

## 9. Permit Management

Companies are responsible for ensuring all post-approval activities are carried out in accordance with the permit, ERAA, regulations and all applicable laws. Applicants and permit holders must understand the operational guidance and requirements for each activity and reporting requirements throughout the lifecycle of the energy resource and associated activity.

This chapter discusses in brief, permit amendments, terms and expiry and permit transfers. The Regulator provides activity related operational manuals and other forms and guidance documents in the [documentation section](#) of the Regulator's website.

### 9.1 Permit Notification; 15-day waiting period

Following a permit approval, the Regulator provides notice to the land owner(s) affected by the energy resource activity. The notice cites specific details about the location of the approved activity, and the land owners' right to appeal if applicable.

The permit holder must wait 15 days from the day the permit is issued before commencing any energy resource activity on private land, unless the land owner has consented to the permit holder in writing that the energy resource activity may commence. Written consent from a land owner is not provided to the Regulator; however the permit holder should retain records for auditing purposes.

The permit holder must submit a notice of construction start to the Regulator prior the start of operations. Minimum time requirements for submission of notice of construction start for various activities are outlined in the regulations and permit conditions specific to the activity.

## Notices of Road Construction Post-approval

Energy resource road permit holders must notify the Regulator, affected land owners, affected rights holders and First Nations, at least 72 hours, and not more than 30 days, prior to beginning construction. Where construction must be carried out expeditiously to address an environmental or operational emergency, notice of construction start must be provided to the Regulator, affected land owners and rights holders as soon as practicable. [Oil and Gas Activity Operations Manual](#) provides further information on notices of road construction.

## 9.2 Permit Term and Expiry

Energy resource operators are responsible for ensuring they hold a valid permit prior to beginning construction on any energy resource or associated activity.

Section 32 (1) of the Energy Resource Activities Act states that a permit, and any authorization issued to the permit holder for a related activity of an energy resource activity authorized by a permit, expire on the day after the prescribed period has elapsed, if the permit holder has not by that day begun an energy resource activity permitted by the permit. Section 8 of the OGAA General Regulation defines the prescribed period for the purposes of Section 32 (1) of the Act as two years.

If the Regulator has not received a Notice of Construction Start (NCS) or proceeded with a positive decision on a permit extension application for a permit prior to its expiration, the permit will be deemed expired.

The Regulator's receipt of a Notice of Construction Start for any activity on a permit will prevent expiry for all activities included in the permit. Information on the Regulator's Notice of Construction Start processes is available in Chapter 4 of the [Oil and Gas Activity Operations Manual](#).

### Permit Extension Application Process

An applicant may apply for a permit extension prior to expiry. The Regulator may extend a permit and any associated authorizations by no more than one year and may add additional conditions to the current permit.

Where multiple activities are authorized under one permit, the permit extension application will capture all activities under the same AD#. For multi-well pads, permit holders are required to

submit one permit extension application for any wells permitted together under the same AD #. Wells permitted on separate AD #'s, require a permit extension application for each AD.

In order to extend the prescribed period for a permit, permit holders must submit a completed Permit Extension Application Form to the Regulator, along with any associated application deliverables. Permit extension applications must be submitted in digital format to [permitextensions@bc-er.ca](mailto:permitextensions@bc-er.ca), three months prior to expiry of the permit.

## Consultation and Notification for Permit Extension Applications

Section 32 (3) of ERAA states that the Regulator may require the permit holder to carry out consultations or notifications with respect to the extension application as indicated in the Consultation and Notification Regulation. Further information on consultation and notification requirements for permit extension applications is available in Chapter 6.1.3 of this manual.

## 9.3 Amendment Applications

Permit holders must submit an amendment application to add, modify or change any existing energy resource activity and/or related activities in a permit. Permit holders must ensure engagement and/or, consultation and notification requirements are met where applicable.

Amendment applications can include multiple changes to the permit within the same amendment application. In the case of a multi-activity permit, an amendment application can include changes to one or more activities that were part of the original permit.

However, applicants may only submit one amendment at a time against a permit, as the approval of the amendment will update current data in Regulator information systems.

## 9.4 Permit Surrender and Cancellation

Permits, and all activity within that permit, can be cancelled or simply left to expire. Permit holders wishing to cancel a permit or an activity within the permit, must submit a cancellation request to the [Permit Administration Branch](#).

Where a permit is considered valid because a NCS was submitted against one activity, the remaining activity(ies) can be cancelled through a cancellation request to the Permit Administration Branch. However, the Regulator's preference is to have permit holder identify which activity is to be cancelled (i.e.. never to be constructed) through the Post Construction Plan Process.

The cancellation request letter must clearly identify:

- Regulator file number.
- Legal description location.
- If surface disturbance has occurred.

A confirmation letter is sent to the permit holder upon cancellation of the permit and related land tenures. For quarries, aggregates / borrow pits and campsites, permit holders must state whether or not the area has been left safe and clean.

## 9.5 Permit Transfer

A permit holder may apply to the Regulator to transfer a permit under Section 29 of ERAA. For more information on the permit transfer process and transfer application requirements, refer to the [Permit Operations and Administration Manual](#).