



# INFORMATIONAL LETTER IL 92-11

TO: All Oil, Gas, and Oil Sands Operator

26 October 1992

## EXPERIMENTAL SCHEMES - RELEASE OF INFORMATION

### Background

Subsection 15(2) of the Oil Sands Conservation Regulations provided for the release of information or data 10 years after an applicant completes an experimental oil sands operation. Similarly, subsection 12.150(8) of the Oil and Gas Conservation Regulations provided for the release of information or data 5 years after completing an experiment in conventional oil and gas operations. The Board undertook an internal review of these regulations some time ago after recognizing that the pace of technological change has accelerated, and that the uncertainty of sitespecific properties is the primary reason for classifying some operations as experimental.

The Board concluded that, in some cases, shorter confidentiality periods would avoid duplication of experimental operations and would promote the development of Alberta's hydrocarbon resources. To this end, the Board has specified shorter confidentiality periods in its approvals for some experimental schemes. For example, cyclic steam stimulation was initially given the full confidentiality period, but as the technology became established, the Board reduced the term of the confidentiality period. Likewise, shorter periods have been specified for other near-well phenomena in oil sands operations such as electromagnetic stimulations and horizontal wellbores. For conventional oil and gas operations involving horizontal completions, experimental status is granted for 2 years, after which all data and information is released.

To have the regulations agree with its current practice, and to simplify its administration of these provisions, the Board asked the industry associations for their views on the changes to the regulations. Having received and considered those views, the Board has revised its administrative procedures as outlined below and the regulations have been amended as shown on the [attachment](#).

### Administrative Details

While retaining the existing provisions for 10-year and 5-year confidentiality periods, and an extension clause, the regulations have been amended to provide flexibility. The duration of confidentiality is to be addressed by the operator, at the time of application. It is to be decided upon by the Board after considering:

- the potential loss of competitive advantage if the confidentiality term were shorter,

- the potential benefits of early information release to resource conservation and development, and
- the number of similar experimental schemes in progress.

Existing experimental oil or gas schemes, whose prior approvals have no specified confidentiality periods, are "grandfathered" to conform with the regulation at the time of approval. No changes will be made to confidentiality periods that have been set for existing experimental oil sands schemes.

Some information obtained during the experimental operations (e.g. well logs, core analyses, and fluid analyses) will not be confidential under the terms of the experimental scheme confidentiality provisions, unless otherwise specifically addressed. For most schemes this information will remain confidential in accordance with existing regulations. When specifically addressed in an approval, this information would usually be confidential for the term of the experimental approval or the duration of experimental operations.

Experimental schemes involving novel design considerations or operating techniques may lead to the development of information of special proprietary value. Although useful to the Board staff in its examinations of the technical merit of the experimental test program, this kind of information would not only be considered of general public interest and need not be made part of an application. It should, however, be submitted as confidential information, to be made part of the progress report documentation. It would then be given the same confidential status as progress reports. For this purpose, proprietary information is limited to specific design details. All other information, describing the scheme and detailing its experimental nature, is deemed to be a routine component of an experimental scheme application and is not considered proprietary.

The amended regulations become effective immediately.

<signed by >

N. G. Berndtsson, P.Eng.  
Board Member

Attachment

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Attachment to IL 92-11

## **OIL SANDS CONSERVATION REGULATION**

15. (2) "Notwithstanding subsection (1), where operations reports, special studies, laboratory, experimental or cost information relating to an oil sands commercial or experimental scheme concerning the development or application of a new or existing technology or improved operations are submitted to and accepted by the Board as confidential, the Board shall,

(a) after 10 years or such lesser period of time as the Board directs from the completion of the experimental operation or specified phase thereof, make the laboratory or experimental information available to the public,

(b) after 10 years or such lesser period of time as the Board directs from the submission of a

laboratory report or a report of a special study or cost information from an oil sands commercial scheme to the Board, make the report available to the public, and

(c) notwithstanding clauses (a) and (b), where the operator satisfies the Board that continued confidentiality is warranted, make the information available following a further period that the Board considers appropriate.

## **OIL AND GAS CONSERVATION REGULATIONS**

12.150 (8) Where information or data pertaining to an experiment in any field, pool or well, or pertaining to a scheme for enhanced recovery in any field or pool, or laboratory data or other information concerning the development or application of methods for the recovery of oil or gas, are submitted to and accepted by the Board as confidential, the Board shall make the information or data available to the public

(a) 5 years after approval of the scheme or after such lesser period of time as the Board directs after having consulted with the operator, or

(b) if the operator satisfies the Board that continued confidentiality is warranted after the period referred to in clause (a), following such further period as the Board considers appropriate.

(9) Notwithstanding subsection (8), the Board may make the information and data referred to in that subsection available to the public before the time referred to in that subsection if it considers that failure to release the information or data would severely prejudice the Board's position in making decisions in further proceedings or seriously restrict benefits to conservation in Alberta.

(9.1) Before making a decision on the period of confidentiality or the release of the information or data referred to in subsection (8) or (9), the Board shall afford the person who submitted the information or data an opportunity to substantiate the period of confidentiality or to justify continued confidentiality.