



## **Suncor comments on the Commission on Environmental Cooperation final report regarding oil sands tailings ponds**

In 2017 NAFTA's Commission for Environmental Cooperation (CEC) was asked to develop a report regarding a complaint that Canada was failing to enforce the federal Fisheries Act in relation to oil sands tailings ponds.

The prepared report, released on Sept. 3, 2020, focused on three topics:

- Canada's relations with the province of Alberta with respect to the complaint;
- the state of science on distinguishing between process water and naturally-occurring bitumen-influenced water; and
- how the Oil Sands Monitoring Program is implemented.

The report considered the following:

- detailed overview of the existing regulatory system that governs tailings ponds federally and provincially;
- information from investigations, monitoring programs, and on-going research; and
- detailed information and timing of inspections conducted by government.

Findings from the report included:

- Science and investigations continue to highlight the difficulty of differentiating oil sands processed water (OSPW) from naturally-occurring groundwater because of the shared characteristics of the two. As noted in the report, "*after consulting in depth with ECCC scientists, enforcement officers determined that they did not have reasonable grounds to believe that there was a violation of the pollution prevention provisions of the Act. The primary reason for these determinations was an inability to differentiate whether the source of deleterious substances in bitumen influenced groundwater samples was anthropogenic or naturally occurring.*" (p. 9)
- *The Secretariat's expert also found that there is little scientific evidence that OSPW is likely reaching natural surface waters.* (CEC news release, Sept. 2020)
- The report recognized the need for clear and appropriate regulation noting that effluent regulations exist for municipal and industrial wastewater systems and that the Federal and Alberta governments are working to develop and implement a similar effluent regulation for the oil sands industry.
- The report noted that, "Canada has exercised its enforcement authority by conducting proactive inspections under the Act to serve the purpose of assessing compliance." (p.11)

We recognize the considerable effort that went into examining the vast amount of available information and creating this report and acknowledge those that contributed detailed

information, including the Industry scientists and representatives who facilitated access to data and conducted a field tour.

We understand and share the concerns of the Indigenous communities and stakeholders about any impact our operations may have, which is why we strive to be transparent through our regulatory filings, reporting and on-going engagements with communities. This information includes details about on-site and regional monitoring programs, mitigation measures in place, progress on technology, and reclamation and closure efforts. We have invested significant time, resources and capital into research and development to manage our tailings. We also recognize our financial responsibility with respect to closure and reclamation. Suncor intends to operate for a long time and to continue to responsibly develop this resource, which includes making significant progress on reclamation and closure efforts.

Water and tailings management are a key area of focus of our operations and Suncor has spent billions of dollars on tailings and water management. Approximately 92% of the water used by our mining and extraction operations in 2019 was tailings water. Over the past several years, our holistic tailings management approach and the implementation of [Permanent Aquatic Storage Structure](#) treatment process have allowed us to reduce our total fluid tailings inventory at Base Plant. In addition, we have reduced the total number of active tailings ponds by surface reclaiming a pond, converting one to a fluid tailings treatment area, started the drainage of a third, and made a fourth trafficable using our coke capping technology.

We operate within a stringent and rigorous regulatory system that includes one of the most extensively and comprehensively monitored regions in the world. As a whole, the industry spends approximately \$50 million each year on monitoring in the region, with an additional \$130 million per year on site-specific monitoring. To date these programs have not indicated an adverse impact to the Athabasca River from the oil sands industry.

We strongly believe in further strengthening the regulatory system to enable progressive reclamation and closure. We have supported the federal and provincial work underway for more than a decade to establish a fully integrated water management approach that encompasses the principles of reduce, recycle and release. This approach is critical to reintegrating the land into the surrounding Boreal forest and returning it to Albertans.

We look forward to discussing the report and engaging with the local Indigenous communities and key stakeholders, and to identifying future opportunities for collaboration.