14-35-85-14.
- II. On May 22, 2024, Saba discovered a spill on the pipeline at 14-35-85-14 and the spill was reported to the BCER as a minor incident the following day.
- III. The spill occurred on land located within the Agricultural Land Reserve.
- IV. On May 31st, 2024, the spill was reclassified to a level 1 incident due to potential offsite migration.
- V. Daylighting activities were completed between May 23rd to May 26th, 2024, to initially investigate the source of the release.
- VI. Between June 8 to 10, 2024, further remediation occurred using a hydrovac and excavator. The top meter of unimpacted soil (approximately 375m³) was stockpiled for later backfill and the contaminated soil was stockpiled on a polyurethane sheet.
- VII. On June 9 and again on June 10th, approximately 255m³ contaminated soil was removed from the site to a disposal facility.
- VIII. On June 11th, 2024, remediation operations were put on hold, and it was noted that approximately 75m³ of contaminated soil remained stockpiled onsite.
- IX. An inspection on July 12, 2024, by BCER staff, showed that the remaining stockpile of contaminated soil is not constructed in a manner that prevents or minimizes leachate generation or effectively controls leachate that may be generated by precipitation or snowmelt.
- X. Confirmatory samples were taken of the base and walls of the excavation on June 11, 2024. One confirmatory sample (CS24-10) within the southeastern corner of the excavation did not meet applicable CSR criteria. As such, further delineation and remediation is required.
- XI. Section 37(2)(c) of The Energy Resource Activities Act (ERAA) provides:
 - 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:
 - (c) remediate any land or body of water affected by the spillage;
- XII. I am of the opinion that Saba has failed to comply with section 37(2)(c) of the Act.
- XIII. I am of the opinion this order is necessary to protect the environment.

Review or Appeal

Saba 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.

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

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Victoria, BC V8W 9V1

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Dax Bourke
Executive Director
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 14th day of November, 2024.