

THE ALBERTA ENERGY REGULATOR

IN THE MATTER OF Proceeding No. 1769924 Under Section
17 of the Responsible Energy Development Act

AER PEACE RIVER PROCEEDING

BELLE PETROLEUM CONFERENCE CENTRE

9403 - 94 STREET

PEACE RIVER, ALBERTA

JANUARY 24, 2014

VOLUME 4

1	PANEL:	
2	Brad McManus	Presiding Hearing Commissioner
3	Terry Engen	Hearing Commissioner
4	Christine Macken	Hearing Commissioner
5	Rob McManus	Hearing Commissioner
6		
7	David Burns	AER Counsel
8	Sean Sexton	AER Counsel
9		
10	David Miles	AER Staff
11	Mike Schuster	AER Staff
12	James Vaughan	AER Staff
13	Sean Power	AER Staff
14	Leanne Chartrand	AER Staff
15	Mike Zelensky	AER Staff
16	Bob Curran	AER Staff
17	Jade Ryan	AER Staff
18	Ryan Bartlett	AER Staff
19		
20	Renee Marx	AER Staff Submission Group
21		Counsel
22	Barbara Kapel Holden	AER Staff Submission Group
23		Counsel
24		
25	K.F. Miller	For Baytex Energy Ltd.
26		

1 T. Grimoldby For Shell Canada

2

3 Keith Wilson Baytex Reno Landowners' Group

4

5 Kelly Bray Penn West

6

7 Christy Longacre, CSR(A) Court Reporter

8

9 Sarah Howden, CSR(A) Court Reporter

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1 (PROCEEDINGS COMMENCED AT 9:08 AM)

2 ALAIN LABRECQUE, KARLA LABRECQUE, BRIAN LABRECQUE, MIKE

3 LABRECQUE, LEONA LABRECQUE, Sworn

4 ANDY LABRECQUE, JOYCE LABRECQUE, Affirmed

5 THE CHAIR: Morning, folks. Please be
6 seated.

7 OPENING REMARKS AND PROCEDURAL MATTERS

8 THE CHAIR: You're leading off with
9 housekeeping matters, sir?

10 MR. MILLER: I am, Mr. Chairman. Good
11 morning. I have two matters, and just to advise the
12 Panel that we provided to Ms. Ryan this morning an
13 electronic copy of Dr. Sandau's errata. And I'm open
14 to this, whether it be made available on the website
15 for review prior to being marked as an exhibit or if
16 there are questions arising from it, Dr. Sandau being
17 made available. So whatever the Panel would prefer on
18 that front.

19 THE CHAIR: Now, counsel did advise me
20 that there was a supplemental document. It sounded
21 like it was a number of pages. Are we talking the same
22 thing here?

23 MR. MILLER: Yes, that's right. And
24 Dr. Sandau explained that. He said there were -- some
25 of the data had changed. It didn't change the results,
26 but he had certain corrections to make so we provided

1 all the supporting information behind the errata. And
2 so that's what was made available this morning.

3 THE CHAIR: But I came away with the
4 impression that there was also some data that -- some
5 laboratory data that he had indicated he might be able
6 to supply.

7 MR. MILLER: That's right.

8 THE CHAIR: Okay.

9 MR. MILLER: Yes.

10 THE CHAIR: So it's more than just a few
11 mistakes, it's --

12 MR. MILLER: That's right. It's not, you
13 know --

14 THE CHAIR: Okay.

15 MR. MILLER: -- just a couple word changes.

16 THE CHAIR: Why don't we mark it for
17 information? Give other counsel an opportunity to take
18 a look at it and see if there's any problems.

19 MR. MILLER: That's fine.

20 THE CHAIR: Okay.

21 (EXHIBIT MARKED FOR IDENTIFICATION)

22 MR. MILLER: And the second matter, sir, is
23 just there were errors on the -- or Mr. Ramsay and
24 Mr. Proctor misspoke in two points on the transcript.
25 And I don't know if you would like me to just put that
26 on the record now. It'll just take a second. I can

1 give you the page, line number, and the quick -- or the
2 corrections on that.

3 THE CHAIR: That would probably be the
4 easiest. I mean, if there's any -- will they be here
5 next week?

6 MR. MILLER: We're going to be -- we're
7 going to be here next week, yes.

8 THE CHAIR: Okay. Why don't we put them
9 on the record, and, again, if there's any follow-up, we
10 might have to put them back to explain it or there
11 might be questions that flow from it.

12 MR. MILLER: Yeah. I think this will be
13 noncontentious. The first one is where Mr. Ramsay --
14 and I'll give you the page reference -- he was -- this
15 is in the Baytex evidence where they said that the tank
16 temperatures are at 80 Celsius. He misspoke and said
17 85 in his -- the opening of his comments the other day.
18 And that's at page 326, line 16, of Volume 2.

19 And then the -- Mr. Proctor advised that there was
20 a Three Creeks well that VRU was installed at the
21 request of the landowner, and he said the well was
22 drilled in 2008. It was 2010. Pages 401 and line 26.

23 THE CHAIR: Okay,

24 MR. MILLER: As I say, very noncontentious.

25 UNIDENTIFIED SPEAKER: Reno well.

26 MR. MILLER: Oh, sorry, Reno well.

1 MR. WILSON: The temperature of the tanks
2 is very conscientious. There's a fundamental
3 distinction between a witness saying "the truck was
4 red" and the court reporter mistakenly writing it was
5 "black" versus a witness saying "the truck was red",
6 reading the transcript and saying saying, No, I want to
7 change my answer. So we may have a concern about that.

8 THE CHAIR: I think it's clear from what
9 Mr. Miller said that this is a case of somebody
10 misspeaking. Our court reporters, of course, never
11 make an error, so it would have to be somebody
12 misspeaking. And I take your point.

13 So why don't we put them on. You've got other
14 work to do today.

15 MR. WILSON: Yes.

16 THE CHAIR: And take a look at it and see
17 if there's any follow-up. It sounds like we could put
18 one of the gentlemen back up briefly to deal with that
19 issue next week if we had to. Is that fair?

20 Do you have anything else by way of housekeeping,
21 Mr. Sexton?

22 MR. SEXTON: I don't have any further
23 housekeeping matters.

24 THE CHAIR: Mr. Wilson?

25 CONCERNS AND IMPACTS (INCLUDING HUMAN AND ANIMAL
26 IMPACTS) - RENO AREA LANDOWNERS' GROUP

1 MR. WILSON: Good morning, Mr. Chairman and
2 Members of the Panel. Sitting before you are the
3 members of the -- the landowners in the Baytex Reno
4 landowners' group. I've asked Brian Labrecque, who's
5 sort of been the lead in helping coordinate the family
6 members and my point person, to sort of chair the
7 panel. And the first thing I've asked him to do is to
8 introduce himself and the family members to you and try
9 and help you see the family tree, because it took me a
10 while to understand it. And also, importantly, show
11 you on a map, which I believe is --

12 Were you successful in getting that map up or is
13 it still working? Were you successful in getting the
14 map up?

15 I want -- I know it's important to the Panel to
16 sort of get its bearings, you know, where are these
17 people in relation to tanks and so on. So, with that,
18 I'm going to ask Brian to first start by introducing
19 himself and introducing the family members. We were
20 able to use abbreviated name plates because, of course,
21 all of their last names are the same.

22 THE CHAIR: I was going to speak to that.
23 We don't normally get that informal, but in this case
24 when people are referring to different members of the
25 panel, it would be helpful to use their first name.

26 MR. WILSON: Thank you.

1 Go ahead, Brian.

2 BRIAN LABRECQUE: Thanks, Keith.

3 Good morning, everyone. First of all, I'd like
4 introduce myself. I'm Brian Labrecque. And down the
5 table is Karla Labrecque, and at the end is Alain
6 Labrecque. Of course, Alain and Karla are husband and
7 wife. In behind me are actually my parents. At
8 microphone number 4 is Mike Labrecque and my mother,
9 Leona. And then behind me is Andy Labrecque and his
10 wife, Joyce.

11 And if I could, I'd just like to just provide kind
12 of a -- just a brief family history. Like, I know
13 it's -- it's -- you know, it has been easy to basically
14 really -- it can be difficult when there's so many
15 members of the family with the same name, so it does
16 get confusing. But if I can just provide you a brief
17 history.

18 THE CHAIR: The Panel hasn't helped things
19 by having two McManus.

20 BRIAN LABRECQUE: Yeah. I see that. But,
21 yeah, my grandfather settled in what we're referring to
22 here today is -- you know, in the Reno field back in
23 the 1920s. He actually settled on the shores of what
24 is known as Lac Magloire, which is basically --
25 approximately 15 kilometres northeast of Falher, and
26 just north of the village in Nampa.

1 And so from there, he settled in the '20s and
2 basically started clearing the land and -- and -- and
3 building up a farm. He and my grandmother had a total
4 of nine children, so there was seven boys, two girls.
5 And of course, you know, many of the -- the children
6 remained in the immediate area.

7 So five of the boys actually settled or -- or
8 applied and -- and -- and received their homesteads
9 within the Reno field, and all within close, you know,
10 proximity of one another. So I can't speak for other
11 areas, but that was actually -- it's actually fairly
12 common in our area.

13 It is a French community, and so we had very large
14 families. And -- and as they settled and -- and the
15 families grew, you know, it basically -- you know, the
16 land bases increase and the families all stayed in the
17 region, right? So, you know, when you look at the Reno
18 field, you've got the Labrecque family. If you head
19 south, you've got another family known as, you know,
20 the Cloutiers, who, you know, have a large family
21 and -- and so on. So you've got pockets of families in
22 and around that region, right? So it's just how -- how
23 it was settled. And so hopefully that helps. If you
24 have any questions, by all means.

25 MR. WILSON: So, Brian, maybe you could
26 just explain the relationships. So who --

1 BRIAN LABRECQUE: Okay.

2 MR. WILSON: -- Andy is to you, et cetera.

3 BRIAN LABRECQUE: Yeah. Sorry about that. So
4 Andy and Joyce are my aunt and uncle. Of course I --
5 I -- Mike and Leona are my parents, Mike and Andy being
6 brothers. And Alain is my cousin. So his father is
7 Jules, another one of the brothers, who -- who had
8 settled in -- in the Reno field as well. And so
9 hopefully that helps.

10 MR. WILSON: Thank you. Now, if you
11 could -- I've asked -- there's a map up on the screens,
12 and just so you know, one of the computers -- the Panel
13 Members have two computers in front of them. One of
14 them is showing what's on your screen.

15 BRIAN LABRECQUE: Okay.

16 MR. WILSON: So I'd ask each of you to
17 explain to the Panel the landownership in relation
18 to -- and where you are, relative to the Baytex tanks.

19 And maybe I'll start with you, Alain and Karla.
20 Could you explain to the Panel where your home is and
21 so on? Remember they're looking, of course, at the
22 document that's on your screen.

23 ALAIN LABRECQUE: Sure. So my home is on the
24 southeast of 28. And this is all on 79-20, way down in
25 that southeast of 28 quarter, and the home is located
26 right down in the southeast corner of the southeast 28.

1 And in relations with the -- and then you can see
2 the wells that are presently there just to the south.
3 The closest one being right at 500 metres, and then
4 there's a whole bunch -- a few other ones very close to
5 those going southwards with a total of 16 tanks there.

6 MR. WILSON: Thank you.

7 Michael, could you explain where your property is
8 and your home?

9 MIKE LABRECQUE: Yes. It's also very close to
10 Alain's. He's on the southeast of 28. I'm on the
11 southwest of 28, so basically just west of Alain's
12 home. And also if you look at the -- the line of the
13 Baytex wells, we're pretty well located right in the
14 centre of that line.

15 MR. WILSON: And is that an actual Baytex
16 facility on your property?

17 MIKE LABRECQUE: Yes, it is.

18 MR. WILSON: And I'll just deal with this
19 now. Was that originally a Koch well -- or Koch,
20 sorry?

21 MIKE LABRECQUE: It was one of the -- it was
22 one of the original wells that Koch had put in. And as
23 time went on, it wasn't a very productive well, that
24 one, and it is now turned into an injection well site.
25 And also this is where the Baytex office is on, is on
26 that particular location.

1 MR. WILSON: And they have big tanks there
2 for holding the process water?

3 MIKE LABRECQUE: Hm?

4 MR. WILSON: I was asking if they have
5 tanks. Is there tanks on that site on your property?

6 MIKE LABRECQUE: Yes, there is.

7 MR. WILSON: Okay. And when they
8 originally approached you, Koch, to put that well in,
9 did they have to get an entry order from the Surface
10 Rights Board, or how did they get on your land?

11 MIKE LABRECQUE: They came and -- they came to
12 my house and talked to me about it, and I was all in
13 favour of it. They -- we discussed a location, and
14 they did their -- their testing of -- however they --
15 they do that, to pinpoint the well site. And we -- we
16 discussed all that. And I did not have a problem with
17 that. We all agreed to -- that it was -- it was going
18 to be fine.

19 MR. WILSON: Okay. Thank you.

20 Andy, could you show the board on the screen,
21 using the map that's on the screen just as a guide
22 because that's what they're looking at, where your
23 property is?

24 ANDY LABRECQUE: Yes. I'd be on the northwest
25 21 -79-20.

26 MR. WILSON: Okay.

1 ANDY LABRECQUE: Do I point to it on this
2 screen or --

3 MR. WILSON: Well, just -- you're just
4 describing it --

5 ANDY LABRECQUE: Oh, okay.

6 MR. WILSON: -- so they can get a sense.

7 ANDY LABRECQUE: So I'm basically right across
8 from my brother Mike's, across the road. I'm on the
9 other side, the quarter on the other side. And -- and
10 also not far from Alain's of course. And my home was
11 built right in the middle of the quarter in a spruce
12 patch.

13 MR. WILSON: Thank you.

14 Alain and Karla, could you help the Panel
15 understand what you were doing on your -- with your
16 home and your family and your farm within the period of
17 2004 when the first wells came up to, say, 2010, when
18 the -- before the transition to Baytex occurred? Can
19 you help them understand what was going on in your
20 lives and how you were interacting with the oil company
21 and things like that?

22 ALAIN LABRECQUE: Sure. At that time, when they
23 first came, I was very -- probably right in that --
24 just getting aggressively into my farming endeavours,
25 expanding -- looking at expanding. I was buying land
26 at every opportunity I had, trying to strategically buy

1 land that was close, so I was -- I had already entered
2 into some rental agreements, the land that I -- that I
3 wanted to farm and always had the prospect of buying
4 them, and it was well-positioned with the people that
5 did own that land that I would drop the seed that if
6 you ever do want to sell, I'd be interested, because I
7 was trying to put together a nice package, coming from
8 a family of nine kids. My dad was a farmer; there was
9 no way he could help us all or we could rely on
10 inheritance or being the one who was going to be the
11 farmer.

12 My dad had, at one time, eight quarters, and he
13 sold a few off, and it was -- it was a way of life. He
14 -- trying to feed nine children from trapping and
15 farming was -- so you know I did -- finally, he got fed
16 up, and, well, I kept bugging him, Dad, do you want to
17 rent me the land? Do you want to rent me the land?
18 You should rent it to me; you're always complaining
19 it's so tough.

20 So finally I offered him more for rent than even a
21 stranger would, including his old equipment, and he
22 rented. That's how I started. He had 300-and-maybe-10
23 acres at that time that I took over, and so then I
24 had -- from there, I focused -- at that time, I already
25 owned 27, northeast 27, and I started renting, and it
26 -- the positioning worked well.

1 Next thing you know, the neighbour calls me, Sure,
2 I'll entertain an offer. And it just kept slicking. I
3 ended up buying eight more additional quarters through
4 that course of time right until quite recently, and my
5 program was Timothy seed production, which is very
6 different. Not many folks do that here, but I had --
7 from previous knowledge in the Timothy product with the
8 export market, I was a contractor making square bales
9 with very specialized equipment, where they would
10 compress the bales. I was contracted to do all that
11 work to the field, and then the plant would take it
12 from there.

13 And maybe I can elaborate. That's where I met
14 Karla. She was an electrical engineer brought in to
15 get this RF high-frequency microwave dryer. We'd take
16 it off wetter, and they had this high-end microwave
17 that was first of its kind, and she was brought in from
18 Saskatchewan as a -- coming out of university to get
19 this thing going. It's very complicated with all the
20 computer programming and make it work. So that's where
21 I met her. It was beneficial to know this girl, 'cause
22 if she could give me the go-ahead to bale out the
23 wetter moisture, I could make -- you know, I could make
24 better -- I could get going, and it worked out well.
25 That was just another endeavour.

26 And then, meanwhile, I was working on my farm, and

1 the dream was to finally have enough farm base that I
2 could drop the custom stuff. I always, always, always
3 prided on working for myself, which I basically did
4 since the age of 20. I did whatever I had to do
5 possible from trapping. I've trapped, one winter, 750
6 through the trapping season, 550 under ice. You know,
7 like, I owned the trap line. I did everything I could
8 to do it with my own hands, and basically, that's how
9 it went, and the farming was the same, and it worked
10 out really well. We ended up owning five quarters in
11 one block which is almost in the Reno field, the five
12 quarters.

13 KARLA LABRECQUE: It would be the southeast of
14 20, the southwest of 21, the northeast of 21, and then
15 the west half of 16, is the 5-in-1 block.

16 And then we also purchased two more on the 27, so
17 the west half of the 27, and then also -- and I had
18 said that we owned the northeast of 27.

19 ALAIN LABRECQUE: Yeah. So we ended up with --
20 on that 27 section -- and again, you could see I was --
21 I had the northeast when I was 20. Around 20, I bought
22 that northeast 27. Finally, I got acquisition of the
23 west half of 27. Good relations with the home place
24 that was left on the 27, which was -- I bought it from
25 the neighbour, and they weren't quite ready to sell. We
26 were at that position quite recently before the flurry

1 of issues, and, you know, that was going to be the next
2 one on the card, anyways. But what I'm getting at
3 is, all that land I bought on my own. It was not
4 hand-me-downs from Dad. It was from neighbours, other
5 settled people -- pockets of people. The 28 or home
6 place for an -- I started building that home when I was
7 20 years old, as I could afford it, but before I met
8 Karla, you know, so I moved an old house, cleared the
9 site myself with my dad's old TD9, put the house, and
10 then somebody says, Why don't you raise the house?
11 You'll make double the house. So I did that, made a
12 little two-storey, and I had construction experience
13 from when I was very young, working construction
14 fields. So I did it all myself, and so that -- we
15 didn't own that until a little bit later. Then we
16 finally -- my dad had -- was very, even to this day,
17 reluctant to sell land. He still doesn't want to sell.
18 He likes land ownership, like I do, you could say.

19 And I finally did pry the titles out of him, paid
20 him very respectable, market value, above market value
21 to get it, and he had homesteaded that piece of land.
22 You know, and it still hurts him that he had to sell it
23 to his own -- but anyway, that's the only one that you
24 could say -- I didn't inherit it. I paid for it, and
25 that's where our residence is.

26 But if you see our land, it's all beautifully

1 close, and it was just kind of a dream situation for us
2 as far as a family farm, and we had -- I had bought an
3 old Cat. I opened -- during this time, I opened 80
4 acres of my own. Just before we basically left, I went
5 and did the brush cutting and piled out my old Cat that
6 my wife bought me at an auction for me when I was too
7 busy and bought a rotovator, broke the land, actually
8 seeded one, which -- in record time. You know, you
9 break it that winter, breaking disc before in the mud,
10 and then seeded it that year, and did that sort of
11 thing. So we were busy.

12 KARLA LABRECQUE: I was helping him with the
13 farming. I kind of said -- yeah, I grew an interest
14 for it, right? I had never driven a tractor until I
15 met him, and so it was something that was new to me and
16 exciting, and we wanted our kids to be part of it. So
17 they rode in the combine with me in car seats type
18 thing, like, little babies.

19 ALAIN LABRECQUE: And this area, on all the
20 quarters I had, I had bush. I had a little bit of
21 bush. That was very important to us. I mean, I was a
22 hunting guide for many years. So I -- and that was a
23 big part of me, the trapping, the hunting. So I -- I
24 took the Cat, and I made trails through. You could
25 spend more than a day with the side-by-side, just doing
26 the different trails. It all kind of linked, you know,

1 and same thing if you wanted to go hunt your own land.

2 It was an unbelievable paradise from one end to
3 the next.

4 Karla almost put 2,000 miles on the Rhino, just
5 with the children, putting them to sleep and driving
6 the trails and --

7 KARLA LABRECQUE: Showing them stuff, teaching
8 them stuff, right? I was an outdoors person, so my
9 kids were outdoors people, too.

10 MR. WILSON: And how old are your kids?

11 KARLA LABRECQUE: Now they're 5 and 6.

12 MR. WILSON: And in -- so 2004 up through
13 the time that you've mentioned, up to in 2010, wells
14 were coming onto your property or the lands around that
15 you were renting and farming?

16 ALAIN LABRECQUE: Yeah. They were mostly -- for
17 the most part, the ones I had dealings with was the
18 ones coming on my dad's property, 'cause I was -- I was
19 renting them. So, of course, I always helped Dad
20 with -- it was a little bit stressful for Dad, just on
21 the positioning. It was no problem, you know; just he
22 was more worried about the positioning of the wells,
23 you know, and so he always seeked (sic) my advice on
24 it. And there was -- that's as far as it went.

25 MR. WILSON: So when the companies asked to
26 come on, did you say "yes" or "no", or what was the

1 deal?

2 ALAIN LABRECQUE: Oh, absolutely, yes. Yeah,
3 the only thing I always -- Dad always sought
4 instructions with me; what do you think, Al? Would
5 this -- maybe we can move it 20 feet this way or leave
6 this bush line. 'Cause his bush was more important
7 than even my bush to him, so -- but as far as proactive
8 with the company, it went really well. Yeah, for sure.

9 MR. WILSON: And what was your whole sort
10 of attitude to the oil companies that were now coming
11 into your area for the first time?

12 ALAIN LABRECQUE: It was -- there was no thought
13 of negative impact. It was just no thought of negative
14 thing, period.

15 MR. WILSON: And what was your experience
16 in that six years?

17 ALAIN LABRECQUE: It was good. It was good. I
18 mean, it even -- you know, it offered Dad -- like I
19 said, farming 300-some acres, maybe a max of 400 one
20 time, it was extra revenue for him. It was a good
21 timing for him, just where, you know, he's got me
22 renting land, and this is kind of a nice, little bonus,
23 and it was a good thing, selling his -- you know,
24 selling the water, and there was good relationships for
25 sure.

26 MR. WILSON: Karla, what about you with

1 taking the kids out and for walks down the roads and
2 walking?

3 KARLA LABRECQUE: It was positive, yeah. I --
4 yeah, it was positive experience. I didn't look at it
5 negatively. I grew up in an oil town in Saskatchewan,
6 so I didn't look at the oil as being negative,
7 whatsoever.

8 MR. WILSON: Okay. All right. And tell
9 them about, you know, your logging as well.

10 ALAIN LABRECQUE: Yeah. There was more. I --
11 so as soon as I -- basically, of course, I'm buying all
12 this land. Well, there's land payments that have to be
13 made. There's not that much money in farming. You
14 know, we've had some good years just recently, but we
15 had a lot of years where Karla says, Why do we do this?

16 But -- so basically, I was working -- I bought a
17 log truck at a -- a really cheap log truck for 7,000
18 bucks. I flew to the Duncan -- to the island and
19 picked up this log truck, rebuilt it completely, and I
20 went to work. And I was surprised the mill -- for my
21 own use again. That's to stimulate income. Off my
22 land, I was running out of cash. I said, got a chain
23 saw, started cutting loads of pine by hand; everything
24 I did by hand and did 18 loads and now I can't get a
25 truck, 'cause everybody's too busy; it's during the
26 boom. So if I don't deliver these loads quickly, I'm

1 losing weight. So I panicked, and I found this cheap,
2 cheap truck, came back with this old relic, put farm
3 plates on. I'm going to haul this to the mill, and the
4 mill says, Boy, we could sure use you in the winter. I
5 said, You've got to be kidding; this truck's a 1971.
6 He says, No. He says, It looks good. So I got
7 excited. I fixed it up, we painted it and everything,
8 went right through the whole thing, and we ran that
9 truck around the clock that whole winter. We did --
10 tremendous, tremendous winter with the one truck double
11 shifted.

12 And the next year, I introduced a second truck,
13 same type of deal, cheap truck, went through and did
14 all the mechanicals. We ran like that eight seasons,
15 seven or eight seasons.

16 KARLA LABRECQUE: Yeah.

17 ALAIN LABRECQUE: And so the trucks were a big
18 part of it and it was self-loading log trucks.

19 So some of them years, I was doing easements for
20 ATCO Electric, 'cause they're self-loaders, when they
21 were putting the big power lines in, and then in
22 between that I was doing some oil-field work in -- in
23 the Three Creeks fields, all the logs for a -- as a
24 subcontract, did some -- some wood off Baytex sites,
25 I'm sure, Penn West, all that type of stuff that was
26 going to High Prairie. I salvaged when they -- so I

1 was -- it was a positive thing, even the -- the
2 industry as a whole always -- it was a big benefit to
3 us.

4 MR. WILSON: In 2010, how were things going
5 with your farm and your businesses and financially for
6 you?

7 ALAIN LABRECQUE: It was -- things were just
8 starting to click. It was getting better and better
9 with -- I mean, we had introduced a custom fertilizing
10 spreader, TerraGator floater truck that spreads dry
11 fertilizer. I could see a little gap in the spring
12 when I was done logging that I kind of had nothing to
13 do, so I bought this custom spreader truck, because I
14 needed it for my own Timothy, and it -- that turned out
15 to be a very, very busy venture. That was in the
16 upwards of 20,000 acres of custom on that -- on top of
17 my own, so it was just -- we were getting where it was
18 just very comfortable. Things were just rolling into
19 the next season, but it was getting easier for me, too,
20 'cause it wasn't the first time at it anymore.

21 MR. WILSON: And for the non-agricultural
22 folks on the Panel, if there are some, "custom", you
23 mean other farmers would phone you up and say, Hey, I
24 need some fertilizer spread, and you say, You bet, and
25 they would pay you to do the fertilizer, and it become
26 a source of income, right?

1 ALAIN LABRECQUE: Yeah. Some days I would do
2 over 1,000 acres, but, you know, regularly, 600 acres a
3 day, and I'd try and incorporate it my farming, because
4 my farm was designed -- it was Timothy. Timothy is a
5 perennial. That's why I was focused on Timothy. It's
6 a crop that you don't re-seed. You can have a crop
7 stand for 20 years, and you just keep combining it. So
8 it worked well.

9 MR. WILSON: So you're farming, raising a
10 young family, custom farming services, and logging?

11 ALAIN LABRECQUE: Correct.

12 MR. WILSON: Are you aware that there's a
13 thing called a movie theatre and a bowling alley?

14 ALAIN LABRECQUE: Well, we did always take time
15 in July.

16 MR. WILSON: Okay. 2010, any talk of
17 moving, leaving, anything like that?

18 KARLA LABRECQUE: This was talk of buying more
19 land in 2010, right? Which quarter do we want to look
20 at buying next? That's what we were talking -- which
21 would -- yeah, in the close proximity, right?

22 ALAIN LABRECQUE: 'Cause we weren't just farming
23 what I owned, 'cause like I described, we had bush on
24 all them quarters. It wasn't your ideal farm quarters;
25 you got a -- I didn't have one 160-acre block, but I
26 didn't mind that. It as -- but I had lots of rental

1 acres, too. You know, I says, I'm not going to destroy
2 all the bush and lose our enjoyment of that. It's
3 easier to go rent what people have already opened, and
4 so -- so we were up to 2,200 acres spread out over 18
5 miles.

6 MR. WILSON: Mike, could you explain to the
7 Panel where you and Leona were at at that time period
8 of 2004 to 2010? What were you guys up to? What were
9 you doing? What were your plans?

10 MIKE LABRECQUE: Okay. I'll -- before I address
11 that, I want to apologize to the Panel. If I have
12 problems, I make you repeat, I have a severe hearing
13 problem, and unless I actually see the person talking,
14 it's -- more than 60 percent of the time, I will not
15 hear what you're saying, so I just thought I'd mention
16 that.

17 MR. WILSON: Thank you.

18 MIKE LABRECQUE: And in 2004, we were on -- I
19 used to have more farm as well. I had three other
20 quarters of land, and we actually -- Leona and I
21 actually resided on the -- on the -- it was the west
22 half -- the west half of 20, 79-20, which was only very
23 close to the farm that we own now. And we were having
24 a -- I had those three quarters, but like Alain
25 mentioned, a little while ago, for a while there, there
26 was not big money to be made on the farm. And as well,

1 I worked out -- all summer, I always worked out
2 elsewhere. I used to work for the MD 130 of Falher for
3 years and years, and most of my work for them was
4 actually -- I was a licenced blaster, and I would take
5 care of all the problem wildlife such as beavers,
6 taking all these dams out. I did that for years and
7 years.

8 And after I quit that employment at the MD for
9 130, then I went in business for myself with the
10 blasting, and I would still do some work for the
11 farmers but quite a bit of work, actually, for the oil
12 companies, so -- and also in the wintertime, I had a
13 trap line in Cadotte Lake, so I believe it was over a
14 20-year period that I had a trap line there, and that
15 was my source of income in the winter months.

16 And I used to -- I've always enjoyed that part of
17 life. I actually did fairly well with it. And to make
18 ends meet, Leona has always worked at school, and, of
19 course, when I was out there, she was along; she would
20 be taking care of the kids and going to school, so --
21 and to make matters worse for her, also, is my only
22 source of heat was a wood stove, so you can imagine how
23 hard, difficult that was for her. She would get up
24 extra early and go put wood in that beast before
25 getting the kids ready for the sitters and that and ...

26 MR. WILSON: Mike, what were your plans for

1 the land that you bought, where your house is?

