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NWT OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

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#### MESSAGE FROM THE REGULATOR

I am pleased to present this Annual Report on the activities of the Office of the Regulator of Oil and Gas Operations (OROGO) for 2019-2020.

I became the GNWT Regulator in November 2019 and am looking forward to working with the OROGO team to deliver on its mission of regulating oil and gas activity to keep people safe and protect the environment. I thank Louis Sebert, the previous Regulator, for his service in this role and the support he provided to OROGO.



Caroline Wawzonek, GNWT Regulator (Credit: GNWT)

In 2019-2020, progress on the safe

suspension and abandonment of unused wells continued with activity in the Fort Liard area and the Cameron Hills. The next significant deadline for abandonment of unused wells is January 2023. OROGO anticipates steady activity between now and then to meet the requirements of the Well Suspension and Abandonment Guidelines and Interpretation Notes.

In August 2019, the Legislative Assembly passed *Bill 37: An Act to Amend the Oil and Gas Operations Act* (OGOA). Among the changes made to OGOA under Bill 37 are an increased focus on transparency of the regulatory process and the opportunity for the Regulator to hold public hearings. Both of these are the focus of new guidelines, which are being finalized in preparation for the coming into force of the amended legislation.

This year also saw one OROGO-regulated operator, Strategic Oil & Gas Ltd., enter into receivership. OROGO continues to regulate the activities of the receiver and the field remains in compliance with the legislation and with OROGO's guidelines.

As this report is being prepared, the staff of OROGO, along with most other employees of the GNWT, are working from home in response to the COVID-19 pandemic. Although this has entailed some challenges, I am pleased that OROGO is rising to the occasion and continuing to provide much-needed services to the public and to the industry. I look forward to another productive year.



#### MESSAGE FROM THE EXECUTIVE DIRECTOR

I am pleased to offer this Annual Report on the activities of the Office of the Regulator of Oil and Gas Operations (OROGO) for the 2019-2020 fiscal year.

This year saw steady progress on the implementation of the *Well Suspension and Abandonment Guidelines and Interpretation Notes* and an associated decrease of risk associated with unused wells in OROGO's jurisdiction. With more than 20 wells remaining to be abandoned before January 2023, we expect the next two winter work seasons to be relatively busy.



Pauline de Jong, Executive Director, OROGO (Credit: Angela Gzowski)

Also in 2019-2020, OROGO experienced, for the first time, an operator entering into receivership. OROGO has worked diligently with the receivers to ensure the continued safe management of the operator's assets in the Northwest Territories and, where appropriate, is also supporting other GNWT departments on this file.

Bill 37: An Act to Amend the Oil and Gas Operations Act (OGOA) was passed in August 2019 and is expected to come into force in the first quarter of 2020-2021. Bill 37 includes changes to OGOA that support OROGO's strategic objective of promoting accessibility and transparency in its work. To that end, OROGO has drafted and conducted public engagement on two guidelines in preparation for the coming into force of Bill 37: Public Hearing Guidelines and Interpretation Notes and Public Access to Information Guidelines and Interpretation Notes.

OROGO continues to be an active participant in the NWT Board Forum and the Western Regulators Forum, as well as maintaining its International Affiliate status with the Interstate Oil and Gas Compact Commission. It also continues to connect with other regulators and stakeholders through events such as the Geoscience Forum and the Resource and Energy Development Information (REDI) initiative.

In 2019-2020, OROGO also recognized and celebrated the five year anniversaries of its service agreements with the Alberta Energy Regulator and Canada Energy Regulator (formerly the National Energy Board). The technical support we receive from these organizations supports us in protecting human safety and the environment through the regulation of oil and gas activities.

None of this would have been possible without the stalwart efforts of the OROGO team. This year OROGO staff developed a list of the values we bring to our work, including preparedness, flexibility, resilience and fairness. I am proud to work with a group of individuals who embody these values and look forward to another productive year.



