



Dormant Sites Program Manual

January 2024

V 2.0

About the Regulator

The BC Energy Regulator (Regulator) is the single-window regulatory agency with responsibilities for regulating oil and gas activities in British Columbia, including exploration, development, pipeline transportation and reclamation.



The Regulator’s core roles include reviewing and assessing applications for industry activity, consulting with First Nations, ensuring industry complies with provincial legislation and cooperating with partner agencies. The public interest is protected by ensuring public safety, protecting the environment, conserving petroleum resources and ensuring equitable participation in production.

Vision, Mission and Values

Vision

A resilient energy future where B.C.’s energy resource activities are safe, environmentally leading and socially responsible.

Mission


We regulate the life cycle of energy resource activities in B.C., from site planning to restoration, ensuring activities are undertaken in a manner that:




Protects public safety and the environment



Supports reconciliation with Indigenous peoples and the transition to low-carbon energy



Conserves energy resources



Fosters a sound economy and social well-being

Values

Respect is our commitment to listen, accept and value diverse perspectives.

Integrity is our commitment to the principles of fairness, trust and accountability.

Transparency is our commitment to be open and provide clear information on decisions, operations and actions.

Innovation is our commitment to learn, adapt, act and grow.

Responsiveness is our commitment to listening and timely and meaningful action.

Additional Guidance

As with all Regulator documents, this document does not take the place of applicable legislation. Readers are encouraged to become familiar with the acts and regulations and seek direction from BCER staff for clarification.

The Regulator publishes both application and operations manuals and guides. The application manual provides guidance to applicants in preparing and applying for permits and the regulatory requirements in the planning and application stages. The operation manual details the reporting, compliance and regulatory obligations of the permit holder. Regulator manuals focus on requirements and processes associated with the Regulator's legislative authorities. Some activities may require additional requirements and approvals from other regulators or create obligations under other statutes. It is the applicant and permit holder's responsibility to know and uphold all legal obligations and responsibilities. For example, Federal Fisheries Act, Transportation Act, Highway Act, Workers Compensation Act and Wildlife Act.

Throughout the document there are references to guides, forms, tables and definitions to assist in creating and submitting all required information. Additional resources include:

- [Glossary and acronym listing](#) on the Regulator website.
- [Documentation and guidelines](#) on the Regulator website.
- [Frequently asked questions](#) on the Regulator website.
- [Advisories, bulletins, reports and directives](#) on the Regulator website.
- [Regulations and Acts](#) listed on the Regulator website.

In addition, this document may reference some application types and forms to be submitted outside of the Application Management System but made available on the Regulator's website. Application types and forms include:

- Heritage Conservation Act, Section 12
- Road use permits
- Water licences
- Master licence to cut
- Certificate of restoration
- Waste discharge permit
- Experimental scheme application
- Permit extension application

The appendices include documents to be used as references when compiling and submitting information required by the BCER.

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Manual Revisions

The BCER is committed to the continuous improvement of its documentation. Revisions to the documentation are highlighted in this section and are posted to the [Documentation Section](#) of the BCER's website. Stakeholders are invited to provide input or feedback on BCER documentation to bc-er.systems@bc-er.ca.

Version Number	Posted Date	Effective Date	Chapter Section	Summary of Revision(s)
DRAFT	May 28, 2019	May 28, 2019	Various	This is a new document. Users are encouraged to review in full.
V 1.0	January 2021	January 2021	Multiple	Revisions were made to the draft manual to clarify areas where permit holders and interested persons had questions. Information regarding Compliance & Enforcement actions was added. Information regarding regulatory revisions and "Former Sites" was added. Additional templates and forms were added to support standardization of submissions. Hyperlinks to resources were updated.
V 1.1	November 2023	November 2023	Various	Replace BCOGC with BCER; OGAA with ERAA; new logos, references and associations
V 2.0	Jan.4, 2024	Jan.4, 2024	Multiple	Revisions were made to the manual to include answers to commonly asked questions, clarify notification and follow-up expectations and obligations, provide guidance on exemptions, and to include pipelines and facilities under the DSR.

Chapter 1: Preface

1.1 Purpose

This manual was created to guide users through the [Dormancy and Shutdown Regulation](#) (DSR) and the processes and procedures of the BCER's Dormant Sites Program. This manual does not take the place of related legislation so readers must familiarize themselves with all applicable acts and regulations in order to ensure compliance. The purpose of the DSR is to ensure that permit holders responsibly bring their energy resource activities to regulatory closure within a reasonable time and the purpose of the Dormant Sites Program is to administer the regulation.

1.2 Scope

This manual provides information on the processes and requirements within the BCER's legislative authorities; it does not provide information on legal responsibilities outside of the BCER's legislative authorities. It is the responsibility of the applicant or permit holder to know and meet all of its legal responsibilities.

1.3 How to Use This Manual

This manual is presented in sections, which are organized chronologically to represent the order of activities applicants and permit holders must follow when decommissioning, assessing, and restoring their dormant and former sites.

Beginning with a summary of the Dormant Sites Program, this manual guides the user through reporting requirements, including eligibility and procedures for Liability Reduction Plans (LRP), exclusion and exemption processes, required decommissioning, assessment, and restoration activities, and impacts on other BCER business areas as a result of the implementation of the Dormant Sites Program.

Chapter 2: Dormant and Former Sites

The objective of the BC Energy Regulator's Dormant Sites Program is to ensure that permit holders responsibly carry their energy resource activities to regulatory closure within a reasonable time. As such, the Dormant Sites Program is used to identify permit holders with wells that are subject to the dormant sites provisions under Part 3.1 of the [Energy Resource Activities Act](#) (ERAA) and the [Dormancy and Shutdown Regulation](#) (DSR). Amendments to the DSR in December of 2020 led to the inclusion of former sites with the DSR.

2.1 What is a Dormant Site

The Regulator tracks dormancy at two (2) levels: by individual infrastructure type (well, pipeline, or facility) and by site.

Permit holders can view a list of their dormant sites by visiting the [Dormant Sites webpage](#). The list of dormant wellsites is updated regularly following the submission of production/injection/disposal reports to Petrinex. The lists of dormant pipelines and facilities are updated following the submission of Notices of Intent to the BCER Engineering Team.

In order to promote transparency and accountability, information on dormant sites is available publicly. A dormant sites [map](#) and [spatial data](#) for all dormant wells is available on the BCER website. The BCER data centre contains details on work planned and completed by permit holders under the DSR (from Annual Work Plan and Annual Report submissions).

2.1.1 Dormant Wells

A well is dormant when the well does not meet a threshold for activity in five (5) consecutive years. A site is dormant when all wells located on the site are dormant. For multi-well pads, if one well on the site meets the threshold for activity, then the site is not dormant. The threshold for wellsite activity includes:

- Production from – or injection or disposal into – the well for at least 720 hours in a calendar year;
- The completion of a production zone;
- A drilling event, or;
- In the case of an observation well, the well is active on at least one (1) day.

For example, if Well #1 ceases production in October 2015, then Well #1's potential dormancy date is December 31, 2020.

- If Well #1 resumes production in October 2018 and produces for 720 hours before shutting-in production in December 2018, then Well #1 is not dormant and the potential dormancy date changes to December 31, 2023.
- If Well #1 does not record 720 hours of production by the end of 2020, then Well #1 becomes a dormant site with a dormancy date of December 31, 2020.
- If Well #1 records 720 hours of production in 2021 after becoming dormant, then Well #1 would cease to be dormant.

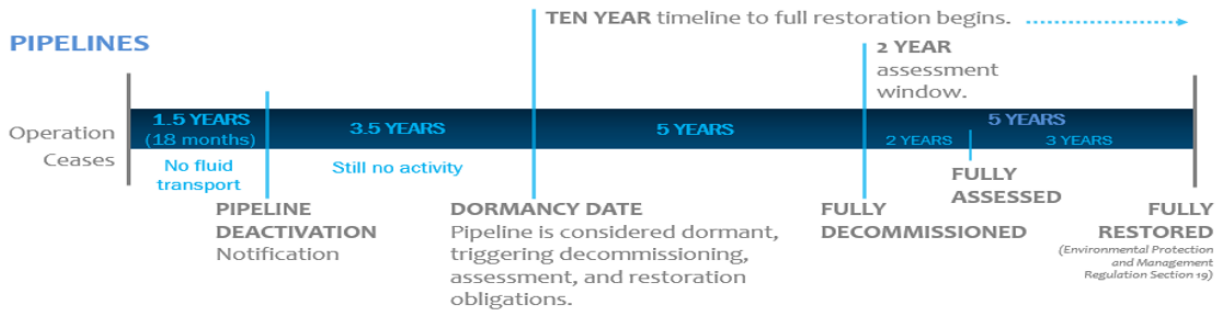
2.1.2 Dormant Pipelines

A dormant pipeline is a pipeline that has not transported fluids through the pipeline or part of the pipeline for five (5) consecutive years. Pipelines are defined in Part 1 of ERAA and all pipelines are referenced utilizing both a pipeline project number and a segment number. Permit holders are required to maintain records and have a comprehensive knowledge of their inventory of active, inactive, and dormant pipelines. The BCER posts external lists of dormant pipelines based on the best data available; where data inconsistencies exist permit holders must ensure that proper submissions are made to the Regulator and that revisions to pipeline statuses are made in a timely manner.

All dormant pipelines will be Type C dormant sites. Type C dormant sites must be fully decommissioned within five years of the reference year, fully assessed two years after decommissioning, and fully restored within ten years of the reference year. If a pipeline has been fully decommissioned prior to December 31, 2024, the dormant pipelines must be assessed by December 31, 2031.

Pipeline assessments and restoration inspections are expected to be able to be completed using ATVs, on-foot, via UAV, and/or via helicopter. The Site Remediation and Reclamation Manual provides guidance on what is required when an area of potential environmental concern is identified. In most areas across northeast BC, access to Crown land for assessment purposes using non-mechanized machinery can be completed without application to the BCER (as per Section 8.3 of the Crown Land Use Permission Policy).

