



ERCB Monthly Enforcement Action Summary

April 2011

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ENERGY RESOURCES CONSERVATION BOARD
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High Risk Compliance Category Statistics				
ERCB	Compliance Category	April 2011		
		Initial Audits/ Inspections	Number of High Risk Noncompliance	Compliance Rate with High Risk Noncompliance
Applications Branch				
Facilities Applications Group Audit Section	Participant Involvement	28	3	89%
	Facilities Technical	8	3	63%
	Pipelines/Pipeline Installations Technical	8	2	75%
	Wells Technical	11	3	73%
Resources Applications Group Enforcement & Surveillance Section	Commingling	n/a	3	n/a
	Gas Allowables	n/a	1	n/a
Subtotal		55	15	73%
Field Surveillance and Operations Branch				
Technical Operations Group	Flaring, Incinerating and Venting	n/a	1	n/a
	Sulphur Recovery Guidelines	n/a	2	n/a
Field Operations Group	Drilling Operations	23	1	96%
	Well Servicing	12	1	92%
	Oil Facilities	204	4	98%
	Gas Facilities	116	2	98%
	Pipelines	65	10	95%
	Drilling Waste	9	3	67%
	Well Site Inspections	189	9	95%
	Waste Management	1	0	100%
Subtotal		619	33	95%
Geology, Environmental Science, and Economics Branch				
Reserves and Pore-Space Management Group Oil Reserves and Allowables Section	Oil Overproduction	354	0	100%
Subtotal		354	0	100%
Total Audit/Inspections High Risk		1028	48	95.3%

