

Notice of Proposed Directive Amendments

Directive PNG009: Public Notice Requirements

Background

The Ministry of Energy and Resources (ER) is undertaking consultations with the oil and gas industry on the content of proposed amendments to *Directive PNG009: Public Notice Requirements* (the amended Directive). This document provides background information for this consultation.

The Process

Consultation on the amended Directive will take place from December 17, 2019 to January 27, 2020. After the consultation closes, ER will review any feedback for potential changes. The amended directive is expected to be approved and come into effect in early 2020.

Overview of Proposed Amendments

The proposed changes fall into the following categories:

- Provision of additional authority to allow ER to extend the public notice period or to accept other methods of notification (example – in the event of a mail strike);
- Greater clarity provided on the responsibilities of applicants/objectors and outline additional timelines where needed;
- Miscellaneous additions/revisions/clarifications. This includes references to other Directives that include requirements that the licensee must address.

Summary of Proposed Changes

- Clarified/updated definition detail related to offset mineral owner/operator;
- Providing authority to ER to extend a public notice period (subsection 8.1) and allows ER to specify/approve a method other than registered mail as acceptable for notification requirements (subsection 2.3);
- Providing clarity and additional detail related to notification requirements when an offset mineral owner is undisposed crown land (subsection 5.2);
- Providing additional clarity to assist in expected timelines to adhere to at a minimum when addressing offset parties/objections (sections 4 and 6);

- Added requirement to keep record of public notice once it has closed, as well as to provide the public notice number and details of objections as part of any application submission for which public notice was required (subsections 7.1 and 7.2); and
- Removal of public notice requirements for gas processing facilities.

Review of Amended Directive

ER is seeking written comments on the amended Directive. Key amendments are outlined in a side-by-side, which is attached to this notice as Appendix A. A draft of the amended Directive is also attached as Appendix B. Please direct any comments or questions about the proposed amendments to:

er.servicedesk@gov.sk.ca

The deadline for submitting written comments is January 27, 2020.

