



NWT OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

Office of the Regulator of Oil and Gas Operations

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Stephanie Lindsay  
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December 5, 2025

Dear Stephanie Lindsay:

**Notice: Regulating Post-Abandonment Remediation for Activities Authorized Under (C)OGOA: Sathu Settlement Area Environmental Liabilities**

In September 2025, the Office of the Regulator of Oil and Gas Operations (OROGO) was approached by the Sahtu Land and Water Board to confirm the status of oil and gas sites in the Sahtu Settlement Area operated by Husky Energy Inc., now Cenovus Energy Inc. (Cenovus). Cenovus no longer has any infrastructure regulated by OROGO in the Sahtu Settlement Area, but there is potential remaining pollution on Cenovus's wellsites due to those activities.

In April 2025, OROGO launched a pilot approach for the regulation of post-abandonment remediation for activities regulated under the *Oil and Gas Operations Act* (OGOA). To explain this approach, we have enclosed two documents for your review:

1. OROGO's initial description of the pilot approach, *OROGO Pilot Approach to Regulating Post-Abandonment Closure and Reclamation Activities*, which was shared with active operators in our jurisdiction, the Canadian Association of Petroleum Producers, other regulators, and GNWT departments in April 2025.
2. *Questions and Answers: Post-Abandonment Remediation Pilot Approach*, which was issued in July 2025 to address the questions and feedback received from stakeholders in response to the April 2025 pilot approach document. This document will help you understand our current approach to regulating post-abandonment remediation for OGOA-regulated activities.

Our authority to regulate post-abandonment remediation is based on the existence of known or potential remaining pollution from activities regulated under OGOA or, prior to April 1, 2014, the *Canada Oil and Gas Operations Act* (COGOA). Pollution from activities regulated under (C)OGOA should have been reported to the Regulator and to the NT/NU Spill Line, with the National Energy Board, Canada Energy Regulator (CER), or OROGO identified as the lead agency. We have reviewed our records and the NT/NU Spill Database for indications of

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remaining pollution under our jurisdiction. We have also worked with the CER to confirm the current known status of spills under our jurisdiction based on its records. Our review found three outstanding open pollution events from Cenovus's (C)OGO regulated activities the Sahtu Settlement Area, summarized in Table 1.

**Table 1: Outstanding Open Pollution Events for Cenovus in the Sahtu Settlement Area**

<b>Spill #</b>	<b>Description</b>	<b>Occurrence Date</b>	<b>Current Documented Status</b>
2008075	3000L of drilling mud; Dahanni B-20 wellsite	March 7, 2008	<ul style="list-style-type: none"><li>• Operator reported vacuum truck on site to clean up the release.</li><li>• No description of drill fluid properties.</li></ul>
2008082	1500L of drilling mud; Keele River L-52 wellsite	March 7, 2008	<ul style="list-style-type: none"><li>• No record of clean up efforts.</li><li>• No description of drill fluid properties.</li></ul>
2012049	250L of wastewater; Husky Little Bear H-64 wellsite	February 21, 2012	<ul style="list-style-type: none"><li>• Half of the volume collected by vacuum truck.</li></ul>

If Cenovus has documents demonstrating there is no known or potential remaining pollution from these events, please provide them to OROGO at [orogo@gov.nt.ca](mailto:orogo@gov.nt.ca) for review by January 12, 2026.

After reviewing your submissions, OROGO will either:

- Determine there is known or potential remaining pollution from these events, in which case Cenovus will require a post-abandonment remediation Authorization from OROGO; or
- Determine there is no known or potential remaining pollution from these events, in which case Cenovus will not require a post-abandonment remediation Authorization from OROGO.

Note that:

- The enclosed Question-and-Answer document provides more information on the scope of post-abandonment remediation Authorizations and how OROGO is working in coordination with the Land and Water Boards' Closure and Reclamation process to reduce duplication and potential for misalignment.

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- OROGO will revisit its determination of known or potential remaining pollution based on any further site assessments conducted at these sites.

If you have any questions or would like to arrange a meeting to discuss further, please contact us at [orogo@gov.nt.ca](mailto:orogo@gov.nt.ca).

