

# APPLICATION GUIDELINES AND INTERPRETATION NOTES – WELL SUSPENSIONS AND ABANDONMENTS

# OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

**February 15, 2021** 

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#### 1 INTRODUCTION

#### **Purpose**

The Application Guidelines and Interpretation Notes – Well Suspensions and Abandonments (Guidelines) provide guidance on the process of applying to suspend or abandon a well and the required contents of application packages.

### Legislative Requirements

#### Operating Licence

Section 6 of the *Oil and Gas Operations Act* (OGOA) states that an Operating Licence is required to carry out any work or activity relating to:

- Exploring or drilling for oil or gas, or
- Producing, conserving, processing or transporting oil or gas.

Applications requirements for an Operating Licence are found in the *Oil and Gas Operations Regulations*.

#### Operations Authorization

Section 6 of OGOA states that an Operations Authorization (OA) is required to carry out any work or activity relating to:

- Exploring or drilling for oil or gas, or
- Producing, conserving, processing or transporting oil or gas.

Requirements for an OA application are found in:

- Sections 10, 13, 15, 16, 17 and 64 of OGOA; and
- Section 6 of the Oil and Gas Drilling and Production Regulations (OGDPR).

#### Well Approval

Section 10 of the OGDPR describes the Well Approval requirements for suspending or abandoning a well or part of a well.

Requirements for a Well Approval application are found in section 12 of the OGDPR.

#### Plain Language

These Guidelines have been written in plain language to make them accessible to as many readers as possible.



### Legislation is Paramount

Where a conflict exists between the Guidelines and OGOA or its regulations, OGOA or its regulations are paramount.

#### **Objectives**

The objectives of the Guidelines are to:

- Increase applicants' knowledge of the application process and the required contents of application packages;
- Promote the submission of appropriate application packages to increase the efficiency of the application process;
- Further public awareness of and confidence in oil and gas regulatory decision-making;
- Enhance certainty and predictability in regulatory decisions; and
- Promote accessibility and transparency in oil and gas regulation.

#### **Authority**

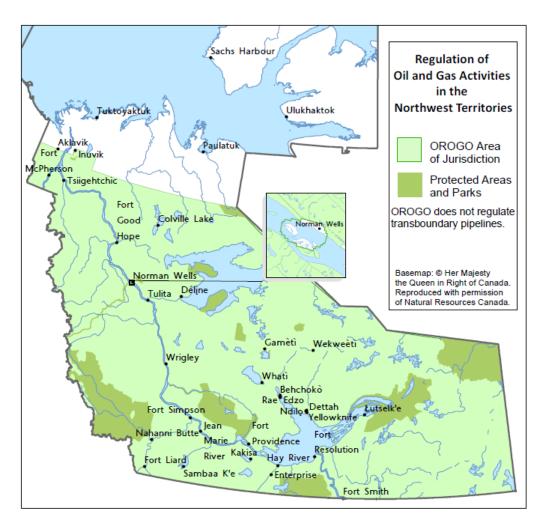
These Guidelines are issued by the Regulator under section 18 of OGOA.

### Regulator's Discretion

Application of these Guidelines is subject to the Regulator's discretion under OGOA.



#### **Jurisdiction**



#### **Contents** The Guidelines are organized as follows:

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#### 2 APPROVALS REQUIRED

#### Contents

This section of the Guidelines describes the approvals required to suspend or abandon a well. It provides information on:

- Operating Licence;
- Operations Authorization (OA);
- Situations where a Well Approval is required;
- · Situations where a Well Approval is not required;
- Duration of an OA and/or Well Approval; and
- Timing of Applications.

#### **Objective**

Applicants and the public understand which approvals are required from the Regulator to suspend or abandon a well.

#### Requirements

Section 6 of the *Oil and Gas Operations Act* (OGOA) states that an OA and an Operating Licence are required to carry out any work or activity relating to:

- Exploring or drilling for oil or gas, or
- Producing, conserving, processing or transporting oil or gas.

Section 10(1) of the *Oil and Gas Drilling and Production Regulations* (OGDPR) states that a Well Approval is required to suspend or abandon a well or part of a well.

Section 10(2) of the OGDPR identifies specific situations where a Well Approval is not required to suspend or abandon a well or part of a well.

### Operating Licence

Anyone carrying out an oil or gas work or activity, including well suspension or abandonment, requires an Operating Licence.