An active pipeline riser on a dormant well or facility site, does not make the entire site non-dormant. Where potential land use conflicts between dormant and non-dormant infrastructure exist, permit holders are encouraged to reach out to the dormant sites team to determine the best options for resolution. The BCER's permitting and authorizations team will continue to assist permit holders to identify where permits and tenure overlap; the permitting team can assist with determining where new permits might be required or where permits may need to be amended.



2.1.3 Dormant Facilities

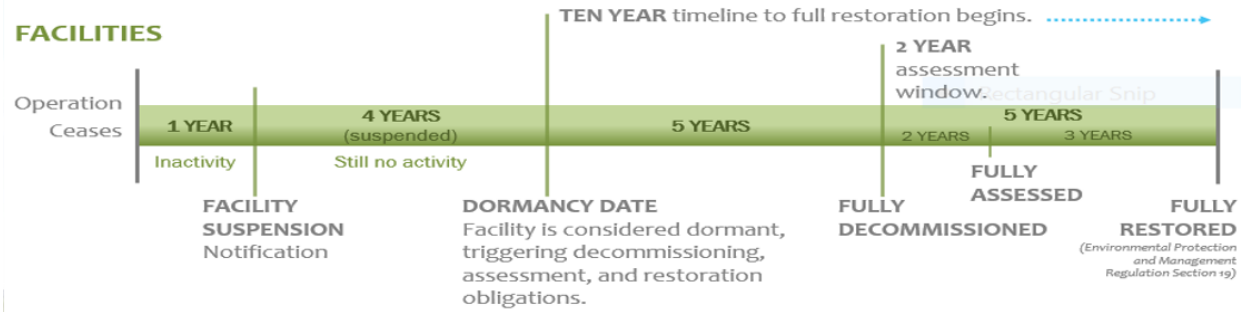
A dormant facility is a facility that has not been operated for five (5) consecutive calendar years where restoration has not yet been completed. Facilities are defined in Part 1 of ERAA and all facilities are referenced utilizing Facility ID numbers.

The DSR applies to facilities as defined in ERAA and the Drilling and Production Regulation, including facility types such as compressor stations, dehydrators, sales meters, and batteries, as well as facilities that are not associated with a well. Large facilities regulated under the [Oil and Gas Processing Facility Regulation](#) and the Liquefied Natural Gas ([LNG](#)) [Facility Regulation](#) are not included in the DSR at this time.

Where there is overlapping dormant and non-dormant infrastructure, permit holders may need to complete partial site decommissioning, assessment, and potentially also complete progressive restoration at the site. Progressive restoration and partial site closure activities ensure that industry’s focus remains on site restoration and that more hectares of land are restored in a timely manner. Long-term development of our energy resources requires restoration of land that is no longer needed or is no longer being used by our industry. Progressive restoration is not a new practice in the energy sector and it ensures that land is returned to its pre-development state without delay.

Permit holders will need to ensure that the remaining non-dormant well, pipeline, or facility infrastructure is properly permitted with the applicable surface footprint and that no new surface tenure or permits are required to maintain the remaining infrastructure. An active pipeline riser on a dormant well or facility site, does not make the entire site non-dormant. The BCER’s permitting and authorizations team will continue to assist permit holders to identify where permits and tenure overlap; the permitting team can assist with determining where new permits might be required or where permits may need to be amended.

All dormant facilities will be Type C dormant sites. Type C dormant sites must be fully decommissioned within five years of the reference year, fully assessed two years after decommissioning, and fully restored within ten years of the reference year. If a facility has been fully decommissioned prior to December 31, 2024, the dormant facility must be assessed by December 31, 2031.



2.2 What is a Former Site

A former site is a disturbance where no certificate of restoration has been issued for the site, but the permit has been cancelled under section 26 or 33 of ERAA, the permit has been declared spent under section 27 of ERAA, or where the permit has expired under section 32 of ERAA.

The calendar year in which the permit for the former site is cancelled, declared spent or expires, is the reference year for the site.

Former sites are more commonly referred to as sites that were “built but never drilled,” or sites that were “cancelled with surface disturbance.” These cancelled, spent, or expired permits did not fall within the definition of dormant site. As a result, permit holders and former permit holders would not get credit for completing closure work at these sites under the DSR.

The inclusion of these sites within the DSR as “former sites” ensures permit holders get credit for completing closure work at all sites within their portfolio. It also continues to ensure all permit holders responsibly bring their energy resource activities to regulatory closure within a reasonable time.

2.3 Voluntary Dormancy and Dormancy Declarations

Permit holders may elect to declare a site dormant by giving written notice to the Regulator that the site is dormant.

A site that is voluntarily declared as dormant is designated as a Type B site if elected before 2024 and Type C if elected in or after 2024 (see Types of Dormant Sites). An elected site does not operate as a substitution for a site that would normally be considered dormant under the Dormancy and Shutdown Regulation (a permit holder cannot substitute work at a voluntarily declared Type B or Type C dormant site for required work at a Type A dormant site). The dormancy date of an elected site is the date that the Voluntary Site Dormancy Declaration Form was submitted to the Regulator.

To declare a site dormant, permit holders must utilize the eSubmission platform to fill out the Voluntary Site Dormancy Declaration Form. A copy of the Voluntary Site Dormancy Declaration Form is available on the [Dormant Sites webpage](#) and a copy of the form has been included with this manual in [Appendix A](#).

2.4 Classifying Dormant and Former Sites

Dormant sites are classified by either a) the date a site becomes dormant, or b) whether the site is a priority site. Former sites are classified according to the calendar year in which the permit for the former site is cancelled, declared spent, or expires. There are four (4) classifications of dormant and former sites:

- Type A sites are sites that were dormant by December 31, 2018, or sites where the well permit was cancelled, declared spent or expired by December 31, 2018. Type A sites have longer timelines for decommissioning and restoration to allow permit holders sufficient time to address the historical backlog of inactive sites.
- Type B sites are those that become dormant during a transitional period between January 1, 2019 and December 31, 2023 or sites where the well permit was cancelled, declared spent or expired between January 1, 2019 and December 31, 2023. Type B sites have intermediate timelines for decommissioning and restoration because a significant number of Type A sites will need to be addressed during this time.
- Type C sites cover all sites that become dormant after January 1, 2024, or sites where the permit is cancelled, declared spent or expired after January 1, 2024. Type C sites have more firm timelines for decommissioning and restoration to ensure that all future dormant and former sites are responsibly brought to regulatory closure in a reasonable time. All pipelines and facilities will be considered Type C sites as the DSR timelines for their closure do not come into effect until January 1, 2024.
- Priority sites are those sites which the Regulator has identified as a priority. Priority sites are identified by the Regulator based on:
 - The age of the site;
 - Public safety, including human health;
 - The environment;
 - Social and agricultural values;
 - Impacts on local communities;
 - Cultural and environmental values of local Indigenous nations; and
 - The capacity and portfolio of the permit holder.

Priority sites are subject to expedited timelines for closure activities. Priority sites will be identified on an ongoing basis as information on the above criteria is received and reviewed by the Regulator.

Permit holders with dormant and former sites are required to complete decommissioning, assessment, and restoration within prescribed timelines. In addition, a permit holder with Type A sites must meet intermediate percentage targets for decommissioning and restoring sites. The specific requirements for each type of site are outlined below. Certain permit holders who meet the requirements may apply to the BCER to manage their sites under a Liability Reduction Plan (LRP), which could include different intermediate targets (see LRP Timelines section).

2.4.1 Type A Site Requirements

Type A sites are sites that were dormant as of December 31, 2018, or sites where the well permit was cancelled, declared spent or expired by December 31, 2018. A permit holder with Type A sites must:

- **Decommission:**
 - At least one or 30 percent (whichever is greater) of sites by December 31, 2021.
 - At least two or 70 percent (whichever is greater) of sites by December 31, 2026.
 - All sites by December 31, 2031.
- **Assess:**
 - Sites decommissioned prior to December 31, 2018 by December 31, 2030.
 - In any other case, by December 31 of the calendar year two (2) years after the year the site was decommissioned (e.g. if a site is decommissioned on March 15th, 2020, then it must be assessed by December 31, 2022).
- **Restore:**
 - At least one or 40 percent (whichever is greater) of sites by December 31, 2024.
 - At least two or 70 percent (whichever is greater) of sites by December 31, 2030.
 - All sites by December 31, 2036.

If the above percentages result in decimals, then the result is to be rounded either to the nearest whole number, or if equidistant between two (2) whole numbers, then to the greater of those numbers.

The BCER dormant sites team can provide percent targets for each intermediate timeline described above upon request. Permit holders must ensure that they plan their work to achieve compliance with the timelines, and permit holders must ensure that they make accurate annual report submissions to the BCER. Failure to provide the BCER with accurate declarations and data may result in perceived non-compliance with the DSR timelines.

2.4.2 Type B Site Requirements

Type B sites are those that become dormant between January 1, 2019 and December 31, 2023 or sites where the well permit was cancelled, declared spent or expired between January 1, 2019 and December 31, 2023. A permit holder with Type B sites must:

- **Decommission:**
 - By December 31 of the calendar year that is eight years after the site became dormant, or the well permit was cancelled, declared spent, or expired (e.g. if dormant on December 31, 2020, then the site must be decommissioned by December 31, 2028).
- **Assess:**
 - If the site is decommissioned prior to becoming dormant, then by December 31 of the calendar year that is 10 years after the site is decommissioned.
 - In any other case, by December 31 of the calendar year that is two (2) years after the site is decommissioned.
- **Restore:**
 - By December 31 of the calendar year that is 13 years after the site became dormant, or the well permit was cancelled, declared spent, or expired.

2.4.3 Type C Site Requirements

Type C sites are those that become dormant after January 1, 2024, or sites where the permit is cancelled, declared spent or expired after January 1, 2024. All dormant pipelines and facilities are Type C dormant sites. A permit holder with Type C sites must:

- **Decommission:**
 - By December 31 of the calendar year that is five years after the site became dormant, or the permit was cancelled, declared spent, or expired (e.g. if dormant on December 31, 2025, then the site must be decommissioned by December 31, 2030).
- **Assess:**
 - By December 31 of the calendar year that is two years after the site is decommissioned. If the dormant site was decommissioned prior to January 1, 2024, assessment must be completed by December 31, 2031.
- **Restore:**
 - By December 31 of the calendar year that is ten years after the site became dormant, or the permit was cancelled, declared spent, or expired.

