

Title:	Review of Program Approvals and Conditions
Number:	ED2006-03
Program Name:	Operations
Effective Date:	November 8, 2006
This document was updated on:	December 1, 2013

Background

As per Section 12 of the *Exploration Regulation* (AR 284/2006) the Alberta Energy Regulator (AER) may, on application by a program licensee or program permittee as defined in Section 1(ee) and 1(ff) of the *Exploration Regulation* or a person authorized by the program licensee or program permittee, review a decision of the AER in respect of a program of exploration if the decision relates to a matter that is specified within this exploration directive.

Requirements

The program licensee must attempt to mitigate outstanding issues (e.g., geophysical field report form, wildlife concerns, environmental concerns, etc.) to the satisfaction of the AER prior to initiating a review of a decision. If mitigative measures were not discussed prior to a request for a review, the application for review submitted under Section 12 of the *Exploration Regulation* may be denied.

The program licensee or program permittee or a person authorized by the program licensee or program permittee (hereafter referred to as the applicant), may make application to review the AER's decision regarding:

- Non-approval of an application that was made under Section 23 of the *Exploration Regulation*, for an exploration program to be conducted on Public Lands in Alberta.
- An operating condition or site-specific operating constraint contained in an exploration approval of an approved program to be conducted on Public Lands in Alberta.

Non-Approval of an Exploration Program

If there is no resolution through mitigative action regarding outstanding operational issues, the application for an approval applied for under Section 23 of the *Exploration Regulation* will be denied and the program licensee will be notified in writing forthwith.

Upon the program licensee's receipt of written confirmation of non approval, the applicant has the ability to request a review of the AER's decision.

Condition(s) of an Exploration Approval

If the applicant believes that an operating condition(s) or site-specific operating constraint(s) contained in an exploration approval is unreasonable, the applicant has the ability to request a review of the AER's decision.

Procedure

To initiate a review, the applicant must submit a written request to the AER. In its request the applicant must state the reasons for the request and the expected resolution.

Provided the AER has all relevant information for the request for review they will respond to the applicant with an acknowledgement of receipt of the request within five (5) business days.

Upon completion of the review of all materials submitted by the applicant, the AER will decide if the review is rejected or if it is upheld (resolved to the satisfaction of the applicant). A copy of the decision will be communicated to the applicant in writing.

Other

There are no fees associated with the review of a geophysical program approval or conditions under Section 12 of the *Exploration Regulation*.

Enforcement/Compliance

Enforcement policy and procedures are currently under review and this directive will be updated accordingly.

Contact

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Authorities

Mines and Minerals Act (Part 8) and Exploration Regulation (AR 284/2006)

Approved

Original Signed by

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