

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE BOARD OF THE
BRITISH COLUMBIA ENERGY REGULATOR

Oil and Gas Activities Act and
Geothermal Resources Act

The board of the British Columbia Energy Regulator orders the following, effective September 1, 2023:

- (a) the Dormancy and Shutdown Regulation, B.C. Reg. 112/2019, is amended as set out in the attached Schedule 1;
- (b) the Drilling and Production Regulation, B.C. Reg. 282/2010, is amended as set out in the attached Schedule 2;
- (c) the Emergency Management Regulation, B.C. Reg. 217/2017, is amended as set out in the attached Schedule 3;
- (d) the Fee, Levy and Security Regulation, B.C. Reg. 8/2014, is amended as set out in the attached Schedule 4;
- (e) the Geophysical Exploration Regulation, B.C. Reg. 280/2010, is amended as set out in the attached Schedule 5;
- (f) the Geothermal Operations Regulation, B.C. Reg. 79/2017, is amended as set out in the attached Schedule 6;
- (g) the Liquefied Natural Gas Facility Regulation, B.C. Reg. 146/2014, is amended as set out in the attached Schedule 7;
- (h) the Oil and Gas Processing Facility Regulation, B.C. Reg. 48/2021, is amended as set out in the attached Schedule 8;
- (i) the Oil and Gas Road Regulation, B.C. Reg. 56/2013, is amended as set out in the attached Schedule 9;
- (j) the Pipeline Regulation, B.C. Reg. 281/2010, is amended as set out in the attached Schedule 10;
- (k) the Requirements for Consultation and Notification Regulation, B.C. Reg. 50/2021, is amended as set out in the attached Schedule 11;
- (l) the Security Management Regulation, B.C. Reg. 181/2022, is amended as set out in the attached Schedule 12;
- (m) the Service Regulation, B.C. Reg. 199/2011, is amended as set out in the attached Schedule 13.

August 25, 2023

Date


Chair, Board of Directors

DEPOSITED

(This part is for administrative purposes only and is not part of the Order.)
Authority under which Order is made:

Act and section: *Oil and Gas Activities Act*, S.B.C. 2008, c. 36, ss. 111, 111.1 and 112;
Geothermal Resources Act, R.S.B.C. 1996, c. 171, s. 23;

Other:

August 25, 2023

B.C. REG. **202/2023**

R10678703

SCHEDULE 1

- 1 *Section 1 of the Dormancy and Shutdown Regulation, B.C. Reg. 112/2019, is amended*
 - (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”, and*
 - (b) *in the definition of “local Indigenous nation” by striking out “commission” and substituting “regulator”.*
- 2 *Sections 2 (3) (d) and 3.1 (2) (d) are amended by striking out “oil and gas road” and substituting “energy resource road”.*
- 3 *Sections 3, 3.01, 3.02, 5, 7, 8, 9, 11, 12, 13, 19, 19.1, 21, 23, 24 and 25.1 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 4 *Sections 3.1 (2), 6, 7 and 9 (1) are amended by striking out “oil and gas activity” wherever it appears and substituting “energy resource activity”.*
- 5 *Section 25.2 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*

SCHEDULE 2

- 1 *Section 1 of the Drilling and Production Regulation, B.C. Reg. 282/2010, is amended*
 - (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”,*
 - (b) *by repealing the definition of “oil and gas road”, and*
 - (c) *in the definition of “qualified professional” by striking out “Engineers and Geoscientists Act” and substituting “Professional Governance Act”.*
- 2 *Sections 2, 8, 16, 18, 21.1, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 41, 41.1, 43, 51, 52, 52.03, 52.04, 52.08, 56.1, 59, 61, 62, 63, 66, 67, 71, 72, 73, 75, 76, 78 and 79 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Section 15 (1) (c) is amended by striking out “as specified in the well permit”.*
- 4 *Section 40.1 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*
- 5 *Sections 44 (1) (d), 51 (5) (b), 52.05 (4) (b) (i) and 78 (4) are amended by striking out “Engineers and Geoscientists Act” and substituting “Professional Governance Act”.*
- 6 *Sections 45 (4), 47 (c) (iii) and 48 (c) are amended by striking out “oil and gas activity” and substituting “energy resource activity”.*

