

GENERAL ORDER 2023-0129-03
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, Dax Bourke, order that Harvest Operations Corp. (Harvest) must:

1. By February 15, 2026, complete a detailed site investigation (as defined in section 39 of the *Environmental Management Act*) of the site located at C-58-H/094-I-9 (the incident site).
2. By February 28, 2026, prepare a detailed site investigation report of the incident site in accordance with section 59(3) of the Contaminated Sites Regulation. The report must be prepared by a British Columbia Contaminated Sites Approved Professional.
3. By February 28, 2026, prepare a remediation plan for the incident site. The remediation plan must be prepared by a British Columbia Contaminated Sites Approved Professional – Risk Based.
4. By February 28, 2026, submit the detailed site investigation report and remediation plan in items 2 and 3 to the BCER at 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 pipeline permit holder of the pipeline project 16405-1 (the pipeline).
- ii. On December 3, 2023, Harvest reported a spill of 20m³ oil emulsion due to a failure of the pipeline at C-58-H, 94-I-9. On April 3, 2024, Harvest updated the volume of the spill to 300m³.
- iii. On April 3, 2024, Harvest provided a report entitled “*Spill Response Activity Summary Report December 2023 to February 2024 C-58-H/94-I-9*,” which identified the following contaminants of concern that exceeded applicable CSR standards at the incident site: benzene, toluene, ethylbenzene, xylenes (collectively BTEX), volatile petroleum hydrocarbons (VPH), light extractable petroleum hydrocarbons (LEPH), heavy extractable petroleum hydrocarbons (HEPH), polycyclic aromatic hydrocarbons (PAH) (naphthalene and phenanthrene), chloride, and sodium.
- iv. The incident site is located within a wetland classified as riparian class W3 and is an area that provides highly suitable winter habitat for Boreal Caribou, and other mammal and avian species.
- v. On December 10, 2024, Harvest submitted the “*Source Removal Excavation Report, Ver 2.0*”, which stated that the release impacted approximately 63,070 square metres and that contamination continued to exceed applicable regulatory standards and upper cap concentrations.
- vi. On December 12, 2024, the BCER issued General Order 2023-0129-01 requiring Harvest to remove and dispose to an authorized facility, all mineral soils with substances exceeding upper cap concentrations and all organic soils with concentrations of chloride and sodium within porewater exceeding 1680 mg/L and 1090 mg/L, respectively.
- vii. On April 11, 2025, Harvest submitted a report titled “*Remediation Program General Order #2023-0129-01*.” The report summarized excavation and removal of contaminated environmental media from the incident site and confirmatory sampling results from the excavations. The analysis focused solely on sodium and chloride contamination and did not address petroleum hydrocarbons (BTEX, VPH, LEPH, HEPH, naphthalene, and phenanthrene) that remained at the incident site. The report did not include a detailed remediation plan to address remaining contaminants.
- viii. On September 10, 2025, Harvest submitted the report “*Interim Remediation & Water Treatment Update C58 Site: C-58-H/94-I-9*,” which described Harvest’s remediation approach. Harvest identified that they would apply a site-wide average (≤ 500 mg/L) chloride within groundwater to demonstrate remediation is complete. The remediation plan did not address other contaminants of concern at the site and did not align with Protocols and Technical Guidance established under Section 64 of the *Environmental Management Act*.

- ix. Harvest has not provided adequate evidence that the incident area has been remediated to applicable CSR standards for all contaminants of concern and in all impacted environmental media. Harvest has not provided a written remediation plan to the BCER that addressed the existing contaminants.
- x. I am in 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



Dax Bourke
Executive Director, Compliance & Enforcement
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 11th day of December 2025.