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As I research through my paper files I can track the issue of non-exclusive (spec) data release in the Canadian East Coast area back some 20 or more years. This has been a contentious issue for our industry. When it was originally dealt with in the 1980's Industry submitted using milar or the like. Under such auspices the spec industry agreed to a 10 year confidentiality period versus proprietary (oil company) seismic's confidentiality period of 5 years. Today the world has changed to a digital world. Submission of SEGY data and the ability by computers to interpret from image files leaves the spec industry much more vulnerable to the hard from such releases.

The goals of the spec industry and the Governments should not be mutually exclusive. Both wish to market the jurisdiction but some of the similarities seem to stop there. The Government wishes to “prime the pump” by providing free data upfront to interested oil companies. Some may argue that Governments may suffer from short-sightedness – a condition that sometimes comes out of political cycles. The spec industry has provided a number of arguments for their need for protection including protection under the Freedom to Information Act. However to this point neither side has taken the step to go to court to attempt to reach conclusion.

Instead we have a “pregnant pause” in terms of any further spec work being done in the area. The CNSOPB have taken the step to open a Data Repository in their jurisdiction as per the following cut-outs of a news release of March 13, 2008:

*The Offshore Energy Technical Research Association (OETR) is pleased to announce the release of a 3-D digital seismic dataset that could help renew exploration interest in Nova Scotia's offshore.*

*This 3-D seismic dataset spans across the Penobscot structure situated along the Jurassic Age Carbonate Bank. The dataset has been archived and reprocessed from field data acquired in 1991, thus, providing an improved geological picture of the earth's subsurface.*

*“Having reprocessed, digital data is a wonderful advance compared to the paper version that researchers had access to previously,” said Dr. Andrew MacRae, Assistant Professor of Geology at Saint Mary's University. “It's like the difference between having a bad photocopy and the original digital photograph -- the digital data allows us to apply the full suite of modern seismic visualization techniques. Best of all, because the data is public we can share the results openly with everyone.”*

*Both the 3-D and 2-D seismic surveys are the first ones owned by the Province and also the first to be made available at no cost. NS Energy hopes the 3-D data will help generate interest in the Canada-Nova Scotia Offshore Petroleum Board's (CNSOPB) recent Call for Bids, assisting in the development of potential new plays and exploration prospects in Nova Scotia's offshore.*

The data was acquired for NSRL (Nova Scotia Resources Limited). NSRL was an exploration company owned by the province which was subsequently sold in 2002. The 3D data was not part of that sale and remained owned by the province.

In our latest attempts to come to some agreement between the CNSOPB, the CAGC, and the IAGC; we have encountered some fundamental issues with their latest proposal to our

Industry. Without going into details, the following is a snapshot of the conclusion of a joint letter to the Government:

The opportunity to develop mutually agreeable guidelines to implement the CNSOPB new seismic image viewing policy is challenging. However, IAGC, CAGC and its member companies believe that CNSOPB's goal of increasing exploration and development of offshore Nova Scotia and our own overarching standard of protecting the investment made by the seismic company and the underlying intellectual property of the non-exclusive seismic data are not mutually exclusive.

I will not go into any detail in terms of our discussions but suffice it to say that our concerns fall into four broad issues:

- viewing and interpreting SEG-Y data;
- polygon size and content;
- annotation on seismic image, and;
- preventing digital capture of seismic image.

The digital world brings new challenges to the world of information. We, as an industry, hope for a successful conclusion to these discussions. We have seen talks fall off before and take a number of years before something of importance made them resurface again from one side or the other. It is an issue of utmost importance to us as it potentially affects the policies of other jurisdictions in regards to handling of seismic data. Our business model depends upon the integrity of the data set.

*Failure is simply the opportunity to begin again more intelligently.*

**- Henry Ford**