#### Operations Authorization

An OA is required to suspend or abandon a well, no matter what method is used.

The OA shows the Regulator approves, among other things:

- The scope of the proposed activity; and
- The applicant's systems for managing the proposed activity, including systems for ensuring safety, environmental protection and appropriate emergency response.



The OA may cover the suspension or abandonment of more than one well. It may also include the decommissioning of other oil and gas infrastructure on a well site.

### Well Approval Required

A Well Approval is required:

- For all well abandonments; and
- For all well suspensions, except those described in the following sub-section.

A separate Well Approval is required for each well being suspended or abandoned. More than one Well Approval can be issued under a single OA.

The Well Approval for suspending or abandoning a well is called an Approval to Alter the Condition of a Well.

The Well Approval shows the Regulator approves the technical program for the suspension or abandonment of the well.

#### Well Approval Not Required

A Well Approval is not required to conduct a well suspension if:

- The applicant proposes to use a wire line, slick line or coiled tubing operation;
- The applicant will not remove the Christmas tree in order to perform the work;
- The work does not alter the completion interval:
- The work is not expected to adversely affect recovery from the well; and
- The equipment, operating procedures and qualified persons exist to conduct the operation as set out in the authorization.

#### Duration

OGOA and the OGDPR do not limit the duration of an OA or a Well Approval.

The Regulator decides the duration of an OA or a Well Approval and may vary it if necessary.

#### Timing of Applications

Applicants are encouraged to:

- Contact the Office of the Regulator of Oil and Gas Operations (OROGO) a year in advance of anticipated operations to initiate a pre-application meeting; and
- Apply for OAs and Well Approvals well in advance of the planned activity.



Applicants may apply for an OA and a Well Approval at the same time. However, the Well Approval cannot be issued until after the OA is issued, since it is associated with the OA.



#### 3 PRE-APPLICATION MEETINGS

#### **Contents**

This section of the Guidelines describes the option for a preapplication meeting. It provides information on:

- The purpose of pre-application meetings;
- Topics for discussion during pre-application meetings;
- Record keeping;
- The timing of pre-application meetings;
- Participants in a pre-application meeting; and
- How to request a pre-application meeting.

#### **Objective**

Applicants make use of pre-application meetings to learn more about the process and requirements for suspending or abandoning a well before applying.

As a result, applicants submit complete application packages and the Regulator can process applications more efficiently.

#### **Purpose**

A pre-application meeting allows applicants to ask questions of the Office of the Regulator of Oil and Gas Operations (OROGO) in an informal setting, prior to the application and decision-making process.

Although pre-application meetings are not required, OROGO recommends that applicants take advantage of this opportunity.

### Topics for Discussion

Topics for a pre-application meeting could include:

- The application process;
- Timeframes for submitting an application;
- Application package requirements;
- Technical questions about methods of well suspension or abandonment; and
- Any other questions the applicant has about suspending or abandoning a well in OROGO's jurisdiction.

#### Record Keeping

OROGO will keep a record of the pre-application meeting. The record could be made public if requested.

#### **Timing**

Pre-application meetings must occur **before** an application is submitted to the Regulator.

Applicants are encouraged to contact OROGO a year in advance of anticipated operations to set up a pre-application meeting.



Once an application has been submitted, all communication between the applicant and the Regulator will take place in writing (except for oral hearings) and is part of the evidence for the Regulator's decision.

Participants The applicant may invite consultants or sub-contractors to the

meeting.

Requesting a Meeting

Applicants can request a pre-application meeting by contacting OROGO at <a href="mailto:orogo@gov.nt.ca">orogo@gov.nt.ca</a> or by phone at 867-767-9097.



#### 4 APPLYING FOR AN OPERATING LICENCE

#### Contents

This section of the Guidelines describes the process of applying for an Operating Licence. It provides information on:

- Eligibility for an Operating Licence;
- Application requirements under the Oil and Gas Operations Regulations (OGOR);
- Payment;
- Submitting an application; and
- Expiry and renewal.

#### **Objective**

Applicants have the information needed to submit a complete application for an Operating Licence.

#### Requirements

Section 6 of the *Oil and Gas Operations Act* states that an Operating Licence is required to carry out any work or activity relating to:

- Exploring or drilling for oil or gas, or
- Producing, conserving, processing or transporting oil or gas.

Application requirements for an Operating Licence are found in the OGOR.