Sincerely,



Pauline de Jong  
Executive Director

Encl Pilot Approach to the Regulation of Post-Abandonment Closure and Reclamation Questions and Answers: Post-Abandonment Remediation Pilot Approach

- c. Lisa Warren, Senior Manager, Cenovus Energy Inc.  
Paul Dixon, Executive Director, Sahtu Land and Water Board  
Natalie Lippa, Regulatory Specialist, Sahtu Land and Water Board  
Melissa Pinto, Regulatory Specialist, Sahtu Land and Water Board  
Jeffery Walker, Regional Superintendent Sahtu Region, Department of Environment and Climate Change, GNWT

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# Pilot Approach to the Regulation of Post-Abandonment Closure and Reclamation Under the *Oil and Gas Operations Act (OGOA)*

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## Introduction

Since 2017, the NWT has seen significant closure activity associated with oil and gas operations: well abandonments, decommissioning and removal of surface infrastructure, and abandonment of pipelines. As a result, the regulation of post-abandonment closure and reclamation for oil and gas operations has emerged as an area for discussion. Questions about who regulates closure and reclamation activities and how they do so have been raised by regulators in the Northwest Territories and by oil and gas companies.

The Office of the Regulator of Oil and Gas Operations (OROGO) considers closure and reclamation for oil and gas operations to be a work or activity related to the exploration or drilling for or the production, conservation, processing or transportation of oil or gas and regulated under the *Oil and Gas Operations Act (OGOA)*. This conclusion is supported by section 6(k) of the *Oil and Gas Drilling and Production Regulations*, which requires applications for an Operations Authorization to include “a description of the decommissioning and abandonment of the site, including methods for restoration of the site after its abandonment”.

This document outlines OROGO’s pilot approach to applying OGOA to these activities. The pilot approach is meant to provide immediate direction and certainty to oil and gas companies while also allowing for flexibility to respond to lessons learned as this final phase of the oil and gas life cycle develops.

This document:

- Describes OROGO’s objectives for the pilot approach.
- Defines post-abandonment closure and reclamation activities.
- Outlines the requirements for a Remedial Action Plan.
- Lists application requirements for an Operations Authorization for post-abandonment closure and reclamation activities.
- Provides information on pre-application meetings with OROGO.

## Objectives

OROGO recognizes that, in most cases, closure and reclamation for oil and gas operations will also be regulated by the Land and Water Boards of the Mackenzie Valley (LWBMV). Therefore, the pilot approach to regulating these activities under OGOA endeavours to:

- Establish clear minimum regulatory requirements for site closure and reclamation operations under OGOA.

- Align with the LWBVM’s existing closure and reclamation process guidance (*Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories*, November 2013).
- Reflect existing guidance on closure and reclamation issued by the Government of the Northwest Territories (*Environmental Guidelines for Contaminated Site Remediation*, November 2003).
- Minimize the regulatory burden on oil and gas companies by avoiding unnecessary duplication of requirements.
- Provide consistency in site closure and reclamation when authorizations the LWBVM are not required.

## Post-Abandonment Site Closure and Reclamation

OROGO’s pilot approach applies to site closure and reclamation activities occurring after the oil and gas infrastructure on the site (wells, pipelines, and other structures) has been decommissioned or abandoned. OROGO refers to this phase as “post-abandonment site closure and reclamation”. OROGO’s requirements for well abandonments and the abandonment or decommissioning of associated infrastructure are described in the *Well Suspension and Abandonment Guidelines and Interpretation Notes*.

Post-abandonment site closure and reclamation activities include:

- Site assessment.
- Development of a Remedial Action Plan, including remediation criteria.
- Implementation of the RAP.
- Post-implementation reporting to OROGO.

## Remedial Action Plans

OROGO’s pilot approach requires operators to develop a Remedial Action Plan (RAP) and submit it to OROGO for review. The RAP must be approved by the Regulator before it can be implemented.

The RAP must align with the requirements of the *Environmental Guidelines for Contaminated Site Remediation*. The RAP may be the same document as the Closure and Reclamation Plan (CRP) submitted to the LWBVM if the criteria in the CRP meet or exceed the guideline requirements.

## Application Requirements

Post-abandonment closure and reclamation activities require an Operations Authorization (OA). The requirements for OA applications are contained in:

- The *Oil and Gas Operations Act* (OGOA).
- The *Oil and Gas Drilling and Production Regulations* (OGDPR).

The Regulator under OGOA must also consult regarding adverse impacts to established or asserted Aboriginal and Treaty Rights protected by section 35 of the *Constitution Act, 1982* and comply with the requirements for regulatory authorities under the *Mackenzie Valley Resource Management Act (MVRMA)*.

