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## DECISIONS 2005

### 05-001 and 05-003

**Appellant(s)** – Mr. Darren and Ms. Toni Daniel and Mr. Ron and Ms. Judy Plett, **Operator** – Sanjo and Benchmark Developments Inc., **Location** – near Lloydminster, **Type of Appeal** – Discontinuance of Proceedings

On April 14 and 15, 2005, the Board received Notices of Appeal from Mr. Darren and Ms. Toni Daniel and Mr. Ron and Ms. Judy Plett, respectively, regarding Approval No. 00197206-00-00 issued under the *Water Act* to Sanjo and Benchmark Developments Inc. The Approval authorized the construction, operation and management of a stormwater management facility located within NE 21-050-01-W4 for the purpose of collecting and draining stormwater to an unnamed tributary of Big Gully Creek, near Lloydminster, Alberta. The Board held a mediation meeting on September 23, 2005, in Lloydminster and as a result of productive discussions, a resolution was reached, and the Appellant's withdrew their appeals. On October 5, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Daniel et al. v. Director, Central Region, Regional Services, Alberta Environment re: Sanjo and Benchmark Developments Inc.* (05 October 2005), Appeal No. 05-001 and 05-003-DOP (A.E.A.B.).

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### 05-002

**Appellant(s)** – Deer Creek Energy Limited, **Operator** – Deer Creek Energy Limited, **Location** – County of Vermillion River, **Type of Appeal** – Discontinuance of Proceedings

On April 21, 2005, the Board received a Notice of Appeal from Deer Creek Energy Limited with respect to the refusal of Alberta Environment to issue a reclamation certificate to Deer Creek Energy Limited for the Medcon Joffre Lloyd 8A-14-51-1 W4M well in the County of Vermillion River, Alberta. The Board held a mediation meeting on June 21, 2005, in Lloydminster. Following discussions at the mediation meeting, the Appellant stated he would advise the Board if he wished to continue with his appeal. On June 23, 2005, the Board was advised that the Appellant would not be proceeding with his appeal. As a result, the Board issued a Discontinuance of Proceedings on June 29, 2005, and closed its file.

Cite as: *Deer Creek Energy Limited v. Director, Central Region, Regional Services, Alberta Environment* (29 June 2005), Appeal No. 05-002-DOP (A.E.A.B.).

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### 05-004

**Appellant(s)** – Buffalo River Dene Nation and the Metis Nation Clearwater Clear Lake Region, **Operator** – Buffalo River Dene Nation and the Metis Nation-Clearwater Lake Region **Location** – near Conklin, **Type of Appeal** – Discontinuance of Proceedings

On May 16, 2005, the Board received a Notice of Appeal from the Buffalo River Dene Nation and the Metis Nation Clearwater Clear Lake Region with respect to a decision by the Alberta Energy and Utilities Board which reviewed requests by the Appellants on Approval No. 9426 issued to Devon Canada Corporation for Devon's Jackfish SAGD project, original application no. 1321211. The Board advised the Appellants that the initial view was that the appeal did not fall within the jurisdiction of the Board, but provided the participants with an opportunity to supply additional comments. As a result, the Appellants withdrew their appeal and on May 24, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Buffalo River Dene Nation and Metis Nation Clearwater Clear Lake Region re: Devon Canada Corporation* (24 May 2005), Appeal No. 05-004-DOP (A.E.A.B.).

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### 05-005

**Appellant(s)** – Husky Oil Operations Limited, **Operator** – Husky Oil Operations Limited, **Location** – near Lloydminster, **Type of Appeal** – Discontinuance of Proceedings

On May 20, 2005, the Board received a Notice of Appeal from Husky Oil Operations Limited with respect to Alberta Environment refusing to issue a reclamation certificate to Husky Oil Limited for the Husky Blackfoot Lloyd 14A-25-49-2-W4 well near Lloydminster, Alberta. The Board held a mediation meeting in Edmonton, Alberta on July 14, 2005. As a result of the mediation meeting, a resolution was reached between the parties and the Appellant withdrew the appeal. On July 15, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Husky Oil Operations Limited v. Director, Central Region, Regional Services, Alberta Environment* (15 July 2005), Appeal No. 05-005-DOP (A.E.A.B.).

