

# Northwest Territories

## 1. Definitions

- a. Produced Water – Water brought to the surface during oil or gas well drilling, completion, and production operations, which may include formation water, injected water, and flowback water.
  - i. If your state defines the term “produced water,” please provide that definition below.  
**Produced Water is not defined under the NWT *Oil and Gas Operations Act* (OGOA) or the *Petroleum Resources Act* (PRA).**
- b. Recycle/Reuse – To process or treat produced water or its constituent substances for beneficial use.
  - i. If your state defines the term “recycle” or “reuse,” please provide the definition(s) below.  
**Neither term is defined in OGOA or the PRA.**

## 2. Ownership

- a. Please describe the authority (deed, lease, contract, statute, regulation, case law, common law etc..) and include any relevant citations under which any of the following occurs.
  - i. The right to produce water during well completion and oil and gas production operations.  
**This right would be given through the Operations Authorization that authorizes the well completion and production.**
  - ii. Ownership of produced water from oil or gas wells after it has been brought to the surface.  
**This topic is not specifically addressed in OGOA or the PRA. As produced water is brought to the surface along with oil or gas, ownership may be included with the oil or gas produced under the Production Licence (issued by the Government of the Northwest Territories, not the Office of the Regulator of Oil and Gas Operations, under the PRA)**
  - iii. Use and/or reuse of produced water in the oilfield.  
**This topic is not specifically addressed in OGOA or the PRA. However, disposal of produced water through an injection well would be authorized under the Operations Authorization. Other onsite disposal (e.g. sump, holding pond) would be authorized through the appropriate Land and Water Board as a deposit of waste.**

iv. Use and/or reuse of produced water outside of the oilfield.

**This topic is not specifically addressed in OGOA or the PRA and would not fall under the jurisdiction of the Office of the Regulator of Oil and Gas Operations.**

b. Place an "x" in each box to indicate who holds the right to each of the following regarding water that has not yet been produced.

Who	Possession	Use	Other rights (please specify)
Landowner			
Operator			
Government			
Other (please specify)			

**Unable to complete sections 2 b, c and d as these rights are not addressed in OGOA or the PRA.**

c. Place an "x" in each box to indicate who holds the right to each of the following regarding produced water after it has been brought to the surface.

Who	Possession	Use	Other rights (please specify)
Landowner			
Operator			
Government			
Other (please specify)			

d. Does the quality of the produced water play a role in the ownership of the water?

### 3. Liability

- a. Please provide the cite to any relevant state statute/case law/regulation regarding liability for:
- Produced water handling (extraction, transportation, sale, etc.).

**Liability for any spills or incidents incurred with respect to the extraction of produced water (as part of an oil/gas activity) rests with the operator.**

**Section 1 of the *Oil and Gas Drilling and Production Regulations* (OGDPR) defines “incident” as including “pollution” and “pollution” as the introduction of a “substance” into the natural environment outside of the limits applied to an authorized activity.**

**Section 75 of the OGDPR outlines the operator’s responsibilities with respect to incidents.**

**Transportation of produced water off the site, sale of produced water, etc. are not addressed under OGOA or the PRA.**

- ii. Use and/or reuse of produced water in the oilfield:
  - 1. By the producer

**The operator would be responsible for any liability associated the authorized reuse of produced water (e.g. re-injection).**

- 2. By a different operator

**OGOA and the PRA do not contemplate the use of produced water by an operator other than the one that produced the water.**

- iii. Use and/or reuse of produced water outside of the oilfield.

**OGOA and the PRA do not contemplate this situation.**

#### **4. State or Provincial Regulatory Agency**

- a. State or provincial agencies charged with regulating the use/reuse of produced water:

**No specific agency beyond the Office of the Regulator of Oil and Gas Operations**

Contact information:

**Email:** [orogo@gov.nt.ca](mailto:orogo@gov.nt.ca)

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**Brief summary of areas of responsibilities:** Regulates oil and gas exploration, drilling, production and transportation.

- b. Federal agencies charged with regulating the use and/or reuse of produced water:  
If available, please provide appropriate contact information.

**Unknown**

## **5. Incentives**

- a. Does your state or province have any incentives to use and/or reuse produced water in the oilfield? If so, please describe.

**No**

- b. Outside of the oilfield? If so, please describe.

**No**

## **6. Innovations and Successes**

- a. Do you have any innovative or unique approaches to addressing use and/or reuse of produced water? If so, please provide a brief description.

**No**

- b. Does the quality of the produced water pose impediments to recycling and reuse?  
Unknown

## **7. Other Information**

- a. Please provide any additional notes or commentary below.