



ERCB Monthly Enforcement Action Summary

April 2012

ENERGY RESOURCES CONSERVATION BOARD
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Introduction

This report provides information on all licensees that have had a High Risk Enforcement Action¹, Low Risk Enforcement Action (Global Refer), or Legislative/Regulatory Enforcement issued against them and is published in the fourth month after the enforcement actions are issued.

The table below summarizes the enforcement actions issued by each ERCB group in April 2012.

ERCB Monthly Enforcement Action Summary*				
	Compliance Category	April 2012		
		Number of High Risk Enforcement ¹ Actions	Number of Low Risk Enforcement Actions (Global Refer)	Number of Legislative/Regulatory Enforcement Actions
Applications Branch				
Facilities Applications Group Audit Section	Facilities Technical	2	0	0
	Wells Technical	1	0	0
Resources Applications Group	Acid Gas Injection/Disposal	1	0	0
	Control Wells	2	0	0
	Spacing	1	0	0
Subtotal		7	0	0
Field Surveillance and Operations Branch				
Field Operations Group	Gas Facilities	1	0	0
	Oil Facilities	2	0	0
	Pipelines	5	0	0
	Well Site Inspections	2	0	0
Liability Management Group	Noncompliance with Liability Management Program Requirements	0	3	1
Technical Operations Group	Sulphur Recovery Guidelines	1	0	0
Subtotal		11	3	1
Geology, Environmental Science, and Economics Branch				
Regulatory Outcomes and Delivery Group Regulatory Delivery Section	Oil Overproduction	1	0	0
Subtotal		1	0	0
Oil Sands and Coal Branch				
In Situ Oil Sands	Commercial In Situ Oil Sands Schemes	1	0	0
Subtotal		1	0	0
Total Enforcement Actions issued		20	3	1

*This table only summarizes the compliance categories for which there were monthly enforcement actions issued.

¹ For high risk noncompliances, the ERCB may issue any of the following enforcement actions: High Risk Enforcement Action, High Risk Enforcement Action (Persistent Noncompliance), High Risk Enforcement Action (Failure to Comply), or High Risk Enforcement Action (Demonstrated Disregard).