2 MIKE LABRECQUE: Well, I actually wanted to
3 downsize a bit at that point, so that -- that southwest
4 of 28 was actually my favourite piece of land. There
5 was a small lake in the forest right behind my yard.
6 We call it -- it's not -- it never had a lake -- a
7 name, this lake, but it was beautiful. It was as round
8 as a plate. We called it "Round Lake" all our lives.
9 Nobody knew about it. It was completely surrounded by
10 forest. There was one little trail to get to it. Very
11 few people even knew about this trail or this little
12 lake, so I wanted to position my yard within just
13 metres of this lake. So I ended up building my yard --
14 it might have been, like, 300 metres from the edge of
15 this lake, and I still -- I actually went -- I still
16 had those other three parcels of land, but I told
17 Leona, I said, Why don't we unload these -- sell these
18 three pieces of land and take the little bit of cash we
19 get out of that and really improve this one to the
20 point where this is going to be our place to -- our
21 go-to place for retirement? Which was gorgeous. It
22 was a park. You got up in the morning, all you could
23 hear in the morning was ducks and geese and birds, and
24 they were so loud that you had trouble talking in your
25 yard. That's how beautiful that was.

26 So this was actually our dream, was to put our

1 every -- every last penny we had was being sunk into
2 our little paradise here. And things were working out
3 quite well that way, actually, and we were really
4 looking forward to finally being -- being able to enjoy
5 our lives there. And due to some circumstances right
6 now, I guess, ...

7 MR. WILSON: Mike, when were you planning
8 on building? You had a house, a temporary house, and
9 you had a shop. When were you planning on building the
10 -- your retirement home?

11 MIKE LABRECQUE: We had plans to build there in
12 the summer of 2012 was our plan, to try to get a house
13 there, and she had planned to retire as well, and then
14 we would both work on this project. That was our --
15 our commitment to ourselves there.

16 MR. WILSON: And did you bring services in?
17 What kind of improvements did you do to the land.

18 MIKE LABRECQUE: Oh, yes. Well, this is --
19 especially on these farms, I had three -- water is
20 always the main concern, and we had been through
21 droughts in the earlier years, so I -- I personally had
22 dug two big borrow pits for water reserves, and -- and
23 then a bit later on, I had a chance to get a really big
24 borrow pit, and I had a good chance, because -- because
25 they needed the dirt elsewhere to build an oil pad, so
26 it worked out perfect. So I had these three big water

1 reserves, so that was taken care of. No more worries
2 there, lots of water.

3 And then, of course, we -- we had brought in the
4 natural gas; that was already in place, and the big one
5 and the final one, I believe, was in 2011, in the fall.
6 We finally got the power in, and that was the big one
7 there. That was a lot of money invested there.

8 So finally everything was in place. We had
9 everything we needed. All we had left to do was put
10 that home there.

11 MR. WILSON: Leona, what is it you've been
12 doing? What is it you do for the school board?

13 LEONA LABRECQUE: I've been working with
14 special-needs children for the past 36 years. The last
15 15, I've been a Braille instructor, working with
16 visually impaired children.

17 And when one of my students finally graduated in
18 2012, I thought, Well, this is great; I've done my
19 part, and that's why I was really thinking of retiring
20 in June of 2012, thinking everything was rolling right
21 along. Everything was good. He had an independent
22 contracting job; his welding shop kept him fairly busy,
23 and there was really not a need for me to have to go to
24 work. I had looked into house plans. We had picked
25 the house plans, and I thought, All I have to do now is
26 pick all the things I want in it, sit down with the

1 builders, this is great, and I was going to retire in
2 June of 2012. Unfortunately, it didn't work that way,
3 but that was the plan.

4 MR. WILSON: Leona, just in terms of --
5 again, we're going to move on, but I think it's
6 important for the Panel to understand. You guys have
7 explained to me, and I've seen, because I've been out
8 there a few times. The grandkids and the flowers and
9 the sandboxes, can you just talk about that for a
10 minute?

11 LEONA LABRECQUE: Well, when we decided that we
12 would move there and this would be our permanent home,
13 I decided, Well, okay, we're going to get and jump on
14 this, and I know that -- so I started landscaping, and
15 I had great visions with landscaping, and we planted
16 trees. I had -- I actually had a heritage garden that
17 went back to three generations of plants from my family
18 that I planted there, and it became this all-consuming
19 thing. I spent hours and hours a day, every spare
20 minute that I had, working on this property. My -- the
21 grandchildren absolutely loved being there, because
22 obviously, they were living in town, but coming out
23 there was a chance for them to be able to roam around.
24 They had their own gardens, their own flower beds, they
25 had their little trails in the bush, and they could
26 just tag along, and that was their place to be. And

1 the memories that we all have of them being there.

2 I also had a nephew of mine who spent a lot of
3 time with us at that place. And, unfortunately, his
4 brother -- my brother, his dad, had passed away when he
5 was very young. And when we told him -- I told him
6 that we were going to have to leave, he said, But you
7 you know, the only memories of my dad are there, are in
8 your yard. And I said, You know, there's so many
9 things there that we -- we -- I can talk about the
10 work, I can talk about everything else, but it's those
11 things that are priceless. It's -- it's the lifestyle,
12 it's what happened there; those things are priceless.

13 MR. WILSON: Thank you.

14 Andy, can you just describe for the Panel what you
15 were doing -- you and Joyce were doing on that land?
16 And maybe just tell them about how many kids you have,
17 by the way, first. How many kids do you have?

18 ANDY LABRECQUE: Sorry, I didn't get that last
19 part.

20 MR. WILSON: How many kids do you have?

21 ANDY LABRECQUE: Six.

22 MR. WILSON: All right.

23 ANDY LABRECQUE: Four boys and two girls.

24 MR. WILSON: Okay. And they're all
25 launched now?

26 ANDY LABRECQUE: Yes.

1 MR. WILSON: How many grandkids?
2 ANDY LABRECQUE: 11.
3 MR. WILSON: All right. And you farmed the
4 original -- your dad's homestead --
5 ANDY LABRECQUE: Yes. That's correct.
6 MR. WILSON: -- for a while?
7 ANDY LABRECQUE: Yes.
8 MR. WILSON: And then you sold -- you
9 stopped farming?
10 ANDY LABRECQUE: Yes.
11 MR. WILSON: You also worked for -- you had
12 off-farm employment. Can you describe that, what you
13 did?
14 ANDY LABRECQUE: I worked for 21 years in the
15 McLennan long-care facility.
16 MR. WILSON: What did you do there?
17 ANDY LABRECQUE: Which was about 18 shifts a
18 month. It was a -- like, a permanent part time.
19 MR. WILSON: And what did you do at the
20 extended-care facility?
21 ANDY LABRECQUE: It -- it was the care of
22 the -- the residents, whether bathing or -- or helping
23 them to eat or go to bed or get up, and just their --
24 all their general care. It was -- it wasn't uncommon
25 to have 40-plus residents in wheelchairs that couldn't
26 walk. So it's -- it was a lot.

1 MR. WILSON: Thank you. And let's just
2 talk about your property now. You've indicated that
3 you have the quarter section of the northeast of 21, if
4 I have that right. And --

5 ANDY LABRECQUE: Yes.

6 MR. WILSON: Just describe to the Panel
7 what you did on the property, why you had it, what your
8 plans were for you and Joyce?

9 ANDY LABRECQUE: I can't.

10 MR. WILSON: That's okay. You take a
11 minute.

12 Mr. Chair, Andy and Joyce -- or Andy's provided a
13 statement that's in the record that's been submitted,
14 and to make this easier for him, I'll describe that --
15 it's in the submissions -- that they had wanted this
16 property for their retirement, their retreat.

17 They built a cabin in the woods, cleared things by
18 hand, but only dead things. And it was a place where
19 the family would come -- their family, not these
20 families, but their children and grandchildren -- for
21 barbecues. And that's what they -- they had there.

22 Maybe I'll ask you this, Andy, if it's all right,
23 and I know this is difficult. When Koch came in in
24 2004 and then it become Prosper and more and more wells
25 came in, what was your reaction to the oil activities
26 occurring around you?

1 ANDY LABRECQUE: I guess I was very naive and
2 narrow-minded in -- in the aspect that I had my bush
3 quarter. I couldn't care less how much oil activity
4 was around me. I didn't care. There was nothing on my
5 quarter. Is that answering your question somehow? I
6 have --

7 MR. WILSON: Yeah. No, I just want to
8 know, you know, whether you filed objections or you --

9 ANDY LABRECQUE: No, it didn't bother me. I --
10 I guess I had this -- if I can say this, I had this
11 naive thought like everyone else that the oil industry
12 is strictly regulated, and a nightmare like this taking
13 place was just not possible. So that didn't worry me
14 at all. Not a bit.

15 And, I mean, if you watch commercials on TV
16 promoting the oil industry, you wouldn't be worried
17 about anything either, would you? I mean, I'm getting
18 off the thing here, I guess.

19 MR. WILSON: Did you -- well, what kind of
20 impact was there on you?

21 ANDY LABRECQUE: What --

22 MR. WILSON: What kind of impact was there
23 from the wells that were coming in, the Prosper wells,
24 the Koch wells, on the lands around you? What impacts
25 did you have?

26 ANDY LABRECQUE: I -- I didn't have any

1 impacts, it was relatively minute. There wasn't a
2 whole lot of it. And I could go about my life and not
3 be really aware that they were even there. There was a
4 slight increase in traffic on the roads, but, again,
5 that didn't bother me. So I suppose from the time
6 these -- field is being developed, it went quite a few
7 years that I just really paid no mind to it. It was
8 never an issue.

9 MR. WILSON: Did you hear -- was there
10 noises?

11 ANDY LABRECQUE: At times, but nothing --
12 nothing to really disturb us. And at times I couldn't
13 hear them at all. So it depends. I mean, every time
14 they were building something on the site, well, then
15 you would -- you would get some noises. But you knew
16 at the end of the week it -- it would be done, it would
17 be finished, and sure enough ...

18 MR. WILSON: And what about the air; what
19 was the air like?

20 ANDY LABRECQUE: You know, that's an
21 interesting question, because I had never considered
22 the air before, you know? I had never thought about
23 air quality before. I took air for granted. That was
24 the air was like (sic). I never thought about it. The
25 air was good. I didn't wake up in the morning and say,
26 Gee, the air is good. I just took it for granted;

1 every morning it was good and every night. It was
2 never a problem.

3 MR. WILSON: So it wasn't something you
4 talked about?

5 ANDY LABRECQUE: No.

6 MR. WILSON: Okay.

7 And I'm just going to go to you, Brian, and then
8 we're going to move to a new topic. Just so the
9 Panel's aware, can you show them where your land is on
10 the map?

11 BRIAN LABRECQUE: Yeah. I'm on the southeast of
12 17-79-20. And I purchased a parcel of land there,
13 and -- and I -- I just actually came out of high school
14 and -- and there was an estate sale. And, of course,
15 it was difficult, and -- and still is, to acquire
16 property, right? And -- and so that was my
17 opportunity. I'm, like -- I guess I'm kind of a -- you
18 know, a homebody. But I'm, like, Well, if I can latch
19 onto this, I'm close to, you know, Mom and Dad's
20 existing farm property at that time. And -- and what I
21 had vision (sic) was, you know, down the road, you
22 know, raising a family while eventually, you know, I
23 could look at, you know, building a home and -- and
24 relocating there. And a very picturesque property.
25 And that was my intention with it. So, you know, I had
26 a -- I -- I was a landowner and -- and -- with -- with

1 plans on -- on someday eventually moving there.

2 Early on, you know, when my parents sold the rest
3 of the farm -- 'cause we were mostly cattle, but -- but
4 some grain farming, and -- and my parents sold off the
5 farm in 19 -- in '97. I have -- I graduated from high
6 school in '97 and -- and then bought that parcel of
7 land in '98. But, like my dad mentioned, agriculture
8 back was -- we had some really difficult years in the
9 mid '90s. We had drought years. Commodity prices
10 weren't great. And -- but deep down, my passion was
11 always agriculture. I -- I loved, you know, just the
12 idea of -- of farming and being involved in
13 agriculture. And -- well, when my dad always told us
14 that he thought he was doing us a favour, but he wanted
15 to ensure he sold the farm before we were old enough to
16 take over because he didn't want us to get into that
17 line of work, right? He says, There's so many
18 opportunities, and more profitable opportunities out
19 there, like -- you know? So it was kind of a way of
20 making sure we didn't go that route, right?

21 Little did he know, I would continue on and -- and
22 pursue down that venture. And I'm actually a certified
23 crop advisor, and I manage a -- a number of
24 agricultural retail units. And I -- I work with
25 farmers every day and -- and help them up -- help them
26 out with their crop plans and make recommendations. So

1 I'm -- I'm actively involved in that sector and -- and
2 enjoy it immensely. But obviously if I had an
3 opportunity to -- to farm, I would, right? So -- but
4 that was always my plan and my intention.

5 And, you know, like, I live in a nearby community
6 of Donnelly, and my wife and I have a home there.
7 We're raising -- we have a very young family. We have
8 three children. But, you know, for myself and my
9 brother, when we grew up on a farm, it is a different
10 experience, right? Like, there's -- you're just -- so
11 many more opportunities. And I always wanted that for
12 my children too, right? Just to, you know, be exposed
13 to that environment. And luckily with my parents'
14 property and -- and -- and the way it was developed, I
15 guess it was a way for my children to experience what
16 we had experienced, right? So they spent, you know,
17 the summers there, weekends, you know, we -- we spent a
18 lot of time there.

19 MR. WILSON: Brian, by "there" --

20 BRIAN LABRECQUE: Sorry.

21 MR. WILSON: -- do you mean at your mom and
22 dad's place?

23 BRIAN LABRECQUE: Yeah. Sorry. At my mom and
24 dad's property, right? So of course with my mom
25 working at the school and my wife and I having
26 full-time jobs, it was actually convenient 'cause she

1 had the summers off, so we could send the kids there
2 for the summer, and it was, you know, free babysitting
3 service. But -- but, no, it was great. And we spent
4 the weekends there, and it was kind of an escape, you
5 know, from, you know, being in town, right?

6 So, you know, we have a lot of fond memories
7 there. The kids enjoyed every minute of it. And
8 it's -- it's something that's been deeply missed.

9 MR. WILSON: Between 2004 and 2010, how did
10 you find the air when you were out there with your
11 kids?

12 BRIAN LABRECQUE: It was fine. Like I said, it
13 wasn't even a concern to us.

14 MR. WILSON: Was it something you talked
15 about at all?

16 BRIAN LABRECQUE: No. And, you know, when --
17 when Koch first came in and they started drilling their
18 first few wells, and -- and we knew there was, you
19 know, the prospect of additional wells coming in. But,
20 honestly, we were -- we had -- we didn't see any risks
21 associated with this development. We were actually
22 pretty excited about the opportunity. We thought, This
23 is going to be great for the community, great for the
24 landowners, and, overall, we just thought it would
25 be -- we didn't really -- we didn't see a downside,
26 honestly.

1 And, you know, in some capacity all of us, in some
2 shape or form, have been affiliated with the oil
3 industry. I know in between -- between school when I
4 got out of high school, I actually worked a couple of
5 years driving truck in the oil field, you know, before
6 I really knew which direction I wanted to go in and
7 just, you know, a source of income. And it was a great
8 experience, and I actually enjoyed it.

9 Like my father mentioned, he was a contractor and
10 -- independent contractor and -- and worked with
11 different oil field companies. And, growing up, you
12 know, he -- he worked as a -- you know, as a mechanic's
13 assistant in -- for -- for some very large companies
14 and -- and well-known companies all over -- you know,
15 northern Alberta. So he -- he did that a lot. And --
16 and, you know, was, you know, directly employed by --
17 by oil field companies.

18 And, you know, even Alain, you know, I remember
19 he -- he did a lot of trucking around, you know, for
20 different oil field companies. I think he even
21 actually worked as a rig hand at one point. Like, in
22 some capacity, we -- we've all obviously had some sort
23 of connection to the oil field, right? So, to us, we
24 didn't really see it a downside. It wasn't something
25 that was a concern of us. We weren't really -- you
26 know, we didn't have any issues with it, honestly.

1 MR. WILSON: And during the period of time
2 from '04 to '10, was it the same thing? Was that --
3 what you're --

4 BRIAN LABRECQUE: Yeah.

5 MR. WILSON: You described what you
6 expected. What was your experience?

7 ANDY LABRECQUE: Well, actually, as -- as the
8 activity increased and there was more, you know, wells,
9 you know, coming into play, we actually were -- every
10 time we saw a new one come up, we thought it was
11 exciting. We thought, Well, this is -- this is
12 actually great. Like, we didn't see a downside to it.
13 And -- and, you know, it -- over those years, we just
14 came -- became accustomed to it. It was -- it was just
15 part of the background; it was just part of the
16 scenery. It's -- we drive by it every day. It's not
17 something we really took notice. And -- and, you know,
18 they went about, you know, their daily activities. It
19 had really no impact on -- on what we did. And so,
20 yeah, there were -- there were no issues.

21 You know, I know we've talked at great lengths
22 this week about odour issues and emissions issues. You
23 know, we didn't -- it was not -- it wasn't noticeable.
24 It's not something that we ever discussed. It was
25 really not on our radar.

26 MR. WILSON: And, you know, you're

1 obviously a cohesive group now. Back then in 2004
2 through 2010, would you guys all get together for
3 meetings? What was the level of interaction? You
4 first, Brian?

5 BRIAN LABRECQUE: Yeah. It would maybe appear
6 that way, but, honestly, you know, Alain and Karla
7 described it very well. But, you know -- you know,
8 many of us do have young families, trying to get
9 established, you know, trying to get our careers on
10 track. And, you know, so they had, you know, different
11 ventures, very busy. And -- and so was I and my
12 family. And -- and although we were, you know -- like,
13 these residents here, and we're all basically
14 neighbours to one another. And, you know, I was, in
15 and out. But I know personally I had very little
16 contact with Alain and Karla, and even my uncle Andy
17 and my aunt Joyce. Like, it's sad to say, we just --
18 you know, you -- you get into a routine and you're so
19 busy that we just didn't make time for that.

20 So, yeah, no, we actually discussed this the other
21 day, but, you know, there was years if I -- if I had a
22 conversation with Alain or Karla, it was maybe once or
23 twice a year. Just to show you how close we actually
24 were, like, I actually didn't even attend their
25 wedding, right? So it just goes to show that there
26 wasn't really a lot of contact there, right?

1 MR. WILSON: Right.

2 BRIAN LABRECQUE: It would be comparable to --
3 you know, often you hear people living in the city
4 don't know who their next-door neighbour is. You know,
5 it's kind of that same idea. Like, you just -- you go
6 about your daily life and -- and you kind of have a --
7 a one-track mind, right?

8 MR. WILSON: Okay.

9 Alain and Karla, in this period of 2004 to 2010,
10 how did you find the air?

11 ALAIN LABRECQUE: Wasn't even a thought. We
12 didn't even think about it. The air was good. It was
13 not a thought. It was a positive.

14 MR. WILSON: Thank you. Karla?

15 KARLA LABRECQUE: Yeah. It wasn't a thought.

16 MR. WILSON: Okay.

17 Mike, you worked for -- for Koch and then Prosper
18 and then a little while for Baytex. Can you just
19 describe to the Panel what your job was on those well
20 sites?

21 MIKE LABRECQUE: Yes. These -- my job was I
22 had bought a -- a big four-wheel drive tractor with a
23 dozer for the snow -- for snow removal. And so when I
24 was hired on for a contractor for that, it involved
25 many other things, like -- of course, all our roads
26 around there were basically dirt roads. Most of them

1 had gravel on. Some at the time did not even. So you
2 can imagine these big trucks; as soon as they got off
3 the pavement, that's pretty well where they stayed.

4 So my job was to go out there, tie onto these
5 trucks, I would literally pull them in onto the oil
6 lease, and when they were done with their work there, I
7 would pull them back onto the road. So that -- that
8 was a big part of it.

9 And we have really nice winters for -- in this
10 country, so that -- that was very good for me because
11 when we had a storm, I'd say, Oh, boy, I got lots of
12 work now because I knew I could sit on that tractor
13 seat and just go 20 hours nonstop. And -- which I
14 enjoyed, actually. It was kind of fun. I was the only
15 one on the road. I was the only one that could go
16 through.

17 So basically if it snowed all night, at 5:00 in
18 the morning I was on it. And I'd have to do -- basically
19 I'd have to go do all the MD roads that would lead to
20 these pads, number 1, because these -- these big oil
21 trucks could not stay on the highway. Once they are
22 committed on these roads, I had to have all those roads
23 done before the trucks even got there so that they
24 could get off the highway, at least. So it was busy
25 time (sic).

26 And it -- like I say, I enjoyed it. And -- I

1 enjoyed the work, and the money was quite -- quite good
2 as well. That was better than my regular jobs,
3 definitely.

4 MR. WILSON: Mike, looking at the map --
5 and it shows all the Reno -- what are currently now
6 Baytex wells, but are those the wells -- looking at
7 your screen there, are those all the wells that you
8 would go and plow the snow and pump the water and pull
9 the trucks?

10 MIKE LABRECQUE: Oh, yes. I would do -- I
11 would -- once -- once I sat in that tractor, I would
12 never get off this tractor until all these well pads
13 were clean. And if I started at 5 in the morning, what
14 I would do -- it takes a fair amount of time to do one
15 pad site. But to get everybody going, what I would do
16 is go start at one end, do one blade width -- 12-foot
17 blade width with the tractor. I would just circle the
18 pad once -- where the trucks load up, I would do one
19 pass for the truck to be able to get in there. Then I
20 would just go down the line at every single pad. And
21 by the time I got to the end of the line, then the
22 truck can come in and now load. There's no lost time.
23 And as soon as I would have that one pass done all
24 over, then I would start all over again, but this time
25 I would clean entirely. So it was a big shift. Like,
26 it used to -- do all the sites used to be between 20

1 and 25 hours of work nonstop. So it was very
2 demanding.

3 MR. WILSON: Thank you. I'm now going to
4 shift, and we're going to start coming into the current
5 time frame. Baytex officially took over in early 2011.

6 Alain and Karla, when did you first start thinking
7 there were problems, and explain that whole time period
8 and transition and what happened, to the Panel.

9 ALAIN LABRECQUE: I guess it's looking back for
10 us, but, yeah, when we start -- the problems was in
11 December -- sorry, December 2010. I was really busy at
12 this point trying to get the log trucks ready for --
13 for the season. I got two trucks I got to get ready
14 and just working in the shop and -- and got the trucks
15 ready, started my first day, just a little private job
16 before I go for the mill at this -- and I go and I -- I
17 blow the motor on the truck after everything's ready
18 and just before Christmas type of thing. Well, I got
19 it done I think through Christmas, so I -- probably
20 around the 10th, 15th of December or something the
21 motor went. And so right around this time when I was
22 working on this engine and all that, I just started
23 getting massive -- the headaches. I started getting
24 headaches. And it's not a common thing at all for me.
25 And not thinking nothing about it, I was just popping
26 Advil, seeing what I could do. I had to continue

1 working.

2 Went through Christmas, fixed this truck, got
3 everything going after that. It actually went quite
4 well. Got both trucks going for the mills. We were
5 going flat out and January, and I just can't shake it,
6 the headache. And it -- just -- just couldn't shake it
7 off. And next thing you know, it's starting to kind of
8 a -- eye twitching for me, like, it just -- quick
9 little pull on the eyes. And it was -- it was just
10 strange the stuff that was happening. And logging --
11 and like I said, I got to keep moving. It was just --
12 it wasn't altering what I could do, how I could work.
13 I just -- what the heck is it? And things were quite
14 strange through the -- those next couple months, you
15 know. Coming back home and noticing strange things too
16 at home with the wife and the children.

17 And so we -- it was in December when we noticed --
18 mid-December when we were noticing something different,
19 something happening to us. And so we just -- that
20 winter went on, like, that came, you know -- come home
21 and I -- just so frustrated looking at the wife.
22 What's -- what's happening? Why is the little girl
23 always falling? You know, she seems so darn clumsy.
24 She's on -- sitting on the table -- at the table to eat
25 and (UNREPORTABLE SOUND), you know, all of a sudden
26 she's got no balance, she falls, and pick her up,

1 and --

2 KARLA LABRECQUE: Yeah. She'd fall off the
3 couch. She'd fall down one stair. It was odd, but as
4 a mom, you kind of think, Oh, she's 2, right, so maybe
5 she's still not that good in balance and whatever. But
6 you kind of know in the back of your head there's
7 something up.

8 And then I fell down the stairs in March. And I'm
9 not a klutzy person at all. And I was hauling a basket
10 of the laundry down, and I looked to see where my
11 little girl was on the stairs, and next thing I know,
12 I'm at the bottom of the stairs with the laundry all
13 over. And I actually figured it out that if I turned
14 my head too far to the left, I could actually make
15 myself pass out. And I showed it to him that I -- I
16 could; I -- you'd actually start to go faint from it.
17 It was -- it was crazy symptoms, right? Like, we'd --
18 and I had ear popping and -- and that's when -- that's
19 about the time when he started slowing down with his
20 log trucks.

21 And he started -- he'd go out to the shop now to
22 work and come back in the house, right? And he started
23 noticing that the -- the air inside the house was bad.
24 It smelt like bitumen, what it smelt like in the
25 evening before. Like, what the yard smelt like would
26 actually come into the house through the fresh-air

1 intake.

2 ALAIN LABRECQUE: So we -- we -- you know,
3 you -- putting this all -- all this -- you know, and I
4 still got the -- I got this -- this headache, and I
5 got -- by that time, I've told my coworkers that I'm
6 out there logging, like, 'cause I'm coming down the --
7 the Daishowa hill. I was hauling at the mill. And
8 every time -- it seemed like the -- the elevation
9 changed. And that's where I'd kind of lose my card for
10 a second. I always was scared. Right before the
11 bridge is kind of where you'd just kind of slight (sic)
12 faint, and you're just like, Wow, good thing it don't
13 last 'cause it's going to be bad, right? That's where
14 you're doing 100 kilometres 'cause you finally let your
15 brakes go and you're going to -- you're a ways in
16 there, and that's where it's like, Oh, man. It
17 happened again, happened again. I -- so I told my
18 coworkers, Man, if you ever find us -- me piled up,
19 rolled over, or whatever, it's not 'cause of this or
20 that. I don't know what's up. I just got these
21 little -- but it seems to be going good. It just -- I
22 get over it every time and that sort of stuff right
23 through the winter. And it was just -- it was just
24 strange. And then like she said, she fell down the
25 stairs, and it was so strange that I actually chuckled
26 and kind of, What the heck's wrong with you? And I

1 says, like, What's happening here, right?

2 And so -- so, like she said, we slowed down
3 finally. The end of March came, type of thing when you
4 breakup. And we started getting a little bit of --
5 of -- and then that's when we start -- at that same
6 time, start noticing, like, the -- the bitumen --
7 hydro -- hydrocarbon air in the house would -- you
8 know? And how I could notice that is when I'd walk
9 outside let's say at 10:00, I thought 10:00 is good
10 outside. The air is cleared right up. So you've got a
11 contrast now. You've got good air. You've got air
12 flow. The winds picked up. 'Cause you've got to --
13 you know -- so the -- the winds moving lots. And then
14 you walk into your house, and, holy smokes, it -- this
15 is heavy hydrocarbon in the house. 'Cause you could --
16 you're -- all of a sudden you're sensing the contrast.

17 So I start, Wow. So we start fanning the door.
18 So this is maybe 10, 11, and it's still got the
19 hydrocarbons in the house. So fan the door, fan the
20 door, try and -- and this -- we started noticing
21 exactly every time the evening comes around when we
22 were getting affect -- and sometimes it's two, three
23 days in a row through the -- that this happened through
24 the evening, comes in the house the -- your fresh-air
25 intake, right? And it just builds up in confined space
26 and then we'd vent out the house. And then we just,

1 Wow, could it -- this is -- this could be what's --
2 what's happening here.

3 MR. WILSON: Did you check the furnace?

4 ALAIN LABRECQUE: Sure. But you got to bring
5 in -- I mean --

6 MR. WILSON: Explain the steps you went
7 through that you've described to me when you were
8 starting to try and understand where these odours were
9 coming from.

10 ALAIN LABRECQUE: Well, we -- we -- we had
11 installed carbon monoxide monitors. We had one
12 downstairs, one upstairs and checked it --

13 KARLA LABRECQUE: You're trying to figure out if
14 it's your -- your house first, right? Like, you're
15 trying to say, Okay, what's making you sick, right? So
16 you're going to look at the obvious. You're looking in
17 your house to see what's making you sick. And, well,
18 no, the furnace is fine. We have the carbon monoxide
19 detectors. It's not sensing anything. Like, what's
20 going on? And then when we started noticing the
21 contrast from outside air, it was good 'cause all the
22 sudden now it smells in our house; what's going on,
23 right? And that's when we kind of started -- well, we
24 started noticing, even, the -- the tanks, right? The
25 odours that are outside the tanks, the -- well, we
26 could actually see the grayish plume coming out the

1 top. Well, we had never noticed anything like that.

2 ALAIN LABRECQUE: You've got to remember we're
3 at -- closest one's at 500 metres as the crow flies.
4 For -- and then there's 16 tanks. Like, there's --
5 there's one at 500 metres, and then there's another,
6 you know, bunch of wells, another bunch of well,
7 another bunch of wells that keep proceeding a -- a --
8 16 tanks that are venting -- all 4 tanks are venting,
9 you know? And it was there, you know? The
10 hydrocarbons were heavy in the yard at these times, and
11 then, you know, it was -- it was coming in the house,
12 confined space over -- all through the night.

13 Sometimes, you know, you even start at 5, 6:00 in
14 the -- in the afternoon on a typical -- when it
15 would -- when it would -- would be affected. Buildup
16 in the house, 10, 11:00 before you get -- so, you know,
17 it wasn't long -- and what -- how we could figure it in
18 the spring what happens, we got nicer weather, when it
19 starts to warm up, nice sunny days, windy days, all the
20 sudden --

21 MR. WILSON: Alain, can I just get you
22 to --

23 ALAIN LABRECQUE: Yeah.

24 MR. WILSON: -- the court reporters are.

25 ALAIN LABRECQUE: Oh.

26 MR. WILSON: -- they're really happy that

1 you're not using chemical names, but if you could just
2 slow down a little bit --

3 ALAIN LABRECQUE: Okay.

4 MR. WILSON: -- for their benefit, that
5 would be terrific? And I'll keep an eye on it --

6 ALAIN LABRECQUE: No problem.

7 MR. WILSON: -- a little better than I have
8 been so far.

9 So maybe just to help you. What symptoms --
10 describe more to the Panel, as time went on into -- so
11 you're -- now you've talked about, you know, it was
12 early 2011, you've mentioned March. What symptoms did
13 each of you and your children -- and how old were the
14 kids at this point?