2.4.4 Priority Site Requirements

Priority sites are those sites the Regulator has identified as a priority. A permit holder with priority sites must:

- **Decommission:**
 - By the earlier of the default requirement for the original site type or December 31 of the calendar year that is two (2) years after the site was identified as a priority.
- **Assess:**
 - By the earlier of the default requirement or December 31 of the calendar year that is three years after the site was identified as a priority.
- **Restore:**
 - By the earlier of the default requirement or December 31 of the calendar year that is five (5) years after the site was identified as a priority.

Priority site designations are site-specific. The Priority Site Identification Process Map in [Appendix B](#) shows the progression of a priority site from designation request, through site-specific review, to potential designation by the Commissioner. This process map is available on the [Dormant Sites webpage](#). The webpage has a list of all priority sites that have been designated along with associated spatial data.

In order to standardize the receipt of information, the BCER requires that all priority site designation requests be received in the same, consistent format using the Priority Site Designation Request Form. This form is available on the [Dormant Sites webpage](#) and a copy of the form has been included in this manual as [Appendix C](#).

2.5 Applying for Exclusions

In certain cases, a permit holder may apply for an exclusion from the [Dormancy and Shutdown Regulation](#) for a site or a portion of a site. In either case, the permit holder will need to submit reasons for an exclusion of the site or a portion of the site from the regulation.

If the BCER is satisfied that an exclusion is appropriate, written notice of the exclusion will be sent to the permit holder by the Regulator. If granted, an exclusion will last for two (2) years. When the exclusion expires the permit holder will need to apply for renewal of the exclusion.

The DSR provides a narrow and definite set of circumstances in which an exclusion may be considered. An exclusion for a full site can be requested when a permit holder's site will meet the threshold for dormant site activity within a reasonable period of time.

The DSR only allows for consideration of the following factors when assessing an application for exclusion:

- Available reserves;
- Economic factors such as the cost to bring a well online and estimated production and prices;
- Safety factors such as site integrity; and
- Any other relevant information.

To apply for an exclusion for a portion of a site, the permit holder will have to demonstrate what energy resource activity is ongoing and the geographic area to be excluded. A portion of an operating area can only be excluded if a facility, pipeline, or energy resource road not solely associated with the dormant well is present on the site.

To submit a request for exclusion to the BCER, please email DormantSites@bc-er.ca and outline the site(s) included in the request, the reasons for the request, and any supporting information.

Exclusions are intended to be utilized when a permit holder identifies that a site should not be considered a dormant site because they intend to reactivate the site in the near future. This is in contrast to “exemptions” to required timelines, as described below.

2.6 Applying for Exemptions

In certain circumstances, it may be necessary for a permit holder to deviate from the prescribed timelines for site decommissioning, assessment, or restoration. The exemption provision set out in section 26.1 of the DSR provides the legislated authority for BCER designated decision makers to apply alternative timelines for specified work at a site and to impose conditions upon permit holders as a clause of an approval.

Exemption requests are site-specific, and they do not absolve permit holders of their site closure obligations. Exemption requests must be received in the form and manner required by the BCER via the eSubmission platform. Exemption requests must be submitted by a member in good standing of a regulated profession under the *Professional Governance Act*. Exemption requests must identify the specific concern, explain how it is not reasonably practicable to meet the prescribed timeline, and describe the permit holder's proposed closure plan and associated timelines.

Following receipt of an exemption request, the BCER will review submissions and rationales, determine the level of consultation required (if any) with interested persons, and may request additional information.

Before applying for an exemption, contact the BCER Dormant Sites Team (dormantsites@bc-er.ca) to discuss whether an exemption request is suitable for the situation. Examples where an exemption request may be suitable include:

- Significant access constraints;
- Wellbore integrity issues;
- Contamination requiring extended remediation and/or risk assessment;
- Deferred restoration due to existing infrastructure (provided that no contamination was present); and
- Deferred restoration due to future drilling potential.

As noted above, if an exemption request is approved, BCER may impose conditions upon the exemption such as requiring regular progress reports or that updates be provided to applicable interested persons on a regular basis.

Chapter 3: Reporting and Plans

Permit holders are required to submit Annual Work Plans and Annual Reports to the BCER. Notification and follow-up with interested persons is required for all permit holders undertaking work at dormant and former sites. Certain permit holders who meet the requirements may apply to the BCER to manage their sites under a Liability Reduction Plan (LRP).

3.1 Annual Work Plans and Annual Reports

The two (2) primary reporting requirements for permit holders with dormant and former sites are the Annual Work Plan (AWP) and the Annual Report (AR). Any permit holder with at least one dormant or former site must comply with the requirements of the [Dormancy and Shutdown Regulation](#), as per Section 43.2 of [ERAA](#).

The Annual Work Plan outlines any planned specified work (work to decommission, assess or restore a dormant site or former site), for the calendar year whereas the Annual Report describes the specified work that was actually carried out. Note, specified work includes closure activities such as downhole abandonment, surface infrastructure removal, site investigations, remediation, and reclamation. Activities that would be considered routine maintenance or operation of a site (e.g. weed control, road grading, etc.), whether it is dormant or active, are outside of the scope of the DSR.

Annual Work Plans and Annual Reports must be submitted via the eSubmission online portal. Chapter 14 of the eSubmission User Guide located on the BCER Website includes DSR submission-specific guidance. Annual Work Plans for wells, pipelines, and facilities are separated into three distinct submissions within the eSubmission portal. This is also true for Annual Report submissions. The three separate eSubmissions allow BCER staff to reject or request revisions to specific parts of an eSubmission rather than outright rejecting a permit holder's entire Annual Workplan or Annual Report. It also recognizes that some permit holders have different teams managing their liability reduction for wells, pipelines, and facilities.

Note that only one AWP submission for wells, pipelines, and facilities and only one AR submission for wells, pipelines, and facilities can be made by each permit holder in a given calendar year (a total of six submissions). If multiple submissions for the same infrastructure type (i.e. wells, pipelines, or facilities) are received, the most recent submission will over-write all previous submissions for that specific calendar year. The eSubmission User Guide will provide additional direction and will ensure submissions meet the regulatory requirements. Permit holders must ensure that their submissions are accurate and complete prior to submission; particularly with respect to stage-gate complete declarations contained within Annual Report submissions.

The information presented in the Annual Work Plans and Annual Reports is publicly available via the BCER Data Centre. This provides transparency and accountability for the management of dormant and former sites.

Note that there is a notification and follow-up process that must be followed prior to completing specified work at a dormant site or former site. The Notification and Follow-up section of this manual provides guidance on this process.

3.1.1 Annual Work Plans

Annual Work Plans must be submitted to the BCER **either** 60 days before commencing specified work at a dormant or former site (the construction of access such as an ice road is not included in this timeframe) **or** by January 30th in the calendar year that work is planned to decommission, assess, or restore a dormant or former site.

Each work plan submission must:

- Include contact information of the director, officer or employee who may be contacted;
- Identify the dormant and former sites to be decommissioned, assessed, and restored in the calendar year;
- Identify the estimated date when each closure activity is planned; and
- Identify any factors or risks that may cause deviations from the proposed work plan.

The BCER understands that work plans may change throughout the year. When plans do change, permit holders are not required to revise their Annual Work Plan in eSubmission. Instead, any deviations to the Annual Work Plan are to be reported in the Annual Report for the applicable calendar year. Permit holders are still required to notify interested persons of the work as described in Section 14 of the DSR (Notification of Intention to Begin Work), particularly when the work was not included in the Annual Work Plan.

A sample Annual Work Plan can be viewed in [Appendix D – Sample Annual Work Plan Contents](#). Permit holders subject to a Liability Reduction Plan must ensure they comply with any additional reporting requirements directed by the LRP.

3.1.2 Annual Reports

Any permit holder whose portfolio includes dormant and/or former sites must submit an Annual Report each calendar year. Annual Reports must be submitted to the Regulator within 60 days after the end of each calendar year.

Each annual report submission must:

- Identify the dormant and former sites decommissioned, assessed, and restored in the calendar year;
- Identify the type of closure work and activities completed with the date when the work was completed;
- Include a declaration as to whether each closure activity (decommissioning, assessment, or restoration) stage-gate is complete for the entire site;
- Demonstrate that the permit holder is on track to meet requirements for their dormant and former sites; and,
- Include a copy of the Annual Work Plan for the applicable calendar year with an explanation of any deviations from that plan.

A sample Annual Report can be viewed in [Appendix E](#) – Sample Annual Report Contents. Permit holders subject to a Liability Reduction Plan must ensure they comply with any additional reporting requirements.

3.2 Notification and Follow-up

Implementation of successful and efficient closure programs requires proper planning. Engagement and notification must be a part of this planning process. The [Dormancy and Shutdown Regulation](#) does not differentiate Crown land from freehold or private land in its application of the notification requirements. The decision to ensure all interested persons are notified of closure activities aligns with the BCER's values of transparency and respect, helps citizens understand what work is happening in their local area, and ensures that site closure activities are understood at a landscape level. It is in the public interest to communicate the scope and magnitude of closure activities occurring at all dormant sites and to ensure that all parties realize how many dormant sites are being moved towards full regulatory closure on an annual basis.

The notification process required under the [Dormancy and Shutdown Regulation](#) is distinct from consultation as required for new development, and from constitutional consultation.

There are two types of notifications that permit holders are required to provide to interested persons before commencing specified work at a dormant or former site (section 13 Notification of Annual Work Plan and section 14 Notification of Intent to Begin Work). Interested persons include:

- The landowner of the site;
- A local Indigenous nation as identified by the Regulator;
- A municipality, if all or part of the site is in the municipality; and
- A regional district, if all or part of the site is in the regional district.

Permit holders may contact DormantSites@bc-er.ca to request a list of local Indigenous nations that are interested persons for the permit holder's dormant sites. Notification requirements only apply to Indigenous rights holders under section 35 of the [Constitution Act](#).

Notifications for wellsites and facilities are straightforward and simple, however, notifications for pipelines are more complicated due to the longer, linear nature of pipeline right of ways. Notification is required for all interested persons anywhere that a pipeline or pipeline related infrastructure comes to the surface (i.e. risers, cathodic protection infrastructure, metering skids, etc.). Permit holders may elect to notify all interested persons along a pipeline, particularly for restoration work, however, notifications are required anywhere that the pipeline comes above ground.

