

# THE MACKENZIE VALLEY RESOURCE MANAGEMENT ACT (MVRMA): THE REGULATOR'S PRELIMINARY SCREENING RESPONSIBILITIES

## Introduction

This document:

- Summarizes the Regulator's responsibilities under the *Mackenzie Valley Resource Management Act* (MVRMA);
- Describes how those responsibilities are carried out; and
- Identifies the information available to the public with respect to the Regulator's MVRMA responsibilities.

## The Regulator is a Regulatory Authority

A body or person responsible for issuing an authorization required for a development under any territorial law is a **regulatory authority** under the MVRMA.

The Regulator established by the *Oil and Gas Operations Act* (OGOA) is a regulatory authority under the MVRMA because it issues authorizations required for oil and gas developments.

A person to whom the Regulator has delegated decision-making powers about authorizations is also a regulatory authority.

## Area of Application

The MVRMA applies everywhere the Regulator has jurisdiction.

## Responsibilities of a Regulatory Authority

When the Regulator receives an application for an authorization required to carry out a development, it must:

- Notify the Mackenzie Valley Environmental Impact Review Board (MVEIRB) in writing of the application; and
- Conduct a preliminary screening of the proposal for the development (with some exceptions).

## Conducting a Preliminary Screening

Regulations under the MVRMA require that preliminary screenings must be conducted for Operations Authorizations and Development Plans issued under OGOA.

A **preliminary screening** (PS) is an initial examination of a development proposal for significant adverse impact on the environment and public concern.

The Regulator may:

- Conduct its own PS;
- Adopt a PS conducted by another organization;

- Participate in a joint PS;
- Decide that the development is exempt from PS because of an emergency or based on rules set out in regulations; or
- Decide not to conduct a PS if one of the Land and Water Boards established under the MVRMA has already conducted one.

If the Regulator conducts its own PS, it will report in writing to the MVEIRB on whether, in its opinion, the development might have a significant adverse impact on the environment or might be a cause of public concern. If the answer is yes, the development will be referred to the MVEIRB for an environmental assessment.

If the Regulator decides to adopt another PS, participate in a joint PS, approve an exemption from PS or not conduct a PS, it will notify the MVEIRB in writing of that decision.

## **Public Information**

The following information is available on the Office of the Regulator of Oil and Gas Operations' public registry:

- Notifications to the MVEIRB about the receipt of applications for operations authorizations;
- Information on proposed developments where the Regulator is carrying out a PS (so that the public can participate in the PS);
- Comments received from reviewers during a PS carried out by the Regulator;
- The Regulator's decision on the PS (including a decision to approve exemption or to adopt another PS) with supporting documents; and
- Letters to other regulators conducting PS of oil and gas developments.

## **No Confidentiality**

The confidentiality provisions established under the *Petroleum Resources Act* **do not apply** to the Regulator's activities under the MVRMA.