

Environmental Protection and Enhancement Act

BEING CHAPTER E-12 R.S.A. 2000 (the "Act")

ENVIRONMENTAL PROTECTION ORDER NO. EPO-EPEA-35819

Amendment No. 2

Canadian Pacific Railway Company
7550 Ogden Dale Road SE
Calgary, Alberta
T2C4X9

["CP"]

WHEREAS on February 26, 2021, the Director signed, and on March 1, 2021 CP was served with an Environmental Protection Order (EPO-EPEA-35819) [the "Order"] setting out requirements to respond to the release of the Substance into the environment;

WHEREAS on March 5, 2021, the Director issued Amendment No. 1 to the Order, requiring the implementation of the Wildlife Plan;

WHEREAS Clause 7 of the Order required CP, by not later than March 3, 2021, to submit to the Director, for the Director's written approval a written Railcar Removal Plan;

WHEREAS on March 3, 2021, at 17:53, CP submitted to AEP, a document titled "Submerged Railcar Recovery Plan Potash Derailment - Mile 99, Crowsnest Subdivision, Hazell, Alberta";

WHEREAS on March 9, 2021, CP submitted to AEP, a document titled "Update to Canadian Pacific's Plan to Remove the Submerged Railcar from Crowsnest Lake, Alberta";

WHEREAS the March 3, 2021 "Submerged Railcar Recovery Plan Potash Derailment - Mile 99, Crowsnest Subdivision, Hazell, Alberta" and the March 9, 2021, "Update to Canadian Pacific's Plan to Remove the Submerged Railcar from Crowsnest Lake, Alberta" jointly form the Railcar Removal Plan as contemplated by the Order;

WHEREAS The Director accepts and approves the Railcar Removal Plan submitted by CP;

WHEREAS section 243 of the *Environmental Protection and Enhancement Act* [the "Act"] provides authority for the Director to amend an environmental protection order;

THEREFORE I, Coreen Bates, pursuant to section 243 of the Act DO HEREBY AMEND the Order as follows:

1. Adding Clause 20 as follows:

20. CP shall, by March 12, 2021, fully implement each of the actions set out in the Railcar Recovery Plan.

DATED at the City of Lethbridge in the Province of Alberta, this 9th day of March, 2021.



Coreen Bates
A/ Compliance Manager
Southern Region

Section 91 of the *Environmental Protection and Enhancement Act* may provide a right of appeal against this decision to the Alberta Environmental Appeals Board. There may be a strict time limit for filing such an appeal.

**For further information, contact the Board Secretary at:
Alberta Environmental Appeals Board
#306 Peace Hills Trust Tower, 10011 – 109 Street,
Edmonton, Alberta T5J 3S8
Telephone (780) 427- 6207; Fax (780) 427- 4693**

Notwithstanding the above requirements, the Parties shall obtain all necessary approvals in complying with this order.

Take notice that this order is a remedial tool only, and in no way precludes any enforcement proceedings being taken regarding this matter under this or any other legislation