The notification timelines and obligations for road deactivation (which often occurs in conjunction with dormant and former site restoration activities) differ from the notification timelines and obligations under the DSR. Permit holders must comply with the [Energy Resource Road Regulation](#) (formerly the Oil and Gas Road Regulation). The Energy Resource Road Regulation requires that a more broad group of stakeholders be notified prior to road deactivation and requires more definitive timelines for deactivation activities (including notification) to occur.

All notifications must be completed in accordance with the [Service Regulation](#). The Service Regulation prescribes methods for the service of documents and specifies when a notification is deemed received based on the method of service (registered mail, email, etc.).

Permit holders should maintain an accurate notification line-list that summarizes who was notified, on what dates, and the method that notification was completed. The line-list should include details on any responses received from interested persons. A sample notification line list is included as Appendix G. All notification documents are considered prescribed records under the Energy Resource Activities Act; they must be maintained to support the BCER's annual administrative verification compliance program.

If an interested person does not wish to receive any notifications, a non-notification agreement must be obtained in writing. A record of this agreement between the permit holder and the interested person must be maintained and must be provided to the BCER if requested.

3.2.1 Section 13 Notifications (Annual Work Plan)

Annual Work Plan notices for work to be completed in a calendar year must be given by January 30 of the calendar year, or 60 days before work commences, whichever is earlier. This means that a permit holder may need to send these notices in the late fall for work planned in the first quarter of the next calendar year. A sample Annual Work Plan notification letter is included with as [Appendix J](#).

Notices should identify the permit holder and must offer the interested person an opportunity to either request a meeting to discuss the plan or to submit a written reply with any concerns. Notices must include a draft of the Annual Work Plan for the calendar year. The Regulator has made spatial data for all dormant sites available on the [Dormant Sites Website](#). Individual maps are not required however, they are recommended to support Annual Work Plan notifications. The notice may include reference to multiple years of work, which may be necessary where work is scheduled through the winter season.

If an interested person requests a meeting, the permit holder must make a reasonable effort to meet within 30 days of the meeting request. The permit holder may request that the interested person outline their availability in the meeting request, and where possible, organize the meeting for a date, time, and location when the interested person indicated they were available. The BCER will not prescribe how meetings can occur. This is up to each individual permit holder and each interested person. Following the meeting, the permit holder must submit a report to the Regulator that describes the efforts to meet and minutes that include topics discussed and concerns raised at the meeting as well as any change the permit holder agreed to make. A sample engagement record is included with this guidance manual in [Appendix G](#).

If an interested person makes a written reply to a notice within 30 days, the permit holder must consider:

- Reasons why the specified work (decommissioning, assessment, or restoration) should be done on different timelines or in a particular way; and,
- If the interested person is a local Indigenous nation, the interests, knowledge, or advice of the nation.

Within 30 days of receiving a written reply, the permit holder must give a response that includes a description of any changes to the Annual Work Plan and a statement that the permit holder will retain a record of the notice, reply, and response for review and audit by the Regulator. The permit holder must provide a copy of the record to the Regulator including the notice, written reply, and response, within a reasonable time after the response is provided.

3.2.2 Section 14 Notifications (Intention to Begin Work)

A permit holder must provide written notice of intention to begin work at least 30 days before commencing specified work at a dormant or former site (see [Appendix K](#)). This notice could be provided during the Annual Work Plan communications, if the permit holder is committed to specific dates for work at particular sites.

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3.3 Liability Reduction Plans

As per Section 43.4 of the [Energy Resource Activities Act](#), eligible permit holders may submit Liability Reduction Plans to the BCER for approval. To be eligible a permit holder must have either:

- More than 100 Type A sites; or
- A previously approved LRP.

In addition, a permit holder that intends to submit a LRP must give notice to any local Indigenous nations that includes a list and map of the proposed LRP sites associated with the nation. The notice must include a statement that the nation may request a meeting to discuss the plan and/or make a written reply within 30 days. Permit holders must consider any reasons why work should be done on different timelines or in a particular way. Within 30 days of receiving a reply, the permit holder must give a response that includes a description of changes and a statement that the permit holder will submit to the BCER a report of any meeting held, as well as a copy of the notice, reply and response. Permit holders must submit records of notices, replies and meetings to the BCER as part of the LRP Application. A sample Engagement Record is included in [Appendix G](#) of this manual. Proof of engagement and notification will be required with an LRP submission.

Permit holders who meet the above noted criteria may submit a Liability Reduction Plan Application to DormantSites@bc-er.ca. Future LRP submissions will be completed via the online eSubmission platform. Information submitted in the LRP will be publicly available. An LRP may cover up to six (6) calendar years. The proposed LRP Application must include:

- The dormant and former sites covered by the plan;
- The dormant and former sites to be decommissioned, assessed, and restored in each calendar year;
- How future dormant and former sites (either new or transferred) will be addressed;
- Specific plans to decommission, assess and restore sites that the BCER advises are priority sites;
- The maximum number of each type of dormant or former sites that the permit holder may transfer. Transfers to another permit holder do not count towards annual targets under an LRP. For further information see Permit Transfer Applications.

A sample LRP Application is available in [Appendix F](#) of this manual. Please contact the BCER Dormant Sites Team (dormantsites@bc-er.ca) during LRP development to ensure expectations and requirements are clear.

Two checklists are included as [Appendix H](#) and [Appendix I](#) to assist permit holders with the development of their Liability Reduction Plans and to ensure all regulatory requirements are met within the submission.

Upon receipt and review of an LRP, the Regulator will consult with all applicable local Indigenous nations prior to making a decision to approve of, or reject, the LRP.

3.3.1 LRP Timelines

The proposed LRP must conform to the following timelines for assessment and restoration. A permit holder with dormant and former sites under a LRP must:

- **Assess:**
 - By December 31, 2033 for Type A sites decommissioned before December 31, 2018.
 - By December 31, 2033 for Type B sites decommissioned before the site became dormant.
 - In any other case, by December 31 of the calendar year that is two (2) years after the site is decommissioned.
- **Restore:**
 - By December 31, 2036 for Type A and Type B sites.
 - By December 31 of the calendar year that is 10 years after the dormancy date for Type C sites.

3.3.2 LRP Compliance

An approved LRP is an order of the BCER. Permit holders with an approved LRP must comply with the requirements outlined in the Notification and Follow-up section.

The BCER's approval for a LRP submission will consider the compliance and enforcement history of the permit holder and its associates subject to Section 26 (2) to (4) of the [Energy Resource Activities Act](#) (ERAA). Subject to Section 43.4 (5) of ERAA, the BCER may revoke a LRP if a permit holder fails to comply with an LRP. If an LRP is revoked, then all sites formerly covered by the LRP become subject to the default program timelines. Each approved LRP will contain a number of conditions, which if not met or corrected in the required time, will result in revocation. For example, an LRP will include a variation of the following clause:

- If a certain number or percentage of sites are not addressed in a defined time period, corrective action must be taken by a certain date. If that corrective action is not completed on time, the LRP will be revoked.

3.3.3 LRP Annual Work Plans and Annual Reports

An Annual Work Plan must be submitted each year in accordance with the Annual Work Plan section.

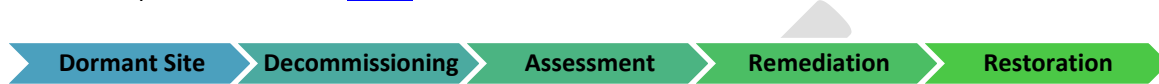
Permit holders with an approved LRP must submit an Annual Report within 60 days after the end of each calendar year. Annual Reports must comply with all the requirements in the Annual Reports section of this document. If working under an approved LRP, while submitting an Annual Report, each permit holder must also list any dormant or former sites that were transferred to or from the permit holder in the prior calendar year. For permit holders working under an approved LRP, a Director or Corporate Officer of a permit holder must sign-off on the following statements in each Annual Report:

- A declaration from the permit holder that the Annual Report is accurate and is reflective of the current state;
- A declaration from the permit holder that they are in compliance with their Liability Reduction Plan; and
- If the permit holder determines that they are not in compliance with the [Dormancy and Shutdown Regulation](#), they must include a list of the preventive and corrective actions that will be taken to ensure compliance with the Liability Reduction Plan.

This supplemental information is required only when a permit holder is working under an approved LRP and can be attached as a letter to the regular Annual report submission that is made via eSubmission.

Chapter 4: Closure Activities

Closure activities include those activities that must be completed by the permit holder and reported to the BCER when a site becomes dormant, or when a permit is cancelled, declared spent, or expired. If a dormant site is not decommissioned, assessed, and restored within the required timeframe outlined in [Section 2](#), then the permit will be cancelled as per Section 43.3 of [ERAA](#).



4.1 Decommissioning

As described in Section 6 of the [Dormancy and Shutdown Regulation](#) (DSR), decommissioning includes the downhole and surface abandonment of a well, and the removal of any facilities and other surface infrastructure at the site.

Well plugging and abandonment requirements are laid out in section 26 of the [Drilling and Production Regulation](#) and further guidance can be found in the [Oil and Gas Activity Operations Manual](#). A Notice of Operations must be submitted for all work being performed on a well. The Notice of Operations is submitted electronically through the [eSubmission portal](#) on the BCER website. Abandonment must be carried out as per the [Drilling and Production Regulation](#) and Section 9.5 of the [Oil and Gas Activity Operations Manual](#). An ABAN well status is conferred after a satisfactory cut and cap report is received by the BCER. The ABAN well status does not include the removal of the facilities and other equipment that is required under the definition of decommissioning in the DSR (where no facility permit exists on the well pad). For this reason, permit holders were asked to declare whether or not a site meets the definition of decommissioned and to declare if this definition was met prior to December 31, 2018.

