



Environmental Management Act
**PERMIT AND APPROVAL FEES AND
CHARGES REGULATION**
B.C. Reg. 299/92

Deposited July 31, 1992 and effective September 1, 1992
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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 299/92 (O.C. 1264/92), deposited July 31, 1992 and effective September 1, 1992, is made under the *Environmental Management Act*, S.B.C. 2003, c. 53, ss. 138 (2) and 139 (7).

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

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Environmental Management Act

**PERMIT AND APPROVAL FEES
AND CHARGES REGULATION**

B.C. Reg. 299/92

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Environmental Management Act

PERMIT AND APPROVAL FEES AND CHARGES REGULATION

B.C. Reg. 299/92

Interpretation

1 In this regulation:

“**Act**” means the *Environmental Management Act*;

“**AOX**” means halogenated organic compounds that are adsorbable by activated carbon;

“**BOD**” means the 5 day biochemical oxygen demand at 20° Celsius;

“**discharge**” means the total amount of a solid, liquid or gaseous material introduced into the environment from works;

“**Indian reserve**” has the same meaning as “reserve” in the *Indian Act* (Canada);

“**metals**” means aluminum, antimony, arsenic, barium, boron, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin or zinc;

“**permit**” includes an approved waste management plan, an operational certificate and an authorization to discharge under a regulation;

“**suspended solids**” means non-filterable residue;

“**total particulate**” means an air contaminant retained by a 0.3 micrometre (micron) membrane filter or its equivalent;

“**TRS**” means total reduced sulphur compounds, including but not limited to hydrogen sulphide, methyl mercaptan, dimethyl sulphide and dimethyl disulphide;

“**VOCs**” means compounds containing carbon which participate in atmospheric photochemical reactions.

[am. B.C. Regs. 321/2004, s. 32 (b); 46/2018, App. 1, s. 2.]

Permit application fees

2 (1) A person applying for a permit and a permit holder applying for an amendment to a permit must pay an application fee of \$400 at the time the application is submitted.

(2) An application fee is not refundable by reason only that the permit or amendment is refused.

[en. B.C. Reg. 149/2004, s. 1; am. B.C. Reg. 46/2018, App. 1, s. 3.]

Annual charge for a permit

3 (1) Subject to section 5, a permit holder must pay annually a charge for each permit held by the permittee.

(2) Subject to subsection (5), the charge for each permit under subsection (1) is calculated by adding the base fee for the permit type, as specified in Column 2 of

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Schedule A opposite the permit type in Column 1, to the sum of the fees, calculated in accordance with subsection (3), for each contaminant authorized under the permit.

- (3) The fee for each contaminant under subsection (2) is calculated by multiplying the quantity of the contaminant, determined in accordance with subsection (4), authorized by permit for the 12 months prior to the anniversary date of the permit by the unit fee for that contaminant, as specified in Schedule B, C or D for the applicable payment date as set out in Column 2 opposite the contaminant in Column 1.
- (4) The quantity of each contaminant discharged that is used to calculate the annual charge is determined from
 - (a) the maximum authorized discharge rate and concentration specified in the permit or by regulation, and
 - (b) the discharge factors as determined in accordance with procedures approved by the director if the permit does not specify the concentration of the contaminants contained in the discharges.
- (5) The charge for each permit under subsection (1) is the base fee for the permit type, as specified in Column 2 of Schedule A opposite the permit type in Column 1, if the permit
 - (a) authorizes a discharge under one of the following regulations:
 - (i) the Antisapstain Chemical Waste Control Regulation;
 - (ii) the Placer Mining Waste Control Regulation, or
 - (b) is required under section 3.1 (1) of the Organic Matter Recycling Regulation.
- (6) If a permit is amended after its anniversary date and, as a result, the amount of the annual charge changes, the change to the annual charge takes effect on the next anniversary date.

[am. B.C. Regs. 149/2004, s. 2; 321/2004, s. 32 (c); 60/2012, s. (b); 132/2016, Sch. s. 2; 46/2018, App. 1, s. 4.]

Approval charges

- 4** (1) Subject to section 5, a person who holds an approval under section 15 of the Act must pay a charge for each approval held by the person.
- (2) The charge for each approval under subsection (1) is calculated by adding the base fee for the approval type, as specified in Column 2 of Schedule A opposite the approval type in Column 1, to the sum of the fees, calculated in accordance with subsection (3), for each contaminant authorized under the approval.
- (3) The fee for each contaminant under subsection (2) is calculated by multiplying the quantity of the contaminants authorized to be discharged during the period for which the approval is granted by the unit fee for that contaminant, as specified in

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Schedule B, C or D for the applicable payment date as set out in Column 2 opposite the contaminant in Column 1.

[am. B.C. Regs. 149/2004, ss. 2 and 3; 46/2018, App. 1, s. 5.]

Exemptions

- 5** (1) No permit application fee is payable by
- (a) the government of British Columbia or Canada,
 - (b) a municipality for which the minister has approved a solid waste plan, if the permit is for the discharge of refuse, or
 - (c) a person who discharges, on an Indian reserve, waste that is
 - (i) domestic sewage, or
 - (ii) domestic refuse from a permanent residence on the Indian reserve.
- (1.1) No charge is payable for a permit or approval if
- (a) the permit or approval is held by the government of British Columbia or Canada,
 - (b) the permit or approval is for the discharge of refuse and is held by a municipality for which the minister has approved a solid waste plan, or
 - (c) the permit or approval is held by a person who discharges, on an Indian reserve, waste that is
 - (i) domestic sewage, or
 - (ii) domestic refuse from a permanent residence on the Indian reserve.
- (2) This regulation does not apply to air permits within the boundaries of the Metro Vancouver Regional District on and after the date the board of the regional district, by bylaw, establishes rates or fees for permits, licences, approvals or other documents for the control of air contaminants in the Metro Vancouver Regional District.
- [am. B.C. Regs. 149/2004, s. 4; 46/2018, App. 1, s. 6; 216/2019, s. 12.]