Therefore, the following documents and information must be submitted to OROGO to apply for a post-abandonment closure and reclamation OA:

1. A completed and signed OA application form.
2. A completed and signed Declaration form.
3. Confirmation of the approval or waiver of a Benefits Plan for the proposed activity.
4. Information to support the Regulator in determining the amount of proof of financial responsibility required for the proposed activity.
5. An application that complies with the requirements of section 6 of the OGDPR and the requirements of the *Environmental Guidelines for Contaminated Site Remediation* for site assessment and for development and implementation of a RAP. If the applicant believes a requirement does not apply, this must be clearly stated.
6. A Safety Plan (tailored to the nature and scope of the proposed activities, see the *Safety Plan Guidelines and Interpretation Notes* for more information).
7. An Environmental Protection Plan (tailored to the nature and scope of the proposed activities, this may be the same document submitted to the LWBMV with the addition of a concordance table demonstrating compliance with the *Environmental Protection Plan Guidelines and Interpretation Notes*).
8. A Contingency Plan (tailored to the nature and scope of the proposed activities, see the *Contingency Plan Guidelines and Interpretation Notes* for more information).
9. Audited financial statements for the most recent fiscal year end, quarterly financial statements for the most recent quarter, and proof of insurance.
10. Information on preliminary screenings completed or underway for the project under the MVRMA.
11. The Engagement Record and Engagement Plan submitted to the LWBMV (see the LWBMV's *Engagement and Consultation Policy*), or similar information.

## Pre-Application Meetings

Pre-application meetings allow applicants to ask OROGO questions in an informal setting, prior to applying for an OA and entering the formal decision-making process.

Pre-application meetings are not mandatory, but OROGO recommends applicants take advantage of this opportunity.

Topics for a pre-application meeting could include:

- The application process.
- Timeframes for applying.
- Application package requirements.
- Technical questions about closure and reclamation requirements.
- Any other questions the applicant has.

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

To request a pre-application meeting, email [orogo@gov.nt.ca](mailto:orogo@gov.nt.ca).

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# Questions and Answers: Post-Abandonment Remediation Pilot Approach

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This document answers questions received from industry and other stakeholders about the Office of the Regulator of Oil and Gas Operations (OROGO) pilot approach to regulating post-abandonment remediation under the *Oil and Gas Operations Act* (OGOA). It addresses:

- What is covered under the pilot approach
- When a remediation Authorization is required
- The scope of a remediation Authorization
- Minimizing duplication with Land and Water Board processes
- The impact on companies with an approved Final Closure and Reclamation Plan
- The impact on companies with a Closure and Reclamation Plan in process but not approved
- Proof of financial responsibility for remediation Authorizations
- The legal basis for the Regulator's authority over remediation on oil and gas sites
- The concerns OROGO is addressing with the pilot approach
- The timing of OROGO's engagement with this issue
- The parties and stakeholders OROGO engaged with about the pilot approach

## What is Covered Under the Pilot Approach

The pilot approach covers pollution resulting from activities authorized through an Authorization under OGOA or, prior to April 1, 2014, under the *Canada Oil and Gas Operations Act* (COGOA).

Therefore, the pilot approach covers pollution resulting from:

- Drilling, operating, suspending, and abandoning a well
- Building, operating, deactivating, decommissioning, and abandoning a pipeline
- Building, operating, decommissioning, and abandoning infrastructure associated with wells and pipelines such as batteries, separator shacks, and storage tanks

The pilot approach does not cover pollution or other environmental impacts resulting from sumps, camps, access roads, or transboundary pipelines and associated infrastructure.

## When a Remediation Authorization is Required

The following factors determine whether a remediation Authorization is required:

### **Was the activity authorized under OGOA (or COGOA, before April 1, 2014)?**

Examples of activities authorized under (C)OGOA include wells, pipelines, batteries, storage tanks, and other items directly associated with wells and pipelines.

### **Did the activity authorized under (C)OGOA cause pollution?**

Pollution occurs when an unauthorized substance enters the environment. It is not limited to spills of oil and gas. All pollution must be reported to the Regulator as soon as the circumstances permit. Pollution may also have been reported to the NT/NU Spill Line.

## Was the pollution cleaned up?

As the abandonment and decommissioning of oil and gas infrastructure on a site is winding up, OROGO will assess the status of any pollution reported to the Regulator or the NT/NU Spill Line from activities authorized under (C)OGOA. If the status is anything other than closed and remediated, OROGO will contact the company for more information. At that time, companies can submit documents to OROGO demonstrating the pollution from activities authorized under (C)OGOA was completely cleaned up and there is no known or potential remaining pollution.