#### THE REGULATOR

#### **MANDATE**

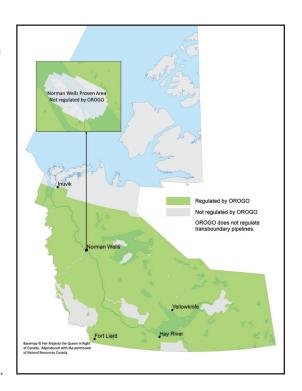
The Regulator is designated by the Commissioner in Executive Council under the *Oil and Gas Operations Act* (OGOA). The Minister of Justice was designated as the Regulator effective February 22, 2016.

The Regulator's mandate is to regulate the exploration for and exploitation of oil and gas resources for the primary purposes of ensuring human safety, environmental protection and the conservation of those resources. The Regulator's mandate does not include promoting oil and gas-related development.

The Regulator's activities are governed by OGOA, the *Petroleum Resources Act* (PRA) and the regulations under those Acts, as well as the *Mackenzie Valley Resource Management Act*.

#### **JURISDICTION**

The Regulator has jurisdiction for the regulation of oil and gas works and activities in the onshore Northwest Territories (NWT), with the exception of the Inuvialuit Settlement Region and lands that were not transferred from the Government of Canada to the Government of the Northwest Territories with devolution on April 1, 2014. Within these boundaries, the Regulator has jurisdiction over oil and gas activities on Aboriginal settlement lands as well as other private lands.



#### **RESPONSIBILITIES**

The Regulator is responsible for:

- Considering applications for and issuing Operations Authorizations (including geophysical operations authorizations);
- Considering applications for and issuing Well Approvals for activities including drilling, re-entry, work overs, completion, recompletion, suspension and abandonment of a well or part of a well;
- Inspecting active and historic oil and gas facilities;
- Responding to incidents and spills at regulated oil and gas facilities;
- Considering applications for and issuing Significant Discovery Declarations and Commercial Discovery Declarations; and
- Issuing Operating Licences.

#### **DELEGATIONS AND APPOINTMENTS**

#### **Delegations**

OGOA allows the Regulator to delegate its powers to issue Operating Licences, Operations Authorizations and Well Approvals, including the consideration of safety factors and the determination of the nature and amount of Proof of Financial Responsibility (security) required.

The Regulator delegated these powers to Pauline de Jong, Chief Conservation Officer, on February 4, 2019. From June 21 to July 15, 2019, these powers were delegated on an interim basis to Kristen Cameron, Manager, Information Office.

The PRA allows the Regulator to delegate its powers to issue Significant Discovery Declarations and Commercial Discovery Declarations. These delegations are made on a case-by-case basis.

No new delegations were made under the PRA in 2019-2020.

#### Appointments

Section 4 of OGOA requires the Regulator to appoint a Chief Conservation Officer and a Chief Safety Officer.

Pauline de Jong, Executive Director, was appointed Chief Conservation Officer effective February 4, 2019.

Brian Heppelle, Senior Technical Advisor, was appointed Chief Safety Officer effective February 23, 2015.

The Regulator also appointed Michael Martin, Senior Technical Advisor, as Safety Officer effective November 5, 2018 and as Conservation Officer effective January 17, 2020. Janpeter Lennie-Misgeld, Senior Advisor, Legislation and Policy, was appointed as Safety Officer and Conservation Officer effective January 17, 2020.



## THE OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

#### **ROLE**

The role of the Office of the Regulator of Oil and Gas Operations (OROGO) is to support the Regulator in carrying out its statutory responsibilities under OGOA and the PRA.

#### STRATEGIC PLAN

OROGO's strategic plan, established in 2016-2017, sets out its mission, vision and strategic objectives.

#### Mission

We regulate oil and gas activities to keep people safe and protect the environment where we live and work.

### **Strategic Objectives**

To enhance certainty and predictability in our actions and in regulatory decisions.



To promote accessibility and transparency in our work.