APPENDIX A: Changes to Directive PNG009: Public Notice Requirements

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>1.2 Definitions</p> <p>Disposed Crown land: means mineral land owned by the Government of Saskatchewan that is subject to an oil and gas permit, licence or lease.</p> <p>Offset mineral owner/operator: means parties that are mineral owners or well operators that may be impacted by a proposed application.</p> <p>Undisposed Crown land: means mineral land owned by the Government of Saskatchewan that is not subject to an oil and gas permit, licence or lease.</p> <p>Unit: means mineral lands where the mineral owners have pooled their interests via a formal agreement or where a field or pool was unitized pursuant to section 35 of the OGCA.</p> <p>Unit lands: means the mineral lands contained with a unit.</p>	<p>1.2 Definitions</p> <p>Business day: As defined in the OGCR.</p> <p>Disposed Crown land: means mineral land subject to a disposition granted or administered by the Crown pursuant to <i>The Crown Minerals Act</i>.</p> <p>Offset parties: means parties associated to the targeted stratigraphy that may be offset mineral owner/operators, lessees or as otherwise identified for a specific application process.</p> <p>Undisposed Crown land: means mineral land not subject to a disposition granted or administered by the Crown pursuant to <i>The Crown Minerals Act</i>.</p> <p>Unit: means mineral lands where the mineral owners have pooled their interests via a formal agreement or where a field or pool was unitized pursuant to section 35 of the OGCA.</p> <p>Unit lands: means the mineral lands contained with a unit</p>	<p>Defined “business day” to provide clarity regarding timeframes.</p> <p>Redefined “Disposed Crown land” to include all mineral lands.</p> <p>Defined “offset parties” as a common term used throughout the Directive.</p> <p>Removed definition of “offset mineral owner/operator” and replaced with “offset party” to provide additional clarity.</p> <p>Redefined “Undisposed Crown land” to include all mineral lands.</p>
<p>2. What Is Public Notice</p> <p>The process allows affected parties an opportunity to express concerns or provide objections to those activities to the applicant.</p>	<p>2. What Is Public Notice?</p> <p>The process allows offset parties an opportunity to express concerns or provide objections to those activities to the applicant.</p>	<p>Changed “affected parties” to “offset parties” for consistency.</p>
<p>2.1 How the Public Notice Process Works</p> <p>The public notice is posted on the ER website (called ‘posted for notice’; see section 5 of this Directive for further details) and mailed out by the applicant to all impacted parties.</p>	<p>2.1 How the Public Notice Process Works</p> <p>The public notice is posted on the ER website (called ‘posted for notice’; see section 5 of this Directive for further details) and mailed out by the applicant to all offset parties unless otherwise approved.</p>	<p>Added “unless otherwise approved” to allow for flexibility in unique situations.</p> <p>Changed “impacted parties” to “offset parties” for consistency.</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>An applicant must also provide copies of the public notice and the application to anyone that may be impacted who requests it.</p> <p>The information provided to a concerned offset or otherwise impacted party must include enough information to provide technical justification for the project or well activity that is being planned.</p>	<p>An applicant must also provide copies of the public notice and application detail to anyone who may be reasonably impacted who requests it.</p> <p>The information provided must include enough information to provide technical justification for the project or well activity that is being planned. Objections or concerns are to be submitted to the applicant.</p>	<p>Added “reasonably” in order to outline the expectation that if an objection/request for information is received from a party outside of the planned stratigraphy or minimum notification area, the applicant is able to assess whether to provide information/detail.</p> <p>Added to clarify that the objection process should be addressed between applicant and objector.</p>
<p>2.2 What Needs Public Notice</p> <p>As specified in the guidelines or directives that apply to the following application types, companies must complete a public notice for certain types of applications prior to submitting the application. The following types of activities or projects may require notification be made to offsetting or impacted mineral owners or operators:</p> <ul style="list-style-type: none"> • Enhanced Oil Recovery (EOR) Projects • Off-Target Wells • Disposal/Injection Wells • Storage Projects Public Notice Requirements • CO2 Storage Projects • Waterflood Projects • Gas Processing Facilities • Well Spacing Modifications • Good Production Practice (GPP) • Concurrent Production • Measurement Exemptions 	<p>2.2 What Needs Public Notice?</p> <p>As specified in the guidelines or directives that apply to the following application types, companies must complete a public notice for certain types of applications prior to submitting the application. The following types of activities or projects may require notification to be made to offset parties:</p> <ul style="list-style-type: none"> • Enhanced Oil Recovery (EOR) Projects; • Off-Target Wells; • Disposal/Injection Wells; • Storage Projects; • CO2 Storage Projects; • Geothermal Projects; • Waterflood Projects; • Gas Processing Facilities • Well Spacing Modifications; • Good Production Practice (GPP); • Concurrent Production; and, • Measurement Exemptions. 	<p>Removed Gas Processing Facility as it is part of the Gas Processing Plant application/Facility licence process and associated to surface rather than subsurface owners/operators and has therefore been removed from this Directive.</p> <p>Added Geothermal Projects to activities requiring public notice as it is its own application type.</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>3.1 Consent Format</p> <p>A consent letter shall include the following:</p> <ul style="list-style-type: none"> • the surface and bottom hole locations of all existing wells or facilities within the project area; • the proposed well co-ordinates; and, • the proposed pool(s) of interest. 	<p>3.1 Consent Format</p> <p>A consent letter shall include the following:</p> <ul style="list-style-type: none"> • details of what is being consented to; • the surface and bottom hole locations of all existing wells or facilities within the project area; • the proposed well co-ordinates; and, • the proposed pool(s) of interest or stratigraphic unit. 	<p>Added additional requirements to help provide clarification to offset parties.</p>
<p>4. What Must be Provided for Public Notice</p> <p>An applicant must provide, upon request, copies of the application to any party offset as identified in the tables in Appendix 1 of this Directive.</p>	<p>4. What Must Be Provided For Public Notice?</p> <p>An applicant must provide, upon request, copies or details of the application to any party as identified in the tables in Appendix 1 of this Directive.</p> <p>The applicant must provide a minimum of five business days for additional detail or objection if a concern is identified. For example, if a request for information or concern is received on the last day of notice, the applicant must provide at least five business days for the offsetting party to provide a response or an objection in order for the Public Notice to be considered closed. Additional time to review and provide a response must be allowed for if the offset party and applicant come to an agreement, or if deemed required by ER.</p>	<p>Added to ensure applicants allow concerned parties enough time to review the application and address any concerns if something is expressed at the end of the notice period. ER's expectation is this should be dealt with prior to consideration that the public notice is closed.</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>5.2 Mail Notification</p> <p>Hard copies of the completed public notice form are to be mailed out by the applicant to all of the affected parties via registered mail for all notices except those related to undisposed Crown lands. In these cases, the applicant is only required to send an electronic copy of the notice to ER. The email address for the delivery of the public notice is petlands@gov.sk.ca.</p>	<p>5.2 Mail Notification</p> <p>Hard copies of the completed public notice form are to be mailed out by the applicant to all of the offset parties, excluding the Crown, via registered mail or a signature confirmation delivery method, unless otherwise agreed upon by the applicant and offset party, in which case a record of the agreement between the parties must be kept. Any agreement for notification between applicant and off-set party must be a notification that is in a recordable format, ie. hard-copy, electronic record.</p> <p>In the case of undisposed Crown land, the applicant is only required to send an electronic copy of the notice to ER via the er.servicedesk@gov.sk.ca email address. Additional supporting documents must be attached:</p> <ul style="list-style-type: none"> • an area map (project or well) with highlighted proposed well location(s); • mineral ownership map with highlighted undisposed Crown land(s); • brief description of the proposal (well or project); and, • a high level geological discussion supporting the proposal. <p>Similar attachments are required when applying to obtain a non-objection letter from the Crown.</p> <p>If public notice is issued due to ER action, notification will be made via electronic or standard mail unless otherwise indicated.</p> <p>Mail notification must be sent out within three business days of the notification posting.</p>	<p>Added to allow industry other options to notify offset parties.</p> <p>Added additional information requirements when requesting ER consent/non-objection.</p> <p>Added a time frame to ensure mail notification is sent to offsetting parties in a timely fashion. Allowing offset parties time to review proposed application that more closely aligns with public notice period.</p>
<p>6. Objections</p> <p>It is preferred, but not required, that an objection is made using registered mail and using the form in Appendix 4.</p>	<p>6. Objections</p> <p>It is preferred, but not required, that an objection is made using registered mail and using the form in Appendix 4.</p>	<p>Added to ensure that applicants are doing their best to confirm the offset parties concerns have been</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>However, it is not necessary for an objection to be submitted using the form or to be sent by registered mail to be deemed valid.</p> <p>Once an objection from an offset or impacted party is received by an applicant, it is the applicant's responsibility to work with the objector to try to resolve the problem.</p>	<p>However, it is not necessary for an objection to be submitted using the form or to be sent by registered mail to be deemed valid, but the objection must be made using a method that is recordable.</p> <p>Once an objection is received by an applicant, it is the applicant's responsibility to work with the objector to try to resolve the problem.</p> <p>If a comment or concern is expressed with no follow up detail, the applicant must attempt to contact the party that provided the comment or concern to obtain additional detail or technical support for the comment or concern prior to considering the public notice closed. In this situation the closure of the public notice would be with an unresolved objection, as per Section 7.3, and the background information provided must show the attempts made to follow up on the objection and timeframe given prior to determining the objection could not be resolved.</p>	<p>dealt with prior to submitting an application to ER.</p> <p>Added to ensure the objection is made in a manner than can be tracked.</p>
<p>7.1 No Objections Received</p> <p>If no objections are received within 21 days of the Public Notice Form being posted, a company shall keep a record of the public notice and may proceed with the application.</p>	<p>7.1 No Objections Received or Public Notice Not Required</p> <p>If no objections are received within 21 days of the <i>Public Notice Form</i> being posted, excepting any reasons stated within this Directive to allow for additional time, the public notice is closed. The applicant shall keep a record of the public notice and may proceed with the application.</p> <p>For all applications other than a well licence application, applicants are to submit a statement identifying if public notice was required and where it was required, provide the public notice number and state that no objections were received. If not required, state that public notice was not required for the proposed project and include valid justification.</p>	<p>Added to allow ER to quickly check and reference a completed public notice during application review.</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes
<p>7.2 Objections Received and Resolved</p> <p>If objections are received and the company has worked with and resolved the objection of the objecting party, records shall be kept by the company detailing the objection and the resolution. The company can then proceed with the application.</p>	<p>7.2 Objections Received and Resolved</p> <p>If objections are received and the applicant has resolved the objections, records shall be kept by the applicant detailing the objection and the resolution. The applicant can then proceed with the application. For all applications other than a well licence application, applicants are to provide the public notice number and state that all objections received have been resolved.</p>	<p>Added as it is important to know that public notice was completed and resolved, therefore not needing to have to follow up with applicants for additional information.</p>
<p>8. Public Notice Expiry</p> <p>A public notice remains valid for one year after it has been completed.</p>	<p>8. Public Notice Expiry</p> <p>A public notice remains valid for one year after it has been completed unless otherwise approved.</p>	<p>Added to allow for a public notice to still be valid in certain circumstances by approval.</p>