15 KARLA LABRECQUE: Kandace would have been about
16 2-and-a-half. Well, in February, she would have been
17 2-and-a-half, and then Alec would have been
18 3-and-a-half.

19 MR. WILSON: Okay. And so just describe
20 for the Panel what type of symptoms you were having in
21 this time period, in March and May of 2011, I guess it
22 would be.

23 KARLA LABRECQUE: As for -- well, me, it was a
24 lot of sinus congestion. I always like, you know, my
25 nose was plugged, my ears were plugged. I would go to
26 bed at night, and my ears would pop. That's how I fell

1 asleep, was to popping ears. Like, it would just be
2 popping. And, you know, I had tubes in my ears and my
3 nose drained at an early age, and I thought, Oh, that's
4 what it's got to be, right, 'cause you don't -- you
5 don't think that that can affect you, and, yeah, so a
6 hollow feeling in the arms, hot and cold flashes,
7 massive left-sided headache. And I get migraines; this
8 is not like a migraine. This is like somebody's taking
9 a 2-by-4 to your head.

10 As far as the kids, the little guy had dark, dark,
11 grey circles under the eyes. And we didn't even know
12 that that was -- I mean, until we moved out in December
13 2011, I didn't even realize that that wasn't his -- you
14 know, normal, right? Like, it's like it becomes
15 normal. You don't even notice that -- yeah. So dark,
16 dark grey circles. Constipation issues, heavy
17 constipation issues. I even had him on a laxative.
18 And we would still go -- his worst time was 12 days,
19 and as a mom, it kind of scares you, right, like, 12
20 days to not have a bowel movement? That's pretty
21 scary.

22 And as far as the little girl, hers was mainly she
23 was klutzy. She would just fall off of stuff for no
24 reason at all.

25 MR. WILSON: Alain, what kind of health
26 effects did you feel?

1 ALAIN LABRECQUE: It was a lot of the sweating
2 the bed, but that's another one we came to -- I had no
3 clue that was derived from -- like, sweating the bed
4 was just -- you know, you go to bed, and the bed was
5 just absolutely soaked, and you're wondering, What the
6 heck. And I would just -- and then, you know, that was
7 something we found out later, when we removed
8 ourselves; wow, no more of that, wow. You know, and
9 then I'd go back into it. So that was one of them.

10 Back pains, back spasms, like, not much strength
11 in your muscles. Like, you'd pull a grain auger -- so
12 it was hard to connect, 'cause you'd grab an -- a grain
13 auger, you'd pull, and then -- wow, and then you're
14 out, and your back's out for a long, long time, and
15 you're like, What's wrong with me? I'm just mush.
16 Like, it seemed like anything that -- and you'd get
17 these back spasms and all these pains in the shoulder
18 and muscles.

19 It was all stuff that was -- I could go back.
20 There's a whole -- like, the numbness, like, you're
21 driving, and it's just like -- it's just ...

22 KARLA LABRECQUE: Like you don't even have arms
23 and --

24 ALAIN LABRECQUE: You don't know whether your
25 arms -- like, it's like you're outside your body, and
26 there's your arms. It's numbness, just like your bones

1 on the steering wheel. You know, you'd get that hollow
2 feeling in the arms completely.

3 KARLA LABRECQUE: The dizziness, like, I mean,
4 how many times didn't you just about fall off your
5 grain trailer --

6 ALAIN LABRECQUE: The balance part, yeah.

7 KARLA LABRECQUE: -- as you were walking, 'cause
8 you don't have the balance.

9 ALAIN LABRECQUE: Q-Tips in your ears steady and
10 trying to see if you can pop those ears, get to the
11 centre of something.

12 MR. WILSON: Didn't you have some kind of
13 bump on your head or something that --

14 ALAIN LABRECQUE: During that time there, too,
15 yeah, I had a growth that come (sic) really quickly on
16 the head. You know, it's just strange stuff. A couple
17 more were growing on the side just when we were
18 leaving.

19 MR. WILSON: You went to a doctor and had
20 them removed?

21 ALAIN LABRECQUE: Yeah, I had it removed, yeah.

22 MR. WILSON: And I'm a little -- I'm not
23 remembering the details of this. Didn't you go away
24 from the house for a period of time for -- to visit
25 family or something and then come back, and there was
26 --

1 KARLA LABRECQUE: In November 2011, we went on
2 vacation with family, so we were gone for about 14 --
3 not quite -- I guess it would be about a
4 week-and-a-half, I guess, and after being gone for a
5 couple days, the symptoms went away. Like, it -- all
6 of a sudden, I didn't have a headache; I wasn't taking
7 eight Advil a day for the headache I had. Like, it --
8 then when we came back from vacation, all of the
9 symptoms returned, and, yeah, we moved out December
10 4th, 2011, because there was no way I was going to put
11 my kids through another winter of that, no way.

12 ALAIN LABRECQUE: We were just getting into a
13 repeat right away when the cold season came. It was
14 just right away back into repeat, on top of the little
15 stuff we were experiencing from the -- but it was just
16 -- it was just amplifying, and all of a sudden, you
17 know, you're -- my back was just starting, all of a
18 sudden, spasming, and the balance thing. 'Cause I was
19 just finishing up hauling grain. I couldn't -- I had
20 trouble walking the grain trailer on top, you know,
21 lock your grain trailer, and I was just like, Whoa, I
22 don't belong up here, and it was just -- just came to a
23 point when it just -- that was enough.

24 KARLA LABRECQUE: Enough. Yeah, enough's
25 enough.

26 ALAIN LABRECQUE: We're not doing another

1 winter.

2 MR. WILSON: Now, before I go to the other
3 witnesses, I just wanted to check in with the Chair to
4 see whether you -- now would be a good time for a
5 break.

6 THE CHAIR: You've read my mind. That
7 would be perfect.

8 One thing, it's great the way you're supplementing
9 each other's conversation, but when you talk at the
10 same time --

11 KARLA LABRECQUE: Sorry.

12 THE CHAIR: You see the --

13 KARLA LABRECQUE: Oh, did that happen?

14 THE CHAIR: You see the smoke starting to
15 come out of their ears over here?

16 KARLA LABRECQUE: Sorry.

17 THE CHAIR: So let's take a 15-minute
18 break.

19 (ADJOURNMENT)

20 THE CHAIR: Please be seated.

21 Sir, are we ready to continue?

22 MR. WILSON: Thank you. I'm going to turn
23 now to Mike Labrecque.

24 Mike, can you explain to the Panel what happened
25 back in early 2011 when Alain and Karla started
26 complaining about the air and the Baytex operations?

1 What was -- what happened at that time? What was your
2 reaction? What did you do?

3 MIKE LABRECQUE: Yes. At that time, I hadn't
4 felt yet what Alain and Karla were going through. And
5 I was actually a little bit upset that Alain was kind
6 of raising problems here because I guess in a way I
7 thought I had a good job here, and I didn't want
8 anybody rocking the boat, sort of speak, maybe. And it
9 would be fair to say that that was my -- my attitude
10 there, which ...

11 MR. WILSON: Did you ever talk to Alain or
12 Karla about what they were doing in terms of raising
13 concerns about the air?

14 MIKE LABRECQUE: I might have -- I might have
15 discussed with them that I wasn't agreeing with them,
16 probably.

17 MR. WILSON: Okay. All right. And, Mike,
18 so you -- we're in now -- into the 2011 and into the
19 fall of 2011, and when -- what happened with you? When
20 did you start having impacts from -- from the air?

21 MIKE LABRECQUE: Yes. As summer progressed in
22 2011, I, too, was noticing some things that -- that
23 wasn't regular for me. Little things. Like, when
24 dispatch would call or an operator would call me,
25 basically, then it's -- it's very short. It's, Mike,
26 we got a truck stuck at 13-14 or 8-32. And all they

1 had to do was, 8-32 or 13-14, and I automatically just
2 knew where I was going. And I would just run to the
3 tractor and go -- go for this site. And then I would
4 be questioning myself, Did he really say that number,
5 or is that the number he gave me? And on a couple of
6 occasions, I actually had to stop and phone back and
7 say, I think I misheard you, or I said that I got -- is
8 this the right pad location? And I would forget what
9 he had just told me on the phone. And this was
10 happening more and more, to the point that I would pack
11 a pen and a little paper. And -- and I'd have to write
12 it down. And I never used to do that. I used to
13 remember.

14 And now that was a big problem for me, was that
15 forgetting that was, like, kind of a wake-up thing,
16 like, Why is this going on? But, like, I -- I never
17 attributed that to any particular thing. So I guess
18 that's one -- one of the things that was raising alarms
19 there.

20 But -- and then I guess in the back of my head, I
21 say, Well, I'm almost 60 -- 60 years old; maybe that's
22 my problem. And I guess that's -- that's the way I was
23 thinking.

24 MR. WILSON: When did the headaches and the
25 other symptoms you've described start?

26 MIKE LABRECQUE: By -- by late fall in 2011

1 that was starting to be a concern. The -- the
2 headaches were definitely a concern. And I think Alain
3 touched on that already. It's -- the sense of balance
4 for me was a big thing. I noticed more and more if
5 I -- I couldn't go to a doorway without actually
6 putting my hands on one side. Like, I always had to
7 feel or -- feel that I was supported on one side. And
8 on occasion, walking from -- from my house to my shop
9 in the yard, well, is only about 20 metres, and on --
10 on quite a few occasions I -- I had to lean on stuff to
11 get there. If there was a lawn chair there or
12 something, I would grab onto it to make it there
13 because I was actually walking like this. And that
14 sense of balance was really going for me. That was
15 very bad. It's almost like you're walking in the dark
16 without a flashlight; you're almost feeling your way.
17 And that was another thing that I was feeling more and
18 more.

19 And especially when you climb into these tractors,
20 they're -- they've got a very narrow steel ladder which
21 is very treacherous, and you don't like to lose your
22 balance on those. And it was a concern.

23 MR. WILSON: And as the winter came in 2011
24 and going into 2012, what kind of health impacts did
25 you start feeling then?

26 MIKE LABRECQUE: Oh, by that time, the impacts

1 were -- I didn't know what I had. I -- I really
2 hadn't -- I had lost weight by then, considerable
3 amount of weight. And as Alain was saying, the
4 sweating part, during that winter, I pretty well gave
5 up using a bed. I would -- I had a couch in my -- in
6 my living room, and I would pretty well just sit on the
7 couch with a footstool and I'd put a blanket on me so
8 that I'd be sitting upright, and that way I would sweat
9 a lot less. Because if I lied (sic) down -- if I lied
10 down, you could -- I could watch my -- my chest, and I
11 could literally see the water coming out and form
12 little rivers. And that's how much sweat was coming
13 out. And every morning you had to drag -- if you were
14 in bed, you had to literally -- I had three pillows.
15 Once one was soaked, I would throw it off the bed and
16 grab a dry one. And I would go through three of those
17 a night, sweating. And that was very -- so at that
18 point -- that -- that's when I realized that I was
19 better off sitting down during the night to eliminate
20 some of those symptoms.

21 And -- and of course I -- I did make appointments
22 to get checked out, and -- but it's a -- everybody has
23 the flu. So they said, Well, it's the flu. So okay.
24 I get up in the -- in the night and quite often I -- I
25 would vomit and there was a -- there would be diarrhea
26 also. You -- you would drain your body. And -- but,

1 It's the flu; that's what it does. And -- and, it's a
2 really bad head cold with a flu. That's what you got.
3 And it's getting worse.

4 So as soon as I would get a little -- a break, I
5 would say, Well, I'll make an appointment at the
6 clinic, go see the doctor see if I could get some
7 antibiotics. That should do it, and that will get rid
8 of my cold symptoms and everything else. Because
9 your -- my head would be plugged up solid all the time,
10 and with that, migraine headaches, and antibiotics
11 would do absolutely zero. You'd take them as
12 prescribed for the term, and by that time, you
13 should've been cleared up, but you were just like day
14 1, that it hadn't done anything. And during this time,
15 well, you still have to keep on working. You got no
16 choice. And -- but, yeah, it's like a big, bad cold or
17 a flu that never goes away.

18 And -- and it -- it got to the point where I was
19 phoning Brian at work and I'd say, Well, I'm not sure
20 I'm going to make it here. I think maybe -- I said --
21 I'm not sure, I said, I think -- I think I'm dying. I
22 said, I must -- maybe I have cancer or something.
23 'Cause I'd look in the mirror, and it was scary. And a
24 skin colour was not something -- when I looked in the
25 mirror, like I say, it was just a gray colour. And by
26 that time, my eyes were sunk so far in my head, it's

1 like I -- I was looking out of -- it's like I was
2 looking outside two holes. I could actually see my --
3 my bone sockets. It's -- it felt like my eyes were 4
4 inches behind that. I could see those holes. And that
5 was -- that's the most depressing part. You look in
6 the mirror and you -- all you see is loose skin and
7 bones. That's -- that's how far down I had gone.
8 Like, I used to weigh 160 pounds. At this point, I was
9 at 125 pounds. My clothes didn't fit anymore. And I
10 really thought I had cancer. I really did. I -- I
11 didn't know. And I still hadn't associated the problem
12 with the air, I guess you would say. I still hadn't.
13 And -- yeah.

14 MR. WILSON: Leona, what was -- what were
15 you observing your husband going through at that time?
16 And just so we're clear, in the winter, you would stay
17 in an apartment in the town so you were close to the
18 school. Your family didn't want you driving on the
19 winter roads in the country, so you were there on
20 weekends and in the summer?

21 LEONA LABRECQUE: Yeah. So towards, like,
22 November, December, I did notice that there was
23 something going on, but I thought, Oh, okay, same
24 thing, Okay, he's got bronchitis, he's got the flu,
25 we'll go see a doctor, everything will be fixed. But I
26 could see that he was -- nothing was being fixed. And

1 he was getting progressively worse.

2 Now, he's always been very agile, and he was --
3 could always put in these long hours, like -- and so
4 for a person his age, he was very active. Now, the
5 thing that struck me the most was the speech. Like,
6 the -- the -- the speech was slurred and -- and the
7 speech was -- was slowing down. And I thought, Well,
8 that's rather annoying; like, just tell me what you
9 want to say. And I -- I couldn't understand why all of
10 a sudden, like, this was a problem. And so that was my
11 first indication. The -- his skin colour, absolutely.

12 But the thing was is I -- like you say, I -- I
13 lived in town for -- for a big part of the week, but
14 then he started saying, Well, you have to come over
15 after work because -- especially if there's a storm or
16 anything of the kind because I'm afraid I won't hear
17 the phone ring at night.

18 And he would go into these comatose sleeps
19 where -- where he -- nothing -- nothing would wake him
20 up. And so I would go to answer the phone if some
21 trucker called so that I could wake him up. And
22 sometimes I would check on his breathing and say, Well,
23 you know, he -- everything would be -- he would have
24 this shallow breathing. And I thought -- not really
25 attributing that to anything, other than he has
26 something.

1 And so it was kind of, like, I'm sure when he goes
2 to the doctor he's going to be diagnosed with some
3 terminal illness, but that was not the case,
4 thankfully.

5 But he had a host, like I say, of other symptoms.
6 The ones that -- that struck me the most is definitely
7 the speech. I really don't see that as having
8 recovered. And definitely the -- like I say, he was
9 always a very agile person, the loss of balance and the
10 energy, because he always had such a high energy level.
11 And I know we can attribute a lot of things to aging,
12 but I mean, you don't age overnight. So that was
13 concerning. And -- and the chronic bronchitis that he
14 apparently was always diagnosed with, I thought that
15 was amongst, I suppose, other things.

16 MR. WILSON: Leona, I've never asked you
17 this before. I know that Mike is not a smoker. Has
18 his voice always been this hoarse?

19 LEONA LABRECQUE: No, it hasn't. And I -- that
20 came about, yeah -- no, it hasn't always been like
21 that. And ...

22 MR. WILSON: When did it come about?

23 LEONA LABRECQUE: I would say -- like, it
24 gradually kind of started happening. And probably
25 by -- by late -- late winter of 2012, along with --
26 with as the speech started sort of slowing down, I kind

1 of noticed the voice and -- and so did a lot of people
2 who said, Well, what happened to -- you know, like,
3 what -- what's happening, you know, or -- with the
4 voice. And I don't know.

5 MR. WILSON: Okay. Mike, take us now into
6 April 2012, and I understand that you had some concerns
7 about your dizziness and operating your equipment
8 around the wells. What happened then?

9 MIKE LABRECQUE: Yes. That particular morning,
10 I had just pulled out a truck out of an oil site,
11 and -- and then I got a call to go for an another
12 individual that was stuck in an oil site. So he was
13 waiting for me. So I met -- I stopped -- I had the
14 tractor -- I stopped at the office, and I talked to --
15 his name was Sunny (phonetic), the operator, and I told
16 Sunny, I said, I've got a truck stuck over here right
17 now, but I said, I -- I choose -- I choose not -- not
18 to go in that site at this point. I said the way I
19 feel right now -- I said, I -- I can't do it. I have a
20 big tractor with a dozer; if I lose control of this
21 thing, if -- if I was to lose consciousness while this
22 thing is in gear, this thing could hit one of those big
23 black cylinders and actually knock it over. I mean,
24 nothing's going to stop it. So I took that into
25 consideration, and I said if I'm -- if I take -- if
26 I'm -- I take the chance and go there and I do lose

1 consciousness, someone's going to get hurt; grave
2 consequences could happen. So I said, Is there
3 anything that you can do? I -- I refused to go in
4 there. I couldn't. I said, I won't put your people in
5 that danger, and I won't put myself in that danger.
6 And I said, Is there something that you guys can do?
7 We can work something out here to fix this problem.
8 And Sunny said -- he said, I'll call my supervisors or
9 whoever he calls. And then a short while later, he
10 says -- he says, Mike, if you have your tickets for
11 today and yesterday, he says, Your timesheets, he says,
12 Bring them in. So I said, Okay, I'll go get them. And
13 he put his signature on the bottom of my papers, and he
14 handed them back, and he says -- he says, Your work is
15 done here, Mike. He says, You're done; that's what he
16 said. I mean -- No, he says, You're finished; you
17 don't work for us anymore; you can go home. And that's
18 how it ended.

19 And I parked the tractor in the yard, and I guess
20 I was on my days off, so at that point, I went to her
21 place in town, and -- and then just after a few days
22 there, just a few days, a lot of these symptoms were
23 getting lifted. My shoulders were getting lighter. I
24 was actually gaining a lot of momentum just from not
25 going back home. And after a few days went by, all my
26 stuff was at home; everything was on the farm, so I

1 said, Well, I'm picking up a little bit of speed here.
2 Maybe I'll go back to the farm today and see if I can
3 do something in the shop, do something. And the
4 minute -- the minute I drove into my yard or I got to
5 my yard, I -- no. I said, Mike, turn around, go back;
6 it's happening again. I just could not go back in that
7 zone, literally could not go back in that zone

8 MR. WILSON: Mike, when you say you went
9 into the office and you were dizzy and you were worried
10 about the safety, operating the equipment around the
11 tanks and the workers, and you indicated that you asked
12 the Baytex operator there whether you guys could work
13 together to solve the problem, what problem were you
14 perceiving at that time was causing you to be dizzy?

15 MIKE LABRECQUE: At that time, I figured out
16 that, like, all these symptoms would increase the
17 closer I got to -- to that particular -- going into
18 these -- these oil sites, everything would increase as
19 I got closer to the -- to the well sites, so that was
20 the problem. I knew it then. I had to stay out of
21 those sites. I knew it then. Then it clicked in my
22 head that, yes, Mike, that's -- you can't go in there
23 anymore. That's aggravating it.

24 MR. WILSON: So was that the moment you
25 started to think there was something wrong with the
26 air?

1 MIKE LABRECQUE: Oh, definitely, yes.

2 MR. WILSON: And when you went into the
3 Baytex office that's actually on your land, the field
4 office there, when you talked to Sunny about the
5 problem, did you express a concern about the air?

6 MIKE LABRECQUE: There wasn't much said. He
7 said, I'll -- I'll do some phone calls, and after the
8 phone call, like I say, it was over.

9 MR. WILSON: But what did you ask him to
10 fix? You said you were trying to ask him to -- you
11 wanted to work together to fix the problem. What
12 problem were you wanting fixed?

13 MIKE LABRECQUE: I don't know what I expected
14 him to fix at that point, I guess. In my mind, my
15 biggest responsibility was still that I had a truck
16 stuck in that place, and I've never left a truck stuck
17 anywhere, and I've never left a job undone in my life,
18 and I -- for me to go to that extreme to say, I can't
19 do this, is not in my vocabulary. Like, I've never
20 done any -- I -- like I said, I've never left a job
21 unfinished in my life.

22 MR. WILSON: And through 2011 and 2012, in
23 terms of exposure, how long, you know, were you -- were
24 you on the land and in your home and on these sites
25 pretty much every day, or were you away for weeks at a
26 time? What was your exposure and duration in the -- in

1 this air?

2 MIKE LABRECQUE: 365 days a year, 24 hours a
3 day. I would never leave. I was on call. If I tried
4 to leave -- if she said, Come shopping with me today;
5 we'll go do some shopping in Peace River, I would say,
6 well, you go, Leona. I would say, I can't. I said, By
7 the time we get to the highway, the phone's going to be
8 ringing. So I just -- I stayed from -- I stayed for
9 that job at home constantly. There was no going
10 fishing. There was no going anywhere. I was loyal to
11 my job, and that's what I did.

12 And I never got a break from the air ever, not
13 ever. There was -- there was no getting out of it.
14 That's where I lived; that's where I worked; that's
15 where I stayed. And, no, there was no breaks.

16 MR. WILSON: Alain and Karla, what was
17 your -- was your exposure time, so to speak, to being
18 in this environment, breathing this air, the same, or
19 how would you comment on that?

20 KARLA LABRECQUE: I would say my exposure -- I
21 mean, of course, I'd go to town to get the mail or
22 groceries, right, but other than that, I was at home on
23 our land with the kids, playing outside, playing in the
24 house. I was a stay-at-home mom, right? Helping him
25 with farming. You know, if he needed parts, that's
26 when I would leave the area, but that -- that was it.

1 I was at home. So my exposure, yeah, I had a great
2 deal of exposure to it.

3 MR. WILSON: And what about you, Alain?
4 Were you in the airshed as much as your wife, or were
5 you away at times or --

6 ALAIN LABRECQUE: Just about as much because not
7 -- because of my nature of my work, during the farming
8 season, of course, I was around all the time. I was
9 tending to that, logging. I got -- you know, I was out
10 there. I had some -- some breaks of the air during the
11 day when I worked, but I came back and slept. Karla
12 was at home, so she definitely was exposed a lot more.

13 Same thing with the custom farming, during those
14 hours that I was out custom farming, during that short
15 month period, I was away a lot during that time, but
16 then during my other farm duties, I'm -- but always,
17 every night, spending in our home place. I was always
18 home every night, and most of my daily life, all my
19 mechanical repairs that consumed a lot of that time was
20 in my shop in the affected area.

21 MR. WILSON: And your shop's got a big open
22 door on it, right?

23 ALAIN LABRECQUE: Yeah. It's -- yeah, it's kind
24 of embarrassing to go to the place, because we were --
25 we were always conserving all the resources to go to
26 land acquisition and important things. We didn't drive

1 any -- no fancies. We both felt the same way about
2 advancement, to make sure our children were going to
3 have something if they wanted to farm, because buying
4 farmland is getting difficult, more and more
5 impossible, so we were -- you know, and we were just
6 finally at the point there was extra to start
7 improving. We put an addition on the house. Just
8 before we left, we had just done -- finished the inside
9 of the addition. I had just put my shop up. That was
10 the -- the year I left was the first year I had a
11 heated shop of my own, a heated shop I could use; I
12 didn't have to use my dad's. So that still got OSB on
13 the outside. But I had it so it was finished inside
14 enough, concrete, all the stuff. I had a tube heater,
15 and I put a tarp in the front. That's how fast -- I
16 had just finished in time for getting the trucks ready
17 after harvest, and that's where it sits now.

18 And it's tough to go look at the yard, because
19 we -- it's just like a snapshot; it just stopped.

20 MR. WILSON: Andy, what did you notice in
21 terms of the air after Baytex arrived in 2011, 2012?

22 ANDY LABRECQUE: 2011, I -- I can't really
23 recall that many specific things. It's just that I
24 could smell the odours more often than before, and --
25 but even then, I thought, Well, whatever the --
26 whatever's happening, I don't know, don't really care.

1 If you smell an odour and it doesn't immediately make
2 you sick, you think, Oh, well, it will be better
3 tomorrow, whatever. So it takes a while before these
4 things accumulate, and you start really personally
5 connecting the dots to what's going on here.

6 So by the time -- even though stuff was happening
7 with Mike and Karla and Alain, and I didn't like to
8 hear of that, but it wasn't really my problem. I
9 wasn't really feeling that. It wasn't -- where it
10 really took a drastic turn for me was the spring of
11 2012. That's when there was -- there was -- it's
12 almost like there was no break in the days anymore. It
13 was bad all day. It was -- it didn't matter. And all
14 of a sudden, at that point, I started realizing, Man,
15 what's going on? The winds don't really matter here
16 anymore. A sunny day doesn't really matter. It used
17 to be -- now it's -- it's just -- I can't tell the
18 difference anymore.

19 I enjoyed the spring. I would take -- my bush
20 rolled (phonetic) going into my cabin. That was --
21 that was strictly a quad road, a lot of fun, had about
22 a foot or two of water in there, and I would take any
23 shovel, and I would -- I liked to go out and see if I
24 can divert the water off my road, and I started
25 noticing that on a nice sunny day, I couldn't be out
26 there very long. 20, 30 minutes, I better get back to

1 the cabin; I'm not feeling good at all, and this smells
2 really bad. And that's about the time that I started
3 making more calls to see if I can get help, to see if I
4 could understand what was going on, and I started
5 phoning, like, Minister's Health Agencies, the ERCB,
6 whatever. I wasn't, I guess, aware of all the
7 different places you could go for help, but I called as
8 many as I could think of or be directed to.

9 And the wake-up call for me was -- it was -- I
10 believe it was Health and -- Alberta Health and Welfare
11 or something like that, and they said, What's going on?
12 What's -- well, I said, I'm not feeling well at all. I
13 said, I know there's oil-field activity here, and it
14 could be -- I think it could be related. And I started
15 describing my symptoms, and they said, Get out of
16 there, get out of there now, don't stay there. Well,
17 I'm a little reluctant. They said, Well, stay in the
18 house, keep the door closed, keep your windows closed,
19 don't go outside.

20 And I thought to myself, That's -- that's the
21 advice from Alberta Health? Lock yourself in? Close
22 the doors, the windows, don't go out anymore? I
23 thought, Man, if that's the advice and that's all they
24 have to offer, I'm out of here, because I was aware of
25 what they were going through, and I thought, I am not
26 going to stick around until I get to those stages, so

1 we left.

2 MR. WILSON: When was that?

3 ANDY LABRECQUE: It was June 1st, 2012.

4 MR. WILSON: Where did you go?

5 ANDY LABRECQUE: When we decided this -- my
6 wife and I were somewhat spontaneous. When we decide
7 to go, we go. And we -- I said, You know what? I
8 said, I'll take the back seats of the van, I'll throw
9 in that little mattress, and whatever you figure we
10 need for camping, let's throw it in. Well, yeah,
11 that's a great idea. You end up with a load of junk in
12 there; you can't lay down in the van anyway. Oh, we
13 might need this, too, eh? Yeah.

14 So I went to Falher, and by this time, I am not a
15 happy camper.

16 MR. WILSON: Pardon the pun.

17 ANDY LABRECQUE: So I went to the MD, and I
18 thought, Well, with all this oil activity, whatever,
19 there's got to be an emergency plan, right? There's
20 got to be a plan for refugees or evacuees or whatever
21 you want to call them. I went to the MD. I said, Do
22 you have a house or an apartment I can get into to
23 sleep tonight? Oh, no, we have no such thing here like
24 that, no, no. I said, You've got to. I said, Every
25 town has some sort of an emergency plan. No, we don't
26 have one.

1 Anyway, needless to say, we didn't have a really
2 good meeting that time with the MD.

3 Where did we end up that night?

4 JOYCE LABRECQUE: I don't remember.

5 ANDY LABRECQUE: Don't remember. We must have
6 slept in the van somewhere, I guess. Then all of a
7 sudden, reality sets in big time. You go out and sleep
8 in a van one night like that, and you think, Well, I
9 don't want to do this tomorrow night; I don't want to
10 do this next week, and what do you do? The finances
11 were a problem. I'm -- not a lot of money. I had some
12 money. I was fine, but I thought, If I start -- if we
13 move into a motel or something, we're -- we're going to
14 go broke fairly quick. So we started going from -- I
15 had sons that had fifth-wheel campers, and they said,
16 Well, Mom, Dad, come stay here, come. And so we did
17 some of that, but we knew that wasn't the solution. So
18 it just became a hectic time of -- am I going too far
19 with this? Do you want --

20 MR. WILSON: No. That's all right, but
21 maybe you could help the Panel. Where are you staying
22 now?

23 ANDY LABRECQUE: Where am I staying now?

24 MR. WILSON: Yeah. Where are you staying
25 now?

26 ANDY LABRECQUE: Right now, we are -- reside in

1 Widewater, Alberta, which is just this side of Slave
2 Lake. My -- my daughter and son-in-law live there, and
3 they said, We'll build you a little cabin, so you can
4 stay here in the yard, and that was late last fall, so
5 we pitched in, and we got it done. It was -- 16 by 24
6 are the dimensions but it's self-contained; it has
7 everything we need in there. That's where we live now.

8 MR. WILSON: In the backyard?

9 ANDY LABRECQUE: In the backyard. Way better
10 than a minivan.

11 MR. WILSON: Thank you.

12 Alain and Karla, when you made the decision in
13 December of 2011 to get out, where did you go?

14 KARLA LABRECQUE: We have a rental place in
15 Nampa, which is about 15 minutes north of where we
16 live, and it's just a one-bedroom, 325 square feet, and
17 we moved into there just to get out, right? So because
18 there's not a lot of space with two kids, I would
19 travel back to the farm to give them their space,
20 right, let them play with their toys, and when we would
21 come back for the evening, that's when my little girl
22 would start falling off the couch again, so I -- I
23 actually stopped going the farm. By July 2012, I
24 literally stopped going to the farm.