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	ARC Resources Ltd.	Field Operations/ Pipelines	Failure/Hit – Damage by Others – Proper procedures were not followed. (Machine working within 60 cm without authorization from the owner of the existing crossing).	April 16, 2012	01-06-067-24W5 M.D. of Greenview	Operations suspended. Licensee reviewed the incident and provided training to personnel involved in Ground Disturbance. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
2	Barrick Energy Inc.	Field Operations/ Pipelines	No operations and maintenance procedures manual, or not followed. Inappropriate construction or design, or documented operating procedures not followed.	April 11, 2012	01-15-046-12W4 Beaver County	Operations suspended. Licensee reviewed manuals with all personnel. Licensee replaced failed section of pipeline and constructed the pipeline as per CSA Z662 standards. 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
3	BlackPearl Resources Inc.	In Situ Oil Sands/ Commercial In Situ Oil Sands Schemes	Altering/modifying scheme design or equipment without notification/approval.	April 4, 2012	Athabasca Oil Sands Area	<p>Operations not suspended as the licensee submitted an application to use the saline water.</p> <p>Licensee received ERCB approval to use saline water in the scheme.</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
4	Devon Canada Corporation	Field Operations/ Pipelines	Operator is aware of a reportable release but neglects to report it.	April 18, 2012	06-03-067-10W5 M.D. of Big Lakes	<p>Operations were not suspended as the pipeline was already suspended at the time of inspection.</p> <p>Licensee reviewed reporting requirements with personnel involved in pipeline management.</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
5	Drumlin Energy Corp.	Field Operations/ Well Site Inspections	Failure to ensure that a call to the licensee 24-hour emergency telephone number initiates immediate action.	April 27, 2012	05-07-013-20W4 06-07-013-20W4 07-07-013-20W4 11-07-013-20W4 05-08-013-20W4 06-08-013-20W4 08-12-013-21W4 County of Lethbridge	Operations were not suspended as ERCB was unable to contact the licensee at the time of inspection. Licensee engaged field operations personnel to review signage and will replace all the signs with the new 24 hour emergency response number. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
6	Elkwater Resources Ltd.	Field Operations/ Gas Facilities	Single-walled underground storage tank not tested within past three years	April 3, 2012	14-22-039-28W4 Lacombe County	Operations suspended. Licensee evacuated all fluids from the tank and conducted a pressure test. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
7	EnCana Corporation	Resources Applications/ Acid Gas Injection/Disposal	Failure to meet conditions of approval.	April 5, 2012	08-20-028-21W4 Kneehill County	Operations were not suspended as the noncompliant operation occurred in the past. Applicant/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
8	Fairwest Energy Corporation	Field Operations/ Pipelines	Construction Damage – Poor construction practices resulting in failure within one year's service/operation.	April 2, 2012	09-14-037-08W4 Special Area 4	Operations suspended. Licensee prepared engineering drawings and repaired the pipeline. Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
9	Harvest Operations Corp.	Field Operations/ Well Site Inspections	Smoking within 25 metres of a well, separator, oil storage tank, or other source of ignitable vapour.	April 13, 2012	13-04-039-08W5 Clearwater County	Operations suspended. Licensee delivered safe work training sessions to site supervisors. 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	Monterra Energy Inc.	Facilities Applications/ Wells Technical	No rights to substance(s) for the intended formation(s)	April 13, 2012	08-23-082-13W5 14-23-082-13W5 Northern Sunrise County	<p>Licence or Operation not suspended as noncompliance has been appropriately addressed or corrected prior to issuance of enforcement.</p> <p>Applicant/Licensee amended the well licences. Applicant/Licensee implemented process to review applications with personnel prior to ERCB submission.</p> <p>Applicant/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
11	NAL Resources Limited	Facilities Applications/ Facilities Technical	Failure to acquire the necessary facility licence prior to commencing site preparation, construction and/or operation.	Apr 10, 2012	02-11-039-03W5 M.D. of Provost	<p>Licence or Operation not suspended. The licensee took appropriate and prompt action to mitigate and correct this failure. This failure had no impact to public safety, environmental protection, or resource conservation.</p> <p>Licensee has acquired the facility licence F44715 which was issued on May 16, 2012, under Application No. 1727848. The applicant subsequently amended the licence status to "abandoned/suspended."</p> <p>Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
12	Paramount Resources Ltd.	Resources Applications/ Control Wells	Producing wells without the requisite control wells in place.	April 3, 2012	16-07-034-17W4 County of Stettler	<p>Licence/Operation suspended.</p> <p>Applicant/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	Penn West Petroleum Ltd.	Resources Applications/ Control Wells	Producing wells without the requisite control wells in place.	April 18, 2012	16-07-034-19W4 County of Stettler	Licence/Operation suspended. Applicant/Licensee provided a plan to address the noncompliance and prevent future occurrences. Compliance achieved.
14	SemCAMS ULC	Technical Operations/ Sulphur Recovery Guidelines	Failure to meet the approved calendar quarter-year sulphur recovery efficiency.	April 30, 2012	01-12-062-20W5 M.D. of Greenview	In accordance with Interim Directive (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.
15	Sinopec Daylight Energy Ltd.	Resources Applications/ Spacing	Production of too many wells per pool per Drilling Spacing Unit without approval.	April 18, 2012	12-06-048-03W5 14-06-048-03W5 Leduc County	Operations suspended. Applicant/Licensee has met the corrective actions specified with the ERCB accepted action plan. Applicant/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	Surge Energy Inc.	Field Operations/ Oil Facilities	Off-lease H2S odors.	April 11, 2012	06-18-074-08W6 County of Grande Prairie	<p>Operations were not suspended as licensee immediately corrected the noncompliance.</p> <p>Licensee manually closed the thief hatch, replaced the spring, and repaired the valve.</p> <p>Licensee reviewed its procedures with operators.</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
17	Tamarack Valley Energy Ltd.	Facilities Applications/ Facilities Technical	Failure to acquire the necessary facility licence prior to commencing site preparation, construction and/or operation.	April 26, 2012	03-24-040-01W4 M.D. of Provost	<p>Licence or Operation not suspended. The licensee failed to meet the ERCB's participant involvement requirements. However, the licensee took appropriate and prompt action to mitigate and correct this failure. No concerns or objections to the activity were expressed to the ERCB. This failure had no impact to public safety, environmental protection, or resource conservation.</p> <p>Licensee submitted Facility Licence application. Licensee reviewed <i>Directive 056</i> requirements with personnel.</p> <p>Applicant/Licensee provided a plan to address the noncompliance and prevent future occurrences.</p> <p>Compliance achieved.</p>
18	Twin Butte Energy Ltd.	Field Operations/ Oil Facilities	Waste sent to facility not authorized to accept it.	April 25, 2012	14-33-061-03W6	<p>Operations at the oilfield waste generator were not suspended as disposal operation occurred in the past.</p> <p>Licensee discussed new procedures to handle waste disposal with operations personnel.</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
19	Waldron Energy Corporation	Field Operations/ Pipelines	<p>Marking of existing pipelines inside a controlled area is unsatisfactory.</p> <p>Machine working within 60 cm without authorization from the owner of the existing crossing.</p> <p>Contaminated materials or materials possessing the potential to leach stored directly on the ground.</p>	April 18, 2012	<p>03-07-043-27W4</p> <p>Ponoka County</p>	<p>Operations suspended.</p> <p>Licensee repaired the pipeline.</p> <p>Licensee implemented an additional process in pipeline and operations procedures for ground disturbance.</p> <p>Licensee cleaned up the contaminated soil and conducted further sampling in the affected area.</p> <p>Licensee provided a plan to address the noncompliances and prevent future occurrences.</p> <p>Compliance achieved.</p>