Existing Section/Wording	New Section and Wording	Explanation of Proposed Changes												
<p>Appendix 1: Public Notice Projects/Application Types and Their Notification Requirements</p> <p>Table 2. Gas Processing Facilities</p> <table border="1" data-bbox="111 345 808 743"> <thead> <tr> <th>Application Type</th> <th>Who Should be Notified?</th> <th>Size of Area Requiring Notification</th> </tr> </thead> <tbody> <tr> <td>Gas processing plant</td> <td>All mineral lessors All mineral lessees All operators</td> <td>1600 m from plant operations</td> </tr> </tbody> </table>	Application Type	Who Should be Notified?	Size of Area Requiring Notification	Gas processing plant	All mineral lessors All mineral lessees All operators	1600 m from plant operations	<p>Appendix 1: Public Notice Projects/Application Types and Their Notification Requirements</p>	<p>Removed Gas Processing Facility as it is part of the Gas Processing Plant application/Facility licence process and associated to surface rather than subsurface owners/operators and has therefore been removed from this Directive.</p>						
Application Type	Who Should be Notified?	Size of Area Requiring Notification												
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<p>Table 3. Oil and Gas Wells</p> <table border="1" data-bbox="111 902 816 1135"> <thead> <tr> <th>Application Type</th> <th>Who Should be Notified?</th> <th>Size of Area Requiring Notification</th> </tr> </thead> <tbody> <tr> <td>Measurement Exemption</td> <td>All operators</td> <td>All wells flowing in to a Battery, or Commingling of pools in a well</td> </tr> </tbody> </table>	Application Type	Who Should be Notified?	Size of Area Requiring Notification	Measurement Exemption	All operators	All wells flowing in to a Battery, or Commingling of pools in a well	<p>Table 2. Oil and Gas Wells</p> <table border="1" data-bbox="848 902 1545 1200"> <thead> <tr> <th>Application Type</th> <th>Who Should be Notified?</th> <th>Size of Area Requiring Notification</th> </tr> </thead> <tbody> <tr> <td>Measurement Exemption</td> <td>All mineral lessors All mineral lessees All operators All licensees</td> <td>All wells flowing in to a Battery All facilities trucking into the facility</td> </tr> </tbody> </table>	Application Type	Who Should be Notified?	Size of Area Requiring Notification	Measurement Exemption	All mineral lessors All mineral lessees All operators All licensees	All wells flowing in to a Battery All facilities trucking into the facility	<p>Became Table 2 with the removal of Table 2: Gas Processing Facilities.</p> <p>Updated the parties to be notified and notification requirements for measurement exemptions.</p>
Application Type	Who Should be Notified?	Size of Area Requiring Notification												
Measurement Exemption	All operators	All wells flowing in to a Battery, or Commingling of pools in a well												
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Table 4. Injection Wells and Storage