Facilities and equipment are to be removed in accordance with the [Oil and Gas Activity Operations Manual](#). Facility removal submissions are made through [Kermit](#). A Notice of Intent to Remove a Facility is submitted when all constructed equipment is removed or in the process of being removed. In cases where no equipment was installed, a Notice of Intent to Cancel a Facility must be submitted. A dormant facility site is considered fully decommissioned when it complies with the applicable requirements in section 79 of the [Drilling and Production Regulation](#) (i.e. removal of any facilities or other equipment in accordance with applicable permit conditions in a timely manner with all proper submissions to the BCER completed).

Pipelines are required to be fully decommissioned in accordance with the [Pipeline Regulation](#).

The year that site decommissioning is completed is critical because this year becomes the reference year for completion of other closure activities (assessment and restoration). Permit holders must declare the

decommissioning stage-gate complete in their Annual Report submission once all of the applicable requirements of Section 6 of the DSR have been met for the entire site.

Permit holders should not declare the Decommissioning Stage-Gate as being complete until all wells on a site are fully decommissioned, and until all infrastructure is removed from the site.

4.2 Assessment

The timelines for assessment of dormant sites is linked to decommissioning activities to ensure that closure work progresses in a timely manner. It is critical that any potential contamination is identified early so that remediation plans can be developed and implemented within the prescribed timelines. If additional time is required to complete assessment activities, permit holders can apply for exemptions under Section 26.1 of the DSR.

Under the [Dormancy and Shutdown Regulation](#) (DSR), the assessment of dormant and former sites must be completed or supervised by a qualified professional satisfactory to the BCER in accordance with Section 7 of the DSR, and Chapter 2 – Site Screening and Chapter 3 – Site Investigation and Assessment of the [Site Remediation and Reclamation Manual](#).

Once the assessment work is complete, permit holders must submit *either* a Dormancy Site Assessment Form (DSAF) or a Certificate of Restoration (CoR) Application Form (Part 1). A DSAF can be submitted once both stages of a preliminary site investigation (PSI) are complete, and if needed, a detailed site investigation (DSI) is complete. All areas of potential environmental concern must be identified, and all contaminants of concern must be fully delineated. **Permit holders should not declare the Assessment Stage-Gate as being complete until after a DSAF or a CoR Part 1 has been submitted.**

The difference between the DSAF and the CoR Part 1 is that the CoR Part 1 form is submitted after both assessment and remediation are complete, whereas the DSAF can be submitted after assessment is complete but remediation is not.

The Regulator may request the results of any site assessment work at a site prior to submission of a DSAF or CoR Part 1 Application.

Permit holders must declare the assessment stage-gate complete in their Annual Report submission once all of the applicable requirements of Section 7 of the DSR have been met for the site.

[Appendix L](#) provides a flow chart for the site assessment process and submission expectations.

4.3 Restoration

Under the [Dormancy and Shutdown Regulation](#) (DSR), restoration includes remediation of dormant or former sites (and any neighbouring lands to which contamination has migrated) as well as surface reclamation and re-vegetation. Section 8 and 9 of the DSR describe the remediation and restoration requirements.

Remediation must be completed in accordance Chapter 4 – Site Remediation in the [Site Remediation and Reclamation Manual](#). In certain circumstances, the Regulator may be satisfied by an alternate remedial approach that provides a permanent solution to the maximum extent possible, having regard to the following factors:

- The risks to human health and the environment posed by contamination;
- The local background concentration of any substances;
- The potential effects on the environment that would be caused by remediation to numerical standards; and
- The technical feasibility, risks and costs associated with remediation to numerical standards.

The restoration of all dormant and former sites must be completed in accordance with Chapter 6 – Site Reclamation and Certificate of Restoration (CoR) Part 2 Application in the [Site Remediation and Reclamation Manual](#).

Surface reclamation requirements for dormant and former sites differ depending on land tenure. For sites within the Agricultural Land Reserve (ALR), reclamation requirements are detailed in Schedule B of the [Delegation Agreement](#) of December 8, 2017 signed between the Regulator and the Provincial Agricultural Land Commission. For sites on Crown land but outside of the ALR, site reclamation requirements are described in in Section 19 of the [Environmental Protection and Management Regulation](#) (EPMR). Further guidance on reclamation can be found in Appendix C of the [Environmental Protection and Management Guideline](#) and in the [Peace-Liard Re-vegetation Manual](#), 2010.

On January 7, 2020 the Regulator published a [Technical Update](#) that provided clarity on Section 19 of the EPMR, which requires restoration of operating areas on Crown land through the use of ecologically suitable species. Additional guidance on the use of ecologically suitable species for site restoration is available in the [Ecologically Suitable Species Guideline](#) which was published in May of 2023. To ensure the integrity of native vegetation, as of June 2023 permit holders are also required to prepare and maintain an invasive plant compliance record (see [Technical Update 2023-10](#)).

Under the DSR a site is restored when the above reclamation activities are complete and when the BCER is satisfied that the permit holder has performed each obligation imposed under ERAA, the specified enactments, its permits, and authorizations. Permit holders must declare the restoration stage-gate complete in their Annual Report submission once all of the applicable requirements of Section 8 and 9 of the

DSR have been met for the site. **Permit holders should not declare the Restoration Stage-Gate as being complete until all reclamation work is complete; this includes redistribution of any salvaged subsoil and topsoil, recontouring and regrading the site, and the planting of ecologically suitable species.**

Although permit holders are not required to apply for a Certificate of Restoration (CoR) Part 2, it is the final site closure mechanism that the Regulator uses to return any security held for reclamation activities. Obtaining a CoR Part 2 impacts the permit holder's Permittee Capability Assessment (PCA) score. Under a Certificate of Restoration Part 2 application, post-closure monitoring may be necessary in accordance with the [Site Remediation and Reclamation Manual](#).

Any post-restoration monitoring programs required under the Certificate of Restoration process are out of scope of the Dormant Sites Program. This includes vegetation management as well as site visits to observe progress on vegetation regeneration. Vegetation management is considered routine operations and it is required under the *Weed Control Act*. As a result, these activities are not required to be included in a permit holders Annual Work Plan or Annual Reports. If a permit holder elects to include these activities in their Annual Work Plans or in their Annual Reports, then all proper notifications under sections 13 and 14 of the DSR must be completed. Note again that effective June 2023, all permit holders must maintain an invasive plant compliance record.

Ancillary sites such as campsites, remote sumps, or borrow pits associated with a dormant or former site are addressed in a permit holder's CoR Part 1 and 2 Applications. They are not included with the DSR requirements which focus on wellsites, pipelines, and facilities at this time. The exception to this is when the ancillary activity overlaps with or is on top of the dormant site (i.e. onsite sumps).

4.3.1 Pipeline Restoration Guidance

For the purposes of determining restoration status, it is recognized that pipeline right of ways may have been restored following construction and/or operation.

Pipelines that fall within the Agricultural Land Reserve (ALR) must continue to meet Schedule B standards as per the Delegation Agreement between the Agricultural Land Commission and the BC Oil and Gas Commission.

The reclamation requirements for pipelines outside of the ALR depend on when the pipeline was constructed. Pipelines that were constructed prior to 2020 are required to have been reclaimed to the standard of the day. Pipelines that were installed between 2020 and 2023 were constructed after the definition of ecologically suitable species was released and as a result, they are required to be compliant with the ecologically suitable species guideline (or on a trajectory to be compliant with the Ecologically Suitable Species Guideline). All pipelines that are constructed from 2024 onwards must be restored to be

fully compliant with the ecologically suitable species guidelines. This is consistent with the guidance that has been provided for wellsite restoration.

Anywhere that reclamation has not previously occurred within a dormant pipeline right of way (regardless of construction year) will be required to be brought up to the current restoration standards, including the utilization of ecologically suitable species. These areas would typically coincide with riser site locations, meter stations, stream crossing locations, liner vent or cathodic protection locations, etc. and may also be further disturbed during decommissioning activities. The use of ecologically suitable species in these locations, and at the wells or facilities that a pipeline ties into, will create beaks in the linear feature and will enhance the ecological succession of the entire right of way.

During restoration inspection of pipelines, other persistent issues may be evident that require additional restoration with ecologically suitable species. Common issues that will result in additional surface restoration being required include:

- presence of bare areas;
- excessive mulching that is inhibiting vegetation regeneration;
- presence of noxious weeds or invasive plants;
- excessive mounding and roaching, or settling and subsidence;
- excessive accumulation of woody debris;
- presence of garbage or construction debris;
- inadequately reclaimed stream crossings or riparian areas;
- ineffective erosion or sediment control measures;
- presence of erosion scarring that affects natural drainage patterns; and,
- inadequate restoration within sensitive habitat areas.

A pipeline right of way inspection must be completed by a Qualified Professional registered in BC in order for the restoration stage-gate to be declared as complete.

Chapter 5: Changes to Other Business Areas

The enactment of the [Dormancy and Shutdown Regulation](#) has necessitated changes to a number of existing BCER policies and programs. This section outlines some of the impacted areas and the changes that have occurred.

5.1 Permit Transfer Applications

The BCER reviews all permit transfer applications to identify any dormant and former sites included in the transfer. Upon receipt of an application for a permit transfer of one or more sites, both the transferor and the transferee will be subject to a review of their inventory of dormant and former sites. In addition to security required as part of the regular transfer process, the applicant or permit holder involved in the transaction may be required to submit a security deposit for the full liability of the site(s) as calculated by the BCER for outstanding work relating to dormant and former sites.

If a dormant or former site is transferred, then the transferee may be required to indicate how they will meet the Dormancy and Shutdown Regulation requirements as a condition of the permit approval. Permit holders with a Liability Reduction Plan may be subject to additional permit transfer conditions.

Permit holders are encouraged to contact the BCER liability management staff at LiabilityManagement@bc-er.ca to inquire about potential transfer applications.

5.2 Alignment with the Permittee Capability Assessment

At this time, the completion of decommissioning, assessment, and restoration stage-gates for pipelines, wellsites, and facilities, does not directly align with a permit holder's deemed liabilities for a dormant or former site.

- Permit holders may be eligible for return of security held for deemed abandonment liability after all decommissioning activities as per section 4.1 of this manual are complete at a site and all proper submissions have been received (and accepted) by BCER staff.
- Permit holders may be eligible for return of security held for deemed assessment liability after all assessment activities as per section 4.2 of this manual are complete and either a dormancy site assessment form or a Certificate of Restoration (CoR) Part 1 form have been received along with all supporting documentation.
- Permit holders continue to be eligible for potential return of deemed reclamation liability upon receipt of a Certificate of Restoration (Part 2). However, the BCER recognizes that there is some lag-time between when surface reclamation is complete, and when a permit holder may application for / receive of a CoR Part 2.