**If a company demonstrates, to the satisfaction of the Regulator, there is no known or potential remaining pollution from activities authorized under (C)OGOA,** it does not require a remediation Authorization and OROGO will not regulate other closure and reclamation activities on the site.

However, if later research reveals pollution from an activity authorized under (C)OGOA, the company must meet its obligations under section 75 of the *Oil and Gas Drilling and Production Regulations*, beginning with reporting to the Regulator. Pollution must also be reported to the NT/NU Spill Line.

**If there is known or potential remaining pollution from activities authorized under (C)OGOA,** OROGO will regulate the assessment and clean-up of the remaining pollution through a remediation Authorization.

However, if testing conducted under the remediation Authorization demonstrates no pollution from activities authorized under (C)OGOA, the Authorization will be terminated and OROGO will not regulate other closure and reclamation activities on the site.

## Scope of a Remediation Authorization

The remediation Authorization scopes in four components:

### 1. Environmental Site Assessment (ESA)

ESAs include initial testing to determine whether pollution exists and, if necessary, subsequent testing to gather more information about the pollution and inform the clean-up plan. ESAs must meet the standards established by the Department of Environment and Climate Change (ECC-GNWT) for ESAs.

### 2. Clean-up Plan

Companies may submit the Closure and Reclamation Plan prepared for the Land and Water Board as a clean-up plan. The Regulator's approval is only required for sections addressing pollution from activities authorized under (C)OGOA. These sections of the clean-up plan must meet the standards established by ECC-GNWT for Remedial Action Plans.

### 3. Clean-up Activities

#### **4. Monitoring and reporting**

OROGO inspects authorized activities. OROGO's Inspectors work closely with ECC-GNWT Inspectors to minimize misalignment between regulators.

OROGO reviews the results of authorized activities. OROGO will consult with the Land and Water Board and ECC-GNWT Inspectors before declaring the pollution cleaned up.

#### **Minimizing Duplication with Land and Water Board Processes**

OROGO recognizes some remediation activities on oil and gas sites will also be regulated under the *Mackenzie Valley Resource Management Act (MVRMA)* by a Land and Water Board.

OROGO is minimizing duplication with Land and Water Board processes by:

- Limiting the scope of its Authorizations to the remediation of pollution resulting from activities and infrastructure authorized under (C)OGOA.
- Accepting documents prepared for the Land and Water Board process rather than requiring companies to develop separate, OROGO-specific documents. These documents include:
  - The Final Closure and Reclamation Plan prepared for the Land and Water Board. The Regulator's approval is only required for sections addressing pollution from activities authorized under (C)OGOA.
  - Reports of Environmental Site Assessments and other research prepared for the Land and Water Board, to the extent they address pollution from activities authorized under (C)OGOA.
  - Reports on the implementation of clean-up activities and their results, to the extent they address pollution from activities authorized under (C)OGOA.
- Coordinating its process with the Land and Water Board process, where possible, to avoid delays and misalignments.
- Conducting joint inspections with GNWT-ECC Inspectors where possible.
- Coordinating closure sign-off processes with the Land and Water Board and GNWT-ECC Inspectors.

#### **Impact on Companies with an Approved Final Closure and Reclamation Plan**

If there is known or potential remaining pollution from activities authorized under (C)OGOA on a site and the company already has a Final Closure and Reclamation Plan approved by the appropriate Land and Water Board, OROGO will accept the Final Closure and Reclamation Plan as approved to avoid delays.

In this case, the company must:

1. Submit the approved Final Closure and Reclamation Plan to OROGO with a concordance table indicating where pollution from activities authorized under (C)OGOA is addressed in the Final Closure and Reclamation Plan. If the company proposes changes to these sections based on the site assessment results, OROGO will review the proposed changes and provide feedback before it is finalized, in consultation with the appropriate Land and Water Board.
2. Apply to OROGO for a remediation Authorization.

## **Impact on Companies with a Closure and Reclamation Plan in Process but Not Approved**

If there is known or potential remaining pollution from activities authorized under (C)OGOA on a site and the company does not have an approved Closure and Reclamation Plan with a Land and Water Board, the company must:

1. Apply to OROGO for a remediation Authorization.
2. Submit the latest version of the Closure and Reclamation Plan to OROGO with a concordance table indicating where pollution from activities authorized under (C)OGOA is addressed in the Closure and Reclamation Plan. OROGO will review the draft and provide feedback before it is finalized, in consultation with the appropriate Land and Water Board.