25 MR. WILSON: Okay. And from there? You
26 were there for six months, and then you --

1 KARLA LABRECQUE: Well, we were there until
2 April 1st. We had a bigger place near Peace River but
3 because of -- we had a renter in it, and it takes 90
4 days to get them out, that type of stuff. Then we
5 moved there April 1st, and we thought, Okay, well, we
6 can just live in this one, and it's, you know, got
7 enough rooms for us, everything, and we can farm. So
8 he would travel back to the farm to try to do his
9 farming stuff. In the meantime, I tried for the first
10 month, and just because of the symptoms that would
11 return in me and in the kids, that's why I quit going.

12 ALAIN LABRECQUE: If I can elaborate on that
13 other place, that was -- I had a little opening of time
14 one summer, and I had a full-time hired man, and I
15 thought to myself the economy was just booming here. I
16 says, I always wanted to build a spec house. So we
17 just made up our mind -- we bought the property. I
18 found private money at 12 percent interest, and we
19 threw it together, kept my man busy, myself, and we
20 built this 1,865 square-foot house. And we just got
21 completed in less than a year, but the market was
22 just -- that's when it was just coming down fast. So I
23 didn't hit the mark where I wanted. And we had a good
24 property by then. Of course I could refinance it with
25 the bank, low interest, 'cause it's already built, now
26 there's no risk for them. And so we had it rented

1 right off the bat. And -- and the rental was good.

2 And now we still own that property, and it's rented
3 again. That's why we escaped eventually.

4 MR. WILSON: And I'm going to take you back
5 to, in a minute, about your discussions with Baytex and
6 what happened there and -- because I think that's
7 important. But just to sort of close this chapter of
8 description, can you explain to the Panel where you are
9 living now and how that all came about?

10 ALAIN LABRECQUE: Where we're living now in --

11 MR. WILSON: Yeah.

12 ALAIN LABRECQUE: -- in Smithers? Well --

13 MR. WILSON: When did you -- why didn't you
14 just stay in Peace River?

15 ALAIN LABRECQUE: Well, it wasn't where we
16 wanted to be, one thing. I -- I went to Peace River --
17 well, that was -- like, well, we were in Nampa. This
18 was -- all happened so fast. I had to continue my
19 logging contract this winter, so we went to Nampa. And
20 we couldn't get into that house right away 'cause we
21 have renters; you had to give them three months. So we
22 gave them their time. We finally got in May 1st.

23 KARLA LABRECQUE: April -- April 1st we got into
24 Peace River --

25 ALAIN LABRECQUE: April -- yeah. And then, of
26 course, I'm into my farming, and -- so I says, Well, I

1 want to try -- and we're working with Baytex, of
2 course, during this time; hopefully this thing's going
3 to get resolved -- working on -- there -- there was
4 some promises -- say we came out and met with -- Bill
5 Crepes from Baytex gave me -- in a -- in a -- no,
6 'cause that was in the spring. Sorry, there was so
7 many things.

8 KARLA LABRECQUE: Okay. So where we are now is
9 we're in Smithers. And how we did -- like he said, we
10 were working with Baytex and everything, and he was
11 trying to farm in 2012. And it was not working. He
12 was having the symptoms when he would go to the farm.
13 I quit going to the farm, a place where I'm supposed to
14 be helping him, right? I'm not supposed to be out 30
15 minutes away. And my little boy's supposed be learning
16 from him. And it just got to point where enough was
17 enough. We were -- I was tired of being sick. He was
18 tired of feeling the way he felt. And we just --

19 ALAIN LABRECQUE: Yeah.

20 KARLA LABRECQUE: -- we decided to sell. What
21 else can you do?

22 ALAIN LABRECQUE: So I'd come home after being
23 on the farm, and she was -- she's already not going to
24 the farm. Kids aren't going there. Every time -- she
25 had tried that gig already. Everything come back. She
26 was -- I'd go to the farm and work all day, come back.

1 She -- I'd start sweating in bed right away. Like the
2 first steps, you know, she'd threw me -- throw me out
3 of bed. I'm making her -- she's too sensitive by
4 then -- making her sick. And it was just -- it was
5 just, like, yeah, okay, well -- but that was our
6 paradise over there. And basically I had to figure out
7 where I could find another place that somehow we could
8 forget about what we had. So we started, you know,
9 looking. Where could -- that would be so special
10 somehow we could maybe forget what we had. Sell and,
11 you know -- and that's why we ended up where we are in
12 Smithers.

13 MR. WILSON: You still have some Timothy
14 crop in, and you still have equipment and the house
15 and --

16 ALAIN LABRECQUE Sure.

17 MR. WILSON: -- the home quarter and
18 rental --

19 ALAIN LABRECQUE: You know, it was when this
20 Baytex says, well, I thought that you were gone. Well,
21 I was farming 2,200 acres, renting over 1,000 acres
22 from -- from other landowners. I've got contracts.
23 Who can -- even themselves -- who can just shut her
24 down. And I've got commitments I had to finish. So
25 that's the transition stage. We're still -- and I had
26 to come back this year and do a lot of acres yet.

1 And -- and I'm all done. I've only got -- for sure
2 only 100 -- you know, like, there -- there might be
3 500, but for sure 130 I can't get away from on
4 contracts. So I've got one, maybe, little spurt, and
5 I'm completely done. There's a transition there. So
6 it's been tough.

7 So I had to come and they said, Why do you have
8 to -- I had to come back, fix my equipment, put up with
9 it. But at least my family has been removed from it.
10 So I was away from the children for quite some time
11 this fall again.

12 MR. WILSON: What have your symptoms been
13 like since you've been living in Smithers? First you,
14 Alain?

15 ALAIN LABRECQUE: It's awesome. I just -- and I
16 get to reaffirm it. You know, like, 'cause I come back
17 here. And I did my little -- quick little spring thing
18 and then you go there, and it's just been great.
19 The -- the bed -- you know, the bed sweating, well,
20 it's -- it just doesn't happen. For the first time
21 when I moved there, I -- you know, diarrhea -- I -- I
22 lost that completely. Everything was back to normal.
23 You know, life over here was -- thought that was normal
24 almost. But over there, I'm just great. And then it's
25 reaffirming it. You know, every time I go here, it
26 don't take long, couple days, and you got the shoulders

1 are sore and you got, like a strap on the -- tightness
2 on the head. And so -- but it's great to be in the
3 clean air.

4 MR. WILSON: So the symptoms have gone
5 away?

6 ALAIN LABRECQUE: Yes.

7 MR. WILSON: Okay. And when you come back
8 here they --

9 ALAIN LABRECQUE: It starts reasiding (sic),
10 yeah.

11 MR. WILSON: Okay. Karla, what's your
12 experience been in terms of symptoms since you've been
13 in BC?

14 KARLA LABRECQUE: I have sensitivities that I
15 never used to have. That's one of my big things. I
16 can't take my kids to the swimming pool anymore because
17 my symptoms that I had when I lived over here,
18 left-sided headache, hollows arms, hot-and-cold
19 flashes, it -- pretty much it bedriddens me for a day,
20 sometimes two days. It all depends on my exposure of
21 that. Like, so I have sensitivities to other stuff
22 that I never had.

23 I -- a snowmobile. I used to ride a snowmobile
24 with my kids all the time. I can't do that now. I
25 just -- I cannot do it.

26 MR. WILSON: What happened --

1 KARLA LABRECQUE: I get sick. My kids know I
2 get sick. It's -- yeah.

3 MR. WILSON: You told me something
4 yesterday about what your kids have said to you about
5 living in Smithers.

6 KARLA LABRECQUE: My little 4 year old, when we
7 first moved out there, she comes up and she says,
8 Mommy, I'm so happy we moved to Smithers. And I said,
9 Oh, I am too. I thought she was, you know, happy it
10 was a beautiful place, and, you know, she was having
11 fun. She goes, Mom, you don't want to know why I'm so
12 happy we moved to Smithers? I said, Why? She goes,
13 'Cause you're not sick anymore.

14 And, you know, when I start thinking back, I was
15 sick every two to three days. I couldn't take care of
16 my kids. And they're always with me, my kids. Every
17 two to three days -- like, you -- it makes you think of
18 how much time you lost with them when they were little,
19 right?

20 And I don't leave my kids. Like, my parents are
21 taking care of them right now. This is the second time
22 since they were born that they've actually been away a
23 distance from me. They're in Smithers right now; I'm
24 here.

25 ALAIN LABRECQUE: And the last time was when we
26 went to Smithers to look at land.

1 KARLA LABRECQUE: To look for a place.

2 MR. WILSON: Mike, what are your symptoms
3 now that you're living away from the area?

4 MIKE LABRECQUE: If I stay away and -- I've
5 had -- I've had some very choice -- tough -- tough
6 choices to do. My sons and I -- there's Brian; I have
7 another son, Jeffrey (phonetic). We found a -- Jeffrey
8 was actually reading through the paper one day, and he
9 found a small parcel of land out north of High Prairie
10 by Winagami Lake Park. And it -- it was a Crown piece
11 of land that came up for bids in the paper, and my son
12 spotted that. I couldn't live in town, and there's
13 no -- anyway, I decided that we'd look at this little
14 property. And, right now, I've got a little plywood
15 cabin that we put up quick on that. We managed to --
16 to get that. That's the only place I can really
17 survive now, is all alone in that particular little
18 bush there because there's no -- there's no highway,
19 there's no oil trucks, there's no oil sites. And when
20 I go there, I would -- in a few hours, I'd become
21 pretty well symptom free over there.

22 We are now -- I am now so sensitive that -- since
23 this has been going on, my -- my biggest fear in life
24 and my biggest burden and the toughest thing I have to
25 do is knowing I have to come to Peace River. I know I
26 told my wife before Christmas -- and she -- she's

1 always coming done Christmas shopping in Peace River.
2 She says, You have to come with me. I said, I can't.
3 I said, I would much rather jump in front of a
4 fast-moving truck than go to Peace River with you
5 because -- I know people make fun of me sometimes
6 because I -- I wear a gas mask. The truth of the
7 matter is, every day that I come here I have to put
8 that mask on in the vehicle to go through -- there is
9 no way I can come to Peace River without going through
10 this Reno field. The -- the highway goes right through
11 the middle. So 4 or 5 kilometres before I even get in
12 that zone, I have to be wearing the mask. And as soon
13 as I'm exposed, I lose -- I lose everything. I lose --
14 I lose my hearing, I lose my balance. My speech -- I
15 don't stutter as a rule; I don't. I lose the ability
16 to talk. I lose my ability almost to comprehend
17 because the pain in my head right now, if it was any
18 one of you here that would have that kind of pain, I'm
19 almost certain that you'd be calling 911.

20 The only problem with that, there is no cure. If
21 someone -- if I fell down right now and someone was
22 nice enough to bring me to the hospital, there is
23 nothing they can do. That's -- that's the way it is.
24 And there is -- there is no help for me. There is no
25 cure for this. And I don't know how to explain it.

26 I've got a -- I've got a sore in my stomach that

1 feels like a football right now. That's -- that's the
2 amount of stress that's in the body. I can't -- I
3 cannot hardly cope with it anymore. I'm done. It's --
4 the fight -- the fight is out of me. I have nothing
5 left. I -- I don't know what else I can share with
6 you. I -- the whole family's been torn apart. And I
7 don't know where else to go. I don't know. That's --
8 I guess I'm just appreciative that someone is
9 listening. Thank you.

10 MR. WILSON: Andy, why don't you go ahead
11 and -- you're going to add a comment, I can tell,
12 because you've got your pen up, but then I'm going to
13 ask you a question.

14 It's okay. Just hold your thought and I'll come
15 back around to you. Maybe I can ask you a very sort of
16 objective question, and if you need a break, it's okay.
17 You worked in construction while you were living on
18 your bush quarter?

19 ANDY LABRECQUE: Yes, concrete.

20 MR. WILSON: Yeah. And so I didn't ask you
21 the question about exposure. You know, what was your
22 exposure time in this air? Were you there like Mike
23 and Karla 24/7, or were you away quite a bit?

24 ANDY LABRECQUE: I was away quite a bit. It
25 was -- during the summer, usually away, like, 10 hours
26 a day, 12 hours a day. It's -- it looks all fine and

1 dandy to pour a shop floor, but you don't walk away
2 after it's poured; you're there until 11:00 at night
3 till it's finished. And -- which was fine, but, not
4 knowing what was going on, I -- I feel so bad that I
5 left my wife there. I didn't know. I was gone. She
6 was there all the time loading up. And it -- it --
7 it's -- it's taken a lot out of her life and quality of
8 life. And that could've been prevented. I could've --
9 I -- I could've watched Mike and him, and I -- you
10 know, I should've pulled out a year earlier and said,
11 you know what, I'm not taking a chance with that stuff.

12 The other thing I want to bring out is it seems
13 like sheer stupidity to go back to get stuff from your
14 house or your yard or your garage. It's insane. When
15 I look back, I think, Well, there's no -- when I moved
16 to Slave Lake, I got a chance to go to town where the
17 fire had went through. There was nothing left in some
18 neighbourhoods. The only thing sticking out of the
19 ground were the teleposts from basements and burnt-out
20 cars in the driveway. Gone. And I thought, these
21 people lost everything; there was nothing to go back
22 to. They didn't -- when they were sheltered in
23 Edmonton or wherever they were, there was no sense
24 driving back to Slave Lake to salvage something, a
25 souvenir. There was nothing left.

26 Us, it's worse. Our houses weren't burnt down.

1 They're standing there with our stuff in it, and you
2 can't go there. It's -- it's there, but it's, Don't go
3 there; you'll be sorry. It's a loss that's hard to
4 explain because the cabin's still there, all my
5 souvenirs -- like, everything's in there. My library's
6 in there. What little trips we did take, all our
7 souvenirs from our trips are in there. What am I going
8 to do? I'm not going to stick that in my minivan too.
9 I don't have room over there.

10 I actually had thoughts that, if the snow's deep
11 enough, it would be more merciful to torch the places;
12 torch the cabin. Torch everything that I love in there
13 because I can't bring it with me and it's contaminated,
14 so why torment myself with this stuff? Why don't I
15 just torch those cabins? Maybe I'm not supposed to say
16 something like that. That sounds really over the top,
17 but I -- we need closure somewhere.

18 I'm glad we -- we had a chance to -- to talk about
19 this today 'cause I've been here for four days, and all
20 I've heard is about the chemical compounds, how the
21 wind blows, charts -- charts that weren't even
22 manufactured in Alberta. We've got 40-year-old charts
23 that come from Texas or Ontario 'cause we don't take
24 the matters serious enough to even have tests in
25 Alberta. We use old data that's outdated that comes
26 from the dinosaur ages. That is disturbing. That is

1 very disturbing.

2 I guess I'm right off topic here. Sorry about
3 that.

4 MR. WILSON: That's all right. This is
5 your time to share your concerns and your observations
6 with the Panel.

7 ANDY LABRECQUE: We'll call it "venting".
8 Everybody else is doing it. It's my turn.

9 MR. WILSON: And I've lost my question. It
10 will come back to me.

11 Mike -- Mike, 2004 to 2010, everything's fine. I
12 think that's what you guys have explained over and over
13 and over again in detail.

14 MIKE LABRECQUE: Yeah, that is correct.

15 MR. WILSON: And then, 2011, the air
16 changes. You were on these sites every day, these
17 Baytex sites. What's your thoughts to explain the
18 change?

19 MIKE LABRECQUE: Well, obviously, the
20 process -- the process took a change. It had to.
21 Something was done differently. I'm not involved with
22 this process at all. My job was to just do my job.
23 But, yeah, something in the process definitely changed
24 everything, and we've never been really told what was
25 changed. And I guess I can't really specify on that.

26 MR. WILSON: Can you share with the Panel

1 what you observed when you were hooked up to trucks at
2 the tanks, when the weather conditions were bad and the
3 trucks were getting stuck, and how long it took to load
4 the trucks when it was Prosper and how long it took to
5 load the trucks when it was Baytex?

6 MIKE LABRECQUE: With Prosper, the loading time
7 was definitely longer. I'd pull a truck in front of
8 the tanks, and when it was Prosper, what happens --
9 there's multiple trucks going around, and what would
10 happen is I would pull a truck up to a tank, and the
11 trucker would tell me, Mike, if you've got a truck at
12 another site that's stuck, there's no use waiting here.
13 So I would unhook the truck, proceed to the next site,
14 sometimes several kilometres away; it's a fairly long
15 distance.

16 So I would do that. And I would discuss it with
17 the truck driver, and I would say, Well, how long are
18 you going to be? I basically knew, but I knew I had a
19 couple, maybe three hours that I could -- I could deal
20 with, without the trucker waiting for me too long. So
21 I would unhook, go do the next gentleman, and then I --
22 we didn't have to communicate again. I told the
23 trucker, You don't have to call me back when you're
24 full. I pretty well know when it's going to be. So I
25 would go do the other job, and then I would travel back
26 there.

1 And sometimes he had just been done, or sometimes
2 he was still putting away the hoses and getting ready
3 to leave, and by that time, I would be back up there,
4 and, yeah, it would be nothing to be two-and-a-half --
5 sometimes two hours, sometimes two-and-a-half,
6 sometimes over that. There are some wells that were
7 colder than others and would take considerably longer,
8 because I know the truckers would get mad at some
9 certain sites. They would -- they would say, This one,
10 for some reason, takes forever to load, so he said, You
11 can come back in four hours. Because some place, they
12 had -- I don't know if they had to wait for this stuff
13 to trickle out, but it took forever to load.

14 And that's one thing that had changed. After
15 Baytex took over, this waiting time was not very long
16 at all, like -- and basically, I did not unhook the
17 tractor to go do the next guy any more. It wasn't
18 worth it. It would take an hour, maybe, and so I
19 wouldn't unhook for that to run five miles to do a
20 different unit. I would just wait and put this
21 gentleman on the highway, and then I would proceed to
22 the next site. So definitely, there was something that
23 happened there. The time period was definitely much
24 quicker with Baytex that I observed.

25 MR. WILSON: Mike, when you talk about "an
26 hour", is that an hour with the truck sitting connected

1 to the tank and loading, or is that an hour from when
2 it comes in off the county road, hooks up, does its
3 walk around, and then leaves?

4 MIKE LABRECQUE: When I said "an hour", it's --
5 in that time, they have time to take their gear out,
6 load up, and then roll up their pipes again during that
7 hour. It could vary by 15 minutes either way.

8 MR. WILSON: So the actual pumping time,
9 what would you estimate the time that --

10 MIKE LABRECQUE: I would say --

11 MR. WILSON: -- it's actually connected and
12 taking to draw down from the black heated vented tank
13 into the tanker truck with Baytex?

14 MIKE LABRECQUE: I would say 20 to 45 minutes,
15 I would estimate the loading time, would be the fair --
16 a fair time lapse there, yeah.

17 MR. WILSON: And the other 15 is the
18 trucker clearing off his taillights and all that stuff?

19 MIKE LABRECQUE: Yeah.

20 MR. WILSON: Okay. Alain and Karla, I can
21 only -- I can't imagine how many times you've tried to
22 wrap your head around what might have happened here,
23 how you went from the life that you had up to 2010 to
24 what happened after. What's -- from the discussions
25 you've had with Baytex and the enforcement people and
26 experts at the ERCB, as it was then called, what's your

1 hunch as to what happened to change things?

2 ALAIN LABRECQUE: For me, my hunch, maybe
3 temperatures went up a bit. Maybe it could be the
4 temperatures but most likely, the introduction of the
5 chemical, because I -- the first meeting I ever had
6 with Mr. Bill Krepps, he said, Here at Baytex we do
7 things completely and whole lot different than Prosper,
8 when we first met. We're a lot more efficient; we --
9 he did say about the smaller footprint is what we're
10 looking at, you know, higher production side, more
11 laterals, but he meant also, kind of laughing, how
12 Prosper was doing. He was very proud to say, We do it
13 much different, much more efficient. In that he said,
14 We're going to confirm (phonetic) our gas. He said
15 that he -- he was very proud to say the production --
16 it's going to be much different, and I would -- I
17 would -- my hunch is that the -- the involvement of the
18 chemical thinners that are there in the pictures that
19 we've seen in the last few days, that the tubs are
20 there. No discussion has been brought up about them,
21 and I've researched them. They're thinners. Instead
22 of increasing your heat, you know, which cause way more
23 volatiles, you can either increase your heat way more,
24 or you could use these thinners that will do the same
25 job using chemicals, but you -- you must take in
26 consideration the heating action of these chemicals and

1 the issues of the vapours that -- that it introduces.

2 That's my hunch.

3 MR. WILSON: Okay. Thank you. Just for
4 the Panel's benefit, you're talking about some of the
5 pictures that Baytex has supplied when they were trying
6 to show us that the hatches were open --

7 ALAIN LABRECQUE: Correct.

8 MR. WILSON: -- the sites, you can see all
9 these big white chemical tanks feeding into the system;
10 is that what you're referring to?

11 ALAIN LABRECQUE: Yes.

12 MR. WILSON: Okay. And can you tell the
13 Panel about your efforts in 2011, 2012, 2013, to get
14 Baytex to supply you with the -- I always get the
15 initials wrong, the material --

16 KARLA LABRECQUE: MSDS.

17 ALAIN LABRECQUE: That's exactly -- I don't
18 know. I probably asked the ERCB at that time. Our
19 relationship was not that great with Baytex, as you can
20 imagine. We're -- you now, can't we get our hands --
21 have you guys had a look at these material data sheets?
22 Don't I have access to them? These vapours are --
23 obviously, you're -- the regulators are -- they're
24 coming, and they are -- yes, well, you do have odours,
25 and, yes, you know, your air quality has been
26 diminished. Well, can we look at these materials? We

1 know these chemicals -- I don't know if -- you know, I
2 -- I'm not -- I can see the -- the tanks and the
3 chemical trucks and, you know, companies coming to fill
4 these things, and I just wanted -- and I could not --
5 and -- and ERCB's reaction was, Yes, you should have
6 the right to -- you do have the right to them.

7 They tried from Baytex. I almost got them, and
8 then they pulled them back. Basically, they didn't --
9 I never did get my hands on them. I found copies of it
10 through my internet searches, found what I expected on
11 Canada Gazette. At the time, they even had -- Canada
12 Gazette was recommending Champion Technologies to list
13 more of these known problems from use of these
14 chemicals. That's the little bit of information that I
15 could find on my own on these Emulsotrons being used.

16 And nowhere does it say on the material data sheet
17 that it's good under heated -- they were saying not to
18 put it under heat, from what I could read.

19 MR. WILSON: So you think it might be a
20 combination of increased temperature and the addition
21 of thinners and solvents that you see in those white
22 tanks?

23 ALAIN LABRECQUE: Correct.

24 MR. WILSON: Okay. Andy, you told me about
25 your efforts to -- actually, describe the phases of the
26 smells. That was, I thought, very important when you

1 described it to me a number of times when I've
2 interviewed you, how the odours changed, the air
3 changed.

4 ANDY LABRECQUE: I'll just look at the letter
5 I'd written last year. It's in order there. I don't
6 want to miss the --

7 MR. WILSON: Andy, I'm not so sure that the
8 specific time frame's important, just the -- I think
9 what would help the Panel is your observation as to how
10 the odour changed. The experts have described with
11 certainty what they think you smelled. I think it's
12 important that the Panel hear from you what you think
13 you smelled, not what they think you smelled, so if you
14 could just tell the Panel what transitions you've
15 described to me.

16 ANDY LABRECQUE: Yes. I'm not sure which order
17 it's going to fall into. It's -- the pesticide smell
18 was -- I'm trying to think of the name of a pesticide
19 here that's exactly what it smelled like. Is it Round
20 Up? That's exactly what it smelled like. And
21 powerful. This is in the wintertime. It's not farmers
22 spraying.

23 I complained about that. I phoned in about that.
24 So that -- to me, it appeared it lasted about three
25 weeks, and that smell was gone. It was replaced. And
26 if I remember correctly, the second one was like -- it

1 was like detergent that you wash your clothes with. It
2 was like opening up a box of detergent and sticking
3 your nose in it. It was a detergent smell. I thought,
4 Well, that's an improvement of pesticides. I like the
5 smell of soap; it's better, but it was powerful, and
6 you didn't want to be -- after a while, like -- after a
7 while, it's not pleasant. I complained about that.
8 And it seemed that within a month, that changed. I
9 can't remember what the other one was.

10 MR. WILSON: You described burning tires.

11 ANDY LABRECQUE: That wasn't me.

12 MR. WILSON: Oh, okay. Sorry. That was
13 someone else on the panel.

14 ANDY LABRECQUE: We had the -- I had the
15 pesticides. I had the soap. I'm sorry, I -- if I
16 looked at my notes, I would have it but --

17 MR. WILSON: That's all right. But when it
18 was the detergent phase, my understanding is you went
19 to see Sunny at the field office on Mike's place, Sunny
20 with Baytex. Tell them what happened there.

21 ANDY LABRECQUE: Well, while all of this is
22 going on with these smells, we're demanding -- or
23 trying to get MSDS sheets, and, of course, everything's
24 hard to get a hold of or any information, so I forget
25 who it was. He comes up with an novice (sic) idea. He
26 says, Why don't you go to the office and ask for them?

1 I never thought of that. So I did that. I go up to
2 the office which is on Mike's property, that site, and
3 the operator -- I'm not sure if he's an operator --
4 Sunny, is that his -- I said, I would like MSDS sheets.
5 Oh, sure, no problem. I'm going to have to make a
6 phone call first, see if I can do that. I said, sure,
7 go ahead. So he made a phone call, and he said, Yeah,
8 he says, actually, there are none. There's no such
9 thing.

10 MR. WILSON: No what? No chemicals or no
11 MSDS sheet?

12 ANDY LABRECQUE: No MSDS sheet.

13 MR. WILSON: Okay.

14 ANDY LABRECQUE: There's no such -- there's
15 none. I said, Well, that's -- I said, If there was a
16 fire here or something, a fire chief would come here;
17 that's the first thing he would ask for, and you don't
18 have any? No, he said, I can tell you the only thing
19 that's used here is a mild hand soap in the office for
20 the workers, and sometimes in the wintertime, we use a
21 little bit of glycol so our lines don't freeze.

22 So yesterday -- I forget who was the speaker, but
23 -- at the table here, but he commented on MSDS sheets
24 from Baytex and that perked me up. I thought, What?
25 There are some? I was told there was no such thing.
26 I'm sure I was at Baytex office; they should have

1 known. That could have been a little
2 sarcastic, I suppose.

3 MR. WILSON: Brian, you were helping your
4 mom and dad and, as things evolved, some of the other
5 family members. Can you kind of give an overview to
6 the Panel of the efforts and the communications with
7 Baytex about the concerns and that sort of thing?

8 BRIAN LABRECQUE: Sure. I'm just going to --
9 I'm not going to backtrack or repeat a whole lot of
10 what was said, but just wanting to add, throughout the
11 summer of 2011, like, even for myself, 'cause I was
12 kind of in and out; I didn't reside there, so maybe it
13 was more noticeable on my part, but there definitely
14 were some differences, like, just odours, right? We
15 would pick up the -- we would sense those odours, and
16 it was detectible, and I know my -- when I'd go to the
17 farm, have my family, my kids would comment on it. So,
18 you know, it was becoming a more common occurrence.

19 Earlier on, I wouldn't say it was -- I wouldn't --
20 and it's different 'cause we didn't reside there. I
21 wouldn't say it was a nuisance -- or I would say it was
22 a nuisance; it wasn't offensive. It wasn't something
23 where, I better call this in, because it wasn't -- to
24 me -- it still wasn't a problem, it was maybe -- maybe
25 somewhat expected, you know, at times.

26 But it definitely became much more consistent, and

1 it was a common occurrence. And -- and then I've
2 noticed late summer my dad had -- his symptoms were --
3 like, was -- was the headaches. And he always
4 complained of these massive headaches. And even then
5 there was the nasal congestion and -- and trying to get
6 treated from his -- our family physician for, you know,
7 sinus infections and so on. And -- and prescriptions
8 of antibiotics one after another.

9 And, you know, that kind of continued on. And his
10 symptoms got progressively worse. But as we rolled
11 into the fall and into December of -- of 2011, as well,
12 the odours were definitely getting to be much more
13 offensive or -- or intense, where it was basically if
14 you went out there, the odours were there, right?

15 And, again, never raised any issues. Never
16 really -- we never even really complained about the
17 odours still at that point. As we rolled into the new
18 year, my -- my -- my dad's condition got increasingly
19 worse, and he would call me late at night. And he
20 says, I've got the flu again. You know, I -- I've been
21 throwing up half the night. And I'm thinking to
22 myself, like, You claim you had the flu, like, a week
23 ago, two weeks ago. Like, you can't have the flu over
24 and over again, right?

25 And, like he mentioned, it -- it got -- it was
26 getting pretty dire as we rolled into February, March.

1 Like, his skin colour was a real grayish in appearance.
2 The sclera of his eyes were -- like, were yellow; they
3 weren't white anymore. Again, massive headaches
4 continued, loss of balance, the dizziness, and -- and
5 the weight loss was very extreme in a very short period
6 of time. Like I say, he lost 35, approximately 40
7 pounds.

8 And it honestly got to the point -- and I know he
9 had suggested it earlier, -- that he thought maybe he
10 had cancer or a terminal illness that hadn't been
11 diagnosed. The way his condition had deteriorated, I
12 pretty much had accepted that that was probably the
13 case.

14 So at that time, my brother and I decided -- and
15 that was late February, and, of course, we didn't
16 really disclose this to my parents at the time, but we
17 knew something bad was probably going to happen to Dad,
18 so we -- we made the decision that, you know, we were
19 going to have to make alternate arrangements for them
20 and -- and other accommodations. And so my brother had
21 a property in town at the end of February, so he was
22 looking at -- at selling it. And I told him, Don't
23 sell it, or if I have to, I'll purchase it from you.
24 But I says, We need to ensure we have a home for -- for
25 Mom and Dad so they can both have a place to stay in
26 town where we can look after them. And then once Dad

1 passes on or something happens to Dad, then, you know,
2 we don't have to worry about my mom being alone on --
3 on the farm, right? So it's pretty difficult when
4 you're having to -- to -- you know, you're making those
5 plans. We weren't really discussing it with my parents
6 at the time, but when you're making those plans and
7 trying to be proactive and be prepared -- sorry.

