

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – March 31, 2008

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 the County of Two
Hills No. 21 with respect to *Environmental Protection and
Enhancement Act* Administrative Penalty No. 07/13-AP-CR-08/13
issued by the Director, Central Region, Environmental
Management, Alberta Environment, to the County of Two Hills
No. 21.

Cite as: *County of Two Hills No. 21 v. Director, Central Region, Environmental
Management, Alberta Environment* (31 March 2008), Appeal No. 07-145-DOP
(A.E.A.B.).

I. BACKGROUND

[1] On February 1, 2008, the Director, Central Region, Environmental Management, Alberta Environment (the “Director”), issued Administrative Penalty No. 07/13-AP-CR-08/13 (the “Penalty”) in the amount of \$14,500.00 under section 237 of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and the Administrative Penalty Regulation, AR 23/2003, to the County of Two Hills No. 21, in relation to the Duvernay Water Treatment Plant, in the County of Two Hills No. 21.

[2] On February 14, 2008, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from the County of Two Hills No. 21 (the “Appellant”) appealing the Penalty.

[3] On February 21, 2008, the Board wrote to the Appellant, and the Director (collectively the “Participants”) acknowledging receipt of the Notice of Appeal and notifying the Director of the appeal. The Board also requested the Director provide the Board with a copy of the records (the “Record”) relating to this appeal, and that the Participants provide available dates for a hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board (the “NRCB”), the Alberta Utilities Commission (the “AUC”), and the Energy Resources Conservation Board (the “ERCB”) asking whether this matter had been the subject of a hearing or review under their respective legislation. Responses were received in the negative from the NRCB and the ERCB. A response was not received from the AUC.

[5] On March 19, 2008, the Board received a letter from the Appellant withdrawing the appeal.

II. DECISION

[6] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, and based upon the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 07-145 and closes its file.

Dated on March 31, 2008, at Edmonton, Alberta.

“original signed by”

Dr. Steve E. Hrudehy, FRSC, PEng
Chair