#### Eligibility

An Operating Licence may be held by:

- An individual who is 18 years of age or older;
- A corporation registered with the Registrar of Corporations under Business Corporations Act, or
- A corporation that is entitled to carry on business in any province or territory of Canada.

#### OGOR Requirements

An application for an Operating Licence must be made in writing and include:

- The name and address of the applicant (including the name of a responsible officer if the applicant is a corporation);
- Proof that the applicant is eligible for an Operating Licence (see above); and
- A payment of \$25.

#### **Payment**

The Office of the Regulator of Oil and Gas Operations (OROGO) accepts cheques payable to the "Government of the Northwest Territories" as a means of payment for an Operating Licence.



### Submitting an Application

An Operating Licence application may be submitted to OROGO at any time. Applications must be submitted by courier to:

Office of the Regulator of Oil and Gas Operations Government of the Northwest Territories 4<sup>th</sup> Floor Northwest Tower 5201 – 50 Avenue Yellowknife NT X1A 3S9

### Expiry and Renewal

Operating Licences expire on March 31 of each year and may be renewed annually.



#### 5 APPLYING FOR AN OPERATIONS AUTHORIZATION

#### Contents

This section of the Guidelines describes the process of applying for an Operations Authorization (OA) for well suspension or abandonment. It provides information on:

- The contents of an OA application package;
- Relevant Office of the Regulator of Oil and Gas Operations (OROGO) Guidelines; and
- The OROGO service standard for OA applications.

An OA application checklist for preparing an application package is at the end of this section.



#### 5.1 Contents of an Operations Authorization Application Package

#### **Contents**

This section of the Guidelines describes the required contents of an Operations Authorization (OA) application package. It provides information on:

- Requirements under the Oil and Gas Operations Act (OGOA);
- Requirements under the Oil and Gas Drilling and Production Regulations (OGDPR);
- · Financial information requirements;
- Requirements under the Mackenzie Valley Resource Management Act (MVRMA);
- Consultation and engagement requirements; and
- Version tracking.

#### **Objective**

Applicants understand what an OA application package for well suspension or abandonment must contain to be complete.

#### Requirements

The requirements for an OA application for well suspension or abandonment are described in:

- Sections 10, 13, 15, 16, 17 and 64 of OGOA; and
- Section 6 of the OGDPR.

The requirements for preliminary screening are described in sections 124 and 125 of the MVRMA.

Aboriginal and Treaty Rights across Canada are recognized in section 35 of the *Constitution Act, 1982*.

#### OGOA Requirements

OGOA requires an OA application package for well suspension or abandonment to contain:

Required Information	Section of OGOA
A completed application form	10(1)
Declarations about the equipment to be	15
used and the qualifications of personnel	
Evidence of an approved Benefits Plan or	17
evidence that the requirement for a	
Benefits Plan has been waived (if this	
information is not available when applying,	
it must be received before the OA can be	
issued)	



Required Information	Section of OGOA
Information to support the Regulator in	64
determining the amount of proof of	
financial responsibility required for the	
proposed activity	

#### OGDPR Requirements

The OGDPR requires an OA application package for well suspension or abandonment to contain:

Information about	Specifically	
The proposed activity	<ul> <li>A description of the scope of proposed activities (including well inspections, well interventions and follow up monitoring);</li> <li>An execution plan for carrying out the proposed activities, including information on:         <ul> <li>Proposed type(s) of well servicing equipment to be used;</li> <li>Proposed type(s) of well control equipment to be used;</li> <li>Class and pressure rating for proposed well servicing and well control equipment.</li> </ul> </li> <li>A schedule for carrying out the proposed activities, including identification of any 24-hour operations;</li> <li>Proposed flaring or venting of gas (reason for flaring or venting, estimated rate and quantity of gas to be flared and time during which the flaring or venting will occur); and</li> <li>Proposed burning of oil (reason for burning and estimated quantity to be burned).</li> </ul>	



Information about	Specifically	
The applicant's management systems	<ul> <li>A safety plan (described in detail in sections 8 and 19 of the OGDPR);</li> <li>An environmental protection plan (described in detail in sections 9 and 19 of the OGDPR); and</li> <li>Contingency plans, including emergency response procedures.</li> </ul>	
The applicant's plans to eventually abandon the site (applications for well suspension only)	<ul> <li>A description of how the site will be decommissioned and abandoned, including:         <ul> <li>A list of all wells, facilities, tanks, equipment and other oil and gas related items on the site, including waste materials;</li> <li>Demonstrated compliance with OGOA, its regulations, the guidelines and interpretation notes issued by the Office of the Regulator of Oil and Gas Operations and the requirements of other regulators; and</li> <li>A proposed timeline for the full abandonment and decommissioning of all oil and gas infrastructure on the site.</li> </ul> </li> </ul>	

# Financial Information Requirements

The applicant must have the financial ability to carry out the well suspension or abandonment as planned. This includes the ability to fully implement its safety plan, environmental protection plan and contingency plans.