Application Type	Who Should be Notified?	Size of Area Requiring Notification
Waste, acid gas, or brine (including potash brine) disposal	All mineral lessors All mineral lessees All operators	All drainage units within a radius of 1.6 km from the proposed disposal well
Produced water disposal, when into a hydrocarbon-bearing stratigraphic unit or into a stratigraphic unit not commonly used for disposal	All mineral lessors All mineral lessees All operators	All drainage units within a radius of 800 m (if disposing to an oil-bearing stratigraphic unit) or 1600 m (if disposing to a gas-bearing stratigraphic unit) from the proposed wellbore completion
CO ₂ Storage (not in relation to an EOR project)	All mineral lessors All mineral lessees All operators	A radius of 1.6 km from the proposed wellbore completion
Reservoir gas storage	All mineral lessors All mineral lessees All operators	The project area and the area within one section of the project area
Cavern storage	All mineral lessors All mineral lessees All operators	A radius of 1.6 km from the proposed cavern site
Waterflood	All mineral lessors All mineral lessees	A radius of 800 m from the proposed injection well completion

Table 3. Injection Wells and Storage

Application Type	Who Should be Notified?	Size of Area Requiring Notification
Waste disposal, potash waste disposal, or disposal of other substances other than produced salt water associated with the recovery of hydrocarbons	All mineral lessors All mineral lessees All operators	A radius of 1.6 km from the proposed well completion
Disposal of produced salt water associated with the recovery of hydrocarbon	All mineral lessors All mineral lessees All operators	Notification is not required, if disposing to the non-hydrocarbon bearing pool which is routinely approved for disposal purpose, i.e. Common Disposal Pool (see Appendix 1 of Directive PNG008); or a radius of 800 m from the proposed well completion, if not disposing to the Common Disposal Pool
Acid gas disposal	All mineral lessors All mineral lessees All operators, including those of abandoned wells	A radius of 1.6 km from the proposed well completion, if disposing to an aquifer; or the pool boundary of the proposed disposal pool and

Became Table 3 with the removal of Table 2: Gas Processing Facilities.

Changed to “well completion” to be consistent with terminology used in other application types such as Waterflood.

Removed acid gas as it will be separate application from Waste Disposal as per revised *Directive PNG008: Disposal and Injection Well Requirements*.

Clarified/added wording to include substances except for produced water from oil and gas field operations.

Clarified the size of area requiring notification.

Added “Acid gas disposal” as per revised *Directive PNG008*.

Existing Section/Wording		New Section and Wording		Explanation of Proposed Changes
	All operators		a 1.6 km radius from that pool boundary, if disposing to a depleted hydrocarbon pool	<p>Included operators of abandoned wells based on the risk level associated with CO₂ storage.</p> <p>Clarified/added notification requirements if disposing into a depleted hydrocarbon pool.</p> <p>Included Geothermal (disposal only) as it is a separate application type.</p> <p>Included abandoned wells based on the risk level associated with reservoir gas storage.</p>
		CO ₂ Storage (not in relation to an EOR project)	<p>All mineral lessors</p> <p>All mineral lessees</p> <p>All operators, including those of abandoned wells</p>	
		Geothermal (disposal only, after heat extraction process)	<p>All mineral lessors</p> <p>All mineral lessees</p> <p>All operators</p>	
		Reservoir gas storage	<p>All mineral lessors</p> <p>All mineral lessees</p> <p>All operators, including those of abandoned wells</p>	
		Cavern storage/disposal	<p>All mineral lessors</p> <p>All mineral lessees</p>	

Existing Section/Wording	New Section and Wording			Explanation of Proposed Changes
		All operators, including those of abandoned wells	the offsetting Section from the project area; notification should include all pools that overlie and underlie the storage pool	Put in a larger notification area based on the risk level associated with cavern storage/disposal. Added to include infill well's offsetting area.
	Waterflood	All mineral lessors All mineral lessees All operators	A radius of 800 m from the proposed injection well completion and immediate offset drainage units from proposed infill well completions	

APPENDIX B

Public Notice Requirements

Directive PNG009

December 2019

Revision 2.0

Governing Legislation:

Act: *The Oil and Gas Conservation Act*

Regulation: *The Oil and Gas Conservation Regulations, 2012*

Order:

Record of Change

Revision	Date	Description
0	September, 2015	Draft
1.0	November, 2015	Live Version, Updated Directive Number, Clarified wording
2.0	XXXXXXXX	Updated to clarify requirements and allow additional approval authority.

