



Newalta Corporation

Applications for a Pipeline Licence and a Facility
Licence
Redwater Field

June 30, 2009

ENERGY RESOURCES CONSERVATION BOARD

Decision 2009-042: Newalta Corporation, Applications for a Pipeline Licence and a Facility Licence, Redwater Field

June 30, 2009

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ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta

NEWALTA CORPORATION APPLICATIONS FOR A PIPELINE LICENCE AND A FACILITY LICENCE REDWATER FIELD

Decision 2009-042
Applications No. 1569724 and 1612056

1 DECISION

Having reviewed Application No. 1569724, noting that it meets Energy Resources Conservation Board (ERCB/Board) requirements, and noting the receipt of confirmation of nonobjection from the intervening party, the ERCB hereby approves the application. The ERCB has also accepted the applicant's request to withdraw Application No. 1612056 and cancelled the public hearing scheduled to consider both applications.

2 INTRODUCTION

2.1 Applications

Application No. 1569724

Newalta Corporation (Newalta) applied to the ERCB, pursuant to Part 4 of the *Pipeline Act*, for approval to construct and operate a pipeline to transport oil effluent from the existing well at Legal Subdivision (LSD) 10, Section 4, Township 57, Range 21, West of the 4th Meridian (10-4 well), to an existing facility at LSD 6-4-57-21W4M. The proposed pipeline would be 0.35 kilometers (km) in length, have an outside diameter of 88.9 millimetres, and transport oil effluent with no hydrogen sulphide.

Application No. 1612056

Newalta applied, pursuant to Section 7.001 of the *Oil and Gas Conservation Regulations*, for a licence to construct and operate a single-well oil battery to be located at LSD 10-4-57-21W4M. The facility was proposed by Newalta as an alternative to the above-mentioned pipeline. It would be designed to handle production from the existing crude oil well located at LSD 10-4-57-21W4M.

The nearest urban centre would be Redwater, located about 5.1 km north of both proposed projects.

2.2 Intervention

The intervening party, Colleen Lane, is the landowner of LSD 10-4-57-21W4M. She raised concerns about the projects related to environmental impacts, location, health effects, loss of privacy, loss of income, and possible property damage.

2.3 Hearing

The Board was scheduled to hold a public hearing in Redwater, Alberta, on June 30, 2009, before Board Members G. E. Eynon, P.Geol. (Presiding Member) and G. J. Miller and Acting Board Member J. G. Gilmour, LL.B.

3 DISCUSSION

Newalta engaged in the ERCB's Appropriate Dispute Resolution program with Ms. Lane, which resulted in agreement between the parties. Subsequently, on June 10, 2009, the ERCB received a communique from Ms. Lane's lawyer stating that Ms. Lane had removed her objection to the pipeline. On June 18, 2009, Newalta notified the ERCB that it wished to withdraw Application No. 1612056 as the facility would not be required.

Dated in Calgary, Alberta, on June 30, 2009.

ENERGY RESOURCES CONSERVATION BOARD

<original signed by>

G. E. Eynon, P.Geol.
Presiding Member

<original signed by>

G. J. Miller
Board Member

<original signed by>

J. G. Gilmour, LL.B.
Acting Board Member