

ALBERTA
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – August 26, 2003

Date of Discontinuance of Proceedings – September 10, 2003

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 an appeal filed by Brian Navrot with
respect to Reclamation Certificate No. 00183533-00-00 issued
under the *Environmental Protection and Enhancement Act* to
Anadarko Canada Corporation by the Inspector, Northern Region,
Regional Services, Alberta Environment.

Cite as: *Navrot v. Inspector, Northern Region, Regional Services, Alberta Environment*,
re: *Anadarko Canada Corporation* (10 September 2003), Appeal No. 03-012-
DOP (A.E.A.B.).

MEDIATION MEETING BEFORE:

Dr. M. Anne Naeth, Board Member.

PARTIES:

Appellant:

Brian Navrot.

Inspector:

Allan Montpellier, Director, Northern Region, Regional Services, Alberta Environment, and Michele Corry, Inspector, Northern Region, Regional Services, Alberta Environment, represented by Michelle Williamson, Alberta Justice.

Reclamation Certificate Holder:

Keith Lightbown and Warren McIlwain, Anadarko Canada Corporation.

Board Staff:

Marian Fluker, Senior Research Officer.

EXECUTIVE SUMMARY

On October 9, 2002, Alberta Environment issued Reclamation Certificate No. 00183533-00-00 to Anadarko Canada Corporation for the Norwest Owlseye 9-34-58-9 well, near St. Paul, Alberta. On July 8, 2003, the Environmental Appeal Board received a Notice of Appeal from Brian Navrot, the landowner, appealing the Reclamation Certificate.

The Board held a mediation meeting on August 26, 2003. As a result of the mediation meeting Mr. Navrot withdrew his appeal. The Board therefore closes its file in this matter.

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I. BACKGROUND

[1] On October 9, 2002, the Inspector, Northern Region, Regional Services, Alberta Environment (the “Inspector”), issued Reclamation Certificate No. 00183533-00-00 (the “Certificate”) to Anadarko Canada Corporation (the “Certificate Holder”) in connection with or incidental to Norwest Owlseye 9-34-58-9 W4M well, near St. Paul, Alberta. On July 8, 2003 the Environmental Appeal Board (the “Board”) received a Notice of Appeal from Mr. Brian Navrot, the landowner (the “Appellant”) appealing the Certificate.

[2] On July 10, 2003, 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 this appeal, and that the Parties provide available dates for a mediation meeting or hearing.

[3] 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.

[4] On July 22, 2003, the Board received a copy of the Record from the Inspector, and on July 24, 2003, forwarded a copy to the Appellant and the Certificate Holder. On August 7, 2003, in consultation with the Parties the Board scheduled a mediation meeting to be held on August 26, 2003, in St. Paul, Alberta.

[5] Pursuant to section 11 of the Environmental Appeal Board Regulations, A.R. 114/93, the Board conducted a mediation meeting in St Paul, Alberta, on August 26, 2003, with Dr. M. Anne Naeth as the presiding Board Member (the “Mediator”). In conducting the mediation meeting, the Mediator reviewed the appeal and the mediation process and explained the purpose of the mediation meeting. She then circulated copies of the Participants’ Agreement to Mediate. All parties signed the Agreement and discussions ensued. Following productive and detailed discussions, the Parties subsequently reached an agreement and the Appellant withdrew his appeal.

II. DECISION

[6] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act* R.S.A. 2000, c. W-3, and based upon the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 03-012 and closes its file.

Dated on September 10, 2003, at Edmonton, Alberta.

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