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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
1	Second Wave Petroleum Inc.	Regulatory Outcomes and Delivery/ Oil Overproduction	Failure to retire all cumulative overproduction in the time provided.	April 25, 2012	01-03-064-09W5 M.D. of Big Lakes	<p>Licensee has confirmed in writing that the well has been shut in and will remain shut in until all overproduction is retired.</p> <p>Licensee changed its monitoring process of the wells on the maximum rate limitation.</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 (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
	None					

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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	Aspen Endeavour Resources Inc.	Liability Management/ Noncompliance with Liability Management Program Requirements	Failure to pay security deposit.	April 18, 2012	07-34-009-17W4 M.D. of Taber 16-16-051-23W4 Strathcona County 15-04-070-23 W5 14-03-070-23 W5 M.D. of Greenview	<p>This is an escalation from a previous enforcement action issued on March 15, 2012.</p> <p>Global Refer status.</p> <p>Issuance of Closure Order No. C 2012-22.</p> <p>Suspension and closure of well licences.</p> <p>Licensee required to</p> <ul style="list-style-type: none"> • pay the security deposit, and • provide written explanation acceptable to the ERCB addressing the failure to respond and detailing steps to prevent future occurrences. <p>Licensee failed to comply. Abandonment Order No. AD 2012-23 and Closure/Abandonment Order No. AD 2012-24 were subsequently issued.</p> <p>Licensee has entered receivership. Enforcement actions have been suspended at this time to allow the Receiver to transfer the properties.</p>

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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
2	Enerhance Resources Inc	Liability Management/ Noncompliance with Liability Management Program Requirements	Failure to pay security deposit.	April 17, 2012	N/A – Against Licensee	<p>Global Refer status.</p> <p>Issuance of Miscellaneous Order No. MISC 2012-5</p> <p>Licensee required to</p> <ul style="list-style-type: none"> • pay the security deposit, and • provide written explanation acceptable to the ERCB addressing the failure to respond and detailing steps to prevent future occurrences. <p>Licensee failed to comply. Closure Order No. C 2012-23 and Abandonment Order No. AD 2012-26 were subsequently issued.</p> <p>Licensee failed to comply. The ERCB is evaluating further actions.</p>

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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
3	Water Solutionz Enterprises Inc.	Liability Management/ Noncompliance with Liability Management Program Requirements	Failure to pay security deposit.	April 10, 2012	Well and Facility Licence 01-04-033-25W4 Kneehill County	<p>This is an escalation from a previous enforcement action issued on March 15, 2012.</p> <p>Global Refer status.</p> <p>Issuance of Closure Orders No. C 2012-20 and C 2012-21.</p> <p>Suspension and closure of well and facility licences.</p> <p>Licensee required to</p> <ul style="list-style-type: none"> • pay the security deposit, and • provide written explanation acceptable to the ERCB addressing the failure to respond and detailing steps to prevent future occurrences. <p>Licensee failed to comply. Abandonment Orders No. AD 2012-19 and AD 2012-20 were subsequently issued.</p> <p>Licensee failed to comply. The ERCB is evaluating further actions.</p>

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Legislative/Regulatory Enforcement Action ⁶						
#	Licensee	ERCB Group/ Compliance Category	Noncompliance Event	Date of Enforcement	Surface Location	ERCB Action(s) and Licensee Follow up
1	Drumlin Energy Corp.	Liability Management/ Petroleum and Natural Gas Mineral Rights Expiry	Failure to prove to the satisfaction of the ERCB that Drumlin Energy Corp. has a valid entitlement to produce the well.	April 12, 2012	11-36-008-08W4 County of Forty Mile	<p>This is an escalation from a previous enforcement action issued on March 8, 2012.</p> <p>Global Refer status.</p> <p>Issuance of Abandonment Order No. AD 2012-18.</p> <p>Abandonment of well licence.</p> <p>Licensee required to</p> <ul style="list-style-type: none"> • abandon the well and submit the Digital Data Submission, and • provide written explanation acceptable to the ERCB addressing the failure to respond and the root causes of noncompliance. <p>Licensee abandoned the 11-36-008-08W4 well.</p> <p>Compliance achieved.</p>

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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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