

# ***Environmental Protection and Enhancement Act***

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

ENVIRONMENTAL PROTECTION ORDER NO. EPO-EPEA-35819

Amendment No. 3

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 on March 9, 2021, the Director issued Amendment No. 2 to the Order, requiring the implementation of the Railcar Recovery Plan;

WHEREAS Clause 10 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 potash recovery plan stamped and signed by an independent third party qualified professional currently registered in good standing with the Alberta Society of Professional Biologists (ASPB);

WHEREAS on March 3, 2021, CP submitted to AEP, a document titled "Potash Recovery Plan - Potash Derailment Canadian Pacific Railway Mile 99 Crowsnest Subdivision near Hazell, Alberta" which was signed and stamped by a Professional Biologist registered in good standing with the ASPB;

WHEREAS the March 3, 2021 "Potash Recovery Plan - Potash Derailment Canadian Pacific Railway Mile 99 Crowsnest Subdivision near Hazell, Alberta" solely forms the Potash Recovery Plan as contemplated by the Order;

WHEREAS The Director accepts and approves the Potash Recovery 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 21 as follows:

21. CP shall, by March 31, 2021, fully implement each of the actions set out in the Potash Recovery Plan.

DATED at the City of Lethbridge in the Province of Alberta, this 11<sup>th</sup> day of March, 2021.



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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**