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05-007

**Appellant(s)** – Mesken Contracting Limited, **Operator** – Mesken Contracting Limited, **Location** – Wheatland County, **Type of Appeal** – Discontinuance of Proceedings

On June 23, 2005, the Board received a Notice of Appeal from Mesken Contracting Limited with respect to Administrative Penalty No. WA-05/01-AP-SR-05/01 issued to Mesken Contracting Limited. The Administrative Penalty was issued for failing to ensure that a copy of the licence authorizing the diversion of water from the Bow River at NW ¼ 33-021-25-W4M in Wheatland County was kept in the vehicle transporting the water, and for failing to submit the monitoring data to the Director within 30 days of the completion of the water diversion. The Board began processing the appeal; however, during that time, the Appellant withdrew the appeal. As a result, the Board issued a Discontinuance of Proceedings on August 15, 2005, and closed its file.

Cite as: *Mesken Contracting Limited v. Director, Southern Region, Regional Services, Alberta Environment* (15 August 2005), Appeal No. 05-007-DOP (A.E.A.B.).

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05-008

**Appellant(s)** – Mr. Rodney Sargent, **Operator** – PrimeWest Energy Inc., **Location** – near Mirror, **Type of Appeal** – Discontinuance of Proceedings

On July 8, 2005, the Board received a Notice of Appeal from a landowner, Mr. Rodney Sargent, with respect to Reclamation Certificate No. 00208740-00-00 issued to PrimeWest Energy Inc. for the Gardex Nevis 10-34-40-23 W4 well near Mirror, Alberta. The Board held a mediation meeting in Lacombe, Alberta on September 15, 2005 and following productive discussions, a resolution was reached and the Appellant withdrew his appeal. On September 16, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Sargent v. Inspector, Central Region, Regional Services, Alberta Environment re: PrimeWest Energy Inc.* (16 September 2005), Appeal No. 05-008-DOP (A.E.A.B.).

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05-009

**Appellant(s)** – Mr. Wolfgang Artin Dittrich, **Operator** – Mr. Wolfgang Artin Dittrich, **Location** – County of Grande Prairie, **Type of Appeal** – Discontinuance of Proceedings

On July 20, 2005, the Board received a Notice of Appeal with respect to Enforcement Order No. WA-EO-2005/03-NR issued under the *Water Act* to Mr. Wolfgang Artin Dittrich for the removal of an obstruction from a water body, in the county of Grande Prairie, Alberta. The Board held a mediation in Grande Prairie and after productive discussions, an agreement was reached between the participants, and Mr. Dittrich withdrew his appeal. On November 25, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Dittrich v. Director, Northern Region, Regional Services, Alberta Environment* (25 November 2005), Appeal No. 05-009-DOP (A.E.A.B.).

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05-010-012

**Appellant(s)** – Ms. Elin H. Barlem, Ms. Linda Covey, and Mr. Ray Cerniuk, **Operator** – Mr. Hal Willis, **Location** – Innisfail, **Type of Appeal** – Decision

On August 2, 2005, the Board received Notices of Appeal from Ms. Elin Barlem, Ms. Linda Covey and Mr. Ray Cerniuk with respect to Amending Approval No. 00193447-00-02 issued under the *Water Act* to Mr. Hal Willis. The Amending Approval amended the expiry date of Approval No. 00193447-00-00 to October 31, 2005, and updated the Operator's address. The original Approval authorized the placement of clean fill on property adjoining Dodds Lake at SW 28-35-28-W4M in Innisfail, Alberta. The Appellants also requested a Stay of the Amending Approval and a reconsideration of the Board's Report and Recommendations (03-017, 024-026, 031, 033 and 03-037-R) issued in response to the appeals of the original Approval. The Board dismissed the appeals of the Amending Approval, as the Appellants did not provide sufficient reasons to demonstrate that section 115(2)(c)(iii) of the *Water Act* should not apply in this circumstance. Section 115(2)(c)(iii) clearly states there is no right of appeal when the Director amends an approval by extending the expiry date. As there was no valid appeal before the Board, a Decision was issued on December 14, 2005 advising the Stay request was denied. The Board also denied the reconsideration request of its Report and Recommendations issued May 12, 2004, as the Appellants did not demonstrate there were exceptional circumstances that would justify the Board reconsidering its recommendations and introducing unwarranted uncertainty into its decision-making process.

Cite as: *Barlem et al. v. Director, Central Region, Regional Services, Alberta Environment re: Hal Willis* (14 December 2005), Appeal Nos. 05-010-012-D (A.E.A.B.).

