

How to File an Objection to a Well, Pipeline, or Other Facility

By: **Glenn Norman**

The easiest and simplest way to file an objection is to file it as a letter. The following steps are intended as a guide to this:

1. In the letterhead give your name, company or organization name, your mailing address, phone number, fax number and e-mail address: as many contact methods as you use.
2. DATE THE LETTER
3. Next, put the name and address of the company below your own information; if you are sending it by fax or e-mail add "VIA: FAX - and the number or VIA: E-mail - the e-mail address". If you do not know the name of the company and/or the address of the company you can send the letter to : **Alberta Resources Conservation Board**

640 - 5th Avenue SW

Calgary, AB

T2P 3G4

Attn: Applications Branch

Their fax number is 403 - 297 - 2474.

4. If the letter is to the attention of someone, write "Attn: so and so". Then add salutations; Dear so and so, Dear Sir or Madam, or To Whom It May Concern:
5. You must state what this objection is about and where it is. The simplest format is to use "**RE:**" followed by a description of the proposed well, pipeline, facility or unknown facility (which of these it is), any other information such as project name, company file number, application number, etc. It must include the legal land location of the proposed project.
6. Then say what the letter is about, which is filing an objection. An example of this is: "*I am filing this letter as an objection to this proposed facility.*"
7. Now state the location of the property on which you will be affected and where it is in relation to the proposed facility, then, state as to whether you are the landowner, occupant, resident or other effected party. Then in one sentence define your main concern or concerns: location, noise, risk to health and safety, emissions, disturbance to livestock, economic lose, disruption of lifestyle, failure to notify or engage you, etc.
8. Make a brief statement as to what has happened so far.
9. Now state how the proposed facility will affect you directly and adversely if the EUB was to grant a license for this facility. A useful

opening could be *“I am filing this objection for the following reasons:”* then list the reasons linking them to stated or expected activity involved in the construction of the proposed facility. In doing so keep in mind the following:

- *Does the proposed project have the potential to affect safety or economic or property rights? Examples of such impacts include negative effects from contaminants in water, air, or soil or from noise; negative interference with livelihood or commercial activity on the land; damage to property; and concerns for the safety of persons or animals.*
 - *Are you affected in a different way or to a greater degree than members of the general public?*
 - *Are you able to show a reasonable and direct connection between the activity complained of and the rights or interests you believe to be affected*
10. Offer several reasonable alternatives for the company to consider if possible. This shows that you are not intransigent and are willing to engage them in discussions about the proposed facility. Conversely if the company refuses to consider reasonable alternatives it demonstrates to the Board that they are not willing to properly engage you.
 11. Add these two sentences or something similar next: *“Should these matters remain unresolved I (or use “we”) shall be seeking a Board hearing on these matters.”* and *“If a license for this facility (use appropriate word “well”, “pipeline”, “facility”, “compressor”, etc.) than I am filing this letter as a Request For Review of this license.”* You may also request an immediate *“Stay of Operations”* which if successful may at least temporarily stop activities on a lease or right-of-way; a useful tool if you or your property maybe harmed by actions such as venting, flaring, noise, flooding or contamination.
 12. Sign this letter as you normally would. If you are sending this directly to the company also, send a copy to the EUB Applications Branch and to your local EUB field branch office. If this facility is on an adjoining piece of property send a copy to the landowner of this property and it may also be worth considering sending copies to other adjoining landowners. Note who you have sent copies to on the letter with a line down from your signature beginning with “C.C: “followed by the names of the individuals and organizations. If you are sending it to the ERCB because you do not know which company is involved still send copies out. **KEEP A COPY FOR YOURSELF!**

Never under any circumstances sign a confirmation of non-objection or non-objection agreement; do not give up the one power you have as a landowner in a situation where you already have very little.