High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
1	97837 Resources Ltd.	Field Operations/ Well Site Inspections	Flare pit containing produced fluids.	April 18, 2011	15-08-050-11W5 Brazeau County	Operations suspended. Licensee cleaned the fluids from the flare pit. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance not yet achieved.
2	AltaGas Ltd.	Field Operations/ Gas Facilities	No flame arrester/ safety device to prevent backflash.	April 15, 2011	11-33-045-08W5 Clearwater County	Operations were suspended at time of inspection. Licensee replaced the plug and stopped the release of vapours. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
3	AltaGas Ltd.	Field Operations/ Pipelines	Internal corrosion control no records in corrosive environment. Internal corrosion control — no monitoring and mitigation in corrosive environment. Pressure control devices or pressure relief device installations unsatisfactory. No operations and maintenance procedures manual or not followed.	April 28, 2011	13-31-045-13W4 Three pipelines at this location. Flagstaff County	Operations suspended on two pipelines. Operations were not suspended on the third pipeline as it ties into third-party pipelines. Licensee abandoned pipeline segments. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
4	Angle Energy Inc.	Resources Applications/ Commingling	Improper use of the decision trees. (Figure 3.1 of <i>Directive 065</i>)	April 8, 2011	16-36-037-07W5 Clearwater County	<p>Licensee confirmed in writing that the noncompliance has been addressed and the well has been segregated to isolate the zones or has submitted a <i>Directive 065</i> application seeking approval to commingle.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
5	Arrtek Exploration Ltd.	Facilities Applications/ Facilities Technical	Not completing an acceptable noise impact assessment prior to application.	April 15, 2011	01-35-074-13W6 County of Grande Prairie	<p>Licensee/operations not suspended as there is no evidence of operational noncompliance.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
6	Baytex Energy Ltd.	Field Operations/ Drilling Waste	Wastes containing hydrocarbons are disposed of by landspray while drilling or pump-off.	April 12, 2011	16-35-083-19W5 Northern Sunrise County	<p>Operations were not suspended as operations had already been completed at time of inspection.</p> <p>Licensee cleaned up the drilling waste and transferred it to a landfill.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
7	Baytex Energy Ltd.	Field Operations/ Drilling Waste	Disposal practices result in pooling, clumping, or erosion.	April 6, 2011	16-35-083-19W5 Northern Sunrise County	Operations were not suspended as operations had already been completed at time of inspection. Licensee cleaned up the drilling waste and transferred it to a landfill. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
8	Canadian Abraxas Petroleum, ULC	Facilities Applications/ Wells Technical	Failure to prepare an H ₂ S release rate assessment when information in the public domain demonstrates the potential to encounter H ₂ S in the proposed well.	April 1, 2011	09-12-030-24W4 Kneehill County	Licence(s) not cancelled or suspended as the noncompliance was promptly corrected. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
9	Cenovus Energy Inc.	Facilities Applications/ Pipelines/Pipeline Installations Technical	Failure to submit a pipeline/pipeline installation licence application as "pipelines/pipeline installations technical nonroutine" when required.	April 15, 2011	10-29-019-13W4 County of Newell	Licence(s) not cancelled or suspended as the noncompliance was promptly corrected. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
10	ConocoPhillips Canada Operations Ltd.	Field Operations/ Pipelines	Marking of existing pipelines inside a controlled area is unsatisfactory.	April 11, 2011	02-16-060-01W6 M.D. of Greenview	<p>Operations were not suspended as operations were completed at time of inspection.</p> <p>Licensee developed a standard for marking of a pipeline hole.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
11	Daylight Energy Ltd.	Field Operations/ Well Site Inspections	Release criteria of collected surface water not met.	April 26, 2011	06-27-048-08W5 Brazeau County	<p>Operations were not suspended as the noncompliance was immediately corrected.</p> <p>Licensee completed surface water discharge operations and laboratory analysis.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
12	Devon Canada Corporation	Field Operations/ Well Site Inspections	Contaminated materials stored directly on ground.	April 18, 2011	08-19-079-22W5 M.D. of Smoky River	<p>Operations were not suspended as the well was already suspended at time of inspection.</p> <p>Licensee cleaned up the contaminated materials and transferred it to a landfill.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
13	EnCana Corporation	Facilities Applications/ Participant Involvement	Incomplete public and/or industry personal consultation and notification prior to filing the application.	April 13, 2011	14-22-028-24W4 06-22-028-24W4 Kneehill County	Licence(s) not cancelled or suspended as the noncompliance was promptly corrected. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
14	EnCana Corporation	Field Operations/ Drilling Operations	Insufficient drilling fluid density to control formation pressure.	April 15, 2011	02-08-062-06W6 M.D. of Greenview	Operations were not suspended as noncompliance had already been corrected at time of inspection. Licensee conducted well control procedures. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
15	EOG Resources Canada Inc.	Facilities Applications/ Facilities Technical	Failure to acquire the necessary facility licence prior to commencing site preparation, construction, and/or operation.	April 28, 2011	15-30-048-09W5 Brazeau County	Licence/operations not suspended as there was no evidence of operational noncompliance. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
16	Glencoe Resources Ltd.	Field Operations/ Gas Facilities	Single-wall underground tank not tested in last 3 years. Spill or release not contained/cleaned up.	April 27, 2011	08-24-042-26W4 Ponoka County	Operations suspended. Licensee took the underground tank out of service. Licensee cleaned up the spill. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
17	Harvest Operations Corp.	Field Operations/ Drilling Waste	Disposal is closer than allowable limits to surface water. There is migration of drilling waste off of the disposal site.	April 12, 2011	08-05-077-04W6 County of Birch Hills	Operations were not suspended as the operation had already been completed at time of inspection. Licensee will monitor water quality and address any impact. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
18	Harvest Operations Corp.	Facilities Applications/ Facilities Technical	Failure to acquire the necessary facility licence prior to commencing site preparation, construction, and/or operation.	April 4, 2011	05-14-076-07W4 Regional Municipality of Wood Buffalo	Operations were not suspended as the licensee acquired the appropriate licence. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
19	Harvest Operations Corp.	Facilities Applications/ Wells Technical	Failure to acquire the rights to the intended formation(s). No rights to substance(s) for the intended formation(s).	April 15, 2011	03-12-076-07W4 12-12-076-07W4 Regional Municipality of Wood Buffalo	Licence(s) was not cancelled or suspended as licensee amended the licence(s). Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
20	Husky Oil Operations Limited	Resources Application/ Commingling	Improper use of the decision trees (Figure 3.3).	April 8, 2011	12-19-064-13W4 Lac La Biche County	Licensee confirmed in writing that the noncompliance has been addressed by segregating the zones. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
21	Keyera Energy Ltd.	Facilities Applications/ Pipelines/Pipeline Installations Technical	Failure to acquire the necessary pipeline/pipeline installation licence prior to commencing right-of- way or site preparation, construction, and/or operation.	April 12, 2011	13-33-043-01W5 Ponoka County	Licence/operations not suspended as there was no evidence of operational noncompliance. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance not yet achieved.
22	Keyera Energy Ltd.	Technical Operations/ Sulphur Recovery Guidelines	Failure to meet the approved calendar quarter-year sulphur recovery efficiency.	April 27, 2011	10-10-047-14W5 Yellowhead County	In accordance with <i>ID 2001-03: Sulphur Recovery Guidelines for the Province of Alberta</i> , operations were not suspended. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
23	OSUM Oil Sands Corp.	Facilities Applications/ Participant Involvement	No attempt at public and/or industry personal consultation and notification prior to filing an application.	April 21, 2011	05-11-066-01W4 M.D. of Bonnyville	Licence(s) suspended. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
24	Paramount Resources Ltd.	Technical Operations/ Sulphur Recovery Guidelines	Failure to meet the approved calendar quarter-year sulphur recovery efficiency.	April 26, 2011	06-32-122-02W6 Mackenzie County	In accordance with ID 2001-03; Sulphur Recovery Guidelines for the Province of Alberta, operations were not suspended. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
25	Progress Energy Ltd.	Resources Applications/ Gas Allowables	Production prior to the assignment of a yearly allowable.	April 7, 2011	04-26-068-06W6 M.D. of Greenview	Operations suspended. Licensee confirmed in writing that the noncompliance has been addressed. Licensee confirmed that the well has been shut in and will remain shut in until an allowable is assigned and all overproduction has been retired. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
26	*Shell Canada Limited	Technical Operations/ Flaring, Incinerating and Venting	Flaring or incinerating sour gas containing more than 50mol/kmol H ₂ S or from a critical sour gas well without a permit where required.	April 21, 2011	09-17-001-22W4 Cardston County	Operations were not suspended as flaring operations had already been completed. Licensee performed post-incident air modeling. Licensee met with ERCB. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
27	Surge Energy Inc.	Resources Applications/ Commingling	Improper use of the decision trees (Figure 3.3 of <i>Directive 065</i>).	April 5, 2011	14-12-040-04W4 M.D. of Provost	Licensee to confirm in writing that the noncompliance has been addressed and that the well has been shut in and will remain shut in until the requisite approval is obtained. Licensee to provide a plan to address the noncompliance and prevent future occurrences by September 1, 2011. Compliance not yet achieved.