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5.3 Inactive Well Suspension Requirements

Suspension methods are detailed in Chapter 9 of the [Oil and Gas Activity Operations Manual](#). The BCER has changed its policy for determining suspension requirements for long-term inactive wells. Previously, any Low Risk well that was inactive for 10 years would be considered a Medium Risk gas well. Once the Medium Risk classification was applied, the wells were subject to more strict suspension requirements.

Under the revised policy, after 10 years of inactivity a well will no longer automatically transfer from low to medium risk. Instead, to maintain Low Risk classification:

- Permit holders must demonstrate to the BCER's satisfaction that the well is in a safe and secure condition, and is suspended in a manner that ensures the ongoing integrity of the well.
- Permit holders are required to provide an annual Inspection Report in year 10 that demonstrates the well is still Low Risk.
- Permit holders are required to inspect the well every year.
- Permit holders are required to submit annual inspection reports every year. If there is a potential integrity issue, then further action may be required.
- After 10 years of inactivity, a well moves into a compliance planning program. The BCER monitors these wells through a compliance verification program.

Permit holders may still choose to suspend a 10-year inactive well as Medium Risk.

Well suspensions under the [Drilling and Production Regulation](#) are treated separately from wells scheduled for decommissioning under the [Dormancy and Shutdown Regulation](#). The suspension of inactive wells is required to minimize the risk of safety and environmental hazards. Depending on the risk a well represents, the BCER may exempt a well from the requirement in section 25(5)(a), provided the intent of the regulation can be met in an alternative manner. These factors are assessed on a case-by-case basis and the permit holder must consider how they will meet the intent of section 25 of the [Drilling and Production Regulation](#), specifically assuring the integrity of the well. For Low-Risk wells moving to medium risk after 10 years of inactivity, the permit holder can maintain the low-risk requirements in the guideline provided the permit holder demonstrates that the well's integrity is assured.

5.4 Compliance & Enforcement

The BCER employs a graduated non-compliance response model where appropriate, ranging from non-compliance notices to more formal, statutory enforcement actions. Several factors are considered in determining the appropriate response to a given non-compliance, including recent changes to regulatory requirements. The BCER utilizes a [Compliance Management Information System](#) (CM-IS) to issue, track, and record responses to non-compliances. All permit holders must ensure that they have the adequate security roles assigned to their staff for liability management and receipt of administrative deficiencies (among other roles) in order to view and respond to non-compliance notices in CM-IS and effectively manage compliance with the DSR. The [Company Administrator Guide](#) describes how to manage user accounts and assign these security roles in KERMIT.

The [Administrative Penalties Regulation](#) dictates the maximum administrative penalties that a person may receive as a result of contravention of specific sections of the [Dormancy and Shutdown Regulation](#).

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5.5 Miscellaneous

5.5.1 Re-Entry for Previously Restored and Untenured Access

If access to a dormant or former site necessitates going through a previously restored area, or an untenured area, permit holders must apply for access through the normal permitting process which includes pre-engagement with local Indigenous nations. Decisions on investigative use permits for the purposes of site restoration may be able to be accelerated however, there are no guarantees, so it is vital that permit holders plan their site closure work well in advance and secure all authorizations before proceeding. This may also include water use permits, stream crossings, third party crossing and proximity agreements, road use agreements, etc.

5.5.2 Supporting Coordinated and Efficient Closure

The BCER has developed a comprehensive [web map](#) tool to support permit holders in completing closure activities in an efficient and coordinated manner. All Annual Work Plan and Annual Report data is published to the BCER [Data Centre](#) to inform all industry partners and the public of work occurring in various operating areas each year. For support in planning future decommissioning and restoration programs, please contact the BCER at DormantSites@bc-er.ca.

Appendix A: Voluntary Site Dormancy Declaration Form



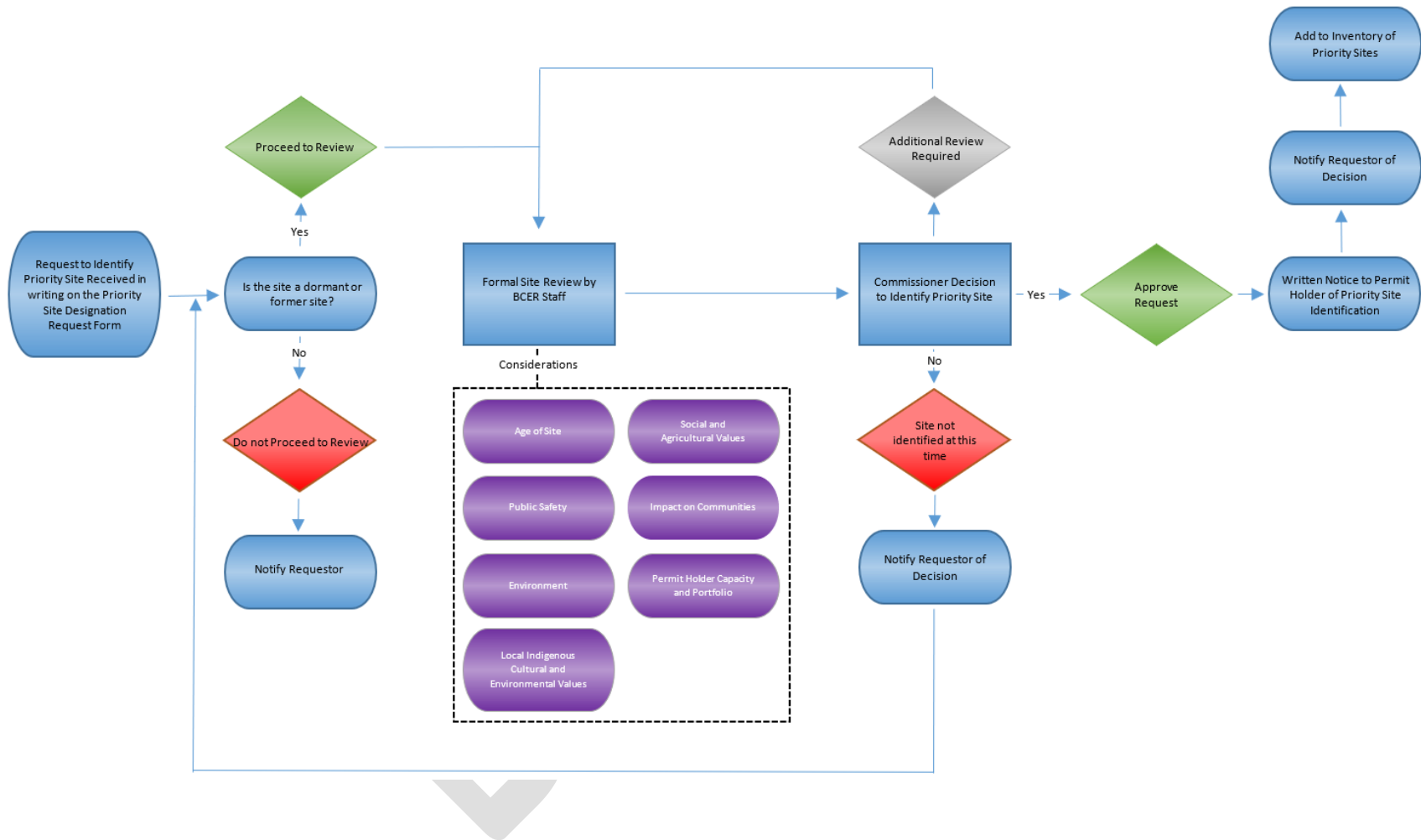
<p>SITE DORMANCY DECLARATION FORM</p> <p><i>All submissions to be received digitally via eSubmission.</i></p>	<p>Date Received</p>
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Section 3(1)(b) of the Dormancy & Shutdown Regulation gives permit holders the ability to provide written notice to the BCER that a site is dormant. Sites that are declared as dormant then follow the classification of dormant sites as per Section 4 of the Dormancy & Shutdown Regulation.

ADMINISTRATIVE INFORMATION			A
Permit Holder:			
Mailing Address:			
City:	Province:	Postal Code:	
Name:	Title/Position:		
Phone Number:	Email Address:		
SITE DORMANCY DECLARATIONS			B
The following sites are being declared as dormant under Section 3(1)(b) of the Dormancy & Shutdown Regulation. If additional space is required, you may submit an Excel spreadsheet with the same columns and headers as shown below along with this Site Dormancy Declaration Form.			
WA NUMBER FAC ID NUMBER PIPELINE PROJECT & SEGMENT NUMBER	SITE DORMANCY DATE	SITE DORMANCY TYPE (A, B, C)	
FORM SUBMISSION DECLARATION			C
In completing this declaration form I _____ (Print Name) solemnly declare that the information provided above is true and that no relevant information has been omitted, I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath. I further declare that I am authorized to submit this form on behalf of the permit holder.			
Submission Date (MM/DD/YYYY):			
Signature:			

This form must be submitted via the BCER eSubmission portal online.

Appendix B: Priority Site Identification Process Map



Appendix C: Priority Site Designation Request Form



<p>PRIORITY SITE DESIGNATION REQUEST FORM</p> <p><i>All submissions to be received digitally via email to dormantsites@bc-er.ca</i></p>	<p>Date Received</p>
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The objective of the dormant sites program is to ensure that permit holders responsibly carry their oil and gas activities to regulatory closure within a reasonable time. In certain circumstances, it may be necessary for a permit holder to decommission, assess, and restore a dormant or former site on an expedited basis. Priority site designations, as identified under Section 5 of the Dormancy and Shutdown Regulation, are the mechanism by which the BCER is able to expedite these activities.