8 So his -- his condition -- you know, when we told
9 our parents what our plan was and -- and what we had
10 decided to do, we -- we started -- my mom moved into
11 the house in town, and -- and -- you know, and we were
12 rolling towards end of March. And Dad's condition
13 was -- was continuing to -- to deteriorate. And -- and
14 you know what? Even at that point looking back -- at
15 the time, we still hadn't attributed his condition to
16 the environment because we just -- we were so sure that
17 it was something else that we -- we still hadn't made
18 that connection. And it's only looking back, you know,
19 you can start putting the pieces together.

20 And, you know, when my dad, you know, told the
21 Baytex personnel at the site, I just wasn't
22 comfortable; he was, you know, fearful of losing
23 consciousness, and -- and -- and, you know -- you know,
24 he was worried about the safety or -- or, you know,
25 crashing into the plumbing or the tanks onsite. And at
26 that time, he -- he had mentioned that it was possible

1 that there was something different in the air, but, you
2 know, we weren't even -- I think in his mind he was
3 looking at maybe reasons. But even for us, we hadn't
4 attributed it to that. Like I said, we -- we had
5 basically concluded he was suffering from a terminal
6 illness.

7 After he was relieved of his duties, immediately
8 we -- we moved him. We made sure that he -- he was
9 moved to the property in Falher. And, you know, they
10 were getting settled in, and a little bit of time had
11 gone by -- actually, probably a couple of weeks -- and
12 my dad called me and -- and I was at work. And he
13 said, You know, I'm actually feeling better. He says,
14 Like, for the first time, you know, I woke up this
15 morning, I wasn't congested, my headache's gone,
16 relatively symptom free. Like, he says, I almost feel
17 normal again, right? Like, kind of how I should be
18 feeling. And -- and then he mentioned to me, you know,
19 after work, would you mind taking me back to the farm
20 so we can just pack up a few more belongings to take
21 the property in town. And I said, Sure.

22 And I picked him up, and when we headed back to
23 the -- the farm site, we were probably about -- by
24 then, we were just entering what is known as the Reno
25 field, but we were probably still, you know, 3
26 kilometres away from -- from the home -- from the yard

1 site, and all the symptoms came back instantly. He was
2 in the passenger seat, and his complexion changed. He
3 mentioned the metallic taste in his mouth, the
4 headaches. And it just immediately all came back.
5 And -- and -- and at that time, I -- I knew right then
6 and there that it -- it had something to do -- it was
7 obviously the environment he was in, right?

8 So -- so from that point on, basically, you know,
9 he resided in town, and -- and the trips back to the
10 farm were -- were kept to a minimum, just because every
11 time he went back it just -- it just seems like the
12 recovery time to get over it was -- it seems to take
13 longer and longer every time. And -- and, like my dad
14 mentioned, we did purchase another piece of property.
15 You know, it's bordering a provincial park. There's a
16 conservation area to the one side. And we -- so we
17 know we're -- we know we're relatively safe from any
18 future development. And -- and so he's -- he's getting
19 set up there. And -- and he -- he says he's feeling
20 much better. And -- and when he's out there -- and he
21 works hard. He's done a lot of work out there. And,
22 you know, he doesn't -- he's not suffering from these
23 symptoms, and he -- and he feels well. But as soon as
24 he gets back and close to the vicinity or in the area,
25 you know -- and he's become very sensitive to any
26 hydrocarbon odours. You know, you meet a -- you know,

1 a 'B' train, a tanker truck on the highway, and
2 there's, you know, when you pass them on the highway
3 you'll pick it up, there's an odour, you know, just
4 something is -- I guess for us as -- or for myself
5 something as minute as -- as basically -- really
6 affects him greatly. And so it's -- yeah, it's --
7 it's -- it's actually -- it's been a very difficult
8 period, and it's -- it's been definitely quite an
9 ordeal.

10 Once I -- once they were relocated -- and, you
11 know, at that point, like, when -- when I made the
12 connection that, okay, it's the environment, there's
13 something going on here. Of course, never having gone
14 through this before, you know -- and I'm fairly well
15 read, you know, of course I was aware of, you know, the
16 ERCB, but never did it dawn on me why I should phone
17 these guys up, right? We've never called them prior to
18 that.

19 And so my first step is -- and Andy mentioned it,
20 we -- we approached the -- the council for the
21 Municipal District of Smoky River. And we told them of
22 our situation. By then, of course, you know, the
23 pieces started to -- to line up. We were well aware of
24 Alain and Karla's situation by then. Very similar
25 symptoms. And, you know, we explained that to -- to
26 council. And obviously they were very concerned. And

1 then I believe from there they did arrange to meet with
2 Baytex to -- to discuss.

3 They were actually quite supportive, and they were
4 concerned. I know the one comment they made was, you
5 know, The Labrecque family has been there since the
6 '20s. We've never had any issues with the Labrecques.
7 Like, you guys are very -- you know -- you know, you're
8 very private people, but, you know, you're still active
9 in the community, and, you know, everyone gets along
10 with this family. And -- and we've never had any
11 issues. And -- and when -- so when this family comes
12 forward and says, We have an issue here, we have a
13 problem -- that's what they told me is -- we have to
14 believe them. There is something going on there,
15 right?

16 From that point on, that meeting, we followed up
17 with our local MLAs. And -- and then that's when they
18 advised us -- because even then I wasn't still sure
19 of -- of the proper process. And I know our local MLA
20 Hector Goudreau instructed us to -- to go to the ERCB
21 and -- and start that process underway. And -- and
22 what -- and that's what we did. So we -- we started
23 having conversations with the ERCB.

24 And -- and then just with the -- the -- you know,
25 with the MD bringing it to Baytex's attention, then we
26 had the first meeting with some of their personnel in

1 May of 2012 at my parents' new residence in Falher.

2 MR. WILSON: And just for all of you --
3 because I don't know who did it first -- there's a
4 little gap here that I want to close for the Panel.
5 Who contacted Baytex first to express a concern about
6 air?

7 KARLA LABRECQUE: Alain and I did.

8 MR. WILSON: Okay. When was that, roughly?

9 KARLA LABRECQUE: April 4th, 2011, we wrote them
10 a letter actually, and I called and talked to
11 Mr. Toohey. And -- yeah. And then we were --

12 MR. WILSON: Mr. Toohey is with Baytex?

13 KARLA LABRECQUE: With Baytex, yeah. That's --

14 MR. WILSON: Okay. And you're referring to
15 a letter that --

16 KARLA LABRECQUE: I'm referring to the letter,
17 attachment C, from us.

18 MR. WILSON: Okay.

19 KARLA LABRECQUE: But, yeah, we --

20 MR. WILSON: Just so the Panel's aware, the
21 correspondence between some of the Labrecque family
22 members and Baytex and the ERCB, I think I've put in at
23 least three different submissions. So it's in multiple
24 places.

25 And what kind of discussions did -- well, Alain,
26 didn't you phone him up?

1 ALAIN LABRECQUE: Sure. With -- you know,
2 with -- as far as my experience with
3 self-proprietorship and all that, I wasn't going to
4 call ERCB. That's not the first step I'm going to
5 take. I want to talk to the people, you know, that are
6 my neighbours. So I did call. I -- we got in touch
7 with them. Bill Krepps come over, and we discussed it
8 right away. And, you know, he assured me that this
9 problem should not be happening. And he was really
10 genuine, really, Bill Krepps. And he -- he assured me
11 that, you know, there should -- should be -- shouldn't
12 be any bad air quality in your yard, and certainly not
13 even on our leases and -- and this is in the
14 springtime. And he says, Give us till this fall, if
15 you could have some patience, and we'll do our best to
16 get this resolved for you for fall. You know, like,
17 let's keep in touch. And that's -- that's how it
18 started. And I was very encouraged. That's how I
19 expected it to be. And we laid faith in -- in the
20 system at that time. And I -- there was no sense
21 calling in complaints or anything. I mean, we're
22 talking to the right people we should be talking to.

23 MR. WILSON: Have you ever had issues with
24 Prosper, or did you just work it out with them?

25 ALAIN LABRECQUE: We didn't -- we didn't have
26 issues with Prosper --

1 MR. WILSON: Okay.

2 ALAIN LABRECQUE: -- to work.

3 MR. WILSON: All right. And so what
4 happened? Just tell the Panel what your -- what
5 happened from there in terms of what Baytex said they
6 would do, what they did do.

7 ALAIN LABRECQUE: It's kind of foggy at this
8 time what the -- what miniscule thing they did. They
9 maybe played with a few thief -- maybe they put some
10 thief hatches, I think that was at the time. Which
11 weren't sealed, anyways, I guess. But learnt -- you
12 know, later found out because, as the -- warm weather
13 wasn't so bad, that's when we were getting our
14 reprieve. It wasn't so bad that summer. You know,
15 you -- we were feeling much better. The air was much
16 better during the summer month. But then when the cold
17 started coming, like, the end of August type of thing,
18 kind of when you're concerned about freezing your crop,
19 all of a sudden, Wow, it's -- I thought to myself, Wow,
20 this is not fixed at all. We're going to -- we got
21 some bad air here. Like, this is starting to
22 accumulate. We're seeing a repeat.

23 And that's about -- at that time, they had an open
24 house in town. And the same gentlemen that are here
25 were gathered there, some of them. And I raised my
26 concern. I said -- and Bill Krepps was there, and I --

1 they were -- and they were really -- I seen Bill
2 Krepps's nice car come through the field that
3 afternoon. I didn't talk to him, I just noticed it was
4 him. So I knew he had been in the field before this --
5 this get-together -- open house. And I says, Krepps,
6 man -- and I was -- I didn't even -- I was embarrassed
7 to even bring it up 'cause I knew he was probably proud
8 to say he had fixed it, maybe. And I says, This is not
9 fixed. I mean, it's -- we're starting over with this.
10 You know, and I -- I realize you might have done
11 something, but I seen some surveys vehicles. I know
12 you guys were busy. Like, I didn't want to be a
13 complainer, but I says, This is not heading in the
14 right direction.

15 And from -- from that time forward, it was on a
16 different tune. You know, they said -- basically they
17 put me out as a -- I guess, a complainer, and it was
18 tough from there.

19 MR. WILSON: Okay. And can you just -- I
20 don't want to get into the details of it because
21 there's been so much --

22 ALAIN LABRECQUE: Yeah.

23 MR. WILSON: -- about it so far and there's
24 so much in the record, but can you just maybe give --
25 I'll maybe ask Brian to, because you were helping
26 everybody at that time -- can you just give a quick

1 overview of this debate that was going back and forth
2 about gas conservation pipelines for casing gas versus
3 capturing tank top? What happened there?

4 BRIAN LABRECQUE: Sure. And I just want to note
5 as well 'cause by the time when we -- like I said, when
6 we approached the MD of Smoky River and then going and,
7 you know, meeting with the MLAs and then meeting -- you
8 know, going -- leading into that first meeting with
9 Baytex in May, obviously I know Alain and Karla had
10 probably kind of maybe gone through some of those
11 similar channels, they had contacted Baytex prior.
12 But, you know, we had no communication. No one knew
13 what each other was doing. We were basically all kind
14 of taking it upon yourselves and going our own
15 direction. And -- and -- and, really, we continued
16 doing so right -- right up until the -- the
17 organizational meeting with the inquiry or actually
18 after the organizational meeting.

19 MR. WILSON: So it's the AER that brought
20 you together?

21 BRIAN LABRECQUE: Well, yeah, you know -- you
22 know, yeah, it was encouraged that people should work
23 together just to make the process more efficient, and
24 then that's kind of how it, yeah, became a part ...

25 MR. WILSON: It also was to reduce legal
26 fees.

1 BRIAN LABRECQUE: Yeah. So -- so, yeah, yeah.
2 So what happened -- and I'll just kind of described the
3 first meeting we had. I won't take too much time, but
4 the first meeting with Baytex, they came over to the
5 house, and they were actually very, you know, friendly,
6 polite, and it really made it seem like, you know, the
7 -- they wouldn't acknowledge that there was a problem.
8 They did acknowledge there were odours, but they
9 didn't, you know, link any of the symptoms to their
10 operations, and they made that clear. But they said,
11 you know, If there is a problem, we are going to
12 address it, and we'll do whatever we can to get you
13 back to your home, and I think at that time, you know,
14 he had mentioned of -- you know, I think it was a July
15 31st kind of a timetable, and, of course, my parents,
16 you know, at that time, you know, actually, they were
17 quite content with that. They were like, Okay, well,
18 that seems reasonable; we realize it's not going to
19 happen overnight, you know, and so, yeah, they didn't
20 have a whole lot of concerns, and they were, you know,
21 receptive to that. And it was shortly -- I think it
22 was briefly discussed, and then it came out after they
23 had proposed, you know, their gas-conservation project,
24 and so how it was explained to us was basically they
25 were looking at installing pipelines or sales lines
26 from -- from the individual well sites to capture the

1 casing gas, and so we were told that that would greatly
2 reduce the volume of vented gas, and then that would,
3 you know, improve the situation. And I know it's the
4 same plan they had gone over with our local MLAs and
5 our municipal officials, and you know, obviously, we're
6 not engineers, and we're not -- we're not in the oil
7 sector, and so to us, we kind of took their word for
8 it. Like, okay, well, that -- it makes sense, but by
9 then, we were extremely concerned with the tank-top
10 vapours and the venting coming off the tanks, because
11 that we could physically -- like, we could -- you could
12 physically see it. We could see it every day. You
13 know, the hatches are open, we could see the plumes
14 coming out.

15 And so that was a concern to us all the way
16 through, and -- but, you know, we were -- you know, at
17 least they were looking at maybe trying to find a
18 solution, but, you know, as we moved forward, you know,
19 there was always a little bit of doubt, but we were
20 concerned as time progressed, because that was
21 ultimately our main concern, was the tank-top vapours,
22 and that we really thought was, you know, having an
23 impact on us, and we just didn't know how this
24 conservation system would help us in that regard.

25 And, you know, up until -- you know, throughout
26 that period, there was never any discussion with us for

1 vapour recovery. That was never brought forward to us.
2 That was never, you know, on the table. And, in fact,
3 I know when Baytex was up here, the one individual
4 mentioned there was a letter to stakeholders where he
5 said it was referenced in that document.

6 And was that submitted?

7 MR. WILSON: Yeah. Actually, there's a
8 spare copy, coincidentally, still laying on the table
9 there.

10 BRIAN LABRECQUE: Okay.

11 MR. WILSON: June 26th, 2012.

12 BRIAN LABRECQUE: So that was the letter to
13 stakeholders, and I've read that document -- and I'm
14 not exaggerating -- probably 45, 50 times. There is no
15 mention of vapour recovery anywhere in that document.
16 It was very clear they were just looking at capturing
17 the casing gas, and so, you know, definitely, it was --
18 it was a concern, and -- and, you know, as time passed,
19 like I said, the vapour recovery, to us, was never an
20 option; it was never offered.

21 You know, the first we heard of it for the Reno
22 field on -- you know, obviously, they do have vapour
23 recovery on some sites and it's -- and then via flare,
24 but on others, it's just open hatches and vented to the
25 atmosphere. And the first we started hearing about
26 vapour recovery was basically in their submissions to

1 the AER for this proceeding. And that kind of changed
2 throughout in the submissions, because it went from on
3 all new wells, they would implement a vapour recovery,
4 and then it kind of progressed to new wells and -- and
5 probably existing wells, or they would maybe look at
6 retrofitting and installing vapour recovery to -- to, I
7 think, the last submission and -- and on -- I guess it
8 would be Wednesday now, to now basically a commitment
9 to tank-top recovery on all their sites, but that had
10 never been offered to us before.

11 MR. WILSON: Did you ask for it?

12 BRIAN LABRECQUE: Many times. You know, and
13 like I said, because we don't have the knowledge or the
14 expertise, you know, you always think, okay, maybe it's
15 something more -- maybe it's more complicated than
16 that. Maybe it's more technical. You know, you really
17 do feel like a simpleton when you can see it, and
18 you're thinking, Is that what's affecting us? Is that
19 the problem? And so that's why it was raised many
20 times. It was raised by Alain and Karla many times in
21 -- in documents to them, in discussions, and it was
22 never really accepted, right?

23 MR. WILSON: Mr. Chairman, I'm mindful of
24 the time, but I -- and I'm mindful that you're the
25 master of this proceeding. I was just going to ask
26 Karla one more question, and then, subject to your

1 direction, I thought we'd maybe break for lunch, and
2 then I can give you a sense of how much time I think I
3 need after lunch for people to start visualizing the
4 end of a Friday.

5 THE CHAIR: Good. Thank you.

6 MR. WILSON: Brian, just a real quick one
7 back to you: Were you asked to and did you agree to
8 participate in the regulator's ADR process?

9 BRIAN LABRECQUE: Yes, we were. And how that
10 came about is --

11 MR. WILSON: Did you agree to participate
12 in it?

13 BRIAN LABRECQUE: Yes.

14 MR. WILSON: Okay.

15 BRIAN LABRECQUE: Yeah. So we did agree to
16 participate, and we had an ADR hearing in September of
17 2012, and, you know, that basically came about because
18 there was an application for three new proposed wells
19 in the Reno field.

20 At that point, my -- my parents had already
21 relocated from their residence, obviously Alain and
22 Karla had, and Andy and Joyce. So, of course, our
23 concern was: There's a problem here, and until that --
24 that is addressed, we can't see how we can allow Baytex
25 to continue drilling more wells until that initial
26 problem is addressed and fixed, because otherwise, it's

1 just adding to the problem, and so we just wanted the
2 focus to be on addressing the problem and not adding to
3 it.

4 MR. WILSON: Karla, you wrote many letters.
5 Can you just kind of summarize what happened in terms
6 of the back-and-forth with Baytex on this conservation
7 system versus tank-top emissions.

8 KARLA LABRECQUE: The conservation system --
9 well, my understanding, 'cause Alain and I had
10 discussions with their landman, is that it turned out
11 that it's just casing gas. It's just going to be a
12 sales line. It's not economically feasible to tie in
13 the tank-top vapours to it, so we're not going to do
14 it.

15 ALAIN LABRECQUE: It was black and white for us
16 right from the beginning. It didn't take us a day to
17 figure out. It was a sales line. And even the --
18 their landman messed up and says, We have to get this
19 gas to market, though. And he's, like -- but he would
20 always mess up like that, but they never, ever thought
21 that -- never committed to vapours.

22 MR. WILSON: And when they did put one of
23 the sales lines in to capture the casing gas and sell
24 it, did you -- from one of the sites near your home,
25 did you notice an improvement in the air?

26 KARLA LABRECQUE: No.

1 ALAIN LABRECQUE: No.

2 MR. WILSON: And you wrote to them about
3 that, didn't you?

4 KARLA LABRECQUE: Yes.

5 MR. WILSON: Was there a frustration that
6 they were talking conservation, and you were --

7 KARLA LABRECQUE: It's a frustration because
8 it's like they're -- they're trying to -- like, their
9 term always changed, right? It went casing gas to
10 solution gas to tank-top vapours, and they -- it was
11 like they were always trying to confuse you to exactly
12 what was going into there, right, and it's almost like
13 deceit. It's like, no, we know you're talking casing
14 gas, and we know the tank-top vapours is what our
15 problem is, so take these, and put them in that line.
16 Why can't you do that?

17 ALAIN LABRECQUE: For us, we were running out of
18 time. We -- it was frustrating, 'cause to get it done,
19 we were running out of time. We could see this being
20 years.

21 KARLA LABRECQUE: We could see that we had no
22 future there.

23 ALAIN LABRECQUE: They were deceiving the
24 regulators. The regulators were falling for it. Now
25 the MLAs are falling for it -- for a little while. Now
26 they've figured it out. But we had no more time. We

1 couldn't see it getting fixed, and today it's not fixed
2 because of this little hoop that we seen coming.

3 MR. WILSON: Okay. With that -- thank you.

4 Mr. Chairman, with your indulgence, I propose we
5 break for lunch. When we come back, there's only two
6 items that I've asked them to cover off for you, and
7 one will be fairly brief, is just what -- their
8 experience in trying to go to the doctors and what the
9 doctors said and these things. And then I've asked
10 them to speak to you about their recommendations to you
11 as to what they've learned and what can be done.

12 THE CHAIR: Great. Could we -- it's just
13 a touch after 12:30. Could we return at 1:30?

14 MR. WILSON: We can return whenever you'd
15 like us, sir.

16 THE CHAIR: I want you to have time to
17 eat. Okay. We'll see you at 1:30.

18 MR. WILSON: Thank you.

19 (LUNCHEON ADJOURNMENT AT 12:34 PM)

20 (PROCEEDINGS RECOMMENCED AT 1:33 PM)

21 THE CHAIR: No housekeeping matters for
22 anyone? Okay. Please proceed.

23 MR. WILSON: Thank you, Mr. Chair, members
24 of the Panel.

25 Karla, I'm wondering if you could describe to the
26 Panel some of the steps you took to seek medical

1 assistance and health care, so they have an
2 understanding of what you did and what you -- what you
3 experienced going through that process.

4 KARLA LABRECQUE: Okay. So since my ears were
5 popping and a lot of sinus congestion and I had said to
6 you guys how I thought maybe it was that, you know, I
7 did have sinuses drained and tubes in my ears at a
8 young age; maybe that's what it was. I ended up going
9 to the High Prairie clinic, getting an appointment with
10 a doctor there and got him to look at me. He put me on
11 decongestants for a few months, and after a few months
12 went past and the symptoms -- they were coming back,
13 because by that time it was in August, right, when the
14 -- it was getting colder again. So the symptoms were
15 -- were really coming back, and he took a look, and he
16 didn't find any change in my -- like, when he looked
17 down in my eardrums and stuff, and he sent me to an
18 ear/nose/throat specialist in Grande Prairie; that
19 would have been September 2011. I went to see him for
20 the first time. He took one look in my nasal passage,
21 and he said, You have overwhelmingly red nasal
22 passages. He said, I've never seen them this red. He
23 said, We'll do an x-ray on them; we'll -- you can go
24 home with Omnaris, which is a nasal spray. He goes,
25 Try this for a few months, come back and see me. So
26 then a few months passed. So in November 2011, I came

1 back to see him, and the x-ray showed up nothing.
2 There was no mucus build-up, nothing abnormal, but yet
3 he said, Your nasal passages are still as red as the
4 day you came in the first day, back in September. And
5 he said, the Omnaris should have helped you, and it
6 never did. He said, The only thing I can conclude is
7 there's an airborne pollutant. Like, there's something
8 in your air that's causing this. So I started telling
9 him about the oil activity that was south of us and how
10 we had suspected that, you know, symptoms and stuff is
11 -- is being caused by that, and he said, Yeah, most
12 definitely.

13 He then proceeded to tell me about patient-doctor
14 confidentiality and how there was a doctor in Fort Mac
15 that got drug through the courts, so he doesn't want to
16 elaborate too much on this, and pretty much, he just
17 told me to move. He said, You're -- he said, You are
18 just a small, little bolt in this huge robot, and you
19 don't matter. Move.

20 So I proceeded -- in June, when we were kind of
21 losing hope, so June 2012, when we were losing hope of
22 everything, I went back to see him to see if he could
23 take a blood test. Why can't you do a blood test? Why
24 can't you test for these things that are in the air?
25 He said, I -- I can't. He goes, I'm not even allowed
26 to call for that stuff on a blood test. I asked him to

1 check my kids. He said, Just move, and he said, Move
2 as far west as you can. So that was my experience with
3 that doctor.

4 Then Alberta Health Services had told our Reeve of
5 our MD of Smoky River, Robert Brochu -- this is in --
6 it would have been fall of 2012 -- that, well, if -- if
7 your residents in the area are having symptoms, why
8 aren't they going to see doctors? They should go in
9 for a toxicity test. So in October 2012, I went into
10 the Peace River Hospital for a toxicity test. I was
11 there for three hours, demanding a doctor to take my
12 blood. He was refusing to take my blood. He said, I
13 can't test you for anything. What chemical were you
14 exposed to? I said, I don't know. Call Baytex. They
15 know the chemicals. I don't. He said, I can't run a
16 test on that for you. Finally, after being
17 there for a few hours, he came back in, and he said,
18 Well, I just got off the phone with the MLA -- never
19 stated which MLA, and I never thought at the time to
20 get the name of the person he talked to. He said, I
21 just got off the phone with the MLA; he said, Yeah,
22 it's okay if I take your blood, and we have to fill out
23 this form, which is the A -- the Alberta Health
24 Services form that I think they had for the region. So
25 he did eventually take my blood, but that's -- so it's
26 not a very good experience when you go to a doctor

1 that's supposed to be able to fix you and he has to
2 talk to an MLA to even take your blood.

3 So that was pretty much my experiences. I -- as
4 far as the kids, I never took them in. I -- I don't
5 believe in going to doctors with every little problem,
6 right?

7 MR. WILSON: And did -- the reluctance
8 you've described of the doctor to do the blood test,
9 was it also a reluctance to fill out that specialized
10 form that Alberta Health Services had prepared?

11 KARLA LABRECQUE: He was reluctant for me to
12 even sit in there. He wanted me to leave. Many times,
13 he's like, I can't do anything for you. Like, no, I
14 can't help you. Like, you're going to a doctor because
15 you have a left-sided headache and you feel very weak,
16 and you feel like you're going to vomit and hot and
17 cold. Why can't a doctor do something? Isn't that
18 what a doctor is for?

19 MR. WILSON: Okay. And did you tell him
20 you weren't leaving until --

21 KARLA LABRECQUE: I -- that's exactly what I
22 said. I said, I'm not leaving until you take my blood.

23 MR. WILSON: Okay. And who was that
24 doctor? What was his name or her name?

25 KARLA LABRECQUE: Dr. Martin, Dr. -- yeah --
26 Riley Martin.

1 MR. WILSON: Okay. And didn't you get
2 referred to a specialist?

3 KARLA LABRECQUE: That was -- yeah, that
4 would -- Dr. Laughlin from High Prairie, back in 2011,
5 had referred me to the ear/nose/throat specialist in
6 Grande Prairie, Dr. Delacruz.

7 MR. WILSON: Okay. And can you tell the
8 Panel what he told you his views were on things
9 medical?

10 KARLA LABRECQUE: Well, he said it was an
11 airborne pollutant.

12 MR. WILSON: Okay. Sorry. I didn't --

13 KARLA LABRECQUE: Yeah. That's -- yeah.

14 MR. WILSON: I connect that now. Thank
15 you. Sorry, that was me digesting food here, probably.
16 Thank you.

17 The details of the interaction that all of you
18 have had with the health-care system are -- were
19 captured in an interview that was conducted by Dr.
20 Davies and Dr. Sears, and those notes were filed as an
21 appendix in those proceedings to their reports, so I
22 don't see the merit in going through all the details,
23 but -- unless, you know, the Panel certainly can pursue
24 them in questioning; I don't want to forego that,
25 either.

26 But, Mike, I'm just wondering; I think what might

1 be helpful for the Panel is if you can just give them
2 one or two examples -- one or two examples of you going
3 to doctors with your concerns and what happened. Any
4 of the particular examples that stand out in your mind?

5 MIKE LABRECQUE: The number 1 example I could
6 give you is when I went to see the local doctor in
7 town. I explained to him my symptoms, that -- the not
8 being able to breathe, plugged sinuses, and everything
9 else, and then we started discussing it a little bit,
10 and I kind of forwarded the information to him that --
11 at this time, that I really believed it was the air
12 that I was breathing that was causing it. I said, I'm
13 almost -- I'm almost positive that's what it is. And I
14 said, It has to do with the -- with the oil wells
15 beside my place.

16 And right away, he -- he kind of retreated a
17 little bit, and he thought things over, and he stood
18 up. He opened the door to the little office we were
19 in, and he suggested to me -- he says, You don't need a
20 doctor. He says -- he suggested to me that I find a
21 suitable lawyer or -- what did he call it --
22 environmental lawyer to help me.

23 That day -- it's relating to this, but I was
24 taking care of my little grandson that day. I believe
25 he was 8-and-a-half, maybe 9 years old, and he's -- my
26 little grandson's sitting right beside me when the

1 doctor told me this, and the little boy was very sharp.
2 And I stood up, and my little boy stood up, and he said
3 (other language spoken), like, "Grandpa" in French, and
4 he says, (other language spoken) what are you going to
5 do? He said, You're very, very sick. He said, You
6 need a doctor, and he said, This doctor's telling you
7 to leave. That's coming from my little grandson. He
8 said, What are you going to do? I said, Well, I don't
9 know, Keenan. I said, We have to leave, I guess. And
10 for that little boy to figure that out and, you know,
11 he says, Grandpa, he says, you need the doctor. He
12 said, What are you going to do?

13 Like, the truth of the matter is I didn't know any
14 better than my little grandson how I was going to
15 handle this, and that was my experience. I mean, when
16 you go there and you really need help, I didn't expect
17 a solution like that. I didn't know how to comprehend
18 that or what to do with it, and I basically went home
19 scratching my head on that one. That was -- that was
20 my story there.

21 MR. WILSON: Thanks, Mike.

22 Brian, there's been some discussion in the written
23 submissions and other things about medical records.

24 Could you speak to that?

25 BRIAN LABRECQUE: So obviously after the -- that
26 visit with the local physician, we weren't interested

1 in trying to find a lawyer; a lawyer wasn't going to
2 help relieve my dad's symptoms or get him into a
3 healthy state.

4 So then it was to find a new physician that would
5 be willing to look at him and treat him, and that's not
6 really an easy task anymore. We did find a second
7 physician, and he, you know, did the lab work and
8 worked with my dad, but at that point, because we were
9 just trying to find medical attention or care, we did
10 tell my dad, like, Do not mention anything about the
11 environment or where you're coming from. Like, you
12 just need to get treatment, because it's just too
13 complicated, right?

14 And as time went on, finally, the physician asked
15 my dad, Well, any idea what could be causing these
16 symptoms, causing these issues, and when my dad
17 expressed to him what -- what the source was, he -- he
18 basically just informed him that, you know, I
19 appreciate your honesty; he says, I'll continue
20 treating you, but, he says, I don't want it to go
21 beyond this, 'cause he said, I just don't have the time
22 to have to deal with something like this, but he says,
23 I'll continue treating it, but that's -- that's where
24 it stays.

