

BATTLE LAKE WATERSHED SYNERGY GROUP

June 4, 2009

A meeting of the Battle Lake Watershed Synergy Group was held on Thursday, June 4, 2009 at the Lakedell Ag. Centre with Paul McLauchlin acting as Facilitator for the meeting.

CALLED TO ORDER:

- Paul called the meeting to order at 7:02 pm.

ATTENDANCE:

- In attendance were 29 residents, industry representatives and government officials. (see attached list)

AGENDA:

- Paul introduced the agenda and it was approved.

MAY'S MINUTES:

- Paul asked that May's minutes be discussed later because Don South, Noise Expert could only attend meeting for a short period.

REVIEW OF ACTION ITEMS:

- **#63** – Shane Koss explained that he had reviewed the Synergy Alberta website. A sub-group would be needed to decide how to proceed. This should be looked at in the fall. **ACTION ITEM #120**
- He asked Darcy Allen to email PDF file to him over the summer, so that in September, the group could discuss the website further. **ACTION ITEM #121**
- **#115** – Paul has a letter from International Sovereign regarding the invitation to attend BLWSG meetings in the future. He will email a

copy to the Recording Secretary to attach to June's minutes and any other members who are interested. **ACTION ITEM #122**

- #117 – Don South, Noise Expert from ERCB, has attended tonight's meeting and agreed to address the group's questions and concerns regarding noise issues as stated in the Compressor Management BMP.
- #119 – Regarding the original BLWSG members list, when Paul inquired how we should handle the list, the group decided that the members who weren't attending on a regular basis didn't need to be approached anymore. If they want to continue to receive updates, then they can attend future meetings.

BMP—COMPRESSOR MANAGEMENT

- Don South explained that facilities are governed and regulated by Directive 38 (Noise Directive). That directive is receptive-based. The premise of the directive is: if there is an annoyance, concern or complaint then the noise issue will be addressed. That is why the noise is measured from the house instead of the lease.
- Don explained that 40dBA measurement is from the early 1980's done by the Alberta Research Council. It is based on an average ambient sound level in Alberta is between 33–37dBA. So they set 36dBA as an ambient. At 40dBA, it's the nighttime level because it allows industry to raise 5dBA above that ambient level. They have received complaints usually above 40dBA, but rarely below it.
- When asked what the baseline noise level was for this area. Is there a baseline level prior to installation? Don reiterated that the ambient level for the area would be 35dBA and that industry would be allowed to raise that to 40dBA. Only if the compressor was going into a "pristine area" would industry need to measure at that point. A "pristine area" is an area where there is no development, no residents and no industry yet and thought to be quieter than 35dBA.
- Michael Black inquired whether a resident can request to have a survey done at anytime. Don then explained that a resident can talk

to a licensed applicator to discuss any concerns, and if there is an agreement (such as no reasons not to talk a survey) then a sound survey can be done. A sound survey can cost around \$5000 or less for a survey done over 1 to 2 nights.

- Isaac Doble mentioned that recently he has heard pipes clanging all night long coming from a rig about 1 mile north of his place. Usually he doesn't hear any noise, therefore it really bothered him. Prior to that he had not heard any noise. However, he is quite concerned now.
- Don South explained that there is a "complaint process". If it's less than 60 days it is considered a temporary issue. He encouraged residents to talk to a field inspector, because maybe the noisy work could be limited to daytime house. Issues can be addressed. Some companies are using rubber parts in their designs to try to prevent additional noise.
- Paul mentioned to Don that the acoustics of the area cause more issues for the group.
- Don agreed that "hilly" topography would impact noise levels and make it more complicated. The N.I.A.'s (Noise Impact Assessments) that industry does, are set up to take wind noises, topography and the noises that the facility itself will make, all into account. He informed the group that when the N.I.A. is being done, that is the best time for resident's to express any issues or objections. As well as, any future developments. He further explained that this is the way it is commonly done. Nowadays, the models and the equipment have come a long way. The consultants have very good equipment for measuring, and the approaches that are being used by the various consultants are more consistent and more accurate than before.
- Ken Jenny asked Don if change in temperature and season change affect noise. Are there different policies in place to reflect this?
- Don told him that N.I.A.'s are modelled under summer conditions (70-90% relative humidity, 10C - 25C) because that is when the majority of the complaints happen. Typically, this is when windows are open at night while people are sleeping. And ambient levels

drop off and the industrial facilities tend to creep up. In the winter, when the air is colder and denser, that noise travels further and better. The denser the medium, the better the sound travels. Also, grass, trees and shrubs absorb sound better prior to reaching residences. So although it may be louder than 40dBA in the winter, it's still modelled during summer conditions because that's when most people complain.