An application for an OA for well suspension or abandonment must contain:

- Audited financial statements for the most recent fiscal year end;
- Quarterly financial statements for the most recent quarter;
- Proof of insurance for the proposed activity; and
- A description of how the applicant would satisfy any financial liability which could arise from the proposed work or activity, including the means or options the applicant would exercise to obtain the funds needed.



#### MVRMA Requirements

An application for OA triggers the requirement to conduct a preliminary screening under the MVRMA.

An application for OA for well suspension or abandonment must:

- Provide information on any preliminary screenings or environmental assessments already conducted for the proposed activity;
- Describe any changes to the proposed activity since the preliminary screening or environmental assessment was conducted;
- Explain why the proposed activity might be exempt from preliminary screening, if applicable (for example, under the Exemption List Regulations, under section 157.1 of the MVRMA, or for national security or emergency purposes); and
- Identify whether the applicant has applied (or will be applying) to a Land and Water Board to obtain a land use permit or water licence that would trigger the requirement for a preliminary screening.

# Consultation and Engagement Requirements

The Office of the Regulator of Oil and Gas Operations (OROGO) has an obligation to consult regarding adverse impacts to established or asserted Aboriginal and Treaty Rights protected by section 35 of the *Constitution Act, 1982.* OROGO also recognizes the need for engagement with other parties affected by the proposed activity.

For OROGO to assess the engagement and consultation activities that have been carried out for the proposed activity, an application for an OA for well suspension and abandonment must include:

- Information on engagement and consultation on the proposed project carried out prior to application with Indigenous governments, First Nations, community governments and other stakeholders; and
- A plan for further engagement to occur throughout the life of the project.

OROGO will accept the Engagement Record and Engagement Plan submitted to the Land and Water Boards of the Mackenzie Valley under their *Engagement and Consultation Policy* (June 2018) for this purpose.



#### Version Tracking

During the processing of an OA application, revised versions of documents may be submitted by the applicant.

Revised versions of documents must be submitted:

- As a complete document; and
- Include information identifying the version number and the date when it was revised.



# 5.2 Relevant Guidelines Published by the Office of the Regulator of Oil and Gas Operations

#### **Contents**

This section of the Guidelines describes the other guidelines issued by the Office of the Regulator of Oil and Gas Operations (OROGO) that may be of use in preparing an Operations Authorization (OA) application package. It provides information on:

- Guidelines for specific parts of the application package;
- Guidelines on process; and
- Where to find the guidelines.

#### Objective

Applicants are aware of the guidelines to help them prepare parts of the OA application package and understand the process.

#### Guidelines for Specific Parts of the Application Package

The following guidelines address specific parts of the application package:

- Environmental Protection Plan Guidelines and Interpretation Notes;
- Safety Plan Guidelines and Interpretation Notes;
- Well Suspension and Abandonment Guidelines and Interpretation Notes;
- Contingency Plan Guidelines and Interpretation Notes; and
- Proof of Financial Responsibility Guidelines and Interpretation Notes (in preparation).

### Guidelines on Process

The following guidelines address OROGO's processes:

- Document Submission Guidelines:
- Public Access to Information Guidelines and Interpretation Notes; and
- Public Hearing Guidelines and Interpretation Notes.

### Finding the Guidelines

All the OROGO guidelines can be found on OROGO's website at: https://www.orogo.gov.nt.ca/en/guidance.



#### **5.3 Service Standard for OA Applications**

Contents This section of the Guidelines provides information on the service

standard for processing Operations Authorization (OA) applications set by the Office of the Regulator of Oil and Gas Operations

(OROGO).

Objective Applicants are aware of OROGO's timelines for processing OA

applications for well suspension or abandonment.