To build and maintain resilient working relationships.



To grow oil and gas regulatory capacity in the Northwest Territories.

#### Vision

OROGO is a respected and effective regulator grounded in the values of Northerners.

#### **CREE**

ôma masinahikew kamikos ohci ôma nahaw isihcikewin ohci pimiy mîna pahkitewipimiy pimpayihcikewin (OROGO) kehcinahiwewin pimiy mina pahkitewipimiy waskawiwin mîna kîkway ka nikaniskamihk eta kanaweyihtâmihk mîna isi nakayâskamowin kîkway ka nâkateyihtamihk tansi kesâyahk nema nahascikewin pahkitewipimiy isihcikewin

#### **STAFF**

Six staff members make up OROGO: the Executive Director; the Office Administrator; the Senior Advisor, Legislation and Policy; two Senior Technical Advisors; and the Manager, Information Office.

On July 15, 2019, Janpeter Lennie-Misgeld joined the OROGO team as Senior Advisor, Legislation and Policy.

OROGO receives technical advice and support from the Canada Energy Regulator (CER) (formerly the National Energy Board – NEB) and the Alberta Energy Regulator (AER) through service agreements. OROGO is also able to access support from other regulators or consultants as may be required.

#### **LOCATION**

OROGO's offices are located on the 4th floor of the Northwest Tower in Yellowknife. The public is invited to visit during working hours, weekdays between 8:30 am and 5:00 pm, except statutory holidays.







#### **2019-2020 ACTIVITIES**

#### **APPLICATIONS**

In 2019-2020, OROGO received:

- Two applications for operations authorizations;
- Twelve applications for well approvals;
- Fourteen applications to amend an existing operations authorization or well approval;
- One application to change a well name (to reflect a change in ownership);
- Three core sampling requests for core from a total of 12 wells; and
- All annual reporting requirements for continued compliance, including production reports, environmental reports and safety reports.

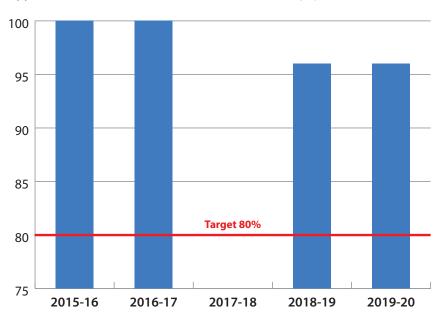
These applications represent a steady level of oil and gas activity in OROGO's jurisdiction as it pertains to suspension and abandonment, as shown in the table as shown in the table on page 10. It is largely driven by the *Well Suspension and Abandonment Guidelines and Interpretation Notes* (the Guidelines), which came into effect on February 1, 2017, establishing requirements for suspended and abandoned wells under OROGO's jurisdiction and deadlines for the safe abandonment of inactive wells.

#### 2019-2020 OA and Well Approval Applications Received

Type of Application	Application #	Purpose	Region
Operations Authorization	OA-2019-001	Well Abandonment	Dehcho
Operations Authorization	OA-2019-002	Well Abandonment	Sahtu
Well Approval	ACW-2019-006	Well Abandonment	Dehcho
Well Approval	ACW-2019-008	Well Abandonment	Dehcho
Well Approval	ACW-2019-009	Well Abandonment	Dehcho
Well Approval	ACW-2019-010	Well Abandonment	Dehcho
Well Approval	ACW-2019-011	Well Abandonment	Dehcho
Well Approval	ACW-2019-012	Well Abandonment	Dehcho
Well Approval	ACW-2019-013	Well Abandonment	Dehcho
Well Approval	ACW-2019-014	Well Abandonment	Dehcho
Well Approval	ACW-2019-015	Well Abandonment	Dehcho
Well Approval	ACW-2019-016	Well Abandonment	Dehcho
Well Approval	ACW-2019-017	Well Abandonment	Sahtu
Well Approval	ACW-2019-018	Well Abandonment	Sahtu

OROGO processed 96% of the applications received within its established service standards, well above its target of 80%.