- Don Carroll asked about baseline testing and whether it was an assumption to use other models rather than a specific one to the area. Could ERCB do a baseline for this area, because it would be beneficial to both residents and operators?
- Don South responded by explaining that since 1971, lots of studies have been done and have consistently shown that people get annoyed by sounds over 40dBA, but not with sounds below 40dBA. Don South also thought it would be too difficult to do a test because there are too many variants that would change the level. For example, coyotes, planes flying overhead, crickets, soft snow, hard snow, etc. All of these things would affect the test and give a different reading.
- Michael Black inquired about whether it would be more logical to measure at the edge of the lease because the level wouldn't change much regardless of temperature. Because noise affects how land can be used, it places restrictions on the land near the lease. It can affect residents' lives even if the lease isn't on their land, yet there is no compensation for them. Even if the level is below 40dBA.
- Don responded by saying that a typical compressor size is 7–8m high and depending on the height, you would have to be far enough away (5–10x diameter away) to capture an accurate noise measurement. Therefore, it may not be an accurate assessment.
- Don S. informed the group that some companies are making technical changes to help reduce noise levels below 40dBA. However, it works better on smaller units. The larger units are harder to regulate, because it can be more difficult to control the wave lengths associated with the sound levels. There are limitations to what can be done.

- But Isaac remarked that it's very hard to live with the noise 365 days/year and 24hrs/day.
- Ken Jenny mentioned that someone from Noise Solutions showed the group that noise can be dealt with but it costs money.
- Don South explained that Noise Solutions should have mentioned that there are limits to what they can achieve, as well as, there are improvements that can be reached. He agreed that Noise Solutions was a reputable company in noise abatement.
- Ken Jenny said that he had seen 3 different stations that they had done. One that was 9 years old, 3 years old and a recent one. And the noise levels were different in each one. The newest one had a vast difference in the noise level compared to the 9 year-old one.
- Don did say that the new equipment is a lot quieter. Over the last 10 years noise reductions are being built-in to accommodate ventilation and limit noise levels. In 2007, the directive forced engineers to design facilities to be less noisy.
- But when asked what is the solution for the people who aren't compensated, but whose land-use is affected by noise coming from a nearby lease.
- Don tried to explain how adding together different ambient levels. For example, $35\text{dBA} + 35\text{dBA} = 38\text{dBA}$ or $37\text{dBA} + 37\text{dBA} = 40\text{dBA}$. And that cumulative effect can't raise level above 40dBA. Therefore, industry is restricted by how much noise they can add to an area. The level cannot exceed 40dBA.
- Dave Helmer (AB Environment) asked if the ERCB were looking at the 40dBA or is there an opportunity to have input at the next review?
- Don stated that the last review was in February 2007 and that the next review would be approximately a year from now. It will be a Stakeholders Committee Review. This means that it is open to residents, industry, academics, and regulatory agencies have an opportunity to be involved. Anyone who is interested in participating is welcome. He then reminded everyone that 35dBA is extremely quiet.