Standard for Operations Authorizations OROGO's standard for processing an OA application for well suspension or abandonment is 90 calendar days from receipt of a complete application. This timeframe may not include time spent waiting for:

• Confirmation of an approved benefits plan (or waiver);

• Response to information requests; or

• Completion of a preliminary screening or environmental assessment by another regulator.

**Definition** A complete application contains all the information described in

these Guidelines.



#### 5.4 Operations Authorization Application Check List

	Item	Additional Information
	Completed and signed OA	Available at: orogo.gov.nt./eng/resources
	application form	
	Declaration form	Available at: orogo.gov.nt./eng/resources
	Confirmation of Benefits Plan	iti.gov.nt.ca/en/services/oil-and-gas-rights-
	Approval / Waiver	management
	Information to support the	Proof of Financial Responsibility Guidelines
	Regulator in determining the	and Interpretation Notes (in preparation)
	amount of proof of financial	
	responsibility required for the	
	proposed activity	
	Description of scope of proposed	
	activities	
	Execution plan for conducting	
	proposed activities	
	Schedule for conducting	
	proposed activities	
	Safety Plan	Safety Plan Guidelines and Interpretation
	E. in a second Destruction Disc	Notes Standard Burgarian
	Environmental Protection Plan	Environmental Protection Plan Guidelines
	la farmantia a na manana and floria a	and Interpretation Notes
	Information on proposed flaring	
	and venting or burning of oil and	
	Contingency Plan (Emergency	Contingancy Plan Cuidalines and
	Contingency Plan (Emergency	Contingency Plan Guidelines and
	Response Plan)	Interpretation Notes
	Decommissioning and	For well suspension applications only
	abandonment plan Audited financial statements for	
	Ouarterly financial statements for	
	Quarterly financial statements for	
	the most recent quarter	
	Proof of insurance	
	Preliminary screening information	Mackanzia Valloy Land and Water Poord
Ιп	Engagement Record and	Mackenzie Valley Land and Water Board
	Engagement Plan or similar information	Engagement and Consultation Policy
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#### 6 APPLYING FOR A WELL APPROVAL

#### Contents

This section of the Guidelines describes the process of applying for a Well Approval for well suspension or abandonment. It provides information on:

- The contents of a Well Approval application package; and
- The Office of the Regulator of Oil and Gas Operations (OROGO) service standard for Well Approval applications.

A Well Approval application checklist for use in preparing an application package is at the end of this section.



#### 6.1 Contents of a Well Approval Application Package

#### Contents

This section of the Guidelines describes the required contents of a Well Approval application package. It provides information on:

- Requirements under the Oil and Gas Operations Act (OGOA);
- Requirements under the Oil and Gas Drilling and Production Regulations (OGDPR);
- Including alternative program steps; and
- Version tracking.

#### Objective

Applicants understand what a Well Approval application package for well suspension or abandonment must contain to be complete.

#### Requirements

The requirements for a Well Approval application for well suspension or abandonment are described in:

- Section 10 of OGOA; and
- Section 12 of the OGDPR.

#### OGOA Requirements

Section 10(1) OGOA requires a Well Approval application package for well suspension or abandonment to contain a completed application form for Approval to Alter the Condition of a Well.

#### OGDPR Requirements

The OGDPR requires a Well Approval application package for well suspension or abandonment to contain:

- A detailed description of the well, including:
  - A current well bore diagram; and
  - Well history information, including work over history and reports of inspections completed by the operator;
- A detailed description of the proposed work or activity and rationale, including:
  - A step-by-step program for the proposed operation;
  - The rationale for the proposed program (for example, analysis of well data logs, daily drilling reports, etc.);
  - A proposed final well bore diagram;
  - Confirmation of the type, class and rating of well servicing and well control equipment to be used during the operation; and
- A proposed timeframe for the service life and full abandonment of the well (applications to suspend a well only).



# Including Alternative Program Steps

Any changes to the well suspension or abandonment program after it has been approved will require a variation (see section 7 of these Guidelines).

Applicants are encouraged to consider and document various possible scenarios for completing the suspension or abandonment and include alternative steps to address those scenarios in their programs for approval by the Regulator.

Pre-approval of alternative approaches will avoid delaying operations in the field while a request for variation is processed.

#### Version Tracking

During the processing of a Well Approval application, revised versions of documents may be submitted by the applicant.

Revised versions of documents must be submitted:

- As a complete document; and
- Include information identifying the version number and the date when it was revised.