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High Risk Enforcement Action (HREA) ¹						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
28	Twin Butte Energy Ltd.	Field Operations/ Pipelines	Internal corrosion control – no records in corrosive environment.	April 26, 2011	11-33-047-13W4 Three pipelines at this location Beaver County	Operations have not been suspended at this time as licensee will begin an internal corrosion monitoring and mitigation review. Licensee will review all pipelines to determine potential for internal corrosion. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.

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High Risk Enforcement Action (Persistent Noncompliance) ²						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
	None					

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High Risk Enforcement Action (Demonstrated Disregard) ³						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
	None					

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High Risk Enforcement Action (Failure to Comply)⁴

#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Response
1	Water Solutionz Enterprises Inc.	Field Operations/ Well Site	Improper suspension for well type.	April 13, 2011	01-04-033-25W4 Kneehill County	Operations were suspended at time of inspection. Licensee chained and locked wellhead. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance not yet achieved.
2	Water Solutionz Enterprises Inc.	Field Operations/ Oil Facilities	No secondary containment as required. 24-hour emergency number not clearly posted at all entrances.	April 13, 2011	01-04-033-25W4 Kneehill County	Operations were suspended at time of inspection. Licensee removed the tank. Licensee posted the 24-hour emergency number. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance not yet achieved.

If you require further information, contact the ERCB Customer Contact Centre by telephone at 1-855-297-8311 (toll free) or by e-mail to Inquiries@ercb.ca.