#### **Applications Processed Within Service Standard (%)**

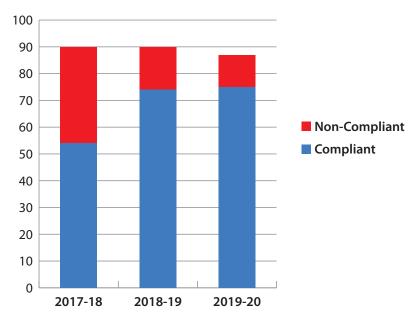


Since 2015-2016, OROGO has processed more than 80% of all applications for Operations Authorizations and Well Approvals within its established service standard.



As a result of the activity during the winter 2020 work season, there has been an increase in both the number of suspended wells that are compliant with the Guidelines and the number of inactive wells safely abandoned in OROGO's jurisdiction.

#### **Suspended Well Status**



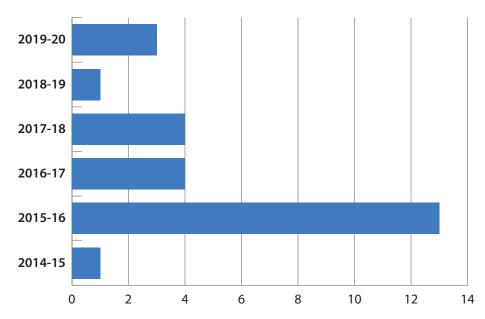
In 2019-2020, three suspended wells were brought into compliance with the Guidelines through service rig interventions. Note that one well was incorrectly identified in the 2018-2019 Annual Report as abandoned. It is currently considered suspended and is being monitored to ensure the abandonment was successful.

#### INUINNAQTUN

Uqhuryuaplu Gaasiliiplu Aulapkiayiit Munaqhiiyiita Havakviat (OROGO) hapkunanik munaqhivaktuq uqhuryuaplu gaasiliiplu hulilukaarutait aulatdjutainniklu ihuangnikkut aanningniattukkut nunaplu immaplu itdjuhiit ihumagittiaqhugit, uqhuryuaqarvigigamikkik gaasiiliiqarvigiigamikiklu munarittiaqhugit atunqniit pivaktut.

Appiqhuutiqaruvit ilihimattiarumaguvitluunniit hapkuninga, una takuurvia qaritauyakkut pulaanginiarialik: www.orogo.gov.nt.ca

#### **Inactive Wells Safely Abandoned**



Oil and gas wells safely abandoned under OROGO jurisdiction since April 1, 2014. Note that one well was incorrectly identified in the 2018-2019 Annual Report as abandoned. It is currently considered suspended and is being monitored to ensure the abandonment was successful.



Mike Martin (Safety Officer), Inuvik, October 2019. (Credit: OROGO)



Although 2019-2020 saw several wells brought into compliance with the Guidelines, there is still work to be done on a number of non-compliant suspended wells. OROGO anticipates that this work will occur in the winter 2021 work season. In accordance with the Guidelines, wells that were brought into a compliant suspended state in 2020 must be abandoned by the end of the 2026 winter work season. In addition, operators of suspended wells that were found to be in compliance with the Guidelines in 2017 have until January 31, 2023, to bring them back into production or abandon them. In order to manage the volume of applications expected, operators must provide a plan for their activities to OROGO by January 31, 2021.

OROGO also accepted the 2019 Annual Report from Imperial Oil Resources Limited on progress toward a "Final Decision to Construct" for the authorization applicable to the Mackenzie Gathering System component of the proposed Mackenzie Gas Project. The proponents indicated that the construction of the Mackenzie Gas Project is unlikely to begin prior to December 31, 2022.

#### **INSPECTIONS**

OROGO's inspection activities in 2019-2020 fell into two categories:

- On-site inspections of authorized oil and gas activities; and
- Review of operator inspections of suspended wells.