## **Proof of Financial Responsibility for Remediation Authorizations**

The Regulator cannot issue an Authorization without proof of financial responsibility (PFR) in an amount satisfactory to the Regulator (sections 13 and 64(1) of the *Oil and Gas Operations Act*).

The applicant must provide the information described in the *Proof of Financial Responsibility Guidelines and Interpretation Notes* when applying for a remediation Authorization.

The Regulator's decision on the amount of proof of financial responsibility is based on the potential spills or debris resulting from the remediation activities covered by the Authorization. The amount of proof of financial responsibility does not relate to spills or debris already present on the site due to earlier activities.

## **Legal Basis for the Regulator's Authority over Remediation on Oil and Gas Sites**

The Regulator's authority over remediation on oil and gas sites comes from OGOA and the *Oil and Gas Drilling and Production Regulations* (OGDPR).

OGOA applies to exploring for, drilling for, producing, conserving, processing, and transporting oil and gas in the onshore Northwest Territories (section 3 of OGOA). These activities may not be carried out without an Authorization issued by the Regulator under section 10(1)(b) of OGOA (section 6(b) of OGOA).

To obtain an Authorization, the applicant must submit (among other things):

- An Environmental Protection Plan (section 6(d) of the OGDPR) and a Contingency Plan (section 6(j) of the OGDPR). These two plans are intended to avoid pollution from activities under the Authorization and, if necessary, ensure any pollution that does occur is cleaned up to the Regulator's satisfaction.
- A description of the decommissioning and abandonment of the site, including methods for restoration of the site after its abandonment (section 6(k) of the OGDPR).

As authorized activities occur, the Regulator, the Chief Conservation Officer, and the Conservation Officer(s) are notified of any pollution and monitor its clean-up. If pollution from authorized activities remains after the oil and gas infrastructure on the site has been abandoned and removed, it continues to be under the Regulator's jurisdiction.

## Concerns OROGO is Addressing with the Pilot Approach

OROGO's pilot approach addresses:

- **OROGO's regulatory obligations:** OROGO (or the National Energy Board, prior to April 1, 2014) regulated activities that may have resulted in pollution. If pollution from activities authorized under (C)OGOA remains after abandonment, OROGO has a regulatory obligation under OGOA to oversee the clean up of that pollution, in line with its mandate to protect the environment.
- **Limitations of the Land and Water Boards:** Land and Water Boards regulate activities that exceed certain thresholds for land use, water use, or deposit of waste. If a company is not carrying out activities that exceed the thresholds, they are not regulated by the Land and Water Boards. If a company were responsible for a site with pollution due to activities authorized under (C)OGOA and chose not to clean up that pollution, there would be no trigger for Land and Water Board regulation, and the Land and Water Board would not be able to make the company clean up the pollution.
- **Need for clear, transparent regulatory requirements:** Clean-up of pollution from activities authorized under (C)OGOA should meet clear minimum regulatory requirements and align with guidance issued by the Government of the Northwest Territories. To ensure this, OROGO must have a role in approving the clean-up plan and overseeing its implementation.
- **Oversight and enforceability of requirements:** While overseeing the clean-up of pollution from activities authorized under (C)OGOA, OROGO must be able to conduct inspections, receive reports, and monitor the results of these activities. An Authorization underpins OROGO's authority to conduct these activities as well as, if necessary, issue direction, issue orders, and otherwise enforce the Authorization.

## Timing of OROGO's Engagement with this Issue

OROGO is engaging with this issue now because:

- Production sites have a higher potential for remaining pollution than single well sites. Two major production sites regulated by OROGO are being abandoned, raising the need to consider clean-up of any remaining pollution from activities authorized under (C)OGOA.
- The Land and Water Boards have expressed interest in OROGO taking a more active role in this area because of the origins of the pollution, the limitations of their process, and the technical expertise required.

## Parties and Stakeholders OROGO Engaged with about the Pilot Approach

OROGO shared information on the pilot approach with:

- Operators active in its jurisdiction
- The Canadian Association of Petroleum Producers
- The Land and Water Boards of the Mackenzie Valley
- The Canada Energy Regulator
- The Department of Environment and Climate Change
- The Department of Industry, Tourism, and Investment

Their comments and questions formed the basis for this document.

The pilot approach addresses pollution resulting from activities authorized under (C)OGOIA, which has always been under OROGO's regulatory authority. Therefore, the pilot approach does not represent a change in the regulatory framework.

Once the pilot approach has been running for at least a year, OROGO will draft guidelines and interpretation notes for remediation under section 18 of OGOIA. As with all OROGO guidelines, a draft will be made available for public engagement and comment.