

Aggregate Update for Person Responsible TIER Fact Sheet

If information in this document conflicts with the Standard for Developing Benchmarks (the “Standard”), the Technology Innovation and Emissions Reduction Implementation Act (the “Act”) or the Technology Innovation and Emissions Reduction Regulation (the “Regulation”), then the Standard, Act and/or Regulation prevail over this document.

Overview

When the Technology Innovation and Emissions Reduction (TIER) regulation was first introduced, the definition of person responsible meant that the licensee for conventional oil and gas facilities was most often the person responsible. Alberta’s government heard feedback from stakeholders that the administrative burden for aggregate facilities could be reduced if the operator of record could be the person responsible. We have amended TIER to make the operator of record the person responsible for conventional oil and gas facilities where such a person exists, as defined within the TIER regulation. We have also enabled existing aggregate facilities to be updated to reflect this change in person responsible either for the 2020 compliance year or the 2021 compliance year.

Aggregate facilities

Facilities that meet the definition of a conventional oil and gas facility under the TIER regulation emit less than 100,000 tonnes of carbon dioxide equivalent per year, are not opted-in facilities, and share a common person responsible for the facility may apply to become subject to TIER as an aggregate facility.

TIER defines a conventional oil and gas facility as:

- A facility for extracting, from an underground geological deposit or reservoir, gas, oil, or primary bitumen.
- A facility for processing gas.
- A facility for the primary processing of oil or primary bitumen.
- A facility for disposing of waste, in an underground geological formation.
- A facility for transporting, in a pipeline, gas, oil or primary bitumen (except local gas distribution systems or facilities transporting oil, gas or primary bitumen across provincial or international borders).
- A facility for storing gas, oil or primary bitumen in the course of the gas, oil or primary bitumen being transported by a facility.

Two or more facilities that meet the conventional oil and gas definition may apply to create an aggregate facility under TIER. The aggregate facility is then subject to an emissions reduction obligation as well as reporting and compliance requirements under TIER.

Making a change for 2020

Changes that apply for 2020 will be initiated by the current operator of record exclusively. They will apply either to create a new aggregate or to add conventional oil and gas facilities to an existing aggregate.

Where the conventional oil and gas facilities in these applications belonged to other aggregate facilities previously where the person responsible no longer meets the new definition they will be removed and old person responsible will be notified of what facilities remain in their aggregates.

Applications for changes for 2020 must be received by **September 18, 2020**.

Making a change for 2021

Changes that apply for 2021 will be made through the normal adjustment process for adding or removing facilities from an existing aggregate facility at year end. **Applications must be submitted by December 1, 2020**. This will allow time for changes to be applied, and for persons responsible to have changes reflected through Environment and Climate Change Canada – as well as Canada Revenue Agency to be reflected in exemption certificates for January fuel use.

Additional documentation will be published related to this process. It will have two steps:

1. The existing person responsible must apply to have conventional oil and gas facilities removed from their aggregate where they no longer meet the new definition of person responsible.
2. The operator of record may apply to either add these facilities to an existing aggregate or to form a new aggregate that includes these facilities.

If facilities are removed from aggregates and are not added to another aggregate or opted-in to TIER, they will cease to be eligible for an exemption from the federal carbon tax.

Application process for 2020

Before applying, facilities should review the [Regulation, applicable standards](#), and other program requirements outlined on [the TIER website](#). Facilities can then download, complete and submit the Aggregate Facility Change Form, and provide the required [boundary files where applicable](#). The submission process is outlined in this document.

Application form

- Within the application form you may indicate whether you are asking to create a new aggregate or to add to an existing aggregate. If you wish to do both please submit two forms.
- The Aggregate Facility Change Form requests a Petrinex Facility ID ex:ABBT0000000 and Petrinex facility subtype where applicable.
- If the integrated nature of the operation requires combining multiple Petrinex reporting IDs to form a single facility under the regulatory definition, facilities can enter each Petrinex reporting entity as a separate row. Please consult the definition of facility in the Regulation 1(1)(w) when submitting adjacent Petrinex reporting entities. Further guidance on integrated facilities is also available in the Standard for Developing Benchmarks.
- Facilities should enter the same conventional oil and gas facility name and boundary shape file name for each row that is to be considered part of the same facility.
- When you are requesting a new aggregate, the aggregate name is required for each entry in the form. The same aggregate name should be used for each row you wish to form part of the same aggregate.
- When you are requesting to modify an existing aggregate the aggregate ID must be supplied for each row in the form.

Boundary files

- A geospatial boundary file must also be submitted for each facility applying to be part of the aggregate that had emissions over 10,000 tonnes of carbon dioxide equivalent in the prior year. This file must be in a .kmz or .kml format (compressed or uncompressed files in the Keyhole Markup Language), and represent the boundary or perimeter of the facility.
- Instructions on how to create this file are available [here](#).
- Sections of public roadways that separate parts of the facility may be included within the boundary.
- The name of the boundary file for each facility should be included in the row(s) of the aggregation application that describe that facility.

Person Responsible

- The aggregation application requires an indication of how the reporting company meets the definition of person responsible for each Petrinex site. See section 1(1)(hh) of the Regulation for the definition of person responsible.
- As per amendments to the TIER regulation in July 2020, the person responsible of a conventional oil and gas facility is, in most cases, the operator of record for that facility (previously the regulatory approval holder or licensee).
- In exceptional cases where the facility may not have an operator as defined by the TIER regulation, the person responsible may be the holder (or licensee) of an *Environmental Protection and Enhancement Act* approval, the holder of the Alberta Energy Regulator approval or license, or the owner of the site.

Signing the application form

- The application form must be signed by a certifying official for the reporting company. This is an individual who is designated by the person responsible for the facilities who is authorized to bind the company.
- To sign the completed application form, the certifying official can double click the signature block on the SoC tab. A “Save File” prompt will appear once signed. Note: the file should only be signed once it is final. Any further changes will remove the signature.
- In order to sign the document you will need to have a certificate which can be created freely within Windows. Please consult your IT group if you need assistance. Additional information is also available [here](#).
- If the aggregation form has been signed by someone who is not the certifying official, the signature can be removed by editing the aggregation application, or by right clicking on the signature and selecting “Remove signature.”
- The signature will be validated against the information entered in Section A2 for the certifying official when the application form is closed. A warning prompt will appear if the signature does not match the certifying official’s information. If the individual signing the document is not the certifying official indicated in section A2, the application will be rejected.

ETS upload

Once the application form and facility boundary files are complete, please submit the file via the [Electronic Transfer System](#) (ETS). If you do not have login information for ETS, please contact ETSAccountSetup@gov.ab.ca. Once you have logged in to ETS, you will see a TIER folder to the left. Click that folder. You will see Submit Form. You will then see a screen that allows you to load the application form and boundary files. Please add the boundary files under Supporting Documentation.

Acceptance and next steps

Your submission will be reviewed, and the contacts indicated in the application will receive an approval of the application, a rejection of the application, or a request for information or correction.

Once the aggregate application or update is accepted, the person responsible for the aggregate may apply for an exemption from the federal carbon tax and would only be subject to the compliance requirements of the provincial TIER system.

We will be processing these applications as a batch so both the person responsible apply for the changes and the former person responsible will receive notification of the changes. Notice of these changes will also have to be communicated to the federal government as they may impact the statements from Environment Climate Change Canada and the exemption certificate from Canada Revenue Agency.

You will receive instructions on this process with your notification of change.