OROGO staff conducted five on-site inspections in 2019-2020, including inspections of all authorized activities.

The Oil and Gas Drilling and Production Regulations also require operators to regularly monitor and inspect their suspended wells to ensure they are in good condition and are not leaking. In 2019-2020, OROGO received inspection reports from the

suspended wells. OROGO staff reviewed all of these reports and followed up with operators to address any potential issues, which may involve applying to OROGO for permission to conduct remedial work, to re-suspend or to abandon the well in question.

Compliance and Enforcement Policy is available on its website. operators responsible for ongoing monitoring of

OROGO's



Brian Heppelle (Chief Safety Officer) and Mike Martin (Safety Officer), Cameron Hills, March 2020.



#### **ORDERS**

On October 4, 2019, the Regulator issued an Order under section 20(a) of OGOA to Strategic Oil & Gas Ltd. The Order requires the repair, suspension and abandonment of wells at the Cameron Hills field in accordance with the timelines established in the *Well Suspension and Abandonment Guidelines and Interpretation Notes*. Strategic Oil & Gas Ltd. has complied with the requirements of the Order in 2019-2020.

#### **INCIDENT RESPONSE**

Oil and gas incidents are reported to the Regulator in two ways. If the incident results in a spill over a certain threshold from OROGO-regulated facilities or pipelines, the incident must be reported through the NWT-Nunavut Spill Line, which then routes the information to OROGO. All incidents must also be reported directly to OROGO through a dedicated 24/7 phone line, even if the incident results in a spill below the threshold or is a non-spill incident or a near miss.

As part of its
commitment
to regulatory
transparency,
Summary Incident
Reports are available
on OROGO's
public registry.

Activities in 2019-2020 resulted in a total of four incidents and two near-misses reported to OROGO. The reports required under the *Oil and Gas Drilling and Production Regulations* were received and reviewed by OROGO.

#### 2019-2020 Incidents

Incident #	Nature of the Incident
INC-2019-10-SOG-OA-2018- 003	Serious Surface Vent Flow leaking H2S gas at surface. A scrubber was installed as an interim measure to remove the H2S at the surface. The well was successfully repaired March 2020. No injury.
INC-2020-001-PAR- OA-2018-004	Unsecured pressurized hose knocked down employee on site. Injury.
INC-2020-002-PAR- OA-2018-004	Unsecured pressurized hose grazed a worker on the rig site. No injury.
INC-2020-003-PAR- OA-2018-004	Due to a casing valve being left open during well operations, gas was released to the atmosphere. The well site was immediately shut and brought to a safe state. No injury.

In January 2020, OROGO observed a table top emergency response exercise for the Ikhil gas project in Inuvik, along with the Canada Energy Regulator.

OROGO continues to participate in the NWT-Nunavut Spills Working Group, a group of agencies that have signed the NWT-Nunavut Spills Working Agreement.







#### **OTHER INITIATIVES**

#### **Promoting Open and Transparent Regulation**

OROGO continues to focus on increasing the openness and transparency of the oil and gas regulatory system. This work is currently shaped by section 91 of the *Petroleum Resources Act* (PRA), which places significant limits on the type of information that OROGO can make available about the applications it receives and its interactions with operators.

In August 2019, the Legislative Assembly passed *Bill 37: An Act to Amend the Oil and Gas Operations Act* (OGOA). The amendments to OGOA contained in Bill 37 include changes designed to enhance openness and transparency in the regulatory process. When Bill 37 comes into force, OROGO's activities under OGOA will no longer be subject to section 91 of the PRA. Instead, a new section of OGOA, section 22, will govern public access to information. Section 22 emphasizes public access and authorizes the Regulator to determine what information should be held confidential based on parameters established in the legislation.

Information received by the Regulator prior to the coming into force of Bill 37 will continue to be subject to the confidentiality requirements of the current PRA and the processes established in the *Information Disclosure Guidelines*.