- 7 *Sections 47 (c) (i) and 48 (a) are amended by striking out “oil and gas road or resource road” and substituting “energy resource road or other resource road”.*
- 8 *Section 53 is amended*
- (a) *in paragraph (c) by striking out “natural gas, petroleum, natural gas liquids or natural gas byproducts” and substituting “energy resources or carbon dioxide”, and*
- (b) *in paragraphs (e), (f) and (g) by striking out “natural gas, petroleum, natural gas liquids, natural gas byproducts or water” and substituting “energy resources, carbon dioxide or water”.*
- 9 *Section 73 (5) is amended by striking out “Oil and Gas Activities Act General Regulation” and substituting “Energy Resource Activities General Regulation”.*

SCHEDULE 3

- 1 *Section 1 of the Emergency Management Regulation, B.C. Reg. 217/2017, is amended*
- (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”,*
- (b) *in the definition of “emergency planning zone” by striking out “oil and gas activity” and substituting “energy resource activity”,*
- (c) *in the definition of “local Indigenous nation” by striking out “commission” and substituting “regulator”, and*
- (d) *by repealing the definition of “oil and gas road”.*
- 2 *Sections 3 and 5 are amended by striking out “oil and gas activities” wherever it appears and substituting “energy resource activities”.*
- 3 *Sections 4.1, 4.2, 4.4, 5, 8, 11, 11.1, 13, 15 and 16 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 4 *Sections 4.1, 4.2, 5, 6, 7, 8, 13, 14 and 16 are amended by striking out “oil and gas activity” wherever it appears and substituting “energy resource activity”.*
- 5 *Section 13 (2) (b) (i) is amended by striking out “oil and gas roads” and substituting “energy resource roads”.*

SCHEDULE 4

- 1 *Section 1 of the Fee, Levy and Security Regulation, B.C. Reg. 8/2014, is amended*
- (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”, and*

(b) *in paragraph (a) of the definition of “major amendment” by striking out “oil and gas road” and substituting “energy resource road”.*

2 *The heading to Part 2 is repealed and the following substituted:*

PART 2 – ENERGY RESOURCE ACTIVITY FEES .

3 *Section 4.1 is amended by striking out “oil and gas activity” and substituting “energy resource activity”.*

4 *Sections 4.1, 9.1, 9.2, 21, 24.4 and 25 are amended by striking out “commission” wherever it appears and substituting “regulator”.*

5 *Sections 16 and 17 are amended by striking out “oil and gas road” wherever it appears and substituting “energy resource road”.*

SCHEDULE 5

1 *Section 1 of the Geophysical Exploration Regulation, B.C. Reg. 280/2010, is amended*

(a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”, and*

(b) *in the definition of “project number” by striking out “commission” and substituting “regulator”.*

2 *Section 2 (4) and (8) is amended by striking out “commission” and substituting “regulator”.*

SCHEDULE 6

1 *Section 1 of the Geothermal Operations Regulation, B.C. Reg. 79/2017, is amended*

(a) *in the definition of “official” by striking out “commission” wherever it appears and substituting “regulator”, and*

(b) *in the definition of “qualified professional” by striking out “Engineers and Geoscientists Act” and substituting “Professional Governance Act”.*

2 *Sections 3, 4, 6, 13, 18, 19, 21, 22, 23, 24, 29, 31, 33, 34, 36, 37, 38, 39, 41, 43, 46 and 47 are amended by striking out “commission” wherever it appears and substituting “regulator”.*

SCHEDULE 7

1 *Section 1 of the Liquefied Natural Gas Facility Regulation, B.C. Reg. 146/2014, is amended*

- (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”, and*
- (b) *in the definition of “qualified professional” by striking out “Engineers and Geoscientists Act” and substituting “Professional Governance Act”.*
- 2 *Sections 3, 4, 5, 6, 8, 9, 11, 12, 19, 20 and 21 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Section 4 (1) (c) is amended by striking out “LNG facility, and” and substituting “LNG facility,”.*
- 4 *Section 23.1 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*

SCHEDULE 8

- 1 *Section 1 of the Oil and Gas Processing Facility Regulation, B.C. Reg. 48/2021, is amended in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”.*
- 2 *Sections 3, 4, 5, 7, 9, 10, 12, 14, 16, 17, 20, 21, 23, 24 and 31 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Section 8 (2) (a) is amended by striking out “petroleum, natural gas, the products of petroleum or natural gas,” and substituting “energy resources, the products of energy resources, carbon dioxide”.*
- 4 *Section 27.1 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*

SCHEDULE 9

- 1 *The title to the Oil and Gas Road Regulation, B.C. Reg. 56/2013, is repealed and the following substituted:*

ENERGY RESOURCE ROAD REGULATION .