REQUESTOR'S ADMINISTRATIVE INFORMATION				A
Name:				
<input type="checkbox"/> Local Indigenous Nation	<input type="checkbox"/> Permit Holder	<input type="checkbox"/> Landowner	<input type="checkbox"/> Other:	
Mailing Address:				
City:		Province:	Postal Code:	
Phone Number:		Email Address:		
SITE SPECIFIC DETAILS				B
Current Permit Holder Name:				
Site Location / Site Name:				
Well Authorization Number, Facility ID Number, or Pipeline Project / Segment Number (if known):				
PRIORITY SITE REQUEST RATIONALE				C
<p>The BCER may identify a Type A, B, or C site as a priority site, by giving a permit holder for the site a written notice if the BCER considers, having regard to the following factors, that it is in the public interest for the site be decommissioned, assessed, and restored on an expedited basis:</p> <ul style="list-style-type: none"> • the age of the site; • public safety, including human health; • the environment; • social and agricultural values; • impacts on local communities; • cultural and environmental values of local Indigenous nations; and • the capacity and portfolio of the permit holder. <p>Note that the rationale for priority site designation may cover <u>one or more</u> of these factors but that it must be specific.</p> <p>For example, a person requesting a priority site designation for a site on the basis of local Indigenous cultural and environmental values would need to note what those values were and how they were impacted by the current dormant site being present. The request must be specific in identifying why a site should be restored on an expedited five year priority site timeline instead of the 16, 13 or 10 year timelines for Type A, B, and C sites respectively.</p>				

<i>Please check all that apply and include details for your priority site request:</i>	
<input type="checkbox"/> Age of the site:	
<input type="checkbox"/> Public safety, including human health:	
<input type="checkbox"/> Environment:	
<input type="checkbox"/> Social and agricultural values:	
<input type="checkbox"/> Impacts on local communities:	
<input type="checkbox"/> Cultural and environmental values of local Indigenous nations:	
<input type="checkbox"/> Capacity and portfolio of the permit holder:	
<input type="checkbox"/> Other notes for consideration:	
FORM SUBMISSION	
D	
Submission Date (MMM/DD/YYYY):	
Requestor's Signature:	

Appendix D: Sample Annual Work Plan

Annual Work Plan for CALENDAR YEAR

Permit Holder:	
Contact Name:	
Title:	
Phone:	
Email:	
Signature:	

Please describe any factors or risks that may cause deviations from the proposed work plan:

The schedules for Decommissioning, Assessment, and Restoration under sections 6, 7, 8, and 9 of the DSR will be submitted via eSubmission. Refer to Section 14 of the eSubmission User Guide for more information.

Schedule 1: Planned Decommissioning		
WA Number	Work Date	Comments
11111	mm/dd/yyyy	

Schedule 2: Planned Assessment		
WA Number	Work Date	Comments
11111	mm/dd/yyyy	

Schedule 3: Planned Restoration		
WA Number	Work Date	Comments
11111	mm/dd/yyyy	

Appendix E: Sample Annual Report

Permit Holder Dormant Sites Program Annual Report for CALENDAR YEAR

Permit Holder:	
Contact Name:	
Title:	
Phone:	
Email:	
Signature:	

The Annual Work Plan for the applicable calendar year is attached	<input type="checkbox"/> YES <input type="checkbox"/> NO
Were there any deviations from the Annual Work Plan?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If yes, please provide explanations for all deviations:	
All Applicable Interested Persons were notified in accordance with Section 13 and 14 or Section 21 of the DSR.	<input type="checkbox"/> YES <input type="checkbox"/> NO

The schedules for decommissioning, assessment, and restoration under sections 6, 7, 8, and 9 of the DSR must be submitted via eSubmission. Refer to Chapter 14 of the eSubmission User Guide for more information.

Schedule 1: Decommissioning Work Completed				
WA Number	Date Work Completed	Type of Work Completed (*)	Decommissioning Stage-Gate Complete	Comments
11111	mm/dd/yyyy	Downhole Abandonment	Yes	Free Form Text

* The type of work completed should reflect that work was actually completed at the site (i.e. downhole abandonment, SCVF/GM Issues Addressed, Surface Abandonment (cut & cap), Other, or Surface Infrastructure Removal). Do not check "yes" in the select the stage-gate complete box unless the entire site meets the definition of decommissioned.

Schedule 2: Assessment Work Completed				
WA Number	Date Work Completed	Type of Work Completed (**)	Assessment Stage-Gate Complete	Comments
11111	mm/dd/yyyy	Stage 2 PSI	Yes	Free Form Text

** The type of work completed should reflect that work was actually completed at the site (i.e. Stage 1 PSI, Stage 2 PSI, DSI, Groundwater Monitoring, Dormancy Site Assessment Form Submission, CoR Part 1 Application, or Other). Do not check "yes" in the select the stage-gate complete box unless the entire site meets the definition of assessed.

Schedule 3: Restoration Work Completed				
WA Number	Date Work Completed	Type of Work Completed (***)	Restoration Stage Gate Complete	Comments
11111	mm/dd/yyyy	Reclamation	Yes	Free Form Text

** The type of work completed should reflect that work was actually completed at the site (i.e. Reclamation, Remediation, Both, or Other). Do not check "yes" in the select the stage-gate complete box unless the entire site meets the definition of assessed.

Appendix F: Sample Liability Reduction Plan

Liability Reduction Plan

Permit Holder:	
Contact Name:	
Title:	
Phone:	
Email:	
Signature:	

[Permit Holder] has more than 100 Type A sites:

[Permit Holder] has a previous LRP:

Notice and follow-up with local Indigenous nations is complete and the necessary records have been submitted to the Regulator:

Describe how future dormant and former sites will be addressed.

What is the maximum number of dormant and former sites of each type that the permit holder may transfer during the proposed Liability Reduction Plan (LRP):

See next page for information on the required well schedules.

The below schedules must be submitted as presented below or in the same format in Excel. The information needed to populate the below schedules can be found in the BCER Dormant Sites Report.

Schedule 1: Dormant and Former Sites included in LRP

WA Number	Current Status	Dormancy Date	Dormancy Type
11111	SUSP	31-Dec-2018	A

Schedule 2: Annual Work Plans (must be completed for each calendar year under LRP)

WA Number	Current Status	*Closure Activity	*Date of Work	Dormancy Date	Dormancy Type
2222	ABAN	*Assessment	*Q3 2019	31-Dec-2018	A

*This information must be entered by the permit holder, where applicable.

Or for later years:

Field Name	*Closure Activity	*Seasonal Access	*# of Type A Sites	*# of Type B Sites	*# of Type C Sites
Oak	*Decommissioning	*All-Season	*3	*2	*1

*This information must be entered by the permit holder, where applicable.

Schedule 3: Priority Sites

WA Number	Current Status	*Closure Activity	*Date of Work	Dormancy Date	Dormancy Type
12345	SUSP	*Decommission	*Q3 2019	31-Dec-2018	A

*This information must be entered by the permit holder, where applicable.

Schedule 4: Map of Site Locations

Appendix G: Sample Engagement Record

INTERESTED PERSON DORMANT SITES ENGAGEMENT RECORD AND SUMMARY

INTERESTED PERSON (As defined in the DSR)	INTERESTED PERSON (RECIPIENT) CONTACT INFORMATION	NOTIFICATION METHOD (i.e. Email, Hardcopy Mail, Fax)	APPLICABLE WA NUMBER(S) & SURFACE LOCATIONS (see attached site list is appropriate)	DATE NOTIFICATION SENT	DATE REPLY RECEIVED FROM INTERESTED PERSON	DATE WRITTEN RESPONSE FROM PERMIT HOLDER SENT TO INTERESTED PERSON	REQUEST FOR MEETING RECEIVED (YES /NO)	DATE MEETING CONDUCTED	COMMENTS / NOTES / CONCERNS RAISED

Appendix H: LRP Contents Checklist (DSR Section 21)

Liability Reduction Plan Evaluation and Review Checklist

The notification requirements for an LRP are outlined in Section 21 of the regulation and they are summarized in the following checklist.

As per S. 21 (1) *"This section (of the regulation) applies in relation to a permit holder who intends to submit under section 19 a liability reduction plan that covers a dormant site for which a local Indigenous nation is identified."*

This checklist is to be used when evaluating an LRP application to determine if all of the required contents are present.

Regulation Section and Requirements		Requirement is Met or Not-Met		Reviewer Comments and Notes
DSR Section	Basic Requirement	Met	Not-Met	
21(2)(a)	<i>"The permit holder must give a written notice to the local Indigenous nation that includes (a) a copy of the portion of the liability reduction plan that relates to the nation"</i>			
21(2)(b)	<i>"The permit holder must give a written notice to the local Indigenous nation that includes (b) a statement that the nation may do one or both of the following: (i) request a meeting to discuss the plan; (ii) make a written reply referred to in subsection (4)."</i>			
21(3)(a)	<i>"If the local Indigenous nation requests a meeting to discuss the liability reduction plan, the permit holder must (a) make reasonable efforts to meet with the nation ..."</i>			
21(3)(b)	<i>"If the local Indigenous nation requests a meeting to discuss the liability reduction plan, the permit holder must ... (b) submit a report to the commission that (i) describes the efforts made to meet with the nation, and (ii) if a meeting is held, includes minutes of the meeting that (A) note the topics discussed and concerns raised at the meeting, and (B) describe any changes that the permit holder has agreed to make to the liability reduction plan."</i>			
21(4)(a)	<i>"If the local Indigenous nation makes a written reply to a notice under subsection (2) within 30 days after receiving the notice, the permit holder must (a) consider any of following that is set out in the reply: (i) reasons why specified work covered by the plan should be done on different timelines or in a particular way; (ii) scientific, Indigenous and local knowledge..."</i>			
21(4)(b)	<i>"If the local Indigenous nation makes a written reply to a notice under subsection (2) within 30 days after receiving the notice, the permit holder must ... (b) within 30 days after receiving the written reply, give to the nation a further written notice that includes (i) a description of any changes made to the liability reduction plan, and (ii) a statement that the permit holder will submit a copy of the notice, reply and further notice to the commission..."</i>			
21(4)(c)	<i>"If the local Indigenous nation makes a written reply to a notice under subsection (2) within 30 days after receiving the notice, the permit holder must ... (c) as soon as practicable after giving the further notice, submit a copy of the notice, reply and further notice to the commission."</i>			

Appendix I: LRP Contents Checklist (DSR Section 22)

Liability Reduction Plan Evaluation and Review Checklist

The basic requirements for an LRP are outlined in Section 22 of the regulation and they are summarized in the following checklist.