Bill 37 also explicitly authorizes the Regulator to hold public hearings if desired.

#### **Making Information Available**

OROGO is a repository for information collected during oil and gas activities and maintains an Information Office that makes non-privileged (non-confidential) information about oil and gas activities in the Regulator's jurisdiction publicly available. This data is particularly valuable to companies and researchers evaluating oil and gas potential. It can be accessed by contacting the Information Office.

OROGO is increasingly able to make this information available in electronic form, which improves its usefulness for industry, researchers, and other stakeholders. The scanning of all publicly available geophysical (seismic) program reports was completed this year and these are now available electronically, along with the historical files for all wells in OROGO's jurisdiction, through the Information Office.

In 2019-2020, OROGO received a total of 99 inquiries for information and provided 362 files in response to those inquiries:

- 13 requests for well files;
- 3 requests for seismic program files; and
- 83 general inquiries.

## 2019-2020 Regional Breakdown\* of Files Provided by OROGO in Response to Information Inquiries

Region	Seismic Files	Well Files	Total
Dehcho	3	285	288
Sahtu	6	27	33
Unknown		41	41
Total	9	353	362

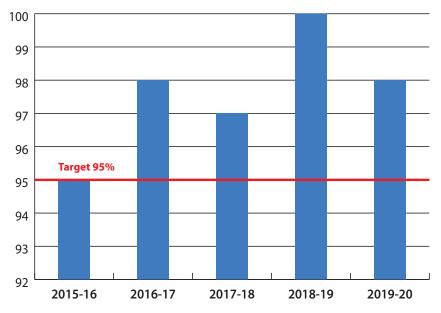
<sup>\*</sup> As seismic programs can be large and often cross land claim boundaries, they are identified by their primary region but may extend into other regions. Research into the "unknown" program files is underway.

Access to well materials (cuttings, fluid samples and core samples) is also available by applying to the Information Office. These materials are located at the Geological Survey of Canada core facility in Calgary, Alberta.

In keeping with its objective of accessibility, OROGO places a high priority on responsiveness to public inquiries. In 2019-2020, OROGO responded to 99 public inquiries, all but two within one business day.



#### Response to Public Inquiries Within Service Standards (%)



Since 2015-2016, OROGO has provided a preliminary response to at least 95% of all public inquiries within one business day.

#### **Guidelines and Interpretation Notes**

OROGO continues to seek out opportunities to provide more certainty and predictability in key areas of the regulatory process. The issuance of guidelines by the Regulator under section 18 of OGOA is one tool that can be used for this purpose.

In 2019-2020, in response to the passing of Bill 37, the Regulator issued two new draft guideline documents for public review:

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

OROGO is developing reports summarizing the responses received from stakeholders on the draft guidelines, which will be published in the first quarter of 2020-2021, along with the finalized guidelines.

In June 2019, OROGO published a report summarizing the results of its initial public engagement on Proof of Financial Responsibility. OROGO continues to work on developing guidelines on Proof of Financial Responsibility, which are anticipated in 2020-2021.

#### **Relationships with Other Regulators**

OROGO prioritizes building and maintaining resilient working relationships with other regulators. It participates in organizations that bring regulators from different jurisdictions together as well as establishing direct, one-on-one relationships through Memoranda of Understanding and other tools.

In 2019-2020, OROGO continued its participation as an International Affiliate of the Interstate Oil and Gas Compact Commission (IOGCC), which allows OROGO to participate on committees, join in oil and gas studies, and access international best practices. Seven other Canadian provinces and territories are IOGCC International Affiliates.

OROGO is a member of the Western Regulators Forum (WRF), which focuses on facilitating the exchange of information and discussion of ideas about oil and gas regulation, collaborating on research into issues of common interest and supporting inter-organizational communications and engagement. The WRF includes representation from Saskatchewan, Alberta and British Columbia as well as the Canada Energy Regulator. In 2019-2020, OROGO participated in WRF activities on incident reporting and the use of standards in regulation.