- 2 *Section 1 is amended*
 - (a) *in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”,*
 - (b) *in the definitions of “affected permit holder”, “affected rights holder”, “construction”, “deactivate”, “local Indigenous nation”, “maintain”, “modification”, “primary activity”, “road permit”, “road permit holder”, “road right of way” and “roadwork area” by striking out “oil and gas road” wherever it appears and substituting “energy resource road”,*

- (c) *in the definitions of “local Indigenous nation” and “qualified person” by striking out “commission” and substituting “regulator”,*
 - (d) *by repealing the definition of “oil and gas road”, and*
 - (e) *in the definition of “primary activity” by striking out “oil and gas activity” and substituting “energy resource activity”.*
- 3 *Section 2 (1) is amended by striking out “paragraph (f) of the definition of “oil and gas activity” in section 1 (2)” and substituting “paragraph (g) of the definition of “energy resource activity” in section 1 (2)”.*
 - 4 *Sections 3, 4, 4.1, 5, 6, 7, 8, 9, 10, 11, 11.1, 11.2, 13, 13.1, 14, 15, 15.1, 15.2, 15.3, 16, 17, 18, 19, 19.1, 20, 21, 22, 23, 24, 25, 26 and 27 are amended by striking out “oil and gas road” wherever it appears and substituting “energy resource road”.*
 - 5 *Sections 3, 4, 8, 9, 11, 15, 20, 23 and 27 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
 - 6 *Section 11.2 (2) (a) is amended by striking out “road-work” and substituting “roadwork”.*
 - 7 *Section 11.3 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*
 - 8 *Section 13 is amended*
 - (a) *in subsections (1) (c) (iv) and (2) (d) by striking out “surface materials” and substituting “surfacing materials”, and*
 - (b) *in subsection (2) (f) by striking out “oil and gas activities” and substituting “energy resource activities”.*
 - 9 *Section 15.1 (2) is amended by striking out “oil and gas activity” and substituting “energy resource activity”.*
 - 10 *The heading to Part 5 is repealed and the following substituted:*

PART 5 – USE OF ENERGY RESOURCE ROADS .

- 11 *The heading to Part 6 is repealed and the following substituted:*

PART 6 – DEACTIVATION OF ENERGY RESOURCE ROADS .

SCHEDULE 10

- 1 *Section 1 (1) of the Pipeline Regulation, B.C. Reg. 281/2010, is amended in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”.*

- 2 *Sections 4, 7, 9 and 10 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Section 4 is amended*
- (a) in subsection (2) by striking out “oil and gas activities” and substituting “energy resource activities”, and*
- (b) in subsection (3) (b) by striking out “Engineers and Geoscientists Act” and substituting “Professional Governance Act”.*
- 4 *Section 12.1 is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*

SCHEDULE 11

- 1 *Section 1 of the Requirements for Consultation and Notification Regulation, B.C. Reg. 50/2021, is amended*
- (a) in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”,*
- (b) by repealing the definition of “oil and gas road”, and*
- (c) in the definition of “proposed activities” by striking out “oil and gas activities” and substituting “energy resource activities”.*
- 2 *Sections 2, 4, 5, 13, 19, 21 and 23 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Section 3 (1) is amended by striking out “oil and gas activity” and substituting “energy resource activity”.*
- 4 *Sections 3 (2) (a) and 16 (b) and item 6 of the table in section 17 are amended by striking out “oil and gas road” and substituting “energy resource road”.*
- 5 *Sections 13 (1) (c) (v) and 20 (2) (b) (ii) are amended by striking out “oil and gas roads” and substituting “energy resource roads”.*
- 6 *Section 19 (3) (d) is amended by striking out “oil and gas activities” and substituting “energy resource activities”.*

SCHEDULE 12

- 1 *Section 1 of the Security Management Regulation, B.C. Reg. 181/2022, is amended in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”.*

- 2 *Sections 3, 5, 7, 8, 9 and 10 are amended by striking out “commission” wherever it appears and substituting “regulator”.*
- 3 *Sections 3 (2) (b) and (c) (ii) and 8 (3) are amended by striking out “oil and gas activity” and substituting “energy resource activity”.*

SCHEDULE 13

- 1 *Section 1 of the Service Regulation, B.C. Reg. 199/2011, is amended*
- (a) in the definition of “Act” by striking out “Oil and Gas Activities Act” and substituting “Energy Resource Activities Act”, and*
- (b) in paragraph (b) of the definition of “local Indigenous nation” by striking out “Oil and Gas Road Regulation” and substituting “Energy Resource Road Regulation”.*