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### 05-013

**Appellant(s)** – Husky Oil Operations Limited, **Operator** – Husky Oil Operations Limited, **Location** – near Jenner, **Type of Appeal** – Discontinuance of Proceedings

On August 26, 2005, the Board received a Notice of Appeal from Husky Oil Operations with respect to a refusal to issue a reclamation certificate to Husky Oil for the Renaissance 16C Suffield 16-14-20-8 well at Surface Point in LSD 1-23-20-8-W4M, near Jenner, Alberta. The Board held a mediation meeting on November 7, 2005, and after productive discussions, an agreement was reached and Husky Oil withdrew the appeal. Therefore, on November 25, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Husky Oil Operations Limited v. Director, Southern Region, Regional Services, Alberta Environment* (25 November 2005), Appeal No. 05-013-DOP (A.E.A.B.).

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### 05-020

**Appellant(s)** – Camp Okotoks Society, **Operator** – Town of Okotoks, **Location** – near Okotoks, **Type of Appeal** – Decision

On August 31, 2005, the Board received a Notice of Appeal from the Camp Okotoks Society with respect to Approval No. 00222483-00-00 issued under the *Water Act* to the Town of Okotoks authorizing the Town to realign the channel and stabilize the banks on the Sheep River, near Okotoks, Alberta. The Board held a mediation meeting on October 24, 2005, at which time an interim resolution was reached. On November 25, 2005, December 2 and 13, 2005, the Board wrote to Mr. Hettinga and requested he provide a status report to the Board as agreed to in the interim agreement. Telephone calls were also placed on December 8, 12, and 13, 2005. On December 15, 2005, Mr. Hettinga advised that he would be withdrawing his appeal and the Board requested written confirmation by December 22, 2005. As no response was received by December 22, 2005, the Board forwarded an e-mail to Mr. Hettinga on December 30, 2005, requesting that he provide written notice of his withdrawal. No response was received to this request. On January 10, 2006, the Board advised the participants that the appeal of Mr. Hettinga filed on behalf of the Camp Okotoks Society, had been dismissed for failing to respond to the Board in a timely manner. On January 18, 2006, the Board issued a Decision dismissing the appeal and closed its file.

Cite as: *Camp Okotoks Society v. Director, Southern Region, Regional Services, Alberta Environment re: Town of Okotoks* (18 January 2006), Appeal No. 05-020-D (A.E.A.B.).

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### 05-022 and 05-023

**Appellant(s)** – Ms. Linda Covey and Ms. Elin Barlem, **Operator** – Town of Innisfail, **Location** – Innisfail, **Type of Appeal** – Decision

On September 6, 2005, the Board received Notices of Appeal and a request for a Stay from Ms. Linda Covey and Ms. Elin Barlem with respect to Approval No. 00076694-00-00 issued under the *Water Act* to the Town of Innisfail. The Approval was for the purpose of constructing flood control works at NW 28-35-28-W4M at Dodd's Lake in Innisfail, Alberta. The time period in which an appeal may be filed with the Board with respect to an approval under the *Water Act* is seven days, unless the Board finds there is sufficient reason for extending this filing period. The Board requested the Appellants provide reasons as to why the Board should extend the time limit for filing the appeals. After reviewing the reasons provided, the Board found the Appellants did not present sufficient reasons to demonstrate that special circumstances existed to warrant an extension of the time limit for filing the appeals. The appeals were filed more than five years after the original Approval was issued and the work authorized under this Approval was completed in 2002. As there was no valid appeal before the Board, the Board issued a Decision on January 13, 2006, advising the Stay request could not be considered. The Appellants also requested a reconsideration of the Board's decision regarding appeals previously filed with respect to the amendment of the Approval. The Board also denied the reconsideration request, as the Appellants did not provide any new information that could have resulted in a different decision of the Board, and all of the documents provided by the Appellants were available at the time of the original appeals.

Cite as: *Covey and Barlem v. Director, Central Region, Regional Services, Alberta Environment* re: *Town of Innisfail* (13 January 2006), Appeal Nos. 05-022 and 05-023-D (A.E.A.B.).

