



Media Release

November 28, 2016

Uncontrollable Oil Seepage Continues on Weapons Range

In 2009, and again in 2013, reports of a new type of ‘spill’ surfaced in the Cold Lake region. In this type of ‘spill’, the earth’s crust is actually cracked, broken, and oozing bitumen, something we have not seen before. Keepers of the Athabasca worked with Traditional Ecological Knowledge (TEK) holders and western scientists to produce our 2015 critique of the 2009 CNRL Primrose spills <http://www.keepersofthewater.ca/20150513-coldlakeelder.pdf> based on delicate geology and important groundwater structures in the Cold Lake area.

After an investigation of the spills, the Alberta Energy Regulator (AER) released new conditions on CNRL’s approval on March 21, 2016. Unfortunately, the new lower steam pressure in these regulations was too late to prevent the irrevocable destruction of geology at Primrose Lake. Imperial Oil is now planning a brand new extreme oil extraction operation at Marie Lake, nearby. Locals are concerned, and hopefully the special geology, prior history of local issues, and special conditions for approvals may change their mind.

When our colleagues at EcoJustice realized that the CNRL case was still open, we asked them to submit a letter on our behalf to gather more information from the AER. We learned that as of Oct. 20, 2016:

- The incident tab of the Compliance Dashboard is still marked as “ongoing” as the orders issued by the AER in relation to these incidents remain in place. Orders remain in place until all expectations are met. When the orders are closed, the incident status will be updated.
- A “small amount of seepage” is making its way to surface, where it is being “managed and remediated” by CNRL as part of the conditions for continuing to operate in the Primrose location.
- The AER initially claimed in their letter to us that this “small amount of seepage” was occurring at the 2013 spills sites. If these are leaking, it means these sites have been leaking now for a period of more than 1,200 days. In comments to the media, an AER spokesperson has also suggested that a site that leaked in 2009 is also still leaking.

The AER claims that the volume of “seepage” is lower in the cold winter months when the ground freezes, and picks up at spring thaw. We continue to have urgent questions about these sites,

- If seepage continues, how is remediation complete? If the remediation is complete (according to CNRL in Edmonton Journal November 21), how is it possible that seepage is being managed and remediated? The leak has either ended and the area has been remediated or there’s ongoing seepage. A site that continues to be polluted cannot already be remediated. This is a contradiction.
- What about that lake clean up? When CNRL had to move a small lake to address a leak underneath it in 2013, that was unprecedented in Canada <http://www.cbc.ca/news/canada/north/alberta-orders-lake-drained-to-contain-bitumen-leak-1.1871970>. Is that clean up complete too? Did they end up putting the lake back? Is this the location CNRL is referring to when they talk about a ‘residual sheen’ on the water?
- What consultation, if any, has AER and/or CNRL completed with Beaver Lake Cree Nation and Cold Lake First Nation and their TEK holders, on whose traditional territory these disasters lie?

- How does the remediation being accomplished at these sites match up with TEK holders' values and Traditional Land Use? Does the current standard of remediation leave issues for future generations?
- How much harmful bitumen was released into the environment from the 2009 and 2013 spills? The AER hasn't updated the quantity of bitumen spilled since January 2014, yet it claims that the spill has been ongoing over these past years.

We are gratified that the AER recognized our 2015 concerns, investigated, and introduced new conditions "designed to prevent a further incident and permanently reduce steaming volumes".

Our current recommendations regarding this current uncontrollable seepage situation near Cold Lake are that in order to truly accomplish remediation and appropriate management, the AER, CNRL, and any other corporations need to implement the United Nations Declaration on the Rights of Indigenous Peoples. Access to this site must be given to Beaver Lake Cree Nation and Cold Lake First Nation, which both have historically interacted in this area as their traditional territory. TEK holders and scientists must be allowed to focus on traditional land use, in order to evaluate current remediation efforts and make suggestions toward further remediation. Both the regulator and the corporations are capable of implementing UNDRIP without being 'ordered' to do so by either or both the governments of Alberta and Canada, who have called for this implementation.

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