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Contents

1. Introduction	4
1.1 Governing Legislation.....	4
1.2 Definitions.....	4
2. What Is Public Notice?	4
2.1 How The Public Notice Process Works	5
2.2 What Needs Public Notice?.....	5
2.3 Notification Period	6
3. Consent In Lieu Of Public Notice.....	6
3.1 Consent Format.....	6
3.2 Additional Consent Requirements.....	7
4. What Must Be Provided For Public Notice?.....	7
5. How To Provide Public Notice.....	8
5.1 Website Posting	8
5.2 Mail Notification	8
5.3 Other Methods.....	8
6. Objections	9
7. Closing A Public Notice.....	9
7.1 No Objections Received Or Public Notice Not Required	9
7.2 Objections Received And Resolved.....	9
7.3 Objections Received That Cannot Be Resolved	10
8. Public Notice Expiry	10
Appendix 1: Public Notice Projects/Application Types and Their Notification Requirements.....	11
Appendix 2: Example of a Consent Letter.....	14
Appendix 3: Public Notice Form Example	15
Appendix 4: Objection Form Example	16

1. Introduction

This Directive is designed to identify the specific types of applications or processes that require companies to notify offsetting or impacted mineral owners or operators. It also outlines the procedures and regulations of the Saskatchewan Ministry of Energy and Resources (ER) related to the Public Notice process in Saskatchewan.

Questions concerning the requirements set out in this document should be directed to the ER service desk at 1-855-219-9373 or email at ER.servicedesk@gov.sk.ca.

1.1 Governing Legislation

The requirements outlined in this Directive are based on *The Oil and Gas Conservation Act* (OGCA) and *The Oil and Gas Conservation Regulations, 2012* (OGCR).

Sections 6 and 7 of the OGCR contain regulations pertinent to the topics in this Directive. Licensees should consult this document in conjunction with this Directive.

It is the responsibility of all operators, as specified in the legislation, to be aware of ER requirements and to ensure compliance with all requirements prior to submitting an application.

1.2 Definitions

Business day: As defined in the OGCR.

Disposed Crown land: means mineral land subject to a disposition granted or administered by the Crown pursuant to *The Crown Minerals Act*.

Offset parties: means parties associated to the targeted stratigraphy that may be offset mineral owner/operators, lessees or as otherwise identified for a specific application process.

Undisposed Crown land: means mineral land not subject to a disposition granted or administered by the Crown pursuant to *The Crown Minerals Act*.

Unit: means mineral lands where the mineral owners have pooled their interests via a formal agreement or where a field or pool was unitized pursuant to section 35 of the OGCA.

Unit lands: means the mineral lands contained with a unit

2. What Is Public Notice?

Public notice is a notification process that provides mineral owners and working interest owners an opportunity to review applications for various types of oil and gas activities or projects that are offsetting or on their land(s). The process allows offset parties an opportunity to express concerns or provide objections to those activities to the applicant.

Only specific types of well activities or projects require companies to complete the public notification process (see section 2.2, below). However, ER may, at any time, issue a public notice or require public notice for any type of application, process or well, as deemed appropriate by ER, outside of those defined within this Directive.

Public notice may not be required if consents from offset parties are obtained (see section 3 of this Directive).

2.1 How The Public Notice Process Works

Prior to submitting an application for any of the processes identified in section 2.2, an applicant must make available to all offset parties a public notice explaining the proposed project or well activity. The public notice is posted on the ER website (called 'posted for notice'; see section 5 of this Directive for further details) and mailed out by the applicant to all offset parties unless otherwise approved.

An applicant must also provide copies of the public notice and application detail to anyone who may be reasonably impacted who requests it.

The information provided must include enough information to provide technical justification for the project or well activity that is being planned. Objections or concerns are to be submitted to the applicant.

Parties who receive the application information from the applicant have the opportunity to submit an objection to the proposed application. The objection must be submitted within 21 days of the public notice being posted (see section 2.3, below). Objections or concerns are to be submitted to the applicant.

Once an applicant receives an objection from a potentially affected party, they must work with that party to try to resolve the issue.

The public notice process is complete once the notice is considered 'closed' (see section 7 for further details).

Once the public notice process has started it must be closed. An application cannot be made for a well or project if that application is currently posted for notice.

A company or individual may also choose to obtain consents from offset parties in lieu of public notice. Further information on this is contained in section 3.

2.2 What Needs Public Notice?

As specified in the guidelines or directives that apply to the following application types, companies must complete a public notice for certain types of applications prior to submitting the application. The following types of activities or projects may require notification to be made to offset parties:

- Enhanced Oil Recovery (EOR) Projects;
- Off-Target Wells;
- Disposal/Injection Wells;
- Storage Projects;
- CO₂ Storage Projects;
- Geothermal Projects;
- Waterflood Projects;
- Well Spacing Modifications;
- Good Production Practice (GPP);
- Concurrent Production; and,
- Measurement Exemptions.

