

ALBERTA
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – August 27, 2001

IN THE MATTER OF Sections 84 and 87 of the *Environmental Protection and Enhancement Act*, S.A. 1992 c. E-13.3;

-and-

IN THE MATTER OF an appeal filed by Mr. Ronald Brent Sackett with respect to Reclamation Certificate No. 39307 issued to PanCanadian Petroleum Ltd. by the Inspector, Bow Region, Regional Services, Alberta Environment.

Cite as: *Sackett v. the Inspector, Bow Region, Regional Services, Alberta Environment, re: PanCanadian Petroleum Limited.*

EXECUTIVE SUMMARY

A Reclamation Certificate was issued to PanCanadian Petroleum Limited for a well located on land owned by Mr. Ronald Brent Sackett. Mr. Sackett filed a Notice of Appeal with the Board regarding the Reclamation Certificate on July 25, 2001.

The Board began the process of gathering information relevant to the Notice of Appeal. Before it had completed that process, PanCanadian notified the Board that it had reached a satisfactory resolution with Mr. Sackett regarding his concerns. Mr. Sackett contacted the Board on August 22, 2001 and withdrew his appeal. Consequently, the Board is discontinuing its proceedings and closing its file in this matter.

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I. BACKGROUND

[1] On November 20, 2000, Reclamation Certificate No. 39307 (the “Certificate”) was issued to PanCanadian Petroleum Ltd. (the “Certificate Holder”) for its well site at SW33-28-28-W4, near Crossfield, Alberta, by the Inspector, Bow Region, Regional Services, Alberta Environment (the “Inspector”), pursuant to Part 5 of the *Environmental Protection and Enhancement Act*, S.A. 1992 c. E-13.3 (the “Act”).

[2] On July 30, 2001, the Environmental Appeal Board (the “Board”) received a Notice of Appeal from Mr. Ronald Sackett (the “Appellant”), appealing the Reclamation Certificate. Mr. Sackett owns the land for which the Certificate was issued.

[3] The Board acknowledged the Notice of Appeal on July 31, 2001 requested that the Inspector provide the Board with a copy of the records related to this matter. The Certificate Holder and Inspector were also informed of the appeal and copies of the Notice of Appeal were provided.

[4] Following standard procedure, the Board wrote the Natural Resources Conservation Board and the Alberta Energy and Utilities Board asking whether this matter has been the subject of a hearing or review under their respective legislation. A reply in the negative was received from the Natural Resources Conservation Board. No reply has been received as of yet from the Alberta Energy and Utilities Board.

[5] The Board requested that all parties provide dates for a hearing or mediation/settlement conference in August or September 2001. The Appellant advised that he could not provide any specific dates by the deadline specified by the Board. He did agree that after dates were received from the Certificate Holder and the Inspector, he would work with Board staff to determine a suitable date.

[6] On August 10, 2001, the Board received notice from the Certificate Holder that a satisfactory agreement had been reached among the parties and that the Appellant would be withdrawing his appeal. The Board acknowledged the Certificate Holder’s letter and requested

the Appellant advise the Board by August 17, 2001, whether or not he would be withdrawing his appeal.

[7] On August 22, 2001, the Board received a letter from the Appellant stating:

“I wish to inform you that our claim with Pan Canadian Petroleum Limited has been settled.” I also wish to inform you that we would like to cancel our Notice of Appeal.”

II. DECISION

[8] Pursuant to section 87(7) of the *Environmental Protection and Enhancement Act*, and based on the Appellant’s letter received August 22, 2001, the Board hereby discontinues its proceedings in Appeal No. 01-067 and will be closing its file.

Dated on August 27, 2001, at Edmonton, Alberta.

William A. Tilleman, Q.C., Chairman