

**GENERAL ORDER 2019-002**  
Section 49 *Oil and Gas Activities Act*

**Issued to:**

Canada Energy Partners Inc.  
650-669 Howe Street  
Vancouver, BC V6C 0B4

**Attention:** Mr. Ben Jones

**Order:**

Pursuant to section 49(1)(d) of the *Oil and Gas Activities Act* (the Act), I, Patrick Smook, order that Canada Energy Partners Inc. (CEP) must:

1. On or before 4:00 PM on February 8, 2019 provide the date, time, location and description of the tabletop or functional exercise for the Portage field to be conducted no later than April 1, 2019.
2. On or before April 1, 2019, conduct the tabletop or functional exercise for the Portage field.
3. On or before February 8, 2019 submit an updated corporate emergency response plan (ERP) and a supplemental ERP for Portage field.
4. Submit the information required by items 1 and 3 electronically to [C&E@bcogc.ca](mailto:C&E@bcogc.ca).

**Conditions:**

- A. This order shall remain in effect until amended or terminated in whole or in part by the Commission.

**Reasons:**

I make this Order for the following reasons:

- i. CEP is a permit holder under the Act including for a facility, one well and four pipelines in the Portage field.
- ii. Pursuant to section 4(2) of the Emergency Management Regulation (EMR), a permit holder must conduct a full-scale (major) exercise, as described in clause A.4.10 of Annex A of CSA Z246.2, at least once every 3 years.
- iii. Pursuant to section 4(3)(a) of the EMR, a permit holder must conduct a tabletop or functional exercise, as described in clause A.4.10 of Annex A of CSA Z246.2, in each year that an exercise referred to in section 4(2) is not conducted.

- iv. Pursuant to section 4(4) of the EMR, a permit holder must, at least 30 days before conducting an exercise referred to in section 4(2) or 4(3), provide notice to the Commission along with a description of the exercise to be conducted.
- v. Pursuant to section 5 of the EMR, a permit holder must prepare and maintain a plan (ERP) in accordance with CSA Z246.2.
- vi. Pursuant to section 8(1) of the EMR, a permit holder must review and, if necessary, update the information included in an ERP at least once a year.
- vii. Pursuant to section 15(4) of the EMR, a permit holder must, within 30 days after reviewing a plan under section 8, submit to the Commission, in both paper and electronic form, the following, as applicable:
  - (a) a copy of any information updated under section 8(1);
  - (b) if no information is updated under section 8(1), a record showing the date the plan was reviewed and the name of the permit holder's representative who is responsible for the review.
- viii. As of July 26, 2018 Commission records indicated that CEP's tabletop or functional exercise for the Portage field was 116 days overdue.
- ix. On July 26, 2018 the Commission requested that CEP provide 30 days notice of the date, time and location for the outstanding tabletop or functional exercise, together with a copy of the exercise scenario, to be held within 60 days of receipt of the notice.
- x. On January 9, 2019 the Commission again informed CEP that Commission records indicated that CEP's tabletop or functional exercise for the Portage field was overdue.
- xi. On January 16, 2019 the Commission received a reply from Mr. Ben Jones of CEP indicating he would respond the following week.
- xii. Commission records indicate that CEP's corporate ERP and supplemental ERP for the Portage field (ERPs) were last updated or reviewed by CEP on February 1, 2017.
- xiii. On March 20, 2018 the Commission notified CEP that the Commission required, within 30 days of receipt of the letter, an updated ERP or new revisions page showing the date reviewed. On January 9, 2019 the Commission again provided CEP with the notice.
- xiv. On January 16, 2019 the Commission received a reply from Mr. Ben Jones of CEP indicating he would respond to the notice the following week.
- xv. As of 1:00 PM, February 1, 2019 the Commission has not received any further reply from Mr. Ben Jones, notice of CEP's tabletop or functional exercise for the Portage field, CEP's updated ERPs or record showing the date reviewed.
- xvi. I am of the opinion the CEP is not in compliance with section 4 of the Emergency Management Regulation.
- xvii. I am of the opinion that CEP is not in compliance with section 8 and section 15 of the Emergency Management Regulation.

**Review and Appeal:**

CEP may request a review of this order under section 70 of the Act by submitting a request for review to [ogc.determinationreviews@bcogc.ca](mailto:ogc.determinationreviews@bcogc.ca).

CEP may appeal this order to the Oil and Gas Appeal Tribunal under section 72 of the Act. The process for appeals may be found at [www.ogat.gov.bc.ca](http://www.ogat.gov.bc.ca) and a notice of appeal may be sent to the Oil and Gas Appeal Tribunal at:

Oil and Gas Appeal Tribunal  
PO Box 9425 Stn Prov Govt  
Victoria, BC, V8W 9V1

A handwritten signature in black ink, appearing to read 'Patrick Smook', is positioned above a horizontal line.

Patrick Smook  
Director, Compliance and Enforcement  
Oil and Gas Commission

DATED AT Fort St. John, in the Province of British Columbia, this 1<sup>st</sup> day of February 2019.