Appendix 1 contains tables summarizing which affected parties must be notified when the processes or types of activities listed above are planned by a company.

2.3 Notification Period

Once a Public Notice is issued, it is open for a period of 21 days in which a person may submit objections, comments or questions, which are to be provided to the applicant.

If a request for additional time to review and respond on an application is made, a reasonable attempt to accommodate the request must be made by the applicant.

3. Consent In Lieu Of Public Notice

A company may choose to obtain consents from all parties within the notification area as identified in the tables in Appendix 1. If all consents are obtained, then the public notice requirement is considered to be satisfied.

3.1 Consent Format

A consent letter shall include the following:

- details of what is being consented to;
- the surface and bottom hole locations of all existing wells or facilities within the project area;
- the proposed well co-ordinates; and,
- the proposed pool(s) of interest or stratigraphic unit.

The following clause or any other wording of the same meaning shall not be considered consent: “that if there are no responses received by a certain date it will be considered a non-objection...”

A consent letter must be signed to be valid.

A printed name and address of the person signing the consent letter should be provided along with the signature.

An example of an acceptable consent letter is shown in Appendix 2.

The type of consent should be clearly stated on the signature page. Refer to the relevant directive or guideline when determining what consent is required.

Signed consent(s) should be obtained from all offset parties. At a minimum, consents must be obtained from the following parties, based on the type of land impacted:

- Disposed Crown land – Consent from the disposition holder is required.
- Undisposed Crown land – Consent or non-objection letter from ER is required.
- Freehold mineral land – Consent from the freehold mineral owner is required. If freehold lessee is known, consent from the lessee is also required.
- Unit lands – Operator of the unit may provide consent; the consent must clearly indicate that consent is being provided by the unit operator on behalf of the unit and all unit parties.

3.2 Additional Consent Requirements

Consent letters should be kept by the applicant and provided to ER if required as part of the application, or within 48 hours if requested by ER.

4. What Must Be Provided For Public Notice?

An applicant must provide, upon request, copies or details of the application to any party as identified in the tables in Appendix 1 of this Directive.

It is the responsibility of the applicant to identify any potentially or directly affected parties outside of the minimum notification area and provide notification to these parties.

If, after an application has been approved, it is found that the application was not made available to an offset party prior to submission of the application, the approval may be revoked.

The application information provided to a concerned offset party must include enough information to provide technical justification for the project or well activity that is being proposed.

Third-party engineering reports, proprietary seismic or other sensitive information do not have to be shared within the public notice process, as long as the remaining information provides enough support and justification for the application being made.

The applicant must provide a minimum of five business days for additional detail or objection if a concern is identified. For example, if a request for information or concern is received on the last day of notice, the applicant must provide at least five business days for the offsetting party to provide a response or an objection in order for the Public Notice to be considered closed. Additional time to review and provide a response must be allowed for if the offset party and applicant come to an agreement, or if deemed required by ER.

5. How To Provide Public Notice

5.1 Website Posting

Public Notices are posted weekly on the Government of Saskatchewan website. Email the *Public Notice Form* (Appendix 3) to PNsubmission@gov.sk.ca.

The Public Notice board is updated Friday of each week. Email submissions of public notice forms received by the preceding Wednesday will be posted. In the event of a statutory holiday falling on a Friday, the posting date will be the Thursday proceeding the statutory holiday.

The 21-day period within which the notice is open for objection and comment commences once the notice is posted on the website.

An applicant is responsible for monitoring the Public Notice board and ensuring a *Public Notice Form* that has been submitted has been posted.

5.2 Mail Notification

Hard copies of the completed public notice form are to be mailed out by the applicant to all of the offset parties, excluding the Crown, via registered mail or a signature confirmation delivery method, unless otherwise agreed upon by the applicant and offset party, in which case a record of the agreement between the parties must be kept. Any agreement for notification between applicant and offset party must be a notification that is in a recordable format, ie. hard-copy, electronic record.

In the case of undisposed Crown land, the applicant is only required to send an electronic copy of the notice to ER via the er.servicedesk@gov.sk.ca email address. Additional supporting documents must be attached:

- an area map (project or well) with highlighted proposed well location(s);
- mineral ownership map with highlighted undisposed Crown land(s);
- brief description of the proposal (well or project); and,
- a high level geological discussion supporting the proposal.

Similar attachments are required when applying to obtain a non-objection letter from the Crown.

If public notice is issued due to ER action, notification will be made via electronic or standard mail unless otherwise indicated.

Mail notification must be sent out within three business days of the notification posting, unless otherwise approved.

5.3 Other Methods

The website posting and mail notification are the minimum requirements for all applications that require public notice. A company may also conduct any additional notification processes if it deems it necessary, such as town hall sessions, advertisements in local media, etc.

6. Objections

It is preferred, but not required, that an objection is made using registered mail and using the form in Appendix 4. However, it is not necessary for an objection to be submitted using the form or to be sent by registered mail to be deemed valid, but the objection must be made using a method that is recordable.

As stated in section 2.3, an objection—with supporting technical data, if required—or comment/question must be received by the applicant within 21 days of the public notice being issued.