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05-024

**Appellant(s)** – Mr. Michael O'Reilly, **Operator** – Mr. Michael O'Reilly, **Location** – near Turner Valley, **Type of Appeal** – Discontinuance of Proceedings

On September 12, 2005, the Board received a Notice of Appeal from Mr. Michael O'Reilly with respect to Alberta Environment's refusal to issue a *Water Act* Licence to him for the diversion of water from the Highwood River Basin in E ½ 36-019-04-W5M (a restricted water basin) near Turner, Alberta. The Board held a mediation meeting on November 23, 2005 in Calgary, Alberta and following a productive discussion, an agreement was reached and the Appellant withdrew his appeal. On November 25, 2005, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *O'Reilly v. Director, Southern Region, Regional Services, Alberta Environment* (25 November 2005), Appeal No. 05-024-DOP (A.E.A.B.).

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05-029-05-031

**Appellant(s)** – Ms. Tia Bartlett, Mr. Ken Bartlett, Ms. Alysha Bartlett, Ms. Heather Garon and Ms. Cheryl Henkelman, **Operator** – BA Energy Inc., **Location** – Strathcona County, **Type of Appeal** – Discontinuance of Proceedings

On September 27, 2005, the Board received Notices of Appeal from Mr. Gary Henderson on behalf of Ms. Tia Bartlett, Mr. Ken Bartlett, Ms. Alysha Bartlett, Ms. Heather Garon and Ms. Cheryl Henkleman (collectively the "Appellants"). The Notices of Appeal were with respect to Approval No. 203303-00-00 issued to BA Energy Inc. for the construction, operation, and reclamation of the Heartland Oil Sands Processing Plant (Bitument Upgrader) in Strathcona County. On October 24, 2005, the Alberta Energy and Utilities Board ("AEUB") wrote the Board to advise that they had considered an application made by BA Energy Inc. to construct and operate the Heartland Upgrader and associated infrastructure in Decision 2005-079. The AEUB also noted that on October 12, 2005, the Alberta Court of Appeal denied an application for leave to appeal Decision 2005-079. The Board requested written submissions from the participants in order to determine whether the issues in the Notice of Appeal had been adequately dealt with by the AEUB. However, on January 10, 2006, the Board received a letter from the Appellants advising that they were withdrawing the appeals. As a result, the Board issued a Discontinuance of Proceedings on January 18, 2006, and closed its files.

Cite as: *Bartlett et al. v. Director, Northern Region, Regional Services, Alberta Environment* re: *BA Energy Inc.* (18 January 2006), Appeal Nos. 05-029-05-031-DOP (A.E.A.B.).

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05-044 and 05-047

**Appellant(s)** – Ms. Marilyn and Mr. Lee Fenske, and Mr. Markus and Ms. Tracey Janus, **Operator** – Beaver Regional Waste Management Services Commission, **Location** – near Ryley, **Type of Appeal** – Report and Recommendations

On November 10 and 15, 2005, the Board received Notices of Appeal from Ms. Marilyn and Mr. Lee Fenske and Mr. Markus and Ms. Tracey Janus (collectively the “Appellants”), respectively. The appeals were with respect to Amending Approval No. 20754-00-04 issued to the Beaver Regional Waste Management Services Commission, amending the approval for the construction, operation and reclamation of a Class II Landfill, located at NE-10-50-17-W4M near Ryley, Alberta. The amendment allows leachate (liquid removed from the landfill cells) with a chloride ion concentration of greater than 3,000 mg/l to be recirculated within the Stage 1 Cell of the landfill. The Board held a mediation on January 17, 2006, that did not result in a resolution. The Board proceeded with the appeals and held a hearing on April 21, 2006, in Edmonton, Alberta. The Appellants did not provide sufficient evidence for the Board to consider reversing the decision to issue the amending approval. However, the Board noted that there were some important gaps in the scientific information in the application and at the hearing regarding possible negative impacts of recirculating leachate with higher chloride levels. Therefore, the Board issued a Report and Recommendations on May 19, 2006, recommending that the Minister of Environment vary the amending approval and require the Beaver Regional Waste Management Services Commission to prepare a number of reports, for review by Alberta Environment, to ensure that there are no outstanding technical, environmental, or health concerns with the recirculation of leachate with higher chloride levels. These reports included: 1. A written report detailing the effects that varying concentrations of chloride in leachate will have on the anaerobic digestion of landfill waste; 2. A written report detailing the effects that various types, fractions, and concentrations of hydrocarbons from the produced sand will have on the landfill’s high-density polyethylene liner; 3. A written report detailing the potential hydrogeological connections between the landfill site and Mr. Lee and Ms. Marilyn Fenske’s property; 4. A written report reviewing the results from the analysis of the water from the dugout on Mr. Lee and Ms. Marilyn Fenske’s property that is used as a domestic water supply; and 5. An updated written report listing all of the wells drilled on the landfill site, including abandoned and reclaimed wells. The Board noted that this information will also be of assistance to Alberta Environment when it reviews the Beaver Regional Waste Management Services Commission’s application to renew the approval for the landfill, which expires in September 2006. The Minister approved the recommendations on June 28, 2006.