Low Risk Enforcement Action – (Global Refer) ⁵						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Follow-up
1	Graybread Energy Ltd.	Corporate Enforcement/ Noncompliance with Liability Management Program Requirements	Failure to pay security deposit.	April 21, 2011	Well Licences: 08-06-046-24W4 09-18-046-24W4 08-06-047-24W4 16-29-046-24W4 06-21-046-24W4 08-06-046-24W4 County of Westaskiwin 01-10-048-24W4 Leduc County Pipeline Licence: 09-18-046-24W4 County of Westaskiwin	Global Refer status. This is an escalation of previous enforcement actions reported on March 2, 2011, and March 18, 2011. Issuance of Abandonment Orders No. AD 2011-21, AD 2011-22, AD 2011-23, and AD 2011-24 and Closure/Abandonment Order No. AD 2011-25. Abandonment of well, facility, and pipeline licences. Licensee required to pay the security deposit, provide a written explanation acceptable to the ERCB addressing the failure to respond and detailing steps to prevent future occurrences, and meet with the ERCB to review its noncompliance history and action plan. Licensee transferred and abandoned licences to satisfy its security deposit requirements, but did not provide an action plan or meet with the ERCB.

If you require further information, contact the ERCB Customer Contact Centre by telephone at 1-855-297-8311 (toll free) or by e-mail to Inquiries@ercb.ca.

Legislative/Regulatory Enforcement Action ⁶						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Follow up
	None					

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Endnotes

¹ **Directive 019—High Risk Enforcement Action (HREA)**

In accordance with *Directive 019: ERCB Compliance Assurance*, the ERCB initiates an HREA against a licensee if it identifies a high risk noncompliant event(s). To address an HREA, the licensee must: immediately correct and address the high risk noncompliant event(s) identified by the ERCB; if necessary, suspend operations, either partially or fully and when safe to do so, to remove the existing or potential impact or hazard resulting in the noncompliance (any suspension of operations must not occur if it will increase the impact or risk to either the public or the environment; compliance must be achieved prior to start-up); develop and implement a written action plan within 60 calendar days or in the time specified by the ERCB group (a licensee may also be required to submit the written action plan and meet with the ERCB group to discuss both the action plan and the licensee's compliance history); and notify the ERCB group that it has corrected and addressed the high risk noncompliance. The ERCB may also apply or require one or more of the following: noncompliance fees; self-audit or inspections; increased audits or inspections; partial or full suspension of operations (until the licensee corrects/addressed the noncompliance); suspension and/or cancellation of the permit, licence, or approval.

² **Directive 019—High Risk Enforcement Action (HREA) (Persistent Noncompliance)**

In accordance with *Directive 019: ERCB Compliance Assurance*, the ERCB initiates an HREA (Persistent Noncompliance) against a licensee with an unacceptable rate, ratio, percentage or number of noncompliant events, either in the same or in different compliance categories. To address an HREA (Persistent Noncompliance), the licensee must: immediately correct and address the high risk noncompliant event(s) identified by the ERCB; if necessary, suspend operations, either partially or fully and when safe to do so, to remove the existing or potential impact or hazard resulting in the noncompliance (any suspension of operations must not occur if it will increase the impact or risk to either the public or the environment; compliance must be achieved prior to start-up); develop, implement, and submit a written action plan within 30 calendar days or in the time specified by the ERCB group (the action plan should address the root causes of any previous noncompliance(s) and detail how the licensee will prevent future noncompliant events); meet with the ERCB group to discuss the high risk noncompliant event(s), the licensee's compliance history, and the written action plan; and notify the ERCB group that it has corrected and addressed the high risk noncompliance(s). The ERCB may also apply or require one or more of the following: noncompliance fees; self-audit or inspections; increased audits or inspections; partial or full suspension of operations (until the licensee corrects and addresses the noncompliance(s)); suspension and/or cancellation of the permit, licence, or approval.

A licensee must operate in compliance for a period of 60 calendar days (or in a time specified by the ERCB) in the same compliance category before achieving overall compliance.

³ **Directive 019—High Risk Enforcement Action (HREA) (Demonstrated Disregard)**

In accordance with *Directive 019: ERCB Compliance Assurance*, the ERCB initiates an HREA (Demonstrated Disregard) against a licensee if the licensee knows or should know about a high risk noncompliant event(s) but does not act to correct and address the noncompliance(s). The ERCB assesses demonstrated disregard on a case-by-case basis. To address an HREA (Demonstrated Disregard), the licensee must: immediately correct and address the high risk noncompliant event(s) identified by the ERCB; if necessary, suspend operations, either partially or fully and when safe to do so, to remove the existing or potential impact/hazard resulting in the noncompliance(s) (any suspension of operations must not occur if it will increase impact or risk to either the public or the environment; compliance must be achieved prior to start-up); develop, implement, and submit a written action plan (the action plan should address the root cause(s) of the noncompliant event(s) and detail how the licensee will prevent future noncompliant events); meet with the ERCB group to discuss the high risk noncompliant event(s), the licensee's compliance history, and the written action plan; and notify the ERCB group that it has corrected and addressed the high risk noncompliance(s). The ERCB may also apply or require one or more of the following: noncompliance fees; self-audit or inspections; increased audits or inspections; partial or full suspension of operations (until the licensee corrects and addresses the noncompliance(s)); suspension and/or cancellation of the permit, licence, or approval; issuance of an Order (Miscellaneous, Closure, or Abandonment); "Refer" status (focused or global).