#### **6.2 Service Standard for Well Approval Applications**

**Contents** This section of the Guidelines provides information on the service

standard for Well Approval applications established by the Office of

the Regulator of Oil and Gas Operations (OROGO).

Objective Applicants are aware of OROGO's timelines for processing

applications for Well Approvals for well suspension or abandonment.

Standard for Well Approvals

OROGO's standard for processing a Well Approval for well suspension or abandonment is 30 calendar days from receipt of a complete application. This timeframe may not include time spent waiting for:

• Response to information requests; or

• The approval of the Operations Authorization under which the Well Approval is to be issued.

**Definition** A **complete application** contains all the information described in

these Guidelines.



#### **6.3 Well Approval Application Check List**

Item	Additional Information
Completed and signed Well Approval application form (Approval to Alter the Condition of a Well)	Available at: orogo.gov.nt./eng/resources
<ul> <li>Detailed description of the well, including:</li> <li>A current well bore diagram; and</li> <li>Well history information, including work over history and reports of inspections completed by the operator.</li> </ul>	
<ul> <li>Detailed description of the proposed work or activity, including:</li> <li>A step-by-step program for the proposed operation;</li> <li>The rationale for the proposed program (for example, analysis of well data logs, daily drilling reports, etc.);</li> <li>A proposed final well bore diagram; and</li> <li>Confirmation of the type, class and rating of well servicing and well control equipment to be used during the operation.</li> </ul>	
Proposed timeframe for the service life and full abandonment of the well	Applications for well suspension only



## 7 CHANGING AN EXISTING OPERATIONS AUTHORIZATION OR WELL APPROVAL

#### Contents

This section of the Guidelines describes how to make changes to an existing Operations Authorization (OA) or a Well Approval. It provides information on:

- Requesting a variation to an OA or Well Approval:
- Service standards for processing a variation request;
- Terminating an OA or Well Approval;
- Suspending or revoking an OA or Well Approval; and
- Transferring an OA or Well Approval.

#### **Objective**

Operators are aware of the options and processes for changing an existing OA or Well Approval.

#### Requirements

Section 10(6) of the *Oil and Gas Operations Act* (OGOA) authorizes the Regulator to vary the terms of an OA.

Section 10(5) of OGOA authorizes the Regulator to suspend or revoke an OA under certain circumstances.

#### Definition

A **variation** is any change to:

- The Terms and Conditions of the OA or Well Approval (including expiry date, deadlines for submitting specific information, etc.);
- The approved program; or
- The type, class and rating of well servicing and well control equipment.

A variation may be initiated by the Regulator or by the operator.

### Requesting a Variation

The operator may request a variation to an OA or a Well Approval by emailing <a href="mailto:orogo@gov.nt.ca">orogo@gov.nt.ca</a> with:

- A request for the variation; and
- Supporting documents (if appropriate) to assist the Regulator in making a decision on the request.

Operators are welcome to contact OROGO at any time to discuss possible variations before submitting a formal request.



#### Standard for Variation Requests

There is no service standard for processing a request for variation. The length of time required will depend on the request.

# Terminating an OA or Well Approval

The operator may request that an OA or Well Approval be terminated early by emailing <a href="mailto:orogo@gov.nt.ca">orogo@gov.nt.ca</a> with:

- A request for the early termination; and
- Supporting documents (if appropriate) to assist the Regulator in making a decision on the request.

#### Suspending or Revoking an OA or Well Approval

The Regulator may suspend or revoke an OA or Well Approval if the operator does not:

- Meet the requirements associated with the OA or associated Well Approvals;
- Meet any commitments made in a declaration under section 15 of OGOA;
- Maintain the certificates required under section 16 of OGOA for the duration of the OA;
- Maintain proof of financial responsibility as required under section 64(2) of OGOA; or
- Meet the requirements of any applicable regulation.

The Regulator will notify the operator of a suspension or revocation in writing.

#### Offense

Carrying out an activity for which the OA or Well Approval has not been granted or has been suspended or revoked is an offense under OGOA.

# Transferring an OA or Well Approval

OAs and Well Approvals cannot be transferred from one operator to another.



#### **8 REGULATOR'S APPROVAL**

These Application Guidelines and Interpretation Notes – Well Suspension and Abandonment are issued under section 18 of the Oil and Gas Operations Act effective February 15, 2021.

Pauline de Jong