Once an objection from is received by an applicant, it is the applicant's responsibility to work with the objector to try to resolve the problem. If a comment or concern is expressed with no follow up detail, the applicant must attempt to contact the party that provided the comment or concern to obtain additional detail or technical support of the comment or concern prior to considering the public notice closed. In this situation the closure of the public notice would be with an unresolved objection, as per Section 7.3, and the background information provided must show the attempts made to follow up on the objection and timeframe given prior to determining the objection could not be resolved.

Both applicant and objector must keep a record of all objections and any subsequent correspondence related to resolution or inability to resolve the objections.

7. Closing A Public Notice

7.1 No Objections Received Or Public Notice Not Required

If no objections are received within 21 days of the *Public Notice Form* being posted, excepting any reasons stated within this Directive to allow for additional time, the public notice is closed. The applicant shall keep a record of the public notice and may proceed with the application.

For all applications other than a well licence application, applicants are to submit a statement identifying if public notice was required and where it was required, provide the public notice number and state that no objections were received. If not required, state that public notice was not required for the proposed project and include valid justification.

7.2 Objections Received And Resolved

If objections were received and the applicant has resolved the objections, records shall be kept by the applicant detailing the objection and the resolution. The applicant can then proceed with the application. For all applications other than a well licence application, applicants are to provide the public notice number and state that all objections received have been resolved.

7.3 Objections Received That Cannot Be Resolved

If objections are received and the applicant and objector cannot come to an agreement, the applicant may submit the application and disclose that there are outstanding unresolved objections from public notice.

Information that must be included with the application in these cases includes:

- the public notice;
- all objections received; and,
- all details of attempted resolution of the objection.

In addition, the objecting parties must be notified by the applicant that the application was submitted with unresolved objections.

8. Public Notice Expiry

A public notice remains valid for one year after it has been completed unless otherwise approved. A public notice process must be re-conducted if an application for reservoir project or well licence has not been made and approved within one year of the public notice completion date.

If an applicant becomes aware that the offsetting parties have changed or they make changes to their application that would alter the impact on offsetting parties after conducting the public notice, the applicant shall re-conduct the public notice prior to making an application.

Appendix 1: Public Notice Projects/Application Types and Their Notification Requirements

Table 1. Enhanced Oil Recovery Projects

Application Type	Who Should be Notified?	Size of Area Requiring Notification
New enhanced oil recovery project	All mineral lessors All mineral lessees All operators	1.6 km from the outermost LSD in the application area
Expansion or modification of an existing enhanced oil recovery project	All mineral lessors All mineral lessees All operators	1.6 km from the outermost LSD in the application area

Table 2. Oil and Gas Wells

Application Type	Who Should be Notified?	Size of Area Requiring Notification
Concurrent production	All mineral lessors All mineral lessees All operators	Oil and gas drainage units within a radius of 1.6 km of the proposed concurrent producing well
Off-target well completions	All mineral lessors All mineral lessees All operators	Encroached upon drainage unit(s) of the proposed wellbore completion
Well spacing modification	All mineral lessors All mineral lessees All operators	Application area and drainage units directly offsetting the application area
Waiver of off-target penalty	All mineral lessors All mineral lessees All operators	Encroached upon drainage unit(s) of the proposed wellbore completion
Good production practice	All mineral lessors All mineral lessees All operators	Application area and drainage units directly offsetting the application area
Measurement Exemption	All mineral lessors All mineral lessees All operators All licensees	All wells flowing into the Battery All facilities trucking into the facility

*Note – Some application types are not listed in the tables above, but if a completion being proposed via application will cause the completion to be off-target or not meet the well-spacing requirements, then a public notice is required in accordance with the above. For example - Application to Commingle.

Table 3. Injection Wells and Storage

Application Type	Who Should be Notified?	Size of Area Requiring Notification
Waste disposal, potash waste disposal, or disposal of other substances other than produced salt water associated with the recovery of hydrocarbons	All mineral lessors All mineral lessees All operators	A radius of 1.6 km from the proposed well completion
Disposal of produced salt water associated with the recovery of hydrocarbon	All mineral lessors All mineral lessees All operators	Notification is not required, if disposing to the non-hydrocarbon bearing pool which is routinely approved for disposal purpose, i.e. Common Disposal Pool (see Appendix 1 of Directive PNG008); or a radius of 800 m from the proposed well completion, if not disposing to the Common Disposal Pool
Acid gas disposal	All mineral lessors All mineral lessees All operators, including those of abandoned wells	A radius of 1.6 km from the proposed well completion, if disposing to an aquifer; or the pool boundary of the proposed disposal pool and a 1.6 km radius from that pool boundary, if disposing to a depleted hydrocarbon pool
CO ₂ Storage (not in relation to an EOR project)	All mineral lessors All mineral lessees All operators, including those of abandoned wells	A radius of 1.6 km from the proposed well completion, if disposing to an aquifer; or the pool boundary of the proposed disposal pool and a 1.6 km radius from that pool boundary, if disposing to a depleted hydrocarbon pool
Geothermal (disposal only, after heat extraction process)	All mineral lessors All mineral lessees All operators	A radius of 1.6 km from the proposed well completion
Reservoir gas storage	All mineral lessors All mineral lessees All operators, including those of abandoned wells	The project area of the proposed storage pool and the offsetting Section from the project area; notification should include all pools overlie and underlie the storage pool
Cavern storage/disposal	All mineral lessors All mineral lessees All operators, including those of abandoned wells	The project area of the proposed cavern site (subsurface) and the offsetting Section from the project area; notification should include all pools that overlie and underlie the storage pool
Waterflood	All mineral lessors All mineral lessees	A radius of 800 m from the proposed injection well