Cite as: *Fenske and Janus v. Director, Central Region, Regional Services, Alberta Environment* re: *Beaver Regional Waste Management Services Commission* (19 May 2006), Appeal Nos. 05-044 & 05-047-R (A.E.A.B.).

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#### 05-048

**Appellant(s)** – West Fraser LVL, Sundre Forest Products Inc., a subsidiary of West Fraser Mills Ltd., **Operator** – Fraser LVL, Sundre Forest Products Inc., a subsidiary of West Fraser Mills Ltd., **Location** – near Rocky Mountain House in Clearwater County, **Type of Appeal** – Report and Recommendations

On November 29, 2005, the Board received a Notice of Appeal from West Fraser LVL, Sundre Forest Products Inc., a subsidiary of West Fraser Mills Ltd. (the “Appellant”) with respect to Approval No. 1424-01-00 issued to the Appellant authorizing the construction, operation, and reclamation of the Strachan wood processing plant near Rocky Mountain House, Alberta, in Clearwater County. The Board held a mediation on February 7, 2006, at the Board’s office in Edmonton, Alberta, following which an agreement was reached by the participants. The Board issued a Report and Recommendations to the Minister of Environment on May 2, 2006, recommending the Minister accept the agreement. On May 8, 2006, the Minister approved the agreement.

Cite as: *West Fraser LVL v. Director, Central Region, Regional Services, Alberta Environment* (2 May 2006), Appeal No. 05-048-R (A.E.A.B.).

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#### 05-049

**Appellant(s)** – Lakeland County, **Operator** – Parkland Developments Limited, **Location** – Lakeland County, **Type of Appeal** – Discontinuance of Proceedings

On December 9, 2005, the Board received a Notice of Appeal and a request for a Stay from Lakeland County with respect to Amending Approval No. 00139297-00-01, issued under the *Water Act* to Parkland Developments Limited. The Amending Approval was to revise the construction completion dated under condition 12 of original Approval No. 00139237-00-00. The original Approval authorized the construction of a storm water management works and a fish spawning pond in Lakeland County. In consultation with the participants, the Board scheduled a mediation meeting for March 14, 2006, in Lac LaBiche, Alberta. However, on February 24, 2006, the Board received a letter from the Director requesting the Board adjourn the mediation sine die and dismiss the appeal. As a result, a written submission process began. On March 21, 2006, the Board received a letter from the Appellant withdrawing the appeal. On March 22, 2006, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Lakeland County v. Director, Northern Region, Regional Services, Alberta Environment re: Parkland Developments Limited* (22 March 2006), Appeal No. 05-049-DOP (A.E.A.B.).

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#### 05-050-052

**Appellant(s)** – Stonebridge Farms Ltd., **Operator** – Stonebridge Farms Ltd., **Location** – near Galahad, **Type of Appeal** – Discontinuance of Proceedings

On December 12, 2005, the Board received a Notice of Appeal from Mr. H. Grant Jackson on behalf of Stonebridge Farms Ltd. with respect to Approval No. 00183682-00-00 issued under the *Water Act* on January 21, 2005, Amending Approval 00183682-00-01 issued on June 30, 2005, and Amending Approval No. 00183682-00-02 issued on November 1, 2005, to Stonebridge Farms Ltd. The Approval authorizes the construction and maintenance of a berm in an unnamed water body and maintenance of the existing drainage ditch in NW 34-40-14-W4M, near Galahad, Alberta while the Amending Approvals amend the completion dates of the berm. The Board requested dates to conduct a mediation, and on January 6, 2006, was notified by the Department of Environment that Mr. Leonard and Ms. Jean Keichinger should be included in the mediation as they submitted a Statement of Concern during the application review process that led to the issuance of the original Approval. The Board held a mediation meeting on February 8, 2006, in Stettler, Alberta in which all participants, including the Keichingers attended. At the conclusion of the mediation, the Appellant agreed to advise the Board whether he would withdraw his appeals. On February 15, 2006, the Board received a letter from the Appellant withdrawing the appeals. Therefore, the Board issued a Discontinuance of Proceedings on February 24, 2006, and closed its file.