This checklist is to be used when evaluating an LRP application to determine if all of the required contents are present.

Regulation Section and Requirements		Requirement is Met or Not-Met		Reviewer Comments and Notes
DSR Section	Basic Requirement	Met	Not-Met	
22(1)(a)	A liability reduction plan must identify the dormant sites that are covered by the plan.			
22(1)(b)(i)	A liability reduction plan must identify any circumstances in which the following sites will become covered by the plan: a site that becomes dormant after the plan is approved.			
22(1)(b)(ii)	A liability reduction plan must identify any circumstances in which the following sites will become covered by the plan: a dormant site for which the permit holder acquires the permit after the plan is approved.			
22(2)(a)	A liability reduction plan must cover a period of no more than 6 calendar years.			
22(2)(b)(i)	A liability reduction plan must specify for each calendar year, by field and type, the number of dormant sites covered by the plan to be decommissioned in the calendar year.			
22(2)(b)(ii)	A liability reduction plan must specify for each calendar year, by field and type, the number of dormant sites covered by the plan to be assessed in the calendar year.			
22(2)(b)(iii)	A liability reduction plan must specify for each calendar year, by field and type, the number of dormant sites covered by the plan to be restored in the calendar year.			
22(3)(a)	A liability reduction plan must be consistent with the assessment of the dormant sites covered by the plan within the following timelines: in the case of a type A site that was decommissioned by December 31, 2018, by December 31, 2033;			
22(3)(b)	A liability reduction plan must be consistent with the assessment of the dormant sites covered by the plan within the following timelines: in the case of a type B site that was decommissioned in or before the reference year for the site, by December 31, 2033			
22(3)(c)	A liability reduction plan must be consistent with the assessment of the dormant sites covered by the plan within the following timelines: in the case of any other dormant site, by December 31 of the calendar year that is 2 calendar years after the calendar year in which the site is decommissioned.			
22(4)(a)	A liability reduction plan must be consistent with the restoration of the dormant sites covered by the plan within the following timelines: in the case of a type A or B site, by December 31, 2036.			
22(4)(b)	A liability reduction plan must be consistent with the restoration of the dormant sites covered by the plan within the following timelines: in the case of a type C site, by December 31 of the calendar year that is 10 calendar years after the reference year for the site.			
22(5)	A liability reduction plan must include specific plans for the decommissioning, assessment and restoration of priority sites.			
22(6)	A liability reduction plan must specify, for each type of dormant site that is covered by the plan, the maximum number of dormant sites of that type for which the permit holder may transfer the permit.			

Appendix J: Sample Section 13 Notification (Annual Work Plan)

January 13th, 2023

Recipient Name, Title
 Recipient Organization
 123 Example Street
 City, Postal Code

Sent via [Delivery Method – Regular Mail, E-Mail, etc.]

Attention: Recipient Name, Recipient Title

Re: Notification of Annual Work Plan for 2023 - Section 13, Dormancy and Shutdown Regulation

As required by section 13 of the Dormancy and Shutdown Regulation, we are writing to inform you as an interested person of our plans to complete closure work at dormant energy resource sites this calendar year. A copy of our draft Annual Work Plan that shows our overall plan for this work is attached for your reference.

Table 1 below lists the sites that we plan to work at this year where you have been noted as an interested person. The work is forecasted to start within the date ranges shown in Table 1. A map showing the location of these sites is attached.

Table 1 –Approximate Starting Date for 2023 Planned Closure Work at Dormant Energy Resource Sites

WA Number	Current Status	Closure Activity	Approximate Starting Date
12345	SUSP	Decommissioning	April 1 to June 30, 2023
2222	ABAN	Assessment	July 1 to September 30, 2023

As an interested person, you may either request a meeting with us to discuss the plan or send a written reply within 30 days of receiving this notice. A written reply may set out reasons why the specified work should be done on different timelines or in a particular way and any scientific, Indigenous and local knowledge that supports those reasons. Within 30 days of receiving a written reply, we will provide a response outlining any changes made to the Annual Work Plan. A copy of the notice, written reply, and response will be submitted to the BC Energy Regulator.

If a meeting is requested, we will make a reasonable effort to meet with you in the 30 days following that request.

For further information regarding the planned work, please contact [Permit Holder Contact Information]. For further information about the Dormancy and Shutdown Regulation, please contact the BC Energy Regulator's dormant sites team at dormantsites@bc-er.ca.

Regards,

Your Name, Title
 Company Name

Attachment 1: Draft Annual Work Plan

Attachment 2: Map of Sites

Appendix K: Sample Section 14 Notification (Intention to Begin Work)

May 5, 2023

Recipient Name, Title
Recipient Organization
123 Example Street
City, Postal Code

Sent via E-mail [Delivery Method – Regular Mail, E-Mail, etc.]

Attention: Recipient Name, Recipient Title

Re: Notification of Intention to Begin Work - Section 14, Dormancy and Shutdown Regulation

Earlier this year, we sent you a copy of our draft Annual Work Plan and an approximate timeline for the start of closure work planned for 2023 at dormant sites where you are noted as an interested person. As required by section 14 of the Dormancy and Shutdown Regulation, we must notify interested persons of our intention to begin work at least 30 days before starting specified work at a dormant site.

We are writing to notify you that decommissioning work at WA 12345, as outlined in our Annual Work Plan, is scheduled to start on June 20, 2023. We expect this work will be completed in early July 2023.

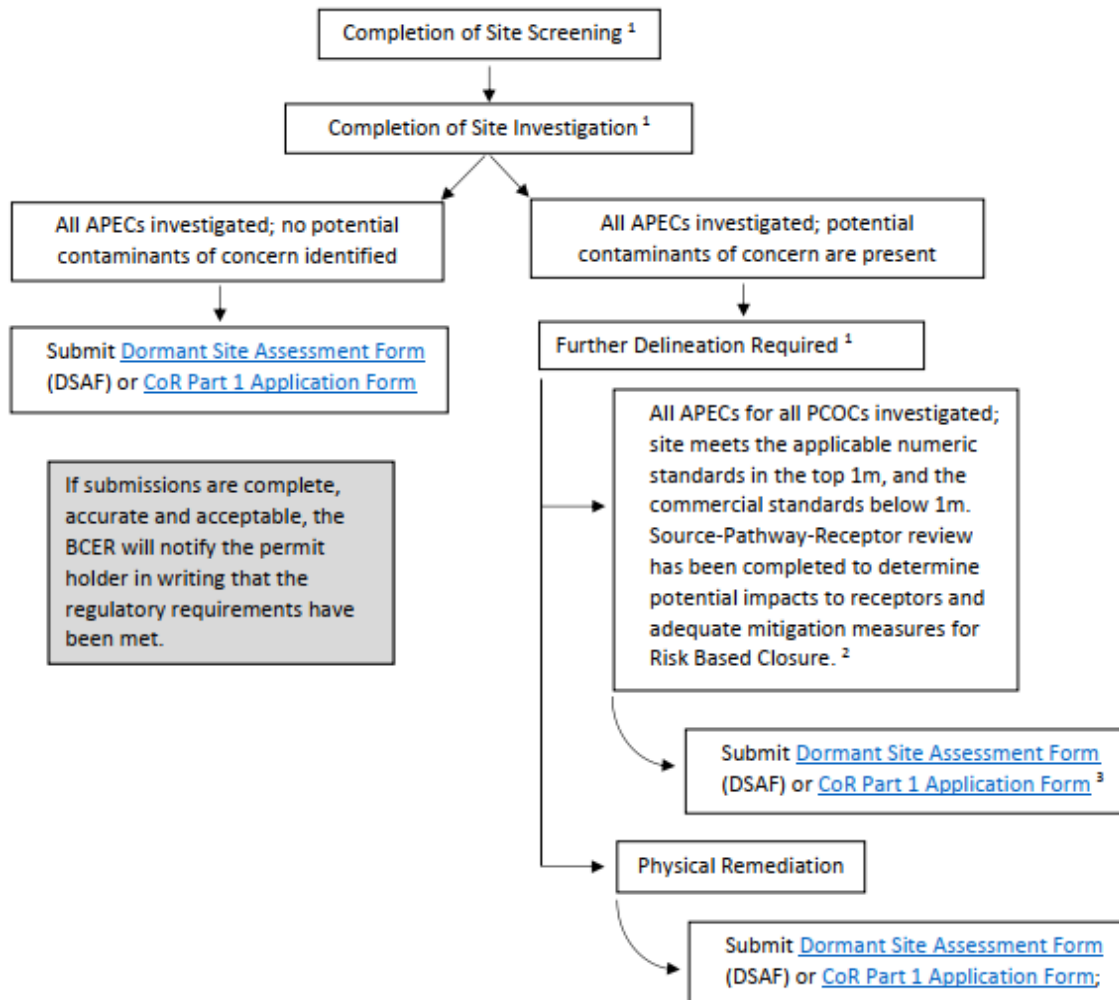
For further information regarding the planned work, please contact [Permit Holder Contact Information]. For further information about the Dormancy and Shutdown Regulation, please contact the BC Energy Regulator's dormant sites team at dormantsites@bc-er.ca.

Regards,

Your Name, Title
Company Name

Appendix L: Assessment Process and Submission Expectations

DORMANT SITE ASSESSMENT PROCESS AND SUBMISSION EXPECTATIONS



¹ The Dormancy & Shutdown Regulation requires permit holders to meet the obligations under Sections 58 and 59 of the [Contaminated Sites Regulation \(CSR\)](#) for Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI). Chapter 2 (Site Screening) and Chapter 3 (Site Investigation and Assessment) of the BC OGC [Site Remediation and Reclamation Manual](#) addresses these obligations.

² For risk-based remediation approaches, the BCER recommends that the permit holder conduct pre-remediation and pre-application meetings with the BCER Environmental Stewardship Team for sites that are planned to be remediated to risk-based remediation standards in order to clarify the site-specific requirements.

³ For complex sites and sites where a source pathway receptor approach cannot rule out impact to a receptor or where a detailed ecological risk assessment is required, the BCER may require involvement of a CSAP Risk-based Standards Approved Professional.