25 Following that, of course, leading up to this
26 proceeding -- 'cause obviously when we saw that you

1 guys had -- had basically selected some health experts
2 and a toxicologist -- I'll be honest, we were actually
3 pretty relieved and actually pretty excited. You know,
4 we thought maybe if we can get the information out
5 there and have a -- you know, an opportunity to talk to
6 these -- to these professionals, maybe through all
7 this, maybe they can provide us with referrals; maybe
8 they can help us through this or provide some answers.

9 And so that's why we had requested to Mr. Wilson
10 that he -- that he submit the request that -- you know,
11 that we have interviews with these health experts. We
12 thought it was very important. If they were going to
13 comment or provide an assessment possibly on what was
14 going on, we thought it was very important that they,
15 you know, had the discussion with the residents and the
16 landowners who have been affected by this, right, and
17 the interviews were very, very thorough, very detailed,
18 and I think they went -- they went over very well, so I
19 think it was very important and very critical for this
20 process.

21 But leading up, as we were
22 preparing for -- for the interviews, because we wanted
23 to really provide as much information as we could, we
24 were trying to obtain health records for -- I know
25 everyone, on an individual basis, was trying to obtain
26 their health records. I know I was assisting my dad
with his, and it was actually quite challenging to

1 retrieve your own personal health records. We've got a
2 lot of of them. We're still waiting for some more, but
3 it's -- I'm not sure if that's normal procedure, but
4 it's taken quite some time.

5 I know, like, yesterday, one of the experts
6 mentioned that he had not been able to see or observe
7 or basically look through any health records, right, so
8 basically the assessment was based on -- on interviews.
9 And, you know, at this point, we're just trying to get
10 all the -- as much information out there to hopefully
11 find a solution, and I'm aware you guys have -- the
12 Panel has access to a doctor, a medical doctor, as well
13 to maybe help provide some input and so what I'm asking
14 is if it would be possible if we could submit some
15 health records to your medical doctor, so he could go
16 through them and possibly review them and provide some
17 feedback that would hopefully be beneficial for this
18 process, so we can get a better understanding of what's
19 happening here.

20 THE CHAIR: So do I understand the
21 question to be whether there's merit in submitting
22 existing medical records as part of this proceeding?

23 MR. WILSON: Yes. And we had -- I had
24 instructed the clients to start working on assembling
25 them after the Panel had given the direction in
26 response to our request that the toxicologists be

1 available to interview these folks, 'cause I said, The
2 toxicologists are going to want to see the records.

3 They didn't ask for the records, and then Dr.
4 Davies, in a report before Christmas -- and maybe I
5 was -- didn't read it right, but I took it he was
6 suggesting an adverse inference should be drawn that he
7 hadn't produced the medical records, and the only
8 reason we hadn't produced them was we didn't have them
9 and that we wanted to.

10 And so I wrote in a submission on January 10th --
11 so that would be 3 -- Phase 3(B)-- about medical
12 records. I referred to Intrinsic's comments about
13 recommending that the medical records for the doctor
14 visits for the landowners reporting health impacts be
15 reviewed by a qualified practitioner, and I wrote and
16 submitted to the Panel that -- all the parties saw at
17 the time: (as read)

18 I can advise the Panel that my clients fully
19 support and endorse this recommendation. My
20 clients want to do whatever they can to help
21 the experts determine what made them sick and
22 why some of them are still suffering health
23 effects.

24 You know, this is not a review and variance
25 application. This is not an application for a
26 prospective project. This is an inquiry to try and

1 understand what's happened, and they have been able to
2 select, with some efforts, most of the records from the
3 various doctors, and they'd like them to be available
4 to your Dr. Roth or whoever else to help you piece all
5 this together. We'd only ask that if you do
6 agree to this -- and we certainly hope you do -- that,
7 you know, their detailed medical records not be put up
8 on the Internet.

9 THE CHAIR: Can we handle it this way: I'd
10 like to consult with my colleagues on this before we
11 make a determination. I assume that, you know, if we
12 decided we want them, they can be provided; they exist.

13 THE CHAIR: They're there. And so why
14 don't you leave that one with us and we'll get back to
15 you.

16 MR. WILSON: Okay. Thank you.

17 I'd like to shift now to the final part of our --
18 this panel's evidence and participation in this
19 proceeding. And I've asked -- we've made written
20 submissions on some recommendations. They're in the
21 submissions. They speak for themselves. But, you
22 know, as time goes on and you participate in this
23 hearing, you learn from others; you get some additional
24 ideas and perspectives. And I can tell you that these
25 folks were incredibly moved in a positive way by
26 Shell's presentation. And so I asked them two

1 questions -- to think about two questions. And they're
2 as follows: What do you want the AER to do? And the
3 second question I asked them was: What do you want
4 Baytex to do? And I would just turn it over to them
5 to -- to -- Brian, maybe you could summarize because I
6 want to try and be efficient with time here,
7 recognizing it's Friday afternoon and we've had a long
8 week and people have a lot of travel. So an answer to
9 the first question?

10 BRIAN LABRECQUE: So what do we want the AER to
11 do? In our opinion, I think it's clear that there is a
12 regulatory gap. Like, it -- especially when you have
13 industry, you know, co-existing within a community, I
14 don't think the -- the current standards or the current
15 practices are acceptable. And, you know, I -- and so
16 that has to be addressed. I don't know if the AER
17 currently has jurisdiction. You know, that's not my
18 area of expertise over these -- over these CHOP
19 operations or this type of -- you know, it seems like
20 there is no jurisdiction. That's kind of what we're
21 being told. So it's very difficult to expect any kind
22 of action to be taken to -- to address the issue.

23 Another issue is -- you know, and we heard about
24 it earlier this week. But when people are issuing
25 complaints, it's to actually investigate the
26 complaints. And I've got an example of that, just

1 actually this week. It was on Tuesday, the first day
2 of the inquiry here on the 21st. But on my way home,
3 as I was driving through the Reno field on Highway 2 at
4 Range Road 800 of what is known as the Jean Cote
5 corner -- but there were very, very strong odours.

6 So I made the call to the AER odour-and-complaints
7 line, right, the 1-800 number. So I made the call, and
8 I -- you know, I -- I -- I -- I reported the odour. So
9 I gave her the land location, the time, where I was at.
10 And she says, Okay. And she says, We will be sending
11 an inspector out to investigate, and we will call you
12 back. That was at 9:11 PM. She called back at 9:22
13 and said she -- they were still working on sending
14 someone out, and she wanted to know if it was okay if
15 he did get back to me, but it would be -- it could be
16 quite late. And I said, Well, that's fine, like,
17 I'm -- I'm willing to wait for the call back.

18 At 11:01, she called back and said, Just wanted to
19 let you know that we had an operator go out and
20 investigate; by the time he got there, there were no
21 odours onsite. I said -- and then it clicked, and I
22 asked, Well, I thought you were sending an inspector.
23 Where does the operator come into play here? And she
24 says, Well, we couldn't actually get an inspector out
25 there, so we called the operator from Baytex to
26 investigate. So I said, So you called the actual

1 Baytex personnel to investigate the concern I had
2 with -- with their well sites because they're the only
3 operator in the -- in the region? And I said, I also
4 find it very hard to believe that the odours, because
5 it was so strong, that they would dissipate that
6 quickly, that he could get onsite and there would be
7 no -- no obvious odour. So I said, I -- I find that
8 very hard to believe. And -- and she says, I -- I
9 understand, sir. And she says, And, I'm sorry, but
10 there's -- there's really nothing I can do at this
11 point. She says, It's just the way it is. And I
12 said -- and I -- I thanked her. I said, Well, thanks
13 for calling back and -- and making me aware. I said,
14 I'm not angry with you. Like -- like, I said, You're
15 just doing your job. So I says, I'm not -- you know,
16 it's just the way the process is. And that was the end
17 of the conversation.

18 MR. WILSON: So your recommendation is?

19 BRIAN LABRECQUE: We need -- we need trained
20 inspectors. And when those calls -- you know, you've
21 got the first part of process layout. But when those
22 complaints come in, they have to be investigated. And
23 I'm guilty of it. You know, like, we -- we've -- it
24 was mentioned many times this week about the -- the
25 level of complaints, right, that -- that were made to
26 the -- well, the ERCB and now the AER. And we were --

1 you know, when we were having issues -- and -- and we
2 weren't doing it very consistently, but we were making
3 those same complaints. But after a while, when you
4 don't really -- when your complaints aren't really
5 addressed or you don't get results -- I know in my case
6 and -- and a lot of people here, you basically --
7 you -- you give up on the process. Because it's --
8 it's kind of like you're wasting your time.

9 And in a way, it's -- by not doing it is more of a
10 detriment to our cause because then the number of
11 complaints drop. So, you know, if a community's, you
12 know, making the calls, then say, for example, over --
13 there's 200 complaints this month. But people give up
14 on the process and the numbers drop, it almost looks
15 good. It almost looks like, Oh, okay, the issues are
16 being resolved; there are no issues. But that's just
17 not the case. People are just not taking the time to
18 go through the process because they don't feel that
19 they're getting the results that they're -- they're
20 wanting. So I think that needs to be addressed as
21 well. I think -- I think the regulator just has to
22 be -- I think there just has to be more accountability.
23 And I think that's what we're asking.

24 I think it's also important that we look at
25 adopting, you know, best practice like Shell. And I'll
26 admit, you know, after this Shell presentation on I

1 think it was Wednesday, I was very impressed. You
2 know, the panel was up, they -- they -- they went
3 through all the information, over all the processes,
4 the -- the -- all the infrastructure, the technology,
5 and they responded to questions, they were very
6 precise, and they were quick. And you could tell,
7 like, they knew what they were talking about. And it
8 was really reassuring to see that. And, you know,
9 they -- they take pride in what they do. And, you
10 know, I think Shell made the offer, like, it's not top
11 secret; we're willing to share this with anyone. You
12 know, they're -- they're aiming for zero emissions.
13 Like, that's something to be proud of, and that's
14 something that should be promoted.

15 And obviously the technology is there. So we're
16 not reinventing the wheel. It's already there. And I
17 think it should be implemented, especially when
18 operating next to a community or amongst residents.

19 I also realized -- I -- I think it was in an
20 article just prior to -- or leading up to the hearing,
21 the spokesperson for Baytex mentioned that they just
22 basically needed clarification on the regulations and
23 direction. And that's fine. If they do need
24 clarification and direction, then pass it on to them,
25 and -- and -- and -- and -- and the system, whatever
26 they need. But let's get this resolved.

1 You guys have anything to add?

2 ALAIN LABRECQUE: The Shell presentation -- my
3 concern was their commitment to not continuous flaring.
4 You know, you -- there's no -- their attitude, We don't
5 produce with the anticipation to flare. It was only on
6 a very rare occasion where they said 1 or 2 percent was
7 accept -- that they were currently flaring. But
8 they're not going to produce a barrel of oil if the
9 intent is to continue flaring long term. And I think
10 that's a -- a big note.

11 MR. WILSON: So you were happy to hear them
12 say that?

13 ALAIN LABRECQUE: Sure. Because -- yeah,
14 flaring is a -- is a high emitter.

15 MR. WILSON: Was your reaction to Baytex's
16 plan to deal with gases by flaring as a -- as their
17 strategy?

18 ALAIN LABRECQUE: It's not positive for -- for
19 me 'cause you could picture the field, 23 pad sites,
20 what they're recommending -- their commitment is vapour
21 recovery via flare. So that's 23 flare sites in a very
22 small location. They're going to want to drill some
23 more. You're going to see, you know, just more and
24 more flares. We know that's going to lead to, I
25 believe, another hearing in the short time. It's just
26 never -- it's not a solution.

1 And Shell's obviously implemented the opposite
2 direction. They're not anticipating on production with
3 long-term flare as a result -- you know, as a -- as
4 a -- minimizing emissions.

5 MR. WILSON: Brian, I'm going to shift you
6 to the last question. What do you want Baytex to do?

7 BRIAN LABRECQUE: I'd like to see Baytex take a
8 very similar approach to what Shell has done, and
9 including the monitoring, and implement their practices
10 if they can. And now I think -- and I think what's key
11 here is it's obviously clear when -- with what has
12 happened with these families and -- and having to
13 relocate or -- or find temporary -- make temporary
14 arrangements. I think Baytex needs to put in a
15 voluntary land bio program, like, around Fort
16 Saskatchewan in that what they refer to as the
17 "Industrial Heartland", and -- and I think they have to
18 give some of these people an option -- that option
19 and -- and buy them out so they can move on with their
20 lives.

21 Some of the families here have been at this for
22 two years. That's a long time. We're grateful that
23 this inquiry has been called, and -- and hopefully we
24 can see some regulatory changes, see some changes that
25 will benefit all in the community, but this has -- and,
26 actually, the inquiry has been a fairly quick process.

1 You mentioned there would be a report by the end of
2 March, possibly, I would assume, with some
3 recommendations. And then I'm not sure what kind of
4 time frame we could expect before some of those
5 recommendations are implemented, but we're still a long
6 ways away from having people return to their homes.

7 And, you know, I think we've been more than
8 cooperative at this time. In fact, even when I talked
9 to our elected officials or our MLAs, you know, the
10 comment that always comes back to me is, I don't know
11 how you guys have been able to be so patient. If I
12 were in your shoes, things would be much different; we
13 would've taken a much different approach.

14 And, you know, so I think a program like that
15 needs to be -- needs to be instituted. And I think
16 from -- whether it's the responsibility of the
17 regulator or -- or -- or if -- if we go through
18 government channels, but we almost need a funding
19 formula so we can basically collect funds from the
20 energy companies so there's something there available
21 so we can really put it towards -- and there was a lot
22 of discussion over this yesterday, but putting it
23 towards proper air-quality monitoring and air-quality
24 studies. That is essential. That's the only way we're
25 going to ever learn and -- and to -- to -- to improve
26 the situation and to move on and -- and learn more

1 about -- about what's out there, what's in these
2 emissions, and -- and we can look at odours as well.
3 But I think that's essential.

4 What's key there is it's got to be essentially an
5 independent third party with no bias. It's great if
6 industry wants to conduct their own air-quality studies
7 for their own -- you know, for their -- for their --
8 themselves that they can use to improve their own
9 operations, but I think when it comes to something like
10 this, I think it's key that they're not directly funded
11 by industry. That way people, the residents,
12 landowners, people all over Alberta can have faith and
13 have -- and trust the data and the results that arise
14 from it.

15 MR. WILSON: Mr. Chairman, that concludes
16 the presentation from the Baytex Reno landowners'
17 group, and I make my clients available to any of the
18 parties in the panel for questioning.

19 THE CHAIR: Thank you, sir.

20 Questions from counsel?

21 MR. MILLER: Mr. Chairman, I just want to
22 put on the record Baytex has filed evidence that
23 responds to allegations and assertions that are a --
24 that have been made by the Reno landowner group and
25 their evidence that are erroneous, and so we rely on
26 the Baytex evidence.

1 I don't have a need to seek any clarification of
2 these witnesses from their evidence. It's pretty
3 obvious. So I have no questions.

4 THE CHAIR: Thank you.

5 Other counsel? I don't know if it would be
6 appropriate to ask if any other landowners have
7 questions. In any event, I don't see anybody
8 indicating.

9 Should we go to staff questions? Mr. Sexton?
10 AER STAFF QUESTIONS THE BAYTEX RENO LANDOWNERS' GROUP

11 MR. SEXTON: Good afternoon to the Reno
12 panel, and thank you for the good information today and
13 the time you've spent providing it.

14 Just a couple of clarification questions in
15 relation to the discussion on solutions. One of the
16 terms that came up was "no emissions" or "zero
17 emissions" moving to that. I just want to make sure I
18 understand what you're referring to. I think
19 definitely you're referring to no venting; is that
20 correct? Can you --

21 A BRIAN LABRECQUE: Yeah, sorry. And, you know,
22 I'm not -- I'm not saying I'm expecting zero emissions.
23 I just thought it was a very -- it's -- I'm not saying
24 it's ambitious, but for -- for an energy company like
25 Shell to say, That's our -- our goal, you know, it's --
26 it's actually very impressive. We're not expecting --

1 we're not going to sit here and say, It has to be zero
2 emissions. We know that that's not realistic or it may
3 not be possible in the short term. But for us, the
4 priority is -- is no venting.

5 A ALAIN LABRECQUE: No venting and multiple
6 flaring --

7 MR. SEXTON: Okay.

8 A -- you know, within reason, right.

9 MR. SEXTON: Okay. And I'm just going to
10 name some other sources --

11 A Sure.

12 Q -- and you can confirm that that's what you were
13 referring to as well. Tank heater exhaust; is that a
14 concern?

15 A There's more important things right now.

16 Q Okay.

17 A But it was a concern, yeah.

18 Q Okay. Exhaust from trucks?

19 (COMMENT OFF THE RECORD)

20 Q MR. SEXTON: Thank you. As Mr. Wilson's
21 pointed out, can you say "yes" or "no" to the question?

22 A Oh, yeah.

23 Q So engine exhaust?

24 A If it's a concern or not, you're saying?

25 Q Yeah.

26 A No.

1 Q Okay. And exhaust from trucking?

2 A No.

3 Q And what about emissions, loading and unloading of
4 trucking?

5 A It could be considered later after the --

6 Q Okay. Good.

7 A Not priority.

8 Q Thank you. You had also mentioned -- and I think I've
9 seen it in your submission -- the concern about there
10 being a regulatory gap. And I'm not sure to what
11 extent you can fill me in on specifically what you mean
12 by that. But can you address that; what is the
13 regulatory gap you're referring to?

14 A Well, the gap is quite clear, that it's still venting.
15 We're out of our homes. We've went through every
16 channel addressing this with whoever came out and -- so
17 there's obviously a gap. There's still flaring, trucks
18 that are travelling back full -- and with full loads.

19 Q Okay.

20 A And then we're out of business.

21 Q Okay. Those are my questions. Thank you.

22 THE PANEL QUESTIONS THE BAYTEX RENO LANDOWNERS' GROUP

23 THE CHAIR: Mr. Engen?

24 MR. ENGEN: Alain, my question is to you.
25 Certainly in all of your testimony this morning you've
26 been a very aggressive entrepreneur, it appeared as

1 though, in the agriculture business over a short period
2 of time. We had expert testimony yesterday from
3 Mr. Davies speak about the difference between emissions
4 and odours, and certainly the experts are ruling out
5 any thresholds on emissions. But, yet, there seems to
6 be agreement upon the odour issue and the repercussion
7 of those odours and relative to symptoms and then
8 related to health issues. Would you agree with that
9 statement, then, as your family, that, you know,
10 certainly that was perhaps what you have experienced,
11 is, is the odours significantly impacted you in your
12 health issues?

13 A There was a -- it's the -- you can look at it two ways.
14 The odours did impact, of course. Are you saying, what
15 caused the health impacts?

16 Q Well --

17 A I mean, you guys complicated this. The toxins and the
18 odours, the chemicals --

19 Q I know, I know.

20 A -- have destroyed our health.

21 Q Yes. And I --

22 A So there's your answer. Because I asked the question
23 yesterday, and I was thinking that I would be very
24 definitive on and not challenge the point that the
25 experts have come forward on, emissions not exceeding
26 thresholds that are allowed by regulatory regimes, but

1 yet there was a linkage from odours to symptoms
2 relative to health issues, I believe, is what we -- the
3 experts finally agreed on after some questioning.

4 A KARLA LABRECQUE: Can I -- okay?

5 Q So as a family, would -- are you in agreement with that
6 linkage?

7 A Odours have caused impacts. As for me, I don't need to
8 smell something for me to get a left-sided headache. I
9 can be following a vehicle that is -- I mean, of
10 course, all vehicles, they let out hydrocarbons right?
11 I don't need to smell that. All of a sudden I start
12 getting a funny head pull. If I pass that vehicle,
13 that goes away. I don't need to smell it, right? So
14 --

15 A ALAIN LABRECQUE: So we don't agree that the
16 odours -- odour is what contributed to health effects.
17 Odours -- it's the carcigens (sic) and the chemicals in
18 --

19 A KARLA LABRECQUE: It's whatever chemicals --

20 A ALAIN LABRECQUE: -- that cause the health
21 effects.

22 A KARLA LABRECQUE: -- that cause the odours,
23 right? Like --

24 A ALAIN LABRECQUE: 'Cause why would my kids --
25 right.

26 A KARLA LABRECQUE: Why would my kids even have --

1 A ALAIN LABRECQUE: But we don't need to
2 complicate this.

3 A KARLA LABRECQUE: -- reactions from that? Kids
4 can't distinguish if that odour is going to cause
5 something, right? Like, it --

6 Q No, and I think -- I think you've answered my question.
7 I think you've went where I wanted to hear that
8 information, and I believe you're likely -- I won't go
9 any further. Thank you.

10 THE CHAIR: Ms. Macken?

11 Q MS. MACKEN: I have a couple of questions,
12 but first of all, thank you, all of you, for spending
13 the time today to sit here and share your stories,
14 because you've certainly helped paint a picture for us,
15 and it's one thing to see all this stuff on paper and
16 read it on paper. It's something else to actually have
17 the conversation and to hear you personally. So thank
18 you for taking the time to do that.

19 I have a couple of questions. My first question
20 is: If -- hypothetically, if all the emissions are
21 contained from the sites at Reno through gas
22 conservation with no flaring to the atmosphere and --
23 do you see yourselves being able to move back into the
24 community? Would that satisfy you? Would it satisfy
25 your concerns?

26 A KARLA LABRECQUE: We wouldn't be moving back,

1 because we've actually relocated to Smithers. We
2 started a life. We lost hope, right? But it would be
3 nice to hang on to a homesteaded quarter that his dad
4 homesteaded for -- maybe one day our son could move
5 back, right?

6 ALAIN LABRECQUE: I -- I -- like, I do see the
7 potential, yeah, for my children, 'cause farming, I
8 want to give the gift of -- the ability to be able to
9 farm, and basically, I had to transfer my investment
10 from here as quickly as possible to continue, and that
11 could be retransferred to where I grew up. You know,
12 who knows what will happen here. You know, you've got
13 cycles and land become available. If there was the
14 reductions of emissions like you're stating, yes, it
15 would be an attractive thing to do again, for sure,
16 because we know what we had.

17 Q And I'm interested in what Andy and Mike have to say,
18 because I think, Andy, you said that your situation
19 right now is somewhat temporary where you're living, so
20 I was just wondering.

21 A ANDY LABRECQUE: Yes, it's definitely
22 temporary. It -- it was a very kind thing my children
23 did for me over there, but it's not my home. What
24 would be the other part of the question?

25 Q If measures were taken to contain all those
26 emissions -- there would no longer be venting, and the

1 companies were required to otherwise tie in the
2 emissions to have closed systems -- do you see yourself
3 being able to return to the community?

4 A Perhaps I'm not looking at it correctly, but, no, I
5 don't, for the reason that I'm pretty much 60 years
6 old, and if everything was done right today, I feel
7 that the area and my -- everything's contaminated. If
8 I'm going to restart, I'm not going to start there,
9 because the oil field is going to expand and keep
10 growing, and, no, I'm -- I'm finished there. I'm done.

11 I hope that it does become liveable again for
12 someone or, like they say, their children or somebody's
13 children later on. I have, somewhat, my doubts about
14 that, but personally, no, I can't go back.

15 Q Thank you.

16 A LEONA LABRECQUE: I'm going to agree with Andy,
17 and I think that's -- you know, you have to consider
18 age. I personally -- I worked very hard on that place.
19 I put in a lot of time and effort.

20 Now, you know, it's been abandoned for two years,
21 so the wildlife has come in, has absolutely destroyed
22 all the trees, all the fruit trees. Because we were
23 downsized to a one-income family, I had to -- we had to
24 have utilities disconnected, so our home -- no longer
25 heated. There goes our possessions. I know that now
26 I'm starting back from zero. So if I do go back, I'm

1 going back to starting over from nothing all over
2 again, because all the work that was put in there is
3 gone.

4 I'm 60 years old -- or almost, and, no, I don't
5 see myself -- although I would love to, because I love
6 the area; I love that place, but I really don't see
7 myself having the energy to put myself through that
8 again.

9 And he may have a different opinion, but that's my
10 opinion.

11 A MIKE LABRECQUE: As for myself, I would have
12 loved to entertain that idea that I could have went
13 back to my little paradise, but I heard it said
14 yesterday; the term -- I think it was -- the term was
15 "full" or "overload" in some people that -- an
16 overload, that these carbons or -- well, I am one of
17 those person (sic) that is overloaded to the max.

18 I'll just give you a -- I cannot handle being
19 around emissions even from a car on the highway or -- I
20 am totally -- I have to be -- at my point right now,
21 the only places that I can freely breathe is -- it has
22 to be miles anyway from any highway or any -- I have
23 zero -- zero tolerance left. And zero tolerance -- if
24 someone was to open any kind of container in this -- in
25 this building right here, I could be blindfolded, and I
26 would tell you someone cracked one open immediately.

1 My body would tell me immediately that there's a --
2 something's been opened in this room. That's how
3 sensitive I am; therefore, it would be impossible for
4 me now.

5 Q Okay. Thank you.

6 A BRIAN LABRECQUE: If I could -- sorry, just to
7 add to that, I don't know if you noticed yesterday;
8 there were some individuals that walked in, a group of
9 people who definitely -- they worked for one of the
10 oil-field companies here, and they walked in, and I
11 don't know if you've noticed how people had cleared
12 away from the one side of the room to the other, but it
13 was -- the odours were basically absorbed in their
14 clothing. Like, they were clean, right, but -- they
15 weren't aware of it, but it was just enough that it was
16 on their clothing, that -- because he was so sensitive,
17 and even Alain, like, they could not tolerate it. They
18 had to shift to the other side of the room, right, so
19 that's how sensitive it is -- they are, and so it -- I
20 think in their situation, it would be very difficult
21 for them to go back to that environment with the
22 improvements.

23 With that being said, though, there are other
24 residents and landowners in the area, right? One of
25 our goals is to make sure -- to ensure that they don't
26 have to go through what we've had to go through.

1 And if you look, it's -- you know, there's a high
2 concentration of sites and tanks, and I think when we
3 were looking at the maps yesterday, and you know how
4 they had the boundaries of where, you know, the odour
5 -- you know, where the odours would be concentrated and
6 everything else, when you look inside those areas, this
7 is where all their residences are, is well within that
8 area. The surrounding residents are just on the
9 fringes and around on the outside.

10 As this -- you know, and obviously, if Baytex --
11 they're going to continue to develop that field, which
12 is fine, once, you know, every -- you know, they've
13 implemented the measures that are needed for them to
14 continue on, you know, we have no problem with that.
15 But as they expand and it continues to grow, you know,
16 it's going to impact some of those other residents that
17 are out on the outside currently, right? So it's
18 something that has to be addressed, because it's going
19 to impact others, and so it's to deal with it now,
20 before it does.

21 Q Okay. Thank you. I have one other question, and this
22 question is for you, Brian --

23 A Yes.

24 Q -- but the others may choose to jump in on the answer.

25 A Yes.

26 Q I just need to refer to my notes here for a minute.

1 You were talking about -- give me a moment, sorry.

2 You said we needed better air-quality monitoring
3 on a go-forward basis, and you said -- you were
4 referring to some of the information that had been
5 shared yesterday when Shell shared some of their
6 information about the continuous monitoring, and you
7 also -- in that context, you said about independent
8 third-party monitoring. Are you familiar with the
9 models that exist already in Alberta with the -- of
10 airshed zones and how they are multi-stakeholders and
11 they have industry, landowners, and stuff?

12 A Yes, yeah.

13 Q Would that -- what are your thoughts on that kind of a
14 model for the area up here?

15 A I've actually had a lot of communication with some of
16 those organizations in the past, so I think there is a
17 lot of value there. They have the expertise. I know
18 in past discussions, I think the issue is with them.
19 Their resources are extremely limited, and so they are
20 very selective. I know when you look at PAZA, for
21 instance -- they're very selective; they don't have a
22 lot of, you know, in terms of air-monitoring stations
23 or their -- you know, their mobile stations, they're
24 basically having to pick and choose where it's going,
25 right, and I -- somehow, they just need to get more
26 funding in place to really build on that and revamp

1 their network, right, so, yeah, I would be okay if it
2 was an airshed organization that was doing the
3 monitoring.

4 Q I was thinking particularly about the management
5 structure of the airsheds because they're -- in the
6 other zones, they are -- they have landowners on the
7 boards --

8 A Yeah.

9 Q -- and so there's a lot of transparency, and it's one
10 -- 'cause you talked about needing to rebuild trust in
11 the community --

12 A Yeah, exactly.

13 Q -- and it worked somewhat in some of the other
14 communities; that's why I was wondering about it.

15 A No, and I agree with you there. Definitely, it's
16 definitely an option, and you're right; I know there's
17 a board of directors for PAZA as well. Some of the
18 members of our community are on that board, and --

19 Q Okay.

20 A -- it's -- it's definitely a -- yeah, the way it's set
21 up, it's definitely -- I think it's comforting to those
22 of us in the community. Like, we know that -- I think
23 we've got everyone's interest, you know, at hand, and I
24 think that's probably the right way to go about it.

25 Q Okay. Those are my questions. Thank you very much.

26 A Thank you.

1 MR. McMANUS: Thank you, Mr. Chairman, and
2 let me just add my thank you also to -- the panel. I'm
3 sure this is really difficult to come here and spend a
4 morning sharing your stories with us, but -- and we
5 really appreciate it. I certainly personally
6 appreciated the honesty and, you know, how difficult
7 this must be for you.

8 I had a number of questions, but I think you -- I
9 guess Ms. Macken's questions about, would you ever
10 consider moving back to your homes as a result of
11 changes that might be made in the operations in your
12 area, I wanted to explore that more, but I think you've
13 told me that that's probably not in the cards, so I
14 think we would have loved to have come here and found a
15 magic bullet that would have solved all of the problems
16 and allowed you to get back to your old lives, and
17 maybe that's not the case. But I'm -- I was interested
18 in your -- so when you were working on the site, did
19 you ever have an opportunity to explore with any of the
20 operations folks? You know, as companies change from
21 one company to the next company, the local operations
22 tend to be the same folks. Did you ever have an
23 opportunity to ask or discuss whether there had been
24 changes in the operations that could have accounted for
25 the period of time prior to 2010, when everything
26 seemed to be fine, and then the changes that you've

1 talked about?

