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News Release: New Coalition Demands Overhaul of Energy Regulation in Alberta

April 15, 2024

After repeated failures to adequately regulate energy development in Alberta, a new coalition of eight environmental, Indigenous, scientific, and civil society organizations are demanding the removal of fossil fuel representatives from the Board of Directors at the Alberta Energy Regulator (AER), among other demands.

Mounting evidence shows that the AER operates with limited accountability and without sufficient public transparency, while having vast discretionary powers. The evidence indicates that rather than serving the best interests of Indigenous communities, the environment, and the Alberta public at-large, the AER is held captive by the interests of the fossil fuel industry.

Examples of Alberta's inability to sufficiently regulate the fossil fuel industry include:

- The AER's [abysmal response](#) to the leak and spill of tailings at Imperial's Kearl Mine by withholding information from impacted Indigenous communities for nine months.
- The AER's [decision](#) not to reconsider its approval of Suncor's operational plan for the McClelland Lake Wetland Complex despite [evidence of its flaws](#).
- The more than [1.4 trillion litres of toxic tailings](#) sprawling across more than 300 square kilometres of northern Alberta without a reclamation plan.
- [Persistent delays](#) with the timely, public release of annual reporting data from the Oil Sands Monitoring (OSM) Program since 2019.
- New research showing that the oil sands industry is [under-reporting harmful emissions](#) by up to 6300 percent.
- The AER's continued authorization of fossil energy projects that are [incompatible with Canada's commitment](#) to reducing GHG emissions by 40-45 percent by 2030.
- The [\\$250 million in unpaid property taxes](#) owed to rural municipalities from oil and gas companies, and
- Alberta's continued reluctance to collect adequate funds for the cleanup of both [conventional](#) oil and gas, and [oilsands](#) liabilities—estimated to be as high as \$260 billion—leaving taxpayers at risk for the cleanup tab.

The AER is failing to function as a credible and legitimate regulator of energy development in Alberta, but the coalition recognizes that the AER is not solely responsible for these issues. The Government of Alberta, specific legislation such as the *Responsible Energy Development Act*, and the fossil fuel industry have all played a role in enabling the harmful impacts of fossil fuel development.

This new coalition—composed of Alberta Wilderness Association (AWA), Polluter Pay Federation (PPF), Keepers of the Water, Canadian Association of Physicians for the Environment (CAPE), Alberta Environmental Network (AEN), Calgary Climate Hub, Alberta Beyond Fossil Fuels, and Treeline Ecological Research—demands sweeping changes to the way the fossil fuel industry is regulated in the province to begin prioritizing Indigenous communities, Alberta's ecosystems, and the public.

To begin moving in the right direction, **the coalition is demanding the following changes to the legislative regime governing energy regulation in Alberta:**

1. Independence from the Fossil Fuel Industry on the AER Board of Directors.
2. Decision Making Power for Indigenous Communities over Energy Industry Activities.
3. Replace the Directly and Adversely Affected Test in the Hearing and Appeal Process with a Genuine Interest Test.
4. Revisions to Alberta's Mine Financial Security Program (MFSP) and the Liability Management Framework (LMF) that Uphold the Polluter Pays Principle.
5. Increased Royalty Rates on the Revenues of Fossil Energy Projects.
6. Establish and Enforce Strict Timelines for the Reclamation of Mine Sites and Other Infrastructure.

Energy regulation in the province needs to be reformed in a way that prioritizes Alberta's ecosystems, Indigenous Peoples, and the public at-large over the short-term profitability of corporate interests. The coalition is asking the Government of Alberta and the AER to implement these changes as soon as possible to avoid further harm from the impacts of poorly regulated energy development.

Quotes:

"The AER has recently been given the authority to regulate both mineral mining and carbon capture despite substantial evidence that it fails to properly regulate the existing industries under its jurisdiction. Alberta cannot risk repeating the mistakes of the past. Without significant changes to Alberta's regulatory system, these industries have the potential to do further harm to the environment and communities across the province." – Phillip Meintzer, Conservation Specialist, Alberta Wilderness Association

"There can be no return to the good old days of clean coal and ethical oil. They don't exist and they never have. If we fail to adapt, we face the prospect of mass migrations of desperate people and a breakdown of international trade and alliances. The signs are all around us. For each year that our destructive activities continue unabated, we increase the likelihood that the Earth's systems will become inimical to advanced civilization. The facts are the facts, and the facts are ominous. With our eyes on a clock ticking down to midnight, we look to our leaders, many of whom are working to discredit science and sow mistrust and confusion. Time, and our luck, are running out." – Kevin Timoney, Treeline Ecological Research

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