

ALBERTA
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – January 22, 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 Mr. Lawrence Strocher
and Ms. Lisa Strocher with respect to Reclamation Certificate No.
00186641-00-00 issued under the *Environmental Protection and
Enhancement Act* to Conoco Canada Resources Limited.

Cite as: *Strocher v. Inspector, Central Region, Regional Services, Alberta Environment*
re: *Conoco Canada Resources Limited* (22 January 2003), Appeal No. 02-090-
DOP (A.E.A.B.).

EXECUTIVE SUMMARY

Alberta Environment issued a Reclamation Certificate to Conoco Canada Resources Limited for the Mannville et al Pembina 4-7-50-5 well in the County of Brazeau.

The Board received a Notice of Appeal from Mr. Lawrence and Ms. Lisa Strocher, the landowners, appealing the Reclamation Certificate.

After the Board began processing the appeal, the Board received a letter from the Appellants withdrawing their appeal.

The Board therefore closes its file in this matter.

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I. BACKGROUND

[1] On October 9, 2002, the Inspector, Central Region, Regional Services, Alberta Environment (the “Inspector”) issued Reclamation Certificate No. 00186641-00-00 (the “Certificate”) under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, to Conoco Canada Resources Limited (the “Certificate Holder”), for the Mannville et al Pembina 4-7-50-5 well in the County of Brazeau, Alberta.

[2] On December 5, 2002, the Environmental Appeal Board (the “Board”) received a Notice of Appeal dated November 15, 2002, from Mr. Lawrence and Ms. Lisa Strocher (the “Appellants”) appealing the Certificate. On December 6, 2002, the Board wrote to the Appellants, 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. In the same letter, the Board also requested that the Inspector provide the Board with a copy of the record (the “Record”) relating to the Certificate and requested available dates from the parties 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 December 17, 2002, the Board received the Record from the Inspector and on December 18, 2002, forwarded a copy to the Appellants and the Certificate Holder.

[5] On January 10, 2002, in consultation with the Parties, the Board scheduled the mediation meeting to be held on February 18, 2003, in Drayton Valley, Alberta.

[6] On January 17, 2003, the Board received a letter dated January 16, 2003 from the Appellants stating:

“...as a result of discussions between the writer and a representative of Conoco Phillips Canada, a settlement has been reached and you may take this letter as your authority to remove this appeal from the list. You may consider this appeal as abandoned.”

II. DECISION

[7] 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 Appellants, the Board hereby discontinues its proceedings in Appeal No. 02-090 and closes its file.

Dated January 22, 2003, at Edmonton, Alberta

“original signed by” _____

William A. Tilleman, Q.C., Chair