

Frequently Asked Questions (FAQ's)

1. What is an RDT?

An RDT is an acronym for a Regulator Directed Transfer. It happens when the Alberta Energy Regulator (AER) transfers a license from a defunct licensee to an eligible licensee.

2. What role does the OWA play in transferring an asset to an operator?

The OWA does not own the asset but rather has the obligation to undertake the decommissioning and reclamation work. The OWA's role in the RDT process is to place decommissioning/reclamation work on hold for assets we've been notified as potential RDT candidates and to remove assets from our inventory when they are successfully RDT'd by the AER to a new owner. The application to RDT an orphaned asset is made through the AER.

3. Can I review all the files associated with a site?

In some cases, but not all, the OWA has certain files that can be shared with someone wanting to RDT a license. These files are limited to technical information. Under no circumstance will the OWA share information with an applicant related to the surface owner such as the previous surface lease. Please contact info@orphanwell.ca to determine what files the OWA has available.

4. Are the mineral and surface leases attached to an Orphan asset/license?

No, any mineral and surface lease associated with the license are not attached to the license and are not transferred to the OWA as part of the Orphaning process. Proponents must obtain both a mineral and surface lease prior to any RDT application.

5. How do I obtain a mineral or surface lease?

For public lands, the RDT applicant must obtain the surface disposition (MSL, LOC, PLA) via a One-Party Assignment. The applicant can email AER.ETSAssign@aer.ca for the One-Party Assignment application.

For surface leases on private lands, the landowner and company must come to an agreement on the use and access to the land. These agreements are between parties and are outside of the AER or OWA's jurisdiction. More information about surface rights can be found at the Alberta Land and Property Rights Tribunal (<https://www.alberta.ca/surface-rights-board.aspx>).

For crown minerals, the RDT applicant needs to obtain the rights through Alberta Energy. Visit <https://www.alberta.ca/tenure-overview.aspx#toc-4> for more information.

For freehold minerals, leases are negotiated bilaterally between the owner and the company. For more information, visit <https://www.alberta.ca/freehold-minerals-in-alberta.aspx>.

To find out who owns minerals and surface rights for a particular well, visit <https://www.alberta.ca/mineral-ownership.aspx>.

6. Is the OWA and the AER the same entity?

No. The OWA and the AER are separate organizations and the application to take over an orphaned asset is made through the AER. Please contact the AER at liabilitymanagement@aer.ca to initiate the RDT process.

7. Is there a fee to RDT a well, pipeline or facility?

There is an RDT fee of up to \$10,000 for each well that the AER may apply at its discretion. One factor in determining this fee is the OWA's incurred costs on the asset before the RDT application was made.