Mike Martin (Safety Officer), Rob Walker (Department of Lands), Hay River, October 2019. (Credit: OROGO)



OROGO participates actively in the NWT Board Forum, which brings together resource management organizations in the territory and strives to improve and maintain effective lines of communication between its members, resolve common issues and share expertise. In 2019-2020, the NWT Board Forum held its annual meeting in Fort Good Hope. OROGO also participates in the NWT-NU Spills Working Group, FracFocus.ca, CAMPUT (a non-profit organization of Canada's energy and utilities regulators) and the Professional Petroleum Data Management Association (PPDM).

#### **Outreach and Engagement**

OROGO participated in a number of community outreach and stakeholder engagement activities in 2019-2020, including:

- Events with the AER and the NEB to recognize its five-year anniversary and the contributions of those regulators through their service agreements with OROGO;
- The Geoscience Forum in Yellowknife;
- A presentation to the annual meeting of Department of Lands Inspectors in Fort Smith;
- The annual meeting of GNWT petroleum-related divisions in Yellowknife;
- The Government of the Northwest Territories (GNWT) Resource and Energy Development Initiative (REDI) sessions in Fort Smith; and
- A resource co-management workshop titled "Resource Co-management in the Mackenzie Valley Workshop 2020: Engagement & Consultation", hosted by the Land and Water Boards of the Mackenzie Valley, the Mackenzie Valley Review Board, the Government of the Northwest Territories, and Crown-Indigenous Relations and Northern Affairs Canada.

Follow OROGO on Twitter: @OROGO\_NWT OROGO continues to work with communities through the Well Watch Program, which encourages local land users to report concerns on historic and abandoned well sites so that they can be assessed and any identified risks can be addressed. In 2019-2020, OROGO responded to requests for information on historic or suspected well sites from the communities of Fort Providence, Tulita and Tsiigehtchic. OROGO also conducted a field inspection of a suspected well casing located on an agricultural lease in the Hay River area. No gas migration was detected and OROGO was not able to confirm whether the casing was associated with a historic well. In collaboration with the CER, OROGO also gave a presentation to the Inuvialuit Game Council in Whitehorse, Yukon on the Well Watch Program.





Peter Lennie-Misgeld (Senior Advisor, Legislation and Policy) and Kristen Cameron (Manager, Information Office) at REDI in Fort Smith, November 2019. (Credit: OROGO)

For the sixth consecutive year, OROGO has published an Annual Report for tabling in the Legislative Assembly. While this is not currently a requirement of the legislation, OROGO sees this as an effective way to share information about its work and maintain accountability to the public and legislators. When Bill 37 comes into force, the submission of an Annual Report to the Minister of Industry, Tourism and Investment will become a requirement for both OROGO and the CER under OGOA.



Brian Heppelle (Chief Safety Officer), Hay River, October 2019. (Credit: OROGO)

#### **Capacity Building**

OROGO continues to enhance its own capacity to regulate oil and gas activities and to promote oil and gas regulatory capacity building across northern organizations.

OROGO staff participated in formal and informal learning opportunities throughout the year, including:

- First Aid training;
- Incident Command System (ICS) training;
- Administrative justice training through the Foundation of Administrative Justice; and
- Energy Safety Canada Training.







# OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS **Contact Information** Office of the Regulator of Oil and Gas Operations (OROGO) Government of the Northwest Territories P.O. Box 1320, Yellowknife NT X1A 2L9 Phone: 867-767-9097 Email: orogo@gov.nt.ca Website: www.orogo.gov.nt.ca **OROGO Information Office** Phone: 867-767-9097 extension 78004 Email: orogo@gov.nt.ca **Incident Response** NWT Spill Line: 1-867-920-8130 (phone); 1-867-873-6924 (fax) OROGO Incident Response Line (24/7): 1-867-445-8551