- Dan Carroll asked if there were any measurement levels for impact or banging noise (intermittent noise).
- Don answered that those types of sounds are not adequately addressed yet but that they would be looking at that during the next review. Directive 38 had been designed for continuous, steady noise from something that runs continually like a compressor. It is called an LEQ, or a consistent noise. But although intermittent sounds aren't measured yet, there are descriptors that can be used. L90 describes short term and long term noise. It does need to be looked at because they can be annoying sounds. In February low frequency sounds were added as a new variable because it was becoming an issue. Therefore, the variable needs to be measured. So what they've done is listed sounds that can be heard by the ear as A-weighting. And sounds that can't be heard by the ear, because it filters them out, as C-weighting. If there is a difference of 20dBA or more and a tone of 250Hz then there is a low frequency issue. The document is always evolving.
- Dan Carroll pointed out that that the BMP should be more leading edge than Directive 38; the purpose of it is to raise the bar as to what is already being done. He questioned whether baseline testing and measuring from the edge of the lease are progressive, would actually add an extra safeguard to residences, or does it not make any difference with regards to the science of sound
- Don South stated that it may not accurately measure what is happening at the residence due to complex topography. Therefore, it may not alleviate some of the issues to nearby residents just because it was measured at the edge of the lease. There are too many variable, it's more complicated. It has been tried down in the States, and they only had limited success, so they have started to adopt Directive 38.
- Paul inquired if a sound study is done do they take all of these issues into consideration, such as low frequency sounds, weather, etc.
- Don South assured him that when an N.I.A. is done, that these issues are looked at and deals with the complexities. The N.I.A. is

the best tool available to predict and shown to be fairly accurate. It is standard with every application, it is always done. But the measurement at the property would be a special request. The way that is set up right now is, if there is a complaint from a permanent residence then a measurement will be done. The directive is receptive-based.

- Michael Black asked what if the noise is affecting somewhere other than a permanent residence like a business or just enjoying the land. Can an operator go above and beyond the standard directive?
- Don S. reminded the residents that the best time to express a complaint is when the N.I.A. is being done for that area. Once the facility is approved then you are stuck with that level. There should have been a consultation when a compressor was going into an area. However, that doesn't cover if the compressor is in the area first and then a permanent resident moves into the area.
- Shane Koss told the group that even if you are outside the 1.5km, you can still contact ERCB with a complaint and something may be done.
- A resident stated that "if the operators attended the meetings, then they would be aware that this issue was very important. Therefore, more consultation, more notification.
- Michael Black asked to be notified when review of the Directive 38 comes up.
- When asked about the possibility of "measuring a baseline", Don S. explained that he thought that there were too many variables that would affect it. Examples are: dogs, river, etc. He also explained that 40dBA is similar to a soft whisper and that 30dBA is like a bedroom in the country. It's just a blink in time.
- Someone brought up that maybe it's not practical to put that in the BMP. Would the BMP be better to inform residents what the complaint process would be and what the standards that are implied in the directive. Also put the onus on the operator to take preventive steps up front rather than have the onus on the homeowner to complain about the noise.

- This should all be taken into account when requesting an N.I.A./sound survey. Also describe the noise that is affecting you so that the operator knows if it should be looking for a low frequency, if necessary, and during certain times of the year. It is too hard to retrofit a compressor; therefore action needs to be taken during the N.I.A. After that, may be too late.
- Don South said that he would send copies of Directive 38 and the complaint survey to BLWSG. **ACTION ITEM #123**
- Dave Doze pointed out that residents aren't concerned about nature sounds, only industrial noises such as back up beepers, phones ringing, etc. He also wondered how to get the BMP to eliminate the industrial noises and address the issues of: impulsive, impacting, and low frequency noises.
- When Ken Jenny inquired about a horn being used as a signal when a drilling rig was being set up, Tim Wood explained that it is often used to gather the crew to the floor; it's a form of communication. But it doesn't have to be used.
- Darcy Allen also stated that when in close proximity of residents, they usually tell the crews to limit the horn to be used for emergencies only.

ERCB UPDATE:

- Steve Harrington announced that the Trilogy Hearing had been rescheduled for September 1st and 2nd. The venue had not been decided yet. The date that had been listed in the paper was incorrect.

COFFEE BREAK:

- Paul called for a coffee break at 8:13pm. Meeting reconvened at 8:36pm.
- Paul also said that because ESSO was attending the meeting, that the remaining BMP would get looked at in the fall.

ALBERTA ENVIROMENT UPDATE:

- David Helmer reported on the update of MEC Oilfield Injection. He said that no decision had been made yet, that it was still under review. He also said that anyone who had submitted a “state of concern” will be notified when a decision is made.
- He also informed the group that the Alberta Land Stewardship Act passed the 3rd reading. The Act enables the “Land Use Framework Authority” to regional plan.

