

ALBERTA
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – November 12, 2002
Date of Discontinuance of Proceedings – November 22, 2002

IN THE MATTER OF Sections 91, 92 and 95 of the
Environmental Protection and Enhancement Act, R.S.A. 2000, c.
E-12;

-and-

IN THE MATTER OF a Notice of Appeal filed by Mr. Richard
Ross with respect to Reclamation Certificate No. 00146944-00-00
issued to Talisman Energy Inc., by the Inspector, Southern Region,
Regional Services, Alberta Environment.

Cite as: *Ross v. Inspector, Southern Region, Regional Services, Alberta Environment re:
Talisman Energy Inc.* (22 November 2002), Appeal No. 02-071-DOP (A.E.A.B).

MEDIATION MEETING BEFORE: Mr. Ron V. Peiluck.

APPEARANCES:

Appellant: Mr. Richard Ross, represented by Mr. Ray Strom, Landcore International Corp.

Department: Mr. Jamie Kereliuk, Inspector, Southern Region, Regional Services, Alberta Environment and Mr. Wayne Boyd, Central Region, Regional Services, Alberta Environment, represented by Ms. Michelle Williamson, Alberta Justice.

Cerficiate Holder: Mr. Nevin Wolf, Talisman Energy Inc. and Mr. Todd Lane, KBL Land Use Ltd.

Board Staff: Ms. Denise Black, Board Secretary.

EXECUTIVE SUMMARY

Alberta Environment issued a Reclamation Certificate to Talisman Energy Inc. for the BP ET AL HARME 6-11-32-4 well near Olds, Alberta.

The Board received a Notice of Appeal with respect to the Reclamation Certificate from Mr. Richard Ross, the landowner, appealing the issuance of the Reclamation Certificate.

The Board held a mediation meeting in Olds, Alberta on November 12, 2002, following which the Appellant agreed to withdraw his appeal.

The Board therefore closes its file in this matter.

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I. BACKGROUND

[1] On October 3, 2001, the Inspector, Southern Region, Regional Services, Alberta Environment (the “Inspector”) issued Reclamation Certificate No. 00146944-00-00 (the “Certificate”) to Talisman Energy Inc. (the “Certificate Holder”) for the BP ET AL HARME 6-11-32-4 well near Olds, Alberta.

[2] On October 1, 2002, the Environmental Appeal Board (the “Board”) received a Notice of Appeal from Mr. Ray Strom, Landcore International Corp., on behalf of the landowner, Mr. Richard Ross (the “Appellant”).

[3] On October 3, 2002, the Board wrote to the Appellant, the Certificate Holder and the Inspector (collectively the “Parties”) acknowledging receipt of the Notice of Appeal and notifying the Certificate Holder and the Inspector of the appeal. The Board also requested the Inspector provide the Board with a copy of the records (the “Record”) relating to the appeal and requested the Parties provide available dates for a mediation meeting or hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board and the Alberta Energy and Utilities Board asking whether this matter had been the subject of a hearing or review under their respective legislation. Both Boards responded in the negative.

[5] On October 11, 2002, the Board received a copy of the Record from the Inspector and on October 16, 2002, forwarded a copy to the Appellant and Certificate Holder.

[6] On October 16, 2002, the Board received and acknowledged letters from the Parties providing their available dates for a mediation meeting or a hearing.

[7] On October 31, 2002, in consultation with the Parties, the Board scheduled the mediation meeting for November 12, 2002, in Olds, Alberta.

II. THE MEDIATION MEETING

[8] Pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Olds, Alberta, on November 12, 2002, with Mr. Ron Peiluck as the presiding Board Member (the “Mediator”).

[9] In conducting the mediation meeting, the Mediator reviewed the appeal and mediation process and explained the purpose of the mediation meeting. He then circulated copies of the Participants’ Agreement to Mediate. All Parties signed the Agreement and discussions ensued.

[10] Following detailed discussions, the Appellant agreed that he would advise the Board, if he would be withdrawing his appeal.

[11] On November 15, 2002, the Board received a letter from the Appellant withdrawing his appeal.

III. DECISION

[12] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and based on the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 02-071 and closes its file.

Dated on November 22, 2002, at Edmonton, Alberta.

“original signed by”
William A. Tilleman, Q.C., Chair