	All operators	completions and immediate offset drainage units from proposed infill well completions
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Appendix 2: Example of a Consent Letter

Company XYZ
1234 Smith Street
Calgary, Alberta, Txx XXX

June 12, 20__

Joanne Smith
Box123
Regina, SK Sxx xXx

Residences interest located at SE ¼ 2-3-4 W3M

This is a notice of intent to (project type or conversion) convert the well (01) 1-2-3-4 W3M into a water disposal well.

It is Company XYZ's responsibility to notify all parties deemed affected within the project zone.

Company XYZ intends to convert the existing oil well (01) 1-2-3-4 W3M into a water disposal well. Company XYZ is submitting an application to the Ministry of Energy and Resources to convert the well for disposal of produced water from the surrounding area wells. The **TARGET STRATIGRAPHIC UNIT** for injection is the **Mannville Formation**, which has a thickness of 50 metres from a bottom depth 990 metres to a formation top of 940 metres. Company XYZ is planning on perforating the Mannville from 975 to 990 metres.

If you, Joanne Smith, have no concerns with this project moving forward, would you kindly sign this letter of consent and forward a signed copy back to Company XYZ via email or a hard copy by post mail.

If you would like discuss the project further, please contact Company XYZ at 306-123-4567.

Sincerely,

Al Simon, Lands
Company XYZ

Accepted this ___th day of ____, 20__

Joanne Smith

Appendix 3: Public Notice Form Example

Public Notice

Use this form to notify offsetting parties as required within the Public Notice Directive for petroleum and natural gas operations development or potash disposal. It is the responsibility of the applicant to notify each offset party, a copy of this notice must be sent via registered mail to all off-set parties in addition to being posted on the Ministry of Energy and Resources Public Notice Board.

For a copy of the application, Contact:

Company: <input style="width: 90%;" type="text" value="Jane Doe Energy"/>	Mailing Address: <input style="width: 90%;" type="text" value="Box 55"/>
Company Contact: <input style="width: 90%;" type="text" value="Jane Doe"/>	City/Province: <input style="width: 90%;" type="text" value="Cupar, SK"/>
E-mail: <input style="width: 90%;" type="text" value="Jane.Doe@yahoo.cp,"/>	Phone Number: <input style="width: 90%;" type="text" value="306-555-5555"/>

Area:

Project or Well Location:

LSD Section Township Range W M

Project Type:

Waterflood Project Application

Target Pool:

Viewfield Bakken Sand Pool

Notice period is three weeks from the date this notice is posted on the Ministry Accepted Website. A company is noticing the intention of applying for the above project and notification or consent is required as a result of that application. Persons directly off-set, as outlined in the Public Notice Directive, are entitled to a copy of the application or additional details of the application. Persons directly off-set or are concerned of an impact may provide an objection within the notice period to the applicant, objections may require technical support and are to be provided within the notice period to be considered valid.

Appendix 4: Objection Form Example

Statement of Objection to Public Notice Application			
<p><i>This form may be used to lodge an objection to an application on public notice. Operational complaints about existing operations should be directed to service desk at (306) 787-1844. An objection is to be provided to the application within three weeks of the public notice posting to be considered valid, (via registered mail is preferred).</i></p>			
Your Contact Information:			
Name:	Jane Doe	Mailing Address:	Box 55
Postal Code:	S0P 4L9	City/Province:	Cupar, SK
E-mail:	Jane.Doe@yahoo.com	Phone Number:	306-555-5555
<p>State the location of the proposed project or activity in relation to you, your residence, your land, or land which you have an interest.</p>			
<p>It is next to my mineral lands.</p>			
Your Land description (if Known):	LSD	Sec 4	Twp 8 R 8 W 2 M
Project Location:	LSD	Sec 5	Twp 8 R 8 W <input checked="" type="checkbox"/> M
		Public Notice(s) no.:	123456
Please include what you are objecting to and the details of your objection if required:			
<p>I am concerned this is going to affect the wells on my land and I would like the injection to be moved further away and to have a production fence. I have attached additional details of my objection.</p>			
I understand the company may proceed with this application to the ministry if this objection is not resolved. The applicant is required to notify me when the application is made and must include all information related to my objection and subsequent correspondence as part of their application.			
Name(s) <i>(Required)</i>	Jane Doe		Phone Number: <i>(Required)</i>
E-mail:	Jane.Doe@yahoo.com	Company:	N/A
		Date:	November 19, 2015
Signature:	<p>Jane Doe Digitally signed by Jane Doe Date: 2015.11.13 11:28:49 -06'00'</p>		