LANDOWNER UPDATES:

- **Mike Todorow** warned the group to pay attention to what Industry does on your land. He further explained that industry had drilled 2 holes on site; 13’ across and 2’ deep. He had been assured that the holes had been filled. Unfortunately, he had fallen into one of them. He said not to take anything for granted. One of the holes was 6” across x 13’ deep with 3’ of water in it. He had to bail it out and tamp it properly. He hadn’t wanted to use what industry used to fill holes.
- He also said that he had spoken to EUB about Pipeline Removal BMP. He stated that industry has own ideas. But that he has new information and will address it in the fall. He also agreed to send a copy to Paul to circulate. **ACTION ITEM #124**
- **Dave Doze** reported the **Warburg Surface Rights Meeting** would be held at 7:30pm at the Warburg Hall. Guest speaker would be Grant Gilchrist. Also, they were starting a new database of Lease Compensation Levels. This would provide realistic expectations to landowners for leases. As opposed to the Merriat list, this would be public information. The Merriat list is information is provided by Industry and is considered biased.
- **Karl Zajes** reminded the group that there was a notice at the door regarding the Warburg meeting and that Industry was welcome to attend. He also said that it was possible the EPCOR would discuss Carbon Capture and Storage Review at the July meeting of Warburg

Surface Rights. Research Council will talk about Carbon Capture that is in place already. All Industry and Landowners were welcome to attend.

- Carl continued to explain what Carbon Capture and Storage meant. Instead of carbon going into the air, it will be injected underground and used to recover more oil. Arc Resources are using it already. Genossee Power Plant is building 2 more plants. A DVD will be shown at June's meeting if there is enough time. If not, it will be shown in July when EPCOR talks.
- The project is contingent on receiving funds from the Alberta Government. (\$2 billion originally planned)
- Karl has a map showing the proposed area and of the 2 power plants scheduled to be built.
- Karl also stated that the Reclamation Standards: Grasslands, Peat lands, Cultivate lands, and Forested lands would be in place by 2010. Criteria from 1995 are currently being used.

INDUSTRY UPDATES:

ADVANTAGE:

- They had nothing new to report.

BAYTEX:

- Shane mentioned that they are currently looking at a multilateral drill at 16-22. He also said that they are only in the preliminary stages. They are hoping to enhance recovery out of the Belly River Zone. The multilateral drill will minimize wells needed. He explained that 1 would be drilled (not horizontal) and it would be sufficient enough to be comparable to 8 vertical holes. They are still waiting for more confirmation. And are looking at a "Reduced Holding Application. Because in 2002, there had been a 100m well buffer and they would need to get it removed in order for the 2 "legs" done. The well-spacing issue needs to be removed. Notices will be sent out soon. The other well (sweet oil) is planned for 2010, too. Still looking at options, such as, PCP pump vs. jack

pump. 16–22 would be a producing well not an injection well. The depth of the lines would be approximately 3000+'. It is in the same zone as the vertical wells in the Belly.

- He told the group that in Southern Saskatchewan and in Red water, this procedure has been done successfully. And technically well received from landowners because of the minimal footprint.
- When asked about “water foot” effect, Shane was not sure and explained that it was still in preliminary stages. During the summer, the letters would be sent out. The plans still need to be approved internally and whether or not it is economically feasible.
- When asked about notification for surface and mineral buffer differ and where the salt water would come from, Shane explained that they would not be sharing the same water source as MEC. Terry Kreese will pull from a lagoon that is injected with salt (mixed water). Expect to be recycling the water that is going in.
- Residents expressed concern over the water issue.
- Shane wanted to prepare residents for over the summer.
- **Karl Zajes** mentioned that the Lethbridge Research Centre placed the value of topsoil (Black Zone area) at \$35,000/acre. However, the value could be higher since fertilizer prices were higher.

TRILOGY:

- Hearing scheduled for September 1st and 2nd at the Lakedell Ag. Centre.