A licensee must operate in compliance for a period of 180 calendar days (or in the time specified by the ERCB) in the same compliance category before achieving overall compliance.

⁴ **Directive 019—High Risk Enforcement Action (HREA) (Failure to Comply)**

In accordance with *Directive 019: ERCB Compliance Assurance*, the ERCB initiates an HREA (Failure to Comply) against a licensee if it failed to comply with the direction of the ERCB in an ERCB Notice of High Risk Noncompliance, HREA, HREA (Persistent Noncompliance), HREA (Demonstrated Disregard), or a previous HREA (Failure to Comply). To address an HREA (Failure to Comply), the licensee must: immediately correct and address the high risk noncompliant event(s) identified by the ERCB; if necessary, suspend operations, either partially or fully and when safe to do so, to remove the existing or potential impact or hazard resulting in the noncompliance(s) (any suspension of operations must not occur if it will increase the impact or risk to the public or the environment; compliance must be achieved prior to start-up); develop, implement, and submit a written action plan (the action plan should address the root cause(s) of the noncompliant event(s) and detail how the licensee will prevent future noncompliant events); meet with the ERCB group to discuss the high risk noncompliant event(s), the licensee's compliance history, and the written action plan; and notify the ERCB group that it has corrected and addressed the high risk noncompliance(s). The ERCB may also apply or require one or more of the following: noncompliance fees; self-audit or inspections; increased audits or inspections; partial or full suspension of operations (until the licensee corrects and addresses the noncompliance); suspension and/or cancellation of permit, licensee, or approval; issuance of an Order (Miscellaneous, Closure, or Abandonment); "Refer" status (focused or global).

A licensee must operate in compliance for a period of 180 calendar days (or in the time specified by the ERCB) in the same compliance category before achieving overall compliance.

⁵ **Directive 019—Low Risk Enforcement Action (LREA) (Global Refer)** In accordance with *Directive 019: ERCB Compliance Assurance*, the ERCB initiates an LREA (Global Refer) against a licensee who failed to comply with the direction of the ERCB in a Notice of Low Risk Noncompliance. To address an LREA, the licensee must: immediately correct and address the low risk noncompliant event(s) identified by the ERCB; notify the ERCB group that it has addressed the low risk noncompliant event(s); and develop, implement, and submit written action plan within 30 calendar days or in the time specified by the ERCB group; and meet with the ERCB group to discuss the low risk noncompliant event(s), the licensee's compliance history, or the written action plan. The ERCB may also apply or require one or more of the following: noncompliance fees, partial or full suspension, suspension and/or cancellation of permit, licence, or approval; issuance of an Order (Miscellaneous, Closure, or Abandonment); "Refer" status (focused or global).

⁶ **Legislative/Regulatory Enforcement Action**

The ERCB initiates a Legislative/Regulatory Enforcement Action for noncompliance with ERCB requirements that fall outside the administration of *Directive 019: Compliance Assurance*. The ERCB relies upon its statutory and regulatory authority to initiate the enforcement action against the licensee by applying a Refer status against the licensee and possibly issuing an Order (Closure, Miscellaneous, and Abandonment). The ERCB generally initiates these enforcement actions because of a mineral or surface lease expiry, an environmental and public safety concern, or a failure to demonstrate the right to the purpose of the wellbore, the right to access the surface, and working interest ownership in the property.

Refer Status—Focused or Global

This status indicates a licensee's inability or unwillingness to comply. If applied against a licensee, the ERCB will consider the status when deciding to approve or deny future and pending applications and may apply conditions for continued operation.

For further information on ERCB Enforcement Actions, see *Directive 019: Compliance Assurance* or contact the ERCB Compliance Assurance Section at compliancecoordination@ercb.ca.

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