- 6** Repealed. [B.C. Reg. 149/2004, s. 5.]

Effluent permit or approval charge adjustments

- 7** (1) For the purposes of sections 3 and 4, despite sections 3 (2) and 4 (2), the charge for a permit or approval for a sewage effluent discharge from a septic tank, sewage treatment plant or other treatment facility is calculated by adding the base fee for the permit or approval type, as specified in Column 2 of Schedule A opposite the permit or approval type in Column 1, to the sum of the fees, calculated in accordance with section 3 (3) or 4 (3), as applicable, for only BOD and suspended solids.
- (2) Subject to subsection (3), for the purposes of sections 3 (3) and 4 (3), the fee for suspended solids is reduced by 90% for a permit or approval that authorizes the discharge of suspended solids to an exfiltration, settling or tailings pond, land

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Schedule A

irrigation system or other ground disposal system, other than a permit or approval associated with a mine in respect of which there is a valid and subsisting permit under the *Mines Act*.

- (3) If a person has posted a reclamation security under the *Mines Act*, the fee for suspended solids is zero.

[en. B.C. Reg. 46/2018, App. 1, s. 7.]

Payment of the annual charge

- 8** The annual charge for a permit or approval to discharge is payable on the anniversary date of the permit, or 30 days after the date on an invoice issued for the amount owing, whichever is later.

[am. B.C. Reg. 46/2018, App. 1, s. 8.]

Expiry of permit

- 9** If a permit expires before its next anniversary date, the annual charge must be prorated.

[am. B.C. Reg. 46/2018, App. 1, s. 9.]

Cancellation of permit

- 10** If a permit holder requests the cancellation of a permit on the grounds that waste is no longer being discharged, the permittee is entitled to a prorated refund of the most recent annual charge paid provided the permittee does not, within 6 months after the request for cancellation, apply for a similar permit in respect of the same works for which the cancelled permit was issued.

[am. B.C. Reg. 46/2018, App. 1, s. 10.]

SCHEDULE A

[en. B.C. Reg. 46/2018, App. 1, s. 11.]

BASE FEES FOR PERMITS OR APPROVALS

Column 1 Permit or Approval Type	Column 2 Base Fee (\$)
air	200.00
effluent	200.00
refuse	200.00
storage	200.00

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Schedule B

SCHEDULE B

[en. B.C. Reg. 46/2018, App. 1, s. 11.]

CONTAMINANT FEES FOR AIR EMISSION PERMITS OR APPROVALS

Column 1 Contaminant	Column 2 Fee per Tonne Discharged (\$)	
	if payment date April 1/06– March 31/18	if payment date after April 1/18
ammonia	16.78	20.30
asbestos*	16.78	20.30
carbon monoxide	0.45	0.54
chlorine and chlorine oxides expressed as chlorine dioxide equivalent	11.29	13.66
fluorides	673.60	815.06
hydrocarbons	16.78	20.30
hydrogen chloride	11.29	13.66
metals	673.60	815.06
nitrogen oxides expressed as nitrogen dioxide equivalent	11.29	13.66
phenols	16.78	20.30
sulphur and sulphur oxides expressed as sulphur dioxide equivalent	13.07	15.81
total particulate	16.78	20.30
TRS	561.33	679.21
VOCs	16.78	20.30
other contaminants not otherwise specified in this schedule	16.78	20.30

*Units of asbestos are equivalent to 5 cubic metres of air emissions per minute at a concentration of 2 fibres per cubic centimetre.

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Schedule C

SCHEDULE C

[en. B.C. Reg. 46/2018, App. 1, s. 11.]

CONTAMINANT FEES FOR EFFLUENT PERMITS OR APPROVALS

Column 1 Contaminant	Column 2 Fee per Tonne Discharged (\$)	
	if payment date April 1/06– March 31/18	if payment date after April 1/18
ammonia	102.91	124.52
AOX	273.24	330.62
arsenic	273.24	330.62
BOD	20.64	24.97
chlorine	273.24	330.62
cyanide	273.24	330.62
fluoride	102.91	124.52
metals	273.24	330.62
nitrogen and nitrates	41.13	49.77
oil and grease	68.61	83.02
other petroleum products	68.61	83.02
other solids	13.66	16.53
phenols	273.24	330.62
phosphorus and phosphates	102.91	124.52
sulphates	4.01	4.85
sulphides	273.24	330.62
surfactants	68.61	83.02
suspended solids	13.66	16.53
other contaminants not otherwise specified in this schedule	13.66	16.53

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Schedule D

SCHEDULE D

[en. B.C. Reg. 46/2018, App. 1, s. 11.]

CONTAMINANT FEES FOR REFUSE PERMITS OR APPROVALS

Column 1 Contaminant	Column 2 Fee (\$)	
	if payment date April 1/06– March 31/18	if payment date after April 1/18
coarse coal refuse per m ³	5.94	7.19
refuse per tonne	0.74	0.90

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