Cite as: *Stonebridge Farms Ltd. v. Director, Central Region, Regional Services, Alberta Environment* (24 February 2006), Appeal Nos. 05-050-052-DOP (A.E.A.B.).

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#### 05-056

**Appellant(s)** – Mr. George Kerekanich, **Operator** – Penn West Petroleum Ltd., **Location** – near High Prairie, **Type of Appeal** – Discontinuance of Proceedings

On January 16, 2006, the Board received a Notice of Appeal from Mr. George Kerekanich with respect to Reclamation Certificate No. 00222660-00-00 issued to Penn West Petroleum Ltd. for the Petromet et al. Shadow 13-35-74-18 well and Barrow Pit near High Prairie, Alberta. The Board held a mediation meeting on May 29, 2006, in High Prairie, Alberta. As a result of productive discussions, the participants reached a resolution and the Appellant withdrew his appeal. The Board issued a Discontinuance of Proceedings on June 1, 2006, and closed its file.

Cite as: *Kerekanich v. Director, Northern Region, Regional Services, Alberta Environment re: Penn West Petroleum Ltd.* (01 June 2006), Appeal No. 05-056-DOP (A.E.A.B.).

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#### 05-065 and 05-066

**Appellant(s)** – Mr. Don and Ms. Amanda Lee Faltermeier, **Operator** – DJ Hog Farms Ltd., **Location** – near Blackfoot, **Type of Appeal** – Discontinuance of Proceedings

On January 25, 2006, the Board received 13 Notices of Appeal with respect to Licence No. 00207448-00-00 issued under the *Water Act* to DJ Hog Farms Ltd. authorizing the operation of a works and the diversion of us to 9,137 cubic metres of water annually from the source of water from wells at NE 12-050-02-W4M,

near Blackfoot, Alberta, for agricultural purposes (confined feeding operation). This Discontinuance of Proceedings will deal with the appeals of the Faltermeiers only. On April 20, 2006, the Board advised that it had scheduled a mediation meeting for May 17, 2006 in Lloydminster, Alberta. On May 1, 2006, the Board received a telephone call from the Appellants withdrawing the appeals. As a result, the Board issued a Discontinuance of Proceedings on May 16, 2006 and closed its file.

Cite as: *Faltermeier et al. v. Director, Northern Region, Regional Services, Alberta Environment re: DJ Hog Farms Ltd.* (16 May 2006), Appeal Nos. 05-065 & 066-DOP (A.E.A.B.).

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05-072

**Appellant(s)** – Rock Ranches Ltd., **Operator** – Rock Ranches Ltd., **Location** – near Sundre, **Type of Appeal** – Discontinuance of Proceedings

On February 3, 2006, the Board received a Notice of Appeal from Rock Ranches Ltd. with respect to Licence No. 00220551-00-00 issued under the *Water Act* to Rock Ranches Ltd. The Licence authorized the operation of works and the diversion of up to 1,136.4 cubic metres of water annually from the source of water for the purpose of watering livestock, near Sundre, Alberta. As the Board began to process the appeal, on February 10, 2006, it received an e-mail from the Appellant withdrawing the appeal. Therefore, on February 14, 2006, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Rock Ranches Ltd. v. Director, Southern Region, Regional Services, Alberta Environment* (14 February 2006), Appeal No. 05-072-DOP.

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05-073

**Appellant(s)** – Ms. Mary Frebrowski, **Operator** – Burlington Resources Canada Ltd. **Location** – County of Lamont, **Type of Appeal** – Discontinuance of Proceedings

On February 23, 2006, the Board received a Notice of Appeal from Ms. Mary Frebrowski, with respect to Reclamation Certificate No. 00216335-00-00 issued to Burlington Resources Canada Ltd. (“BRCL”) for the BRCL Inland well located at NE-12-52-17-W4M in the County of Lamont, Alberta. As the Board began to process the appeal, it received a telephone call from the Appellant withdrawing the appeal. The Board advised the Appellant to notify the Board if the information was incorrect in writing. The Board did not receive any communication to the contrary, and therefore, confirmed the appeal was withdrawn and the Board would be closing its file. Therefore, on March 22, 2006, the Board issued a Discontinuance of Proceedings and closed its file.

Cite as: *Frebrowski v. Inspector, Northern Region, Regional Services, Alberta Environment re: Burlington Resources Canada Ltd.* (22 March 2006), Appeal No. 05-073-DOP (A.E.A.B.).

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