ESSO:

- Andy Biblow (Surface Property Management) explained that when leases weren't useful anymore they became his responsibility. He stated that reclamation was planned for the winter months, utilizing the south road (Battle Lake Road) past the Battle Lake Campground. He had met with the County of Wetaskiwin regarding road use. Hasco has been contracted to supervise and they will have weekly contact with ESSO. The location is 3-23-46-2-W5 (Alberg's). The road comes down to the main road. A loading dock will be used for truck placement so they won't be stopping along

the road. Flagmen will be in place on both sides of the road (where they exit the county road). Concrete barriers will in place before trucks get to the road, as well. It will be approximately 4 ½ miles of gravel. The contaminated soil is planned to go to the Edmonton landfill. They will confirm with Edmonton Waste. Trucks will travel at 50 km/hr along the road. They plan to have an on-site grater and supervisor. Also, they will meet with the County weekly about the condition of the road. They promise to fix any problems with the road afterwards. They will also deal with any school bus issues. They said that trucks wouldn't exit if the school bus was there, they would have radio contact with the flagman. They feel that safety concerns have been addressed for residents and crew.

- Letters have been sent out to area residents.
- When questioned about how tires would get cleaned before getting onto the road, ESSO responded that trucks would not be entering the pit area and there would be rumble strips placed on the long road.
- Andy expects to have job completed by February. Preliminary digs would start in the fall. And on-site work would start as soon as freeze-up. In the spring, the reclamation would begin. They figured that 12,000 – 17,000 m³ of soil would be removed. And that some material would be hauled back in over a couple of years.
- They planned to work during daylight hours (8am–6pm) from December to February. They would break for Christmas.
- Reclamation Application will start about 2 years after project to ensure that all has been done satisfactorily for them and the residents are happy.
- ESSO promised to return in the fall to keep BLWSG updated.
(Nov/09)

ALBERTA ENVIRONMENT:

- Nothing new to report.

PENN WEST:

- Continuing with normal operations.

MEC OPERATING CO:

- Nothing new to report.

ENCANA:

- Still waiting for confirmation on Capital funding.

MEETING ADJOURNED:

- Paul adjourned the meeting at 9:15pm.

Next meeting is Thursday, September 3/09 at the Lakedell Ag. Centre.

ACTION ITEMS

#	ACTION	RECOMMENDED DATE	PERSON RESPONSIBLE	DONE
	From April 2 Meeting			
63	Determine items to be posted to website.	Each meeting	All in attendance	
	From Dec. 4 Meeting			
92	Sub-committee leads and rep from ERCB review administration of Group.	In the fall/09	Leads and ERCB	
	From April 2 Meeting			
111	Contact Dave Helmer re: BLWSG objections to ESSO	After June/09 meeting		
	From May 7 Meeting			
116	Industry discuss internally how to implement noise practices in BMP		All industry reps.	
118	Discuss “Flaring” and “Weeds” BMP	Sept. 3/09 meeting	All in attendance	
	From June 4 Meeting			
120	Need a sub-group for Synergy AB website	In the fall	All in attendance	
121	Email PDF file to Shane Koss re: Synergy AB website	Prior to Sept.3/09 meeting	Darcy Allen	
122	Paul to email copy of letter from International Sovereign for minutes	Prior to Sept.3/09 meeting	Paul McLaughlin	
123	Get a copy of Directive 38 and Complaint Survey	In the fall	Don South	
124	Paul to receive information re: pipeline removal and circulate	In the fall	Mike Todorow	

ATTENDANCE LIST

INDIVIDUAL	REPRESENTING
Russ Huck	Advantage
Theresa Sacha	Advantage
Mike Downie	Advantage
Bill Pelech	Alberta Environment
Terry Kreese	Baytex
Shane Koss	Baytex
Pat Schmaltze	Baytex
Darcy Allen	EnCana
Don Letwinetz	EnCana
Steve Harrington	ERCB
Don South	ERCB
Andy Biblow	ESSO
Rob Cole	ESSO
Brad Misener	ESSO
Greg Doane	MEC Operating Co.
Jason Shihinski	MEC Operating Co.
Alan Browse	PennWest
Michael Black	Resident
Dan Carroll	Resident
Isaac Doble	Resident
Dave Doze	Resident
Ken Jenny	Resident
Mike Todorow	Resident
Karl Zajes	Surface Rights Conservation
Sue Dsikun	Trilogy
Landon Whitlock	Trilogy
Tim Wood	Trilogy
Paul McLaughlin	Facilitator
Michelle Payne	Recording Secretary

