

## **Guide to the Mines Fee Regulation Major Mines**

For the purposes of the permit fees, a major mine is defined as a mineral or coal mine at which mining activities in relation to surface or underground development or production of coal or minerals occur. No fees apply to exploration permitted under Part 9 of the Health, Safety and Reclamation Code for Mines in BC.

### **1. When do the fees come into force?**

Fees for applications for major mine permits or amendments to major mine permits come into force on April 1, 2015.

### **2. What if I have an application with MEM prior to April 1, 2015 and it hasn't been decided yet?**

Applications currently being processed by MEM for new major mine permits or amendments to major mine permits that are not decided by April 1, 2015 will be charged a permit fee. On or shortly after April 1, 2015 the Chief Inspector of Mines (CIM) will determine the fee for each application on hand and send a notice to the applicant.

### **3. If I want to withdraw from the application process can I get a refund of the permit fee?**

No, the Regulation does not allow for a refund of a permit fee.

The amount of the fee is determined by the CIM on receipt of an application. After receiving a new application and prior to it being accepted, it is examined by the CIM. Once it is all in order and ready to be accepted, the applicant will be notified of the permit fee to be paid. Once the fee has been paid the application will be accepted.

An applicant could withdraw at that point and not pay the fee but in order for the application to be processed and decided, the fee would need to be paid.

### **4. What are the fees for?**

Fees are charged for applications for new major mine permits and for amendments to existing major mine permits as issued under the Mines Act.

The amount of the fee is based on the complexity of the application and whether the application requires formal referral to a Mine Development Review Committee (MDRC) or Mine Review Committee (MRC).

Minor amendments such as change of holder address or other administrative or clerical amendments will not be charged a fee. (see attached table for examples of the types of applications that will attract the different fees)

## 5. When are major mine permit fees required to be paid?

Each time an application for a new major mine or an amendment to a major mine permit is lodged, the CIM or delegate will determine if you are required to pay a fee. If you are, you will be notified of the amount of the fee and when it is due for payment.

Permit applications will not be processed if payment of permit fees is outstanding.

## 6. How do the fees work?

There are three fees that apply to major mine permits. These are shown in Table 1:

**Table 1: Major Mine Fee Schedule**

Thresholds	Fee amount
Application to amend permit that is merely administrative or clerical in nature	\$0
Major Mine applications – Simple – Not requiring a formal review of an advisory committee*	\$10,000
Major Mine applications – Complex – Requiring the establishment of a Mine Review Committee	\$125,000
Major Mine applications – Reduced – Significantly less complex than usual but still requiring a Mine Review Committee (Chief Inspector’s discretion on a case by case basis considering significance of new disturbance, design changes and potential impacts)	\$60,000

\* an advisory committee is either a Mine Development Review Committee or a Mine Review Committee

The requirement for a review of an application by either an MDRC or MRC determines whether the applicant pays the \$10,000 fee or a higher fee of \$60,000 or \$125,000. The need for a committee review correlates with the complexity of the application and workload required for its consideration and decision.

There are circumstances where a proponent consults with an MDRC without a fee being applied. Such discussions with this committee during exploration and prior to preparation of a major mine development application are encouraged and help to ensure compliance with all the regulatory requirements. There are also times when MEM staff or staff from other ministries may approach an MDRC without formally referring an application review. Discussions of this nature, whether initiated by a proponent or MEM inspector, do not trigger a permit fee.

See attached table for examples of applications that would attract different fees.

## 7. Why are fees being charged?

The fees have been structured to contribute towards the cost of processing applications by permitting staff.

## 8. What happens if I don’t pay?

Permit applications will not be processed if payment of permit fees is outstanding.

## Major mines applications fee structure

Criteria	Examples	Fee
<p>Minor permit amendments requiring technical revision by MEM only.</p> <p><b>Role of Advisory Committee:</b> Does not require a formal review by an advisory committee.</p>	<ul style="list-style-type: none"> <li>- Modification to a process or technique</li> <li>- A change of ownership on a permit that triggers First Nation consultation</li> <li>- Geotechnical construction activities</li> </ul>	\$10,000
<p>Permit application for a new mine or major amendment requiring complex coordinated authorizations and consultations. This process is facilitated by a committee for multiple approvals across agencies and requires an MRC.</p> <p><b>Role of Advisory Committee:</b> Formally referred to review the application for regulatory compliance.</p>	<ul style="list-style-type: none"> <li>- Applying for a permit for a new mine or a major amendment</li> <li>- Significant new mine components</li> </ul>	\$125,000
<p>Permit application for an amendment requiring a committee review but is of <i>significantly less complexity</i> than a typical new mine or amendment. May involve multi-agency approvals or could be a complex issue under one agency's legislation requiring notification to other agencies through a committee.</p> <p>This decreased fee is determined by the CIM.</p> <p><b>Role of Advisory Committee:</b> The application needs to be reviewed by either an MDRC or MRC depending on the number of authorizations to be coordinated.</p>	<ul style="list-style-type: none"> <li>- Minor increase in process throughput</li> <li>- Minor increase in disturbance on existing mine footprint</li> </ul>	\$60,000

<b>Activities for which no fee applies</b>		
<b>Criteria</b>	<b>Examples</b>	<b>Fee</b>
<p>Amendment that is merely administrative or clerical in nature.</p> <p><b>Role of Advisory Committee:</b> Does not require a formal review by an advisory committee.</p>	<ul style="list-style-type: none"> <li>- Simple change of name</li> <li>- Change of primary company contact details</li> </ul>	\$0
<p>Permit Compliance involving "required reports." Involves MEM and possibly an MDRC.</p> <p><b>Role of Advisory Committee:</b> Does not require a formal review by an advisory committee.</p>	<ul style="list-style-type: none"> <li>- Annual reclamation reports</li> <li>- Major dumps</li> <li>- Annual Dam Safety</li> <li>- Pit Walls</li> <li>- Documents lodged as a compliance requirement without requiring an amendment of the permit</li> </ul>	<p>Generally without a fee. If for example the compliance reporting includes the lodgment of a mine plan that significantly changes operations, this would trigger a permit fee if it requires amendment of permit based on substance and extent of proposed changes.</p>
<p>Engaging with an MDRC without formal referral of an application.</p> <p><b>Role of Advisory Committee:</b> Does not require a formal review by an advisory committee.</p>	<ul style="list-style-type: none"> <li>- Seeking pre-application advice from an MDRC</li> </ul>	\$0