2 A MIKE LABRECQUE: As a contractor, you would be
3 surprised at the amount of communication there. It's
4 strictly a working relationship. Like, the operators
5 call me. The dispatcher will call me. My job is to
6 answer the call, go take care of that problem, return
7 home. Anything beyond that was really -- we never
8 discussed. Even if I would chitchat with the operator
9 or personnel there, we all got along, but we never
10 really discussed the oil operations or -- I'm not sure
11 if I'm answering your question. It's like we -- we
12 each had our own expertise, mine being I was doing my
13 tractor work, my job, so we didn't go beyond that. I
14 hope that's sufficient.

15 Q Yeah, no, it is, and I think you've communicated that
16 you were kind of focused on doing your work and --
17 doing your work and completing it.

18 A I always took very great pride in that. Thank you.

19 Q Did -- and maybe any of you would like to respond to
20 this, have you ever heard -- do your other neighbours
21 in the area -- did anyone else express concerns or have
22 similar kinds of issues that -- in discussions that you
23 had, or did you ever have those discussions?

24 ALAIN LABRECQUE: Sure, yeah. No, there's --
25 absolutely, there's some on the fringe that do discuss
26 it. Some of them don't want to discuss it too much,

1 'cause there's a lot of people that are employed, with
2 all due respect, in the oil field. I was, too, in
3 different ways, right, and if it's your only source of
4 income -- and they're -- they're on the edges. They're
5 trying to deal with it. They don't know what to do.
6 Some are very frustrated. Some of them can't
7 absolutely -- you know, basically in terms of financial
8 -- could be a financial problem for now, right, so
9 there definitely is.

10 And there's others that are just really quiet, and
11 they're hoping. They're really hoping that changes are
12 brought about before it reaches them. And there's
13 quite a few families that I have in mind that are
14 really hoping that we get these changes done. We kind
15 of want to stay out of it, 'cause there's a lot -- it
16 brought a lot of negative condensation (sic), you could
17 imagine, off the bat, to say there's a problem. So
18 they're really hoping that -- first thing I got from a
19 neighbour when I said I was selling and moving, he
20 says, You can't leave us with this. You can't just
21 leave. What's going happen to us? And there's several
22 in that boat. And they really want -- you know, so
23 that's why, I mean, we're -- we're here. I moved on,
24 but expected -- it's my obligation to be here and --
25 and try and make it heard and get something changed.
26 So, yes, there is many neighbours around.

1 Q Okay. Good. Thank you.

2 You know, Brian, you mentioned the Shell
3 presentation and --

4 A BRIAN LABRECQUE: Yeah.

5 Q And would it be your view that if those types of
6 requirements or operating practices were implemented by
7 Baytex in the field, that that would largely resolve --

8 A Definitely.

9 Q -- at least --

10 A Definitely. It would resolve a lot of the issues that
11 are ongoing there. And -- and -- and then once -- you
12 know, I -- we recognize they've got a lot invested into
13 that field. There's no doubt they want to drill more
14 wells. So once they implement all those practices,
15 then, by all means, if we can do it responsibly, if
16 they want to keep drilling more wells, I have no
17 objections to that at all.

18 Q In looking back over the -- the last number of years,
19 are there some communications, suggestions that you
20 might make either to us or to Baytex on how perhaps,
21 you know, if there had been more information shared or
22 better communications, would that have helped at all?

23 A ALAIN LABRECQUE: It'd have been a tremendous
24 difference, yes, because the -- the -- when I first
25 talked, we were proactively -- hopefully rectify the
26 problem. I tried a little bit. Few months later, it

1 was like, no, you're complaining now. And from that
2 point on, it collapsed, right? So if we had a good
3 communication and -- and -- and I expressed (sic) as
4 much and we expect as much, we want to stay there and
5 we want nothing to do with a compensation 'cause that's
6 not what it was about at that -- it was just -- went
7 too long for us to -- on you -- your question, to go
8 back, it was -- too many years passed, and now with the
9 sensitivities and all. But a good relationship on both
10 parts, their part, to -- to want to show changes and
11 what we really want and where the problems are. We
12 would've never got here.

13 Q Okay. Thank you. Maybe I just -- I mean, anybody
14 would like to respond to this. Having read the reports
15 provided by the two health experts that were retained
16 by the -- by the Panel for this process, did that
17 help -- does that help or did it help to improve your
18 understanding of what's out there and what -- how it
19 may have affected you? Has that been a helpful part of
20 this process?

21 A BRIAN LABRECQUE: It has been very helpful. You
22 know, I know they had -- no doubt everyone's going to
23 have -- you know, not going to share the same opinion.
24 There -- there was definitely a difference of opinion
25 between the two health experts, but there was also some
26 common ground, and I think that was very encouraging

1 because it's -- it's -- you know, you can tell -- like,
2 we're -- we're there. You know, we've recognized
3 there's a problem. There's an issue. You know -- you
4 know? And -- and it is definitely encouraging. So I
5 could definitely correlate with both of them because
6 each expert, what they had to say, applied to what
7 these people were going through, right? So it
8 definitely helped.

9 Q Okay. Good. And, again, thank you very much.

10 MR. McMANUS: And, Mr. Chairman, those are
11 my questions.

12 Q THE CHAIR: Thank you. By my watch, you
13 folks have been up for about four hours now, so it's a
14 pretty gruelling exercise.

15 I've just got one area I'd like a little
16 clarification on. And this whole inquiry's been
17 labelled as an "inquiry into odours and emissions".
18 And I'm not trying to go to causation by emissions, by
19 odours, but I'm trying to understand a little bit what
20 your experience has been in terms of the
21 interrelationship between the two.

22 And, Alain, you started talking about -- I think
23 you said early December of 2010 you first started to
24 experience symptoms. And you talked an awful lot about
25 the symptoms and how they evolved and Karla and the
26 kids. And you did talk about odours. I remember at

1 one point you'd said, you know, there'd be odours in
2 the house, and then they'd clear out outside. But I
3 don't recall you saying, Early 2010 we started to smell
4 things, or January or February. How did this -- the
5 times that you could smell relate to other times when
6 you were obviously experiencing symptoms? I don't know
7 if I'm making myself clear.

8 A ALAIN LABRECQUE: I think so. Yeah. It --
9 there was no alarm. You know, we -- there was -- there
10 was no alarm as far as -- as our air quality,
11 being that -- you know, there was no -- there was no
12 even thoughts in that direction as far as your -- your
13 air quality being jeopardized that -- that were
14 affecting us, right?

15 Q So you were detecting odours at some point, but you
16 didn't necessarily relate these odours to the problems
17 that you --

18 A Yeah. It basically becomes a -- a flag.

19 Q Yeah.

20 A But it all -- it switched so suddenly. But it did
21 become -- it becomes a flag also, right?

22 Q Yeah.

23 A But it was very sudden.

24 Q Yeah.

25 Mike, was that your experience too? Because I
26 don't recall you saying anything about odours.

1 A MIKE LABRECQUE: Karla touched it a little
2 while ago. She is -- when I referred to the term
3 "full" a little while ago, she and I are in that same
4 bracket. I think she's even more sensitive. Every
5 time I hear that word "smell" or "odour" it means
6 absolutely nothing to me because when you are sensitive
7 as we are, smell has nothing to do with it. Absolutely
8 nothing. We are totally allergic to this now, whatever
9 it is. We don't know what it is. We can say we're
10 allergic to the smell. It's not that. We can say
11 we're allergic to the odour; no. We are allergic to
12 whatever's going in our nose; that's what we're
13 allergic to. And you cannot smell it.

14 When I get into that environment where it triggers
15 all my symptoms, there's people all around me. They
16 have no idea what's going on. They cannot smell it.
17 There is no odour. There is nothing visible.

18 And as Brian said a little while ago, we had sat
19 in that corner, for several days we sat there, our
20 little bunch over there, and this is how -- this is how
21 it is for -- for me and Karla. I've been sitting in
22 the same chair for three days, and all of a sudden, I
23 came in -- we took a little break, I came back in; five
24 new people were sitting in the five chairs right in
25 front of my chair. I came -- I came in like this
26 with -- thinking about something else, and maybe I

1 grabbed a cup of water. I sat down, went -- by the
2 time my -- my bum hit the chair (UNREPORTABLE SOUND),
3 What the heck? What just happened? There's something
4 wrong here. My head -- within -- within those two
5 seconds that I sat down, I had bullets going through my
6 head like this, sharp pins going through my head, the
7 minute my butt hit that chair because -- and then,
8 Bingo, five new people sitting in front of me.

9 Now, these people were either sitting in a vehicle
10 that went to an oil lease, or these people actually
11 came from an oil lease. But somewhere that they --
12 those people had to do with an oil lease. And within
13 30 or 40 metres of me, I will pick that up right now.

14 I don't know if you noticed yesterday, but, yes, I
15 walked out that door. I went and sat the rest of the
16 day on that wall. And from that distance, I had a bit
17 of a chance. Like, my -- my headache actually got less
18 as I got further. And that's how sensitive it is. And
19 how do you explain that? And, believe me, there was no
20 odour there, and there was no smell. I'm sure those
21 people were very clean. There was -- I could not smell
22 anything, but my brain just told me, Get out of here
23 right now. And I basically grabbed (sic) that door and
24 went there. So I --

25 A ALAIN LABRECQUE: And for -- for us with the
26 odour question, too, is, I mean, we went way into the

1 spring after experiencing this stuff for months before
2 we start --

3 KARLA LABRECQUE: Before we figured it out.

4 ALAIN LABRECQUE: You know, we're searching
5 everything before we're figuring out, you know, how it
6 would come in the house. And, you know, the -- you
7 know, this is after looking back at, you know, the
8 turns and events, right? But we were way -- three
9 months into this before we even start linking it.
10 We -- if you want to call it, you know, the odours,
11 right?

12 A Okay. That's helpful. Brian or Andy? Anything to add
13 to that?

14 A ANDY LABRECQUE: I would just -- I would just
15 add that, being not quite as effective -- affected as
16 Mike or Karla, I -- I didn't smell any odour of oil on
17 these people. Like Mike said, they probably had clean
18 clothes they put on or whatever. I couldn't smell it.

19 I don't get those shooting pains in my head, but
20 what I do get is quite intoxicated. What I mean by
21 that is I felt that it would've been equivalent to
22 taking a tall glass of wine. It -- it almost spreads
23 like a cloud through your brain, and it just
24 (UNREPORTABLE SOUND). Not painful for me, just a real
25 buzz and impaired. You're -- you're impaired. You --
26 and I notice that when that happens, it's like I -- I

1 feel that my body goes into slow motion. My movements,
2 everything is -- it's kind of fun, actually. But --
3 but I don't want it to get worse.

4 Q Well, the -- I mean, of course, we all heard the
5 experts indicate to us that different people have
6 different sensitivities and react differently. So
7 you're just expressing that.

8 Brian, anything to conclude?

9 A BRIAN LABRECQUE: No. Yeah, I've been up here
10 and kind of talking for so long, I'm not sure what to
11 say anymore. But I do want to thank you guys for this
12 opportunity, and at the end of the day, that's -- it's
13 just to get a better understanding and -- and -- and
14 hopefully, you know, get -- you know, get some changes
15 and -- and -- so we can kind of move forward. And, you
16 know, through all of this and -- and I think -- you
17 know, some of our neighbours have been impacted. Some
18 of them have left their homes as well. They don't --
19 they're not part of the Reno landowners group, per se,
20 and I know there are others who are -- you know,
21 definitely have been affected. And -- and it's --
22 it's -- it's been a real difficult journey, that's for
23 sure.

24 I can't say -- no offence, but I would much rather
25 be somewheres (sic) else right now and all week than to
26 be here with you guys. But, you know, it's --

1 THE CHAIR: This will surprise you; I feel
2 the same way.

3 (COMMENT OFF THE RECORD)

4 BRIAN LABRECQUE: But there are some people,
5 like Alain said, that have confided in us, and they're
6 not ready to -- to put themselves out there. Not that
7 I want to put myself out there either. But, you know,
8 overall, the community has been -- you know, the
9 reaction from the community has been fairly positive.
10 They've -- they've -- I think they understand the
11 situation. And I think when they see what we're going
12 through, you know, people on the outside -- especially
13 early on, you know, some of the attacks, Well, you're
14 anti -- anti-oil, anti-gas, you're against industry;
15 and that's definitely not the case.

16 And I think just people -- some people are just
17 genuinely afraid to speak out, right? So I think, you
18 know, people see, you know, us going through this and
19 some of the -- many of the other residents going
20 through this, and, you know, they're kind of saying,
21 like, you know, like, keep going, like, get this done.
22 So there's definitely many that are affected by this.

23 Q THE CHAIR: Well, I join my colleagues in
24 thanking you for taking the time to come here, and I
25 know it's not easy. Your testimony was compelling, it
26 was graphic, and it was very articulate. And we thank

1 you very much.

2 A Thank you.

3 THE CHAIR: So that will complete matters,
4 Mr. Wilson, for this panel?

5 MR. WILSON: Yes, sir. Thank you.

6 THE CHAIR: Perhaps we could take a short
7 break.

8 Mr. Burns, can you tell us who's up next?

9 MR. BURNS: Sure. Mr. Roberts is up, and
10 then Mr. Glenn.

11 THE CHAIR: Okay. We'll take a short
12 break.

13 (ADJOURNMENT)

14 THE CHAIR: Ms. Marx?

15 MS. MARX: Good afternoon, sir.

16 THE CHAIR: You're here to give some
17 evidence?

18 MS. MARX: No, I prefer not to do that.

19 I just wanted to let you know, the staff
20 submission group has a flight to catch this afternoon,
21 so I'm not sure what time we'll finish today, but
22 there's a chance we'll be leaving early. We have a
23 fairly large group, so we'll be the least disruptive as
24 possible when we do need to leave.

25 Of course, Ms. MacDonald, the trouper, she will be
26 here until the end.

1 THE CHAIR: Thank you for that.

2 MS. MARX: Thank you.

3 THE CHAIR: Mr. Burns?

4 MR. BURNS: Thank you, Mr. Chairman.

5 The next person that's up is Mr. Mark Roberts. He
6 has filed a submission in Phase 3(B). I'll put it on
7 the record that he has been sworn.

8 MARK ROBERTS, Sworn

9 And for the record, in case there was any lack of
10 clarity, the Labrecque panel was also sworn prior to
11 giving all of their evidence.

12 So now I will turn it to Mr. Roberts to lead
13 through his presentation and he will be open for
14 questioning at that time.

15 CONCERNS AND IMPACTS (INCLUDING HUMAN AND ANIMAL
16 RIGHTS) - MARK ROBERTS

17 MR. ROBERTS: Hi, I'm Mark Roberts, and I'm
18 part of the Reno field, and I live within a
19 mile-and-a-half of approximately 33 Baytex tanks. If
20 you'd like, I can point out on the map exactly where
21 I'm at. Would that be helpful.

22 THE CHAIR: We have our map up. Yeah, you
23 can.

24 MR. ROBERTS: So I'm located right here.

25 THE CHAIR: That's 12?

26 MR. ROBERTS: Southwest of 7, right on the

1 highway here.

2 THE CHAIR: Okay.

3 MR. BURNS: Just so the court reporter can
4 pick it up, that was southwest of 7?

5 MR. ROBERTS: Yeah.

6 For approximately two years now, my wife and I
7 have been experiencing health issues from the odours at
8 the Reno field. These include headaches, dizziness,
9 sore throat, watery eyes, and fatigue. We have
10 continued to live at home, being optimistic that Baytex
11 would solve its emission problem and the odours would
12 go away. One major thing has happened recently, which
13 is the birth of my first child, a baby girl named
14 Riley, sitting with my wife just over there.

15 We had her on the 22nd of December in St. Albert
16 and brought her home for the first time on the 2nd of
17 January. Since then, we have been experiencing daily
18 occurrences of emissions on our farm, not to say that
19 this is something new.

20 What is, however, new is that instead of two young
21 adults breathing these odours, we now have a helpless
22 infant.

23 MR. BURNS: Excuse me, Mr. Roberts. The
24 court reporters asked if you could just slow down just
25 a bit.

26 MR. ROBERTS: Absolutely. Sorry.

1 MR. BURNS: Thank you.

2 MR. ROBERTS: Not knowing the consequences
3 of her being in this environment, I had my wife ask our
4 doctor what he figured to do. He said that,
5 unfortunately, you won't know if these emissions
6 affected her until she gets older, which is obviously
7 too late. He also told her to take precautions so that
8 in the event of odours, to keep all doors and windows
9 closed, also, to get a good air purifier with a carbon
10 filter.

11 I'm sorry, but I don't believe that anybody should
12 have to live like this. On some occasions, I know that
13 I would be locked up in my trailer for days. It would
14 be like living in prison without yard time.

15 On the first day of the hearing, which was
16 Tuesday, January 21st, I spoke to Court Sandau, Baytex
17 expert, at our 3:00 break, at which time he explained
18 how the odours -- at which time I explained how the
19 odours still exist on our farm. He seemed to have a
20 tough time believing me when I told him this, so when I
21 returned home from the meeting around 4:30 PM to 5 PM,
22 like usual, the odour existed at the farm. I then
23 called Court Sandau so that he could come out and see
24 firsthand the reality of my situation. He informed me
25 that he did not have a vehicle and asked if it would be
26 okay if he had a member from Baytex bring him. Not a

1 problem, I replied.

2 Approximately 15 -- approximately 15 minutes
3 later, I had a vehicle pulling into my yard. Wow, that
4 was -- that was fast, I said. I said this to my
5 brother-in-law Andrew, which (sic) was visiting me at
6 the time. There was a knock at my door. I answered
7 it, expecting it to be Court, and to my surprise, it
8 was not. It was a Baytex employee that told me he was
9 here to address an odour complaint. Okay. I wasn't
10 expecting you, but, yes, there is an odour, and I have
11 another person coming out to address the problem. The
12 Baytex employee took a deep breath and smelled; I can't
13 smell anything. That's bizarre, I said, as I called
14 Andrew for a second opinion. We all went outside, and
15 both myself and Andrew could smell the odour, but yet
16 the employee still could not. I guess we need a fourth
17 opinion, I said, so I called my wife outside and asked
18 her if she smelled anything. Yes. Can't you, she
19 asked the Baytex employee. No, he replied. Perhaps he
20 is one who should not join the odour panel if one is
21 selected.

22 Agreeing to disagree, Andrew and my wife and I
23 came back inside and waited for Court to arrive.
24 Around 6:15 PM, Court Sandau arrived with Baytex
25 employee Len, and I believe Len Marshite (phonetic). I
26 shouldn't make assumptions, but I'm assuming. That's

1 the only Len I know from Baytex, so Len -- I'll leave
2 it at "Len" for now.

3 I greeted Court as he walked up the stairs to my
4 deck and asked him if he could smell the odour. Yes,
5 he replied. He came into my home for a while, where I
6 introduced him to my wife, brother-in-law Andrew, and
7 my baby girl, Riley. Having met Court Sandau in the
8 past, when he came up for the air study, I felt
9 comfortable enough to ask him a very personal question.
10 In the presence of Andrew, I asked him: So if you were
11 put in my family's situation with a newborn baby, would
12 you live here? Court simply replied "no".

13 Taking all things into consideration in my
14 situation, I have no option but to leave my residence
15 until improvements are made and the odours cease to
16 exist at home. On our second day of this hearing,
17 which was January 22nd, I talked to Mr. Marty Proctor,
18 and he told -- and I told him what my doctor said to do
19 in the event of odours and that it would be like living
20 in jail. He agreed. We also agreed to stay in close
21 contact and that he would let me know as soon as I
22 could come home to a place where the odours will no
23 longer exist. Until this happens, I cannot and I will
24 not live in the presence of these emissions. I can
25 honestly say that I hope to hear from Mr. Proctor very
26 quickly, as the last thing I want to do is leave my

1 home, but as a new father, my priority in life is my
2 child, and I -- and her safety comes first. I now pray
3 that I haven't already caused her harm.

4 As a result of all of this, my wife and I have
5 made the decision to immediately abandon our home. My
6 wife will be leaving with our baby tomorrow to stay
7 with family in Lacombe, and I will be leaving in a few
8 days, once I wrap up some loose odds and ends. Thank
9 you.

10 THE CHAIR: Thank you, sir. Are there any
11 questions from counsel?

12 Other landowners?

13 Staff?

14 MR. SEXTON: No. We appreciate the
15 information that Mr. Roberts has provided, but we have
16 no questions.

17 THE PANEL QUESTIONS MR. ROBERTS

18 THE CHAIR: Mr. Roberts, can I just
19 explore with you a little bit the last question I put
20 to the Labrecque panel? And you seemed to use
21 interchangeably "emissions" and "odours". I think you
22 started by saying you were experiencing emissions, and
23 then you said you would leave until the odours were no
24 longer there. How would you relate the two? When you
25 were -- when you said you first started experiencing
26 emissions, was that a -- kind of a visual thing off

1 tanks? Was that a smell thing? Was that a symptom
2 thing?

3 Q What it was, throughout this whole thing, starting from
4 two years ago, I mean, I'm not going to say they used
5 those words to confuse, but every time, it's kind of a
6 different word. It's "odours"; it's "emissions". As
7 soon as we use, you know, "chemicals", "toxin", no,
8 no. It's odours; it's emissions. It's not -- we're
9 not allowed to use the bad word. So I don't -- myself,
10 I don't feel there's a difference from emissions to
11 odours to chemicals. To me, it's all the same.

12 Q Okay. Yeah, that's what we're trying to get to the
13 bottom of, too, so I thank you for that clarification.

14 I don't think there are other questions.

15 MS. MACKEN: I have one.

16 THE CHAIR: Oh, I'm sorry, Ms Macken.

17 MS. MACKEN: No, it's okay.

18 Q MS. MACKEN: I'm just wondering. So you've
19 also referred to "for two years", so you've been
20 experiencing some kind of odour or symptoms for two
21 years?

22 A Yeah, that of the same as what they've been -- like, it
23 started with, I guess, Alain. Like, we're neighbours.
24 Again, we're not -- everybody where we're at is
25 full-pin working, especially at this age, so it's not a
26 -- you talk to them the odd time, and I, through --

1 heard through the grapevine that Alain's got headaches
2 and whatnot from these oil fields, and I just -- oh,
3 whatever. That's his problem, right?

4 And, anyways, we kind of heard, you know, he's
5 just having problems. That's about as far as it was.
6 Okay. And, my wife and I in the wintertime, being
7 farmers, we go away a lot in the wintertime, and we
8 came back in, I believe, January or February or so.
9 Okay. And we're lying in bed, and it was about minus
10 30 outside, whatever. And we're -- nothing to do. I
11 farm. My equipment's parked. It's tucked in bed, and
12 so I should be, too, right? So we stayed in the house,
13 nothing to do, probably two, three days, a couple of
14 days, anyway, and we just -- I looked over. I was
15 like, Man, I got a headache. I was like, I've been
16 popping these Advils. And she's like, I do, too, and
17 she says, I cannot figure it out. I'm like, Not a
18 clue. Go outside, and sure enough, it's the odours,
19 and they're persistent; they're persistent. They --

20 MR. BURNS: Sorry, Mr. Roberts. Smoke is
21 coming from her fingers, if you could just slow down a
22 bit.

23 MR. ROBERTS: Feel free to say that again.
24 It might happen again.

25 Q MS. MACKEN: It's Friday afternoon, and
26 we're all hurrying.

1 A So anyways, I -- I looked over at her, and she kind of
2 was explaining the same thing, and I was like, Man
3 alive. The next day, same thing. You go outside, and
4 it's just lingering. The -- what happens at our farm
5 is, unfortunately, from what I remember being younger
6 was the wind would persist more so from the west and
7 the north, and it seems like the last year-and-a-half
8 it's become more of a southern wind, south something,
9 and every time I get up and look at that Weather
10 Network and I see a week of south-something winds, we
11 just cringe now. We just cringe.

12 Q Okay.

13 A And I probably went too far with that, but I --

14 Q No. I had noticed that you reside north of the
15 facilities, you pointed out.

16 So my other quick question was going to be: Have
17 you complained? Have you phoned the --

18 A Yes.

19 Q -- AER, and have the inspectors come out?

20 A Shortly thereafter, we realized, you know what? This
21 is a real problem. This is something. And we know the
22 plans were to, I mean, let loose on the -- I should --
23 okay. I'm not going to make assumptions, okay? From
24 what I was told, Baytex was really going to start
25 ramping up some events around our house as far as
26 putting up more tanks. And so the community concern

1 was, yes, if this is what it's like now, and these
2 emissions are bothering us, what is -- what does five
3 years tell us? And I'm a grain farmer; we farm 8 to
4 12,000 acres, okay, and a lot of my acres are within --
5 right within -- within five miles of that, I have
6 probably -- we have probably -- I'm saying "we", my
7 father and I. We have probably 5,000 acres owned.

8 Now, if they start ramping these tanks up, these
9 emissions up, you've already seen -- I mean, this is
10 province-wide, probably Canada-wide, knowing what's
11 happening in our area. If I go to sell my land down
12 the road or my dad wishes to sell his land, what is it
13 worth knowing these problems exist on our property?
14 You've taken something that, other than our area, is a
15 very big commodity, land I'm -- I'm -- in respect to
16 land. Now, when you get somebody come over, and they
17 see all those tanks, and they know of events like this
18 taking place, they're not too excited about your land
19 anymore. They've just taken something that's worth
20 millions and now maybe not even worth looking at
21 because of that, so --

22 Q You did phone in -- you have phoned in and registered
23 these complaints and --

24 A Yes. When it first --

25 Q -- and the inspectors have come out and -- or
26 somebody's come out to -- and has responded?

1 A Yes. What happened was when this first started taking
2 place, of course, I'm getting third-hand information,
3 second-hand information, but I would talk lots to my
4 neighbour, and he was telling me kind of -- he talked a
5 lot more with Alain than I did. So I'd go over for
6 coffee or whatever, and he would say, Yeah, you've been
7 noticing the smells? I'm like, Well, yeah. I mean,
8 how can you not? And I said, Well -- I said, But what
9 are people doing? I said, How do you let this be known
10 that there's an issue here? And he said, You've got to
11 call the ERCB and -- and explain to them the situation.
12 I said, Excellent.

13 So I called -- I don't remember the date. I'm not
14 Mr. Paperwork; I don't do that. I'm a grain farmer.
15 You're rushed. You get whatever you can do.
16 Anyways, so I called the ERCB. I don't remember who I
17 talked to. It was a female. And I talked to her for
18 probably two hours on the phone. And at the end -- at
19 the end of our conversation, basically she told me one
20 concern was there -- it wasn't an H2S problem. So by
21 the end of our conversation, what I gathered within
22 that two hours was there was nothing they could do;
23 they had no control over the situation.

24 So from that point forward, when I had somebody
25 tell me that, I'm not going to waste -- I'm sorry to
26 everybody else that did spend a lot of time complaining

1 and writing submission -- sorry, writing in complaints
2 and -- and calling the ERCB, it took me one phone call
3 to be told that to realize, I don't have time to waste
4 doing this stuff -- I'm talking to a wall. Sorry. You
5 know, I -- it just -- she explained to me very nicely
6 that they had no control and basically my -- my phone
7 call -- there's nothing they can do. So why continue
8 to call somebody that can't do anything about it? I
9 felt it was very unnecessary. So I stopped calling
10 ERCB.

11 The next step I heard of was, Let your -- let your
12 doctors know. Let your health officials know these are
13 bothering you. Well, I go to let my doctors know that
14 it's bothering me, and, Well, that's just every day --
15 I mean, everybody gets that; everybody gets that.
16 Well, you know, it's pretty funny that I only get that
17 when I'm at home and these toxins -- odours, emissions,
18 toxins, whatever -- what word would you guys like me to
19 use for it?

20 THE CHAIR: "Emissions".

21 MR. ROBERTS: Emissions? Okay. So I guess
22 the best way to say it is: I put my hand in water, I
23 pull it out, it's wet. It dries up. I put my hand in
24 water, I pull it out again; it's wet. Same thing with
25 the emissions. I go home, I get a headache, I smell
26 the odours, emissions, I get a headache. It's the same

1 thing. It's not rocket science to put the two
2 together.

3 We go away for the winter as much as we can. And
4 every time we come back, it's like a slap in the face,
5 a slap in the face. And it's just -- we wanted to --
6 we wanted to -- to pretend it wasn't happening. We're
7 on a very -- I don't know what the -- what the word
8 would be, but a very large farm. We don't -- we can't
9 pack up 5,000 acres in a suitcase and head her on down
10 the road. That's not -- that's not -- that's not an
11 option for us. And you -- and to sell land is, you
12 know, not something I ever thought of doing. I would
13 never want to do that. That's my dad's -- my dad's
14 legacy, you know? That's what he worked -- he cleared
15 all that land so that I could go farm it. And now here
16 I am, calling him, asking him what -- What should I do?
17 And he says, Honestly, Mark, I don't know. What are
18 you going to do? I said, I don't know either.

19 So at this time, the -- my biggest thing, like I
20 said, is get my child to safety. Family comes first.
21 We put those dollar bills; I don't need them. I'll
22 take the health of my family well before I'll take that
23 million-dollar farm.

24 Q Thank you.

25 Q MR. McMANUS: Yeah. Thank you,
26 Mr. Chairman.

1 I did have a couple of questions. And could we
2 get the PDF page 27 on the screen, possibly?

3 MS. MACKEN: Which PDF?

4 Q MR. McMANUS: PDF -- it's -- sorry, it's
5 Exhibit 9.10, the Zelt report. There's a map -- and
6 while that's getting up, Mark, I'm just wondering, what
7 do you want the AER to do?

8 A In my submission, I -- like, I -- going back to what
9 the other Reno landowners said, I'm not an engineer. I
10 don't know what the right answers are. All we can all,
11 I guess, relate to over this is it doesn't -- there
12 doesn't seem to be a lot of concern about what Shell is
13 doing. And that's all I can say that I've learnt in
14 this time. Obviously we know where the problem is
15 coming from in the tanks. Now we figure -- need to
16 figure out how to do that properly and successfully.
17 And from what I've gathered, was Shell seems to be
18 doing a good job, from what I've heard. I don't know
19 what it is. I mean, I couldn't repeat what they said.
20 So I think more needs to be looked at that. And -- and
21 to see if that's the right way to go. But from what --
22 from my knowledge right now, that's what I -- like, I
23 guess if you asked me what to do? Make the emissions
24 go away. How to do that, I -- I -- I don't know. But
25 I'm -- it sounds like Shell has a pretty good idea how
26 to make that happen.

