

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – October 4, 2004

Date of Discontinuance of Proceedings – October 5, 2004

IN THE MATTER OF sections 91, 92 and 95 of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and section 115 of the *Water Act*, R.S.A. 2000, c. W-3;

-and-

IN THE MATTER OF appeals filed by Talisman Energy Inc., with respect to the decision of the Director, Central Region, Regional Services, Alberta Environment, to refuse to issue Reclamation Certificates to Talisman Energy Inc. for the Talisman Pembina 8-21-47-4W5 well and the Decalta B South Pembina 16-25-47-4W5M well.

Cite as: *Talisman Energy Inc. v. Director, Central Region, Regional Services, Alberta Environment* (5 October 2004), Appeal Nos. 04-041 and 04-042-DOP (A.E.A.B.).

MEDIATION MEETING BEFORE:

Dr. M. Anne Naeth, Board Member.

APPEARANCES:

Appellant:

Mr. Todd Lane and Mr. Jim Gordon, Talisman Energy Inc.

Director:

Mr. Neil Scott, District Compliance Manager, Central Region, Regional Services, Alberta Environment, Ms. Calinda Paul, Alberta Environment and Mr. Ted Nason, Alberta Environment represented by Mr. Jeffrey Moore, Alberta Justice.

Board Staff:

Ms. Denise Black, Board Secretary.

EXECUTIVE SUMMARY

Alberta Environment refused to issue reclamation certificates to Talisman Energy Inc. for the Talisman Pembina 8-21-47-4W5 well and the Decalta B South Pembina 16-25-47-4W5M well, near Brazeau County, Alberta.

The Board received Notices of Appeal from Talisman Energy Inc. appealing Alberta Environment's decisions.

The Board held a mediation meeting in Edmonton, Alberta, on October 4, 2004. As a result of the mediation, the Appellant withdrew their appeals. The Board therefore closes its files in this matter.

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I. BACKGROUND

[1] On June 4, 2004, the Director, Central Region, Regional Services, Alberta Environment (the “Director”), refused to issue Reclamation Certificates to Talisman Energy Inc. for the Talisman Pembina 8-21-47-4W5 well and the Decalta B South Pembina 16-25-47-4W5M well, near Brazeau County, Alberta.

[2] On July 13, 2004 the Environmental Appeals Board (the “Board”) received Notices of Appeal from Talisman Energy Inc. (the “Appellant”) appealing the Director’s decisions.

[3] On July 14, 2004, the Board wrote to the Appellant and the Director (collectively the “Parties”) acknowledging receipt of the Notices of Appeal and notifying the Director of the appeals. The Board also requested the Director provide the Board with a copy of the records (the “Record”) relating to these appeals, and that 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 July 22, 2004, the Board received a copy of the Record from the Director, and on August 3, 2004 forwarded a copy to the Appellant.

[6] On September 16, 2004, in consultation with the Parties, the Board scheduled the mediation meeting for October 4, 2004, in Edmonton, Alberta.

II. THE MEDIATION MEETING

[7] Pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Edmonton, Alberta on October 4, 2004 with Dr. M. Anne Naeth as the presiding Board Member (the “Mediator”).

[8] In conducting the mediation meeting, the Mediator reviewed the appeals 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.

[9] After detailed discussions the Appellant withdrew their appeals.

III. DECISION

[10] 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 appeals by the Appellant, the Board hereby discontinues its proceedings in Appeal Nos. 04-041 and 04-042, and closes its files.

Dated on October 5, 2004, at Edmonton, Alberta.

“original signed by”

Dr. Fredrick C. Fisher, Q.C.
Chair