

ORDER UNDER SECTION 35 OR PARAGRAPH 37(2)(f) OF THE NUCLEAR SAFETY AND CONTROL ACT

Page	1	of	2
Index / order number			
1	CNSC licence no. (if applicable)		
2	Date of order		
	(yy/mm/dd)		
	2	2	- 0 5 - 0 6

3 Company/licensee (if applicable) and address Ovintiv Canada UCL Attn: Legacy Mines Department 500 Centre Street SE PO Box 2850 Calgary AB T2P 2S5	4 Name (and title or position) of person(s) receiving the order David Lye, Vice President Environmental
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5a Actions or measures required to be taken by licensee and/or other person(s) (specify) in respect of any facility, place, substance, vehicle, equipment or information (specify), including any time limits or restrictions

Ovintiv must meet and comply with the licensing requirements in the previous licences issued to EWL Management Ltd. for both WNSL-W5-3101.1/2034 and WNSL-W5-3100.0/2036.

Addenda attached

5b This order is closed when all items listed in 5a. of this form have been fulfilled, and

- CNSC has issued the licences for the two sites those of the Dyno Closed Mine and Madawaska Closed Mine, and
- CNSC has inspected these sites against the issued licences.

Addenda attached

6 Information on which order is based

EWL Management Ltd. was incorporated in Alberta in October 2007 to manage Encana Corporation's (now Ovintiv Canada ULC) decommissioned mines. EWL's parent company, Ovintiv was reorganized in 2020, moving their headquarters from Calgary, AB to Denver, Colorado. Ovintiv still maintains an office in Calgary. On February 22, 2022 EWL Management Ltd. was dissolved into Ovintiv. Ovintiv has indicated to CNSC staff in their letter dated March 10, 2022 that it will assume all of EWL's liabilities; however, none of the licensing or supporting documentation reference Ovintiv and the Dyno and Madawaska decommissioned sites are unlicensed. Currently the sites are not licensed and an inspector order is necessary to ensure that the sites are maintained as required under the NSCA and its regulations.

Addenda attached

7 Time limit for complying: Immediately: Specified time:

8 CNSC inspector or designated officer making the order

Name: Dana Pandolfi Title: Senior Project Officer Telephone: 613-297-4340

Address: 280 Slater St, Ottawa, On K1P 5S9 Fax:

Signature :

9 Method of transmitting the order: Personal delivery Mail Fax Other (specify) Electronically - Email.....

SUMMARY OF SOME RELEVANT SECTIONS OF THE *NUCLEAR SAFETY AND CONTROL ACT*

ORDERS OF AN INSPECTOR

35(1) Refer to this subsection for orders issued to licensees.

35(2) Refer to this subsection for orders issued to any person.

DESIGNATED OFFICERS

37(2)(f) The Commission may authorize a designated officer to make any order that an inspector may make under subsection 35(1) or (2).

PROCEDURES

38 Every order of an inspector and every order of a designated officer under paragraph 37(2)(f) shall be made, and every measure under paragraph 37(2)(c), (d) or (g) shall be taken, in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*.

COMPLIANCE WITH ORDER

41 Every person named in or subject to an order of the Commission, an inspector or designated officer shall, regardless of whether or not the person has had an opportunity to make representations with respect to the order, comply with the order within the time specified in it or, if no time is specified, immediately.

OPPORTUNITY TO BE HEARD

Refer to sections **39 and 40** of the *Nuclear Safety and Control Act*.

LIABILITY FOR COSTS

Refer to section **42** of the *Nuclear Safety and Control Act*.

OFFENCES AND PUNISHMENT

Refer to sections **48 to 65** of the *Nuclear Safety and Control Act*.