1 Q Okay. Good. Thank you. And the map that I had hoped
2 to get up was -- it's PDF page 27 of -- or it's page 27
3 of PDF 9 point -- of Exhibit 9.10. And it's just
4 the -- I don't know if you remember Dr. Zelt yesterday
5 describing his -- the modeling work that he had done.
6 And he had a map in there that --

7 A Okay.

8 Q I've got it on my computer. I could show it to you. I
9 would like to see if we can locate where you live in
10 respect of that map.

11 (COMMENT OFF THE RECORD)

12 A Okay. Excellent. That -- yeah. Yeah. Okay. So I'm
13 in the -- I guess would be the -- what they call the
14 "dotted line". I was looking at something similar,
15 but --

16 Q MR. McMANUS: In the cell -- there are three
17 zones in there. There's the 0.1 percent, the --

18 A Right.

19 Q -- 1 percent, and the 10 percent. Which of those areas
20 would you guess that your residence --

21 A I'm -- I'm between the 1 percent and the 0.1 percent.

22 Q Okay.

23 A And I believe, if I'm not mistaken, that the 0.1
24 percent was to only smell emissions once a year, I
25 believe?

26 Q It would be, I guess, in that range. I think 1

1 percent, Dr. Zelt indicated, was 88 hours per year.

2 A Okay. Could we change that maybe to 80 percent -- 88
3 percent of the time would be more realistic. That's
4 where I'm living, and that's about as often as I smell
5 those odours -- the emissions, sorry.

6 Q Thank you very much.

7 A Thank you.

8 Q THE CHAIR: Mark, one thing we've learned
9 is everybody seems to respond to these emissions
10 differently. You've -- you alluded to headaches that
11 you've experienced, and your wife. Any other symptoms?

12 A A lot of the -- a lot of the sinus I find -- you know,
13 wake up congested. And then the ear popping is a new
14 one. I have discussed with my doctor -- it's on
15 record -- a year or so ago where I told them my -- my
16 liver feels like a football, you know, my -- you know,
17 just kind of organ pains. And I just, whatever,
18 that's -- you know, these odours it's going to -- it's
19 a mental -- not a mental, sorry, but a -- it affects
20 the brain, you know, headaches and -- and that kind of
21 thing. The sinus I could understand coming from that.
22 But, unfortunately, the more I've been here, the more
23 I've learned. And the more I realize, I hope like hell
24 that these problems aren't because of the emissions.

25 But you read up on these chemicals, and some
26 target your organs, your kidneys, your liver. I'm

1 not -- I'm not suggesting that that's from these
2 emissions. I'm saying it might be a possibility, and
3 it worries me.

4 Q Good. Thank you very much. And our thanks to you for
5 coming forward. As we said to the Labrecque family,
6 it's not easy to come and make an appearance in this
7 kind of a venue, but thank you very much.

8 A Thank you.

9 THE CHAIR: Mr. Burns?

10 MR. BURNS: Thank you. So, Mr. Roberts,
11 you can, you know -- sorry, not you know -- proceed
12 back to your seat, and we'll call up Mr. Glenn now to
13 give the final presentation for today.

14 CONCERNS AND IMPACTS (INCLUDING HUMAN AND ANIMAL
15 IMPACTS) - MR. GLENN

16 MR. GLENN: Good afternoon, folks.

17 THE CHAIR: Mr. Glenn, you're sworn, of
18 course?

19 MR. GLENN: Hm?

20 THE CHAIR: You've been sworn, of course?

21 MR. GLENN: Yes, sir.

22 So just on a safety issue, I was down talking with
23 our MLA recently on Main Street, and Main Street is
24 plugged off at the McNamara Hotel. Everybody in Peace
25 River knows where that, a local watering hole. So Main
26 Street is shut down. So if you're heading over that

1 way, you're not going to get on main street, and it's
2 blocked off. And you can smell the gas there as I
3 walked by. So be careful.

4 So I'm talking about solutions today. Not about
5 emissions or things like that, but solutions to the
6 emissions, the -- the odours that we have here. And,
7 you know -- and some residents have pointed out that
8 Shell does have a system that apparently works pretty
9 well. And I don't have any qualification about that.
10 I've seen it, and yeah, there's an opportunity.

11 When you step back from the problem a bit, from an
12 engineering perspective, we're hurting people. You
13 know, that's all we've heard today, is people that have
14 been hurt by industrial practice. That's a demerit on
15 me because the engineering profession hasn't stepped up
16 to the plate and demanded that we do it right. And so,
17 you know, I take that personally that we need to do a
18 better job. We can't hurt people. We don't have
19 enough people in Alberta, as it is. We're bringing in
20 foreign workers. We've -- we need more population.
21 And we can't afford to lose people are important.
22 Dollars, not so much. People are really important.
23 And that's -- that's the start of the game for me, and
24 the end of the game. If people are getting hurt, we're
25 doing something wrong, and we have to do it
26 differently.

1 ASME, American Society of Mechanical Engineers.
2 They've done a lot of work on nuclear power. They've
3 done a lot of work at Fukushima because that -- that
4 reactor design basically came out of the States. The
5 ASME put a report out about what happened there. And,
6 you know, I -- I recommend you to have a look at it
7 because there's a -- a lot of really interesting views
8 on what happened there.

9 The end of the story for me is the -- the ASME
10 said, To gain social acceptance, any new or existing
11 technology must perform safely and reliably. There
12 must be a shared belief that the technology is mutually
13 beneficial, and there must be trust in the integrity,
14 competence, and performance of those designing,
15 building, operating, and regulating the technology.

16 The reason we're here at this proceeding is that
17 statement is not true at this point in time. My answer
18 to that is: What is permissible? And industry needs
19 to be safe, compliant, sustainable, and profitable, or
20 it will never have both community and investor support.
21 My suggestion, best available commercial -- best
22 available cost-effective technology.

23 We've got the example of what Shell's done out
24 at -- out at their CHOPs operation. But keep in mind
25 that this target is always moving forward with advances
26 in technology. We need to have the foresight to be

1 able to incorporate changes on a proactive basis as we
2 move forward.

3 So I was up here, I guess, Tuesday, had -- had a
4 brief discussion about CHOPs operations, and I pointed
5 out the fact that coming off the top of tanks we don't
6 have effective vapour-recovery systems in place. And
7 one way to attack that, you know, Shell's got their --
8 their own scheme. The other way to attack that is,
9 when you really look at this process, you're taking tar
10 out of the ground and you're heating it up and you're
11 trying to get the sand off, trying to get the water
12 out, and you want to do something with the vapours that
13 don't kill the residents. My suggestion is: Let's get
14 a pressure vessel that we've designed in Alberta for
15 these conditions and put it in place so that we do an
16 effective job of getting the sand out because one of
17 the big problems that we haven't got to, but I'll talk
18 about next week is, Hey, this tank that we've got out
19 there is half full of sand. And now we have to shut
20 down the operation to get the sand out. And the vessel
21 or the -- sorry, the tank is not designed to get that
22 sand out easily. If you want to put the -- get the
23 sand out, you put a conical-shaped bottom on it so it
24 all slides to the bottom, put a little screw auger or a
25 hydraulic eductor in there, and you snort it out, and,
26 Hey, presto, you get rid of the sand easily. What are

1 we doing now? Well, we're doing it backwards, and it
2 causes lots of emissions while you're doing that.

3 So this is -- I call this "Blanket Gas 101, How to
4 Design a Blanket Gas So It'll Work Well." First of
5 all, we talked about temperature and what temperature
6 we need to operate this process vessel at. And
7 basically all the oil that comes out of this tank is
8 going by rail -- or going by road first onto a
9 railcar -- and, you know, I was out here at 12:30 when
10 we were -- when we were released this -- this
11 afternoon, and just watching the CN car go across the
12 bridge, and, you know, for the five minutes I was
13 standing there, they were all Procor tankers. And
14 they're probably full of oil, and they're heading down
15 to -- well, wherever. That's the nice thing about
16 rail, you can -- you can apportion it easily.

17 The temperature of the oil is critical to be able
18 to get it off to -- to move it. Shell's point of view
19 on this is they've got pipelines. They purchase
20 diluent, cut it so the viscosity is such that you can
21 pump it. Unfortunately, CHOPs doesn't do that. They
22 heat up the oil and then quickly transfer it into rail,
23 and everything is good.

24 Well, there's -- there's some tradeoffs in safety
25 there. And, in any event, 70 'C' is probably the
26 temperature that we're looking at. So 70 degrees 'C';

1 what's the pressure containment boundary for our -- our
2 pressure vessel. And you want to be able to get this
3 gas off and to a processing facility. So, again,
4 there's some -- some tradeoffs to make there. But what
5 we're really doing is we're trying -- we're trying to
6 get this gas over some place where we can use it.

7 And my suggestion to the Panel is, really, when --
8 the way the Labrecques are looking at it is it's a
9 problem for them when they have to breathe it. And I
10 agree. If we look at -- if we step away from the
11 problem a bit and have a look at the bigger picture,
12 this stuff is really valuable. You know, the -- the --
13 the problem that's causing our residents concern is
14 really valuable. And when we allow industry to throw
15 this stuff away into the environment, the Alberta
16 Government is losing money on royalties that aren't
17 being charged because the ERCB and the AER is allowing
18 us -- allowing industry to throw it away and avoid
19 paying royalties. So, you know, I'm -- I'm really
20 having a hard time squaring that circle. We're hurting
21 people. We're losing money. It -- it -- you know, it
22 sounds like the wrong thing to be doing.

23 Where was I? So what do we want to do with this
24 stuff? My suggestion is the -- the BTEX components,
25 benzene, toluene, ethylbenzene, xylene, these are
26 valuable chemical constituents. Benzene is what they

1 call gasoline over in Europe, because, hey, that's the
2 stuff that you run gasoline engines on, benzene. It's
3 valuable. How can we get that to market from these
4 individual sites, scattered all over, you know, this
5 area? That's an opportunity that if you -- if we give
6 this to the industrial community in Alberta, we can
7 come up with a solution that saves us money, gets
8 royalties going to the Alberta Government, and employs
9 Albertans safely. Here's an opportunity.

10 So I'm not sure the right way to do that, but I do
11 see value in these emissions, and we gotta capture
12 them. We can't afford to continue throwing them away.
13 That's -- that's wrong, and I don't believe anyone's
14 going to argue with that.

15 So, now, you know -- and now I start talking about
16 how we're going to design the blanket-gas piping from
17 the tank over to where we're going to use it, and, yes,
18 I -- I do hear from Baytex -- and I agree with them --
19 that this is hard stuff to do. Well, you have to do it
20 correctly, but it isn't that hard.

21 First of all, let's look at the situation. You
22 got a -- you've got a pressure vessel or a tank out
23 there, and it's 30 below out, and the gases are coming
24 off at 70 degrees C or so, so you've got a good
25 temperature difference there, and the other thing is
26 these vapours are saturated with water vapour. So I

1 don't know if you heard that from Baytex directly, but
2 they're having a hell of a time handling all the water
3 that occurs with this blanket gas.

4 So my suggestion is, Hey, yes, it's wet. What are
5 you dealing with? You're dealing with fumes coming off
6 the top of the tank, and they're saturated with water
7 vapour. So the first thing is temperature. You gotta
8 maintain the temperature of the blanket-gas system as
9 it goes from the top of the vessel over to your
10 recovery plant.

11 And if you don't, then you freeze up the piping
12 and things go bad at a high rate of speed. So you need
13 some heat tracing in there as well to keep the pipe
14 warm, to make sure it doesn't freeze up before you get
15 to the recovery plant. Oh, by the way, this -- you're
16 working with a liquid-asphalt tank, and that tank is
17 going to be throwing little particles of asphalt into
18 the atmosphere, so from an engineering perspective, we
19 refer to that as "fume", because it's basically
20 individual, very, very small particles of asphalt. And
21 pardon my language, but it sticks like shit to a
22 blanket, and it's sticky, and it gets onto the pipe,
23 and it will start clogging your pipe up, so you have to
24 be able to clean that system.

25 Oh, another problem is it's not just gas and the
26 fume, but you've also got all this liquid. We've

1 talked about water vapour, and you're going to be --
2 you're going to have water running down the bottom of
3 your pipe, so slope of the pipe is really critical.
4 You know, if it runs straight down, okay; you haven't
5 got a problem. But usually the -- where you put the
6 system, it's up on top of the tank, and you have to
7 route it somewhere. So slope is important. My
8 suggestion is 1-in-100 slope is -- you don't want to go
9 any lower than that. You get a -- it's easy to see
10 that the pipe's going to drain, and visually, you can
11 notice it.

12 The other side of it is blanket-gas direction in
13 the pipe and the liquid direction should be aligned so
14 that you're not trying to -- you're not trying to run
15 the water against the gas steam. You'll -- it just
16 causes more problems, and we want a reliable system, so
17 we don't want to afford that.

18 We already talked about the fact that you're going
19 to need to be able to break this system apart and clean
20 it on a continuing basis to make sure it's not fouled
21 up.

22 The next thing is monitoring this system while
23 it's in operation. Pressure drop through the system
24 from the pressure vessel over to the recovery system,
25 you need to be monitoring that all the time and acting
26 on that information. So, again, safeguarding would

1 come into play here where you design the system to make
2 sure it works right the first time and all the time,
3 and when it fails, it fails in a safe manner.

4 Now, one of the problems that we've got there is
5 these tanks that we're using now, they're 40 feet tall,
6 and the relief valve is in the centre of the tank, and
7 it's hard to get to, and from an operator's
8 perspective, it's dangerous to get to, because there
9 you are, it's 3:00 in the morning, and it's 30 below
10 out, and the valve is malfunctioning. And you -- you,
11 as an operator, have to go up there and do something
12 with it. Oh, hey, is this a safe thing to do? 40 feet
13 up in the air, 30 below, and you don't -- if you can
14 approach it from upwind, that's probably a good thing,
15 but you're working right over this -- this leak that's
16 blowing toxic gases out. You're going to need
17 breathing air probably. There's a challenge of
18 having -- having this stuff up on top of the tank.

19 The flip side of that is you also need valves on
20 this system, so you put a valve underneath PSV, and you
21 have to be able to take that PSV out for maintenance
22 and repair. There's other approaches you can take.
23 Right now, we have the PSV on the top of the tank with
24 a bit of piping inside the vessel. You can bring that
25 unit, the PVRV, down to ground level, and so it's much
26 easier to get to. You don't need a sky boom to get up

1 there. You're not at risk of falling. There's ways to
2 engineer these maintenance problems out of the system.

3 Oh, the other problem with having -- having the
4 PVRV up on top of the tank is we have winds around
5 here. So we saw pictures of the focused inspection
6 team reports on some of the tanks around here, and you
7 see the huge plume of gas coming off the top. Okay.
8 There probably wasn't a lot of wind there, but the flip
9 side is, when wind is moving over the top of these
10 tanks, it's moving over the top of the tank faster than
11 it is blowing at ground level, so you get velocity
12 difference, and velocity difference plays into pressure
13 difference. So now up on top of the tank, depending on
14 how the wind's blowing, it may be in a low-pressure
15 area, so it could be sucking the gas out of the
16 blanket-gas piping and fighting the effectiveness of
17 the system. You need to keep that in mind as well.

18 Oh, so those are some of the considerations we
19 need to take into play -- into consideration. The other
20 side of it is, oh, we've already talked about blanket
21 gas. We know it's full of water, and we know it's
22 going to condense. Well, what do we do with this
23 stuff? Now, we've -- in the engineering parlance, this
24 is a closed hydrocarbon drain requirement, CHD. So
25 you've got liquid, and this liquid is going to be a
26 mixture of water and the top oils that you're

1 condensing. So it's BTEX and water and whatever else
2 was underground for, you know, 200 million years, and
3 now we're recovering it. That's going to be in this
4 top-oil stream. So what do we do with that? Where's
5 that going? So we need to be able to safely handle
6 that stuff between the top of the tanks and wherever
7 we're going to recover it.

8 Isolation valves. We already talked about this,
9 but you need to be able to isolate one vessel from
10 another and isolate the system as well.

11 And just as an aside, on the current system, we've
12 got all the tanks right now in a berm, and there's a
13 containment inside the berm, so if you have a spill,
14 you make sure that if you lose one tank, you're not
15 going to overflow the berm, and it stays there. Well,
16 that's a great idea, but for northern Alberta and with
17 the viscosity of this stuff, if you spill any of this
18 on the ground, it's going to be frozen on the ground
19 until you go out and recover it, and in the meantime,
20 it's a source of emissions of vapour to the atmosphere
21 until you get out there and clean it.

22 So my suggestion to the Panel is: Hey, let's have
23 a clear understanding of what we're doing here. When
24 we put a berm underneath these CHOPs tanks, is that
25 really the right thing to be doing? Because I can
26 guarantee you now, even though the sun is shining,

1 those gravel-filled enclosures are going to be solid
2 with spilled oil, and you're not going to be able to
3 drain them, and is that where we want to be? Because
4 anything that we spill on the ground, it's -- you're
5 going to get emissions off it. So we need to attack
6 this in a holistic manner rather than just say, Oh,
7 yeah, we've got a berm there; we're not going to spread
8 the oil far away from the tanks. Well, the worker
9 who's out there, he's got to go out there and work
10 inside this berm. So you've got a berm up to hip
11 height; you've got an access problem right off the bat,
12 and you've got an occupational safety and health issue,
13 that you've got BTEX in the area, and we're asking you,
14 Brad, to go out there and clean it up, and are we
15 ensuring that your safety of, you know, a worker in
16 that area is protected? So if we have to use breathing
17 air, that slows down the job, adds to cost, and it's a
18 drag on productivity.

19 Is there a better way to do some of these things?
20 Let's look at the options. So, you know, I read a lot
21 of science fiction. The other axiom I'm going to give
22 you is Adams' axiom. It comes from "A Hitchhiker's
23 Guide to the Galaxy". I don't know if you've ever read
24 it, but it's a really funny book, and, you know,
25 it's -- I think the British have an opportunity to show
26 us something about humour, but anyways: (as read)

1 The major difference between a thing that
2 might go wrong and a thing that cannot
3 possibly go wrong is that when a thing that
4 cannot possibly go wrong goes wrong, it
5 usually turns out to be impossible to get at
6 or repair.

7 So a classic example of Adams' axiom was
8 Macondo spill, Gulf of Mexico, three years ago. They
9 had blowout preventers. Good idea. They had a -- they
10 had a pressure surge up on the
11 Macondo well, up on the -- up on the surface. They hit
12 the blowout preventers. Oh, damn. You know, we built
13 pretty good blowout preventers, but, you know, damn it.
14 The pipe got warped inside the blowout clamping device,
15 and it warped such that when the rams went in, they
16 didn't shut off the production, and so we killed 17
17 people, and we had a huge spill, and it stopped oil
18 exploration in the gulf for about two years, until the
19 US Government stepped in and applied a lot of sanctions
20 and better regulation. So we know what happened there,
21 and we've got to make it failsafe.

22 So I didn't really talk about safeguarding yet,
23 but safeguarding is a safety-management way of looking
24 at things, and you say, Oh, what happens if this valve
25 is closed when it should be open, and what's going to
26 happen to prevent us from having an explosion or, you

1 know, have vapours out in the environment? So you go
2 through the -- you go through your PFD and -- process
3 flow diagram, PFD; sorry if I use terminology here. We
4 need to do this. The risk of operating this stuff is
5 such that this has got to be done and documented,
6 understood, and maintained.

7 One of the problems being on the -- you know, the
8 residents' group in Three Creeks is, you know, we call
9 in that, Hey, there's something happening here; we
10 smell something. And the response comes back as
11 nothing found. The issue becomes supervisory control
12 and data acquisition. So SCADA is the term we use in
13 industry, SCADA, supervisory control, sorry,
14 supervisory control and data acquisition. We haven't
15 got SCADA systems on a lot of the operations out there.
16 I can tell you Shell does, but I'm -- I would propose
17 if you check Baytex's or the rest of the operators,
18 they don't have SCADA systems, because if they had
19 SCADA systems, the operator, who's in bed at 2:00 in
20 the morning because there's no one on nightshift, would
21 be able to call it up on his cellphone and see what
22 went down and restart it, if he could, from -- from
23 Peace River rather than having to drive out and find
24 out what the problem is. This is standard technology
25 in the industry, and we ain't got it, and does that
26 affect, you know, the plumes of gas that were affecting

1 residents from? My suggestion is, yeah, put the -- you
2 know, link the dots up, and let's make sure that what
3 we design in the future is done in a responsible
4 manner.

5 So we talked about safeguarding. We talked about
6 SCADA. OH&S, Occupational Health and Safety. Do we
7 have adequate OH&S officers here? You know, we've got
8 residents over here saying that, hey, they're getting
9 impacted by fugitive emissions off site. How about the
10 workers out there? You know, when -- when I worked at
11 Shell, that was one of the contractual obligations, is,
12 yeah, I'm going to be a sponge for, you know, various
13 gases and pollutants. I wasn't of child-bearing age or
14 wasn't going to have any more kids, so, hey, it didn't
15 bother me too much, and -- but that's a real risk to --
16 to our population is, hey, we're affecting these
17 people.

18 I'm -- I'm wondering, Brad, why we don't have any
19 OH&S involvement right here. Because there's -- we got
20 residents complaining about odours. How about the
21 population internal to the plant? Are -- are we
22 ensuring that these people who are working, do they
23 have adequate safeguards to make sure that they're
24 not -- the BTEX short-term exposure limit is
25 2-and-a-half PPM for 15 minutes. What that means,
26 Brad, is if I'm out there and I'm working and I get

1 exposed for 15 minutes, it's management's
2 responsibility to get me the hell home because
3 that's -- that's the maximum dose I can take. And the
4 other side of it is, the next 16 hours, I need to be in
5 a clean environment so I can get rid of this stuff that
6 I've picked up at work. Otherwise what's going to
7 happen is I'm going to be -- I'm going to have too much
8 BTEX in my blood stream, and it's going to have a
9 negative effect on my health. That's the reality of
10 it.

11 And you know, I've personally called the OH&S
12 officer in Grande Prairie and told them, Hey, you know,
13 let's go out and have a look at, you know, the -- the
14 area out on 842. And, you know, a couple of weeks
15 later he got his way out there and he gave me a call
16 and said, Yeah, there's emissions here.

17 And so I asked him a couple of dumb questions
18 like, Okay, what is -- what's your exposure? Have you
19 got a -- a monitor to tell you that? No, I haven't got
20 it; I've got a four-way monitor. You know, and it
21 looks like at a couple of different things, but it
22 doesn't look at BTEX. Are we -- are we giving
23 dosimeters to the employees? You know, they're just
24 little badges you put on, and they absorb the chemical
25 of choice. And you analyze them. And you say, Oh,
26 Reid, you were out there three weeks ago, and you got

1 overdosed. So now -- now you start looking at how that
2 happened. It's a bit after the fact, but it's better
3 than nothing. And that's my suggestion now, is -- what
4 is -- where does OH&S come into this inquiry?

5 And, you know, the -- the last question I put up
6 here is: Why has our provincial government failed to
7 mandate that the safety of Albertans is foremost in the
8 expansion of this industry? And, you know, to make a
9 succinct statement here, that's -- I -- I'm for public
10 safety; that's why I'm speaking as a professional
11 engineer. And I -- this isn't a good example, but
12 longer term, here's an opportunity to move forward and
13 come up with a made-in-Alberta solution that's
14 economic, that protects safety, and we got 10 billion
15 barrels of oil sitting underneath Shell's deposit. You
16 know, they -- they -- they claimed that in 1952. It
17 wasn't until the -- the late '60s that they started
18 doing something. And I can tell you that I worked out
19 there, you know, 10, 20 years ago, and it was research
20 and development. That's what they were doing. Because
21 they got lots of oil; don't know how to get it out of
22 the ground. Well, Carmon Creek, you know 50 years --
23 or 60 years after staking that claim, now they've got a
24 plan on how to do it economically and build the
25 province. Great idea. I think it's good.

26 The flip side of that is, Oh, if you put in 80,000

1 barrels a day and you run it for 160 years, you still
2 only produce, you know, a third of what's there. So in
3 order to reclaim this massive reserve, 10 billion
4 barrels, you're looking at, you know, six plants
5 over -- built over, you know, 60 years, something like
6 that, because you -- the plant that you build now is
7 only going to last probably 20, 30 years before it's
8 uneconomic.

9 So, again, that's the -- the essence of my
10 presentation about blanket gas systems and how we can
11 do better and protect people.

12 THE CHAIR: Thank you, sir. Let's see if
13 there's any questions. Anyone have questions for
14 Mr. Glenn?

15 MR. GLENN: No questions? Gee, whiz.

16 THE CHAIR: You've obviously been very
17 clear, sir.

18 Staff questions?

19 Armed with my arts degree, I don't think I have
20 any engineering-type questions, but I have a process
21 question.

22 MR. GLENN: Sure.

23 THE PANEL QUESTIONS MR. GLENN

24 Q THE CHAIR: And we greatly appreciate you
25 coming and sharing your ideas. And one of the parts of
26 this -- some might argue the most important part of

1 this process is to try to focus on solutions. And
2 we're going to do more of that next week. And you've
3 come and talked to us about different aspects,
4 different improvements as you've seen them through your
5 experience in the industry. But I'm assuming these
6 ideas just didn't come to you since we announced this
7 inquiry. And has there been any process -- and you
8 referenced a residents group, and I know there's been
9 other stakeholder-engagement exercises. Has there been
10 satisfactory opportunity to present these ideas?

11 A MR. GLENN: There's been an opportunity to
12 present these ideas; however, one of the problems is
13 the AER is part of the problem, rather than part of the
14 solution. They've got their -- their political
15 position in between the public and industry. And
16 that's -- that's part of problem.

17 Q You've got to explain that a little bit more for me.
18 You've got -- and what I'm trying to get to is you've
19 articulated -- I don't know how many in your
20 presentation -- a dozen different technical aspects --

21 A Mm-hm.

22 Q -- of the process that could be improved.

23 A Right.

24 Q The shape of tanks, for instance.

25 A If I can give you an example. Baytex was talking about
26 vapour-recovery systems here yesterday and how

1 they're -- they're working diligently on improving the
2 reliability of that equipment. Two years ago when we
3 had the residents group together, Baytex came in and
4 made a presentation on -- about blanket gas systems and
5 how well they were working. At that point in time, I
6 asked them a question: What's the reliability of your
7 equipment? And they talked around the question; they
8 didn't know.

9 So they're operating this equipment and they say
10 it's doing a great job, but they can't prove it. I
11 asked the same question again two days ago of Baytex,
12 and they don't know at this point in time. They gave
13 me a lot of song and dance about, Oh, yes, we classify
14 this as emergency work, and we're right on top of it
15 the next day. That sounds to me like reactive
16 maintenance, rather than planned maintenance.

17 So, Brad, this is -- this is the issue that the
18 residents are getting really frustrated on, is that we
19 ask questions, we get no response other than
20 platitudes, and we don't see any improvement. It's a
21 big problem, and, you know, I'm here to help. I'm --
22 I'm here to try to make suggestions.

23 THE CHAIR: You were probably here --
24 because I know you've been here most of the time --
25 when Baytex was up. I think you heard Mr. Proctor
26 respond to a question that went as a Monday morning

1 quarterback, 20/20 hindsight, what might you have done
2 differently. And I think he referenced communication.
3 And, of course, I've seldom seen a situation where
4 there couldn't be better communication. But we take
5 Baytex at its word, that communication remains a very
6 important element, and hopefully there will be
7 opportunities for people like yourself to make
8 suggestions. And I'm not going to sit here with -- as
9 I said, with my arts degree and assess the viability of
10 everything that you've proposed, but we sometimes see
11 it's frustrating for us. We sometimes come to hearings
12 like this, and they result in communication --

13 A Mm-hm.

14 Q -- between companies and landowners. And we walk out
15 of a hearing and say, Why couldn't those guys have
16 talked last year or six months ago or whatever. And
17 it's not, of course -- it's not just a one-way street.
18 There's obligations on people like yourself too to
19 communicate, and hopefully the companies remain open to
20 that communication.

21 So that's enough for me. I think that probably
22 completes matters for this week. We're back,
23 Mr. Burns, on Tuesday, 9 AM --

24 MR. BURNS: That's correct.

25 THE CHAIR: -- same location?

26 MR. BURNS: Yes, that's correct. 9 AM on

1 Tuesday, January 28th. And I've been advised that
2 we've posted an updated schedule, the latest and
3 greatest, on the back door there. We anticipate to
4 send it around to registered parties and put it up on
5 the AER's website so people can rely on that to extent
6 that we will be here 9 AM on Tuesday. The first day is
7 pretty much set out, and as we go along, we'll be
8 adjusting it as we've done this week.

9 THE CHAIR: Great.

10 MR. GLENN: If I can just make a parting
11 comment. I think what's really important here is we're
12 getting the communication that we're -- is being
13 recorded, and I'd really like to thank the two ladies
14 who are diligently working with us to make sure that we
15 get a really good transcript. Thank you very much.

16 THE CHAIR: Without them, this whole week
17 would've been a waste. We'd have been talking into the
18 ether, so I certainly support your positive comments
19 about those.

20 Folks, everyone who's participated, we really do
21 appreciate your cooperation, and we hope to see many of
22 you back next week. Thank you. Have a good weekend.

23 MR. GLENN: And drive safely.

24

25 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, JANUARY 28, 2014

26

1 CERTIFICATE OF TRANSCRIPT:

2

3 We, Christy Longacre and Sarah Howden, certify
4 that the foregoing pages are a complete and accurate
5 transcript of the proceedings, taken down by us in
6 shorthand and transcribed from our shorthand notes to
7 the best of our skill and ability.

8 Dated at the City of Peace River, Province of
9 Alberta, this 24th day of January, 2014.

10

11

Sarah Howden

12

13 Sarah Howden, CSR(A)

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Court Reporter

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17

Christy Longacre

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19 Christy Longacre, CSR(A)

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Court Reporter

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