

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – November 24, 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 Gregory Sandboe with
respect to *Environmental Protection and Enhancement Act*
Reclamation Certificate No. 00237923-00-00 issued to Devon
Canada Corporation by the Inspector, Northern Region,
Environmental Management, Alberta Environment.

Cite as: *Sandboe v. Inspector, Northern Region, Environmental Management, Alberta Environment*, re: *Devon Canada Corporation* (24 November 2008), Appeal No. 08-006 (A.E.A.B.).

I. BACKGROUND

[1] On October 30, 2007, the Inspector, Northern Region, Environmental Management, Alberta Environment (the “Inspector”), issued a Reclamation Certificate No. 00237923-00-00 (the “Certificate”), under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, to Devon Canada Corporation (the “Certificate Holder”) certifying the land within NE Sec. 31, Tp. 073, Rge. 07, W6M, and W Sec. 31, Tp. 073, Rge. 07, W6M, in connection with the Ulster Suncor Gran 3-31-73-7 well, complies with conservation and reclamation requirements. The well is located in the County of Grande Prairie.

[2] On June 6, 2008, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Mr. Gregory Sandboe, the landowner of W 31-073-07-W5M, (the “Appellant”) appealing the Inspector’s decision.

[3] On June 10, 2008, the Board wrote to the Appellant, the Certificate Holder and the Inspector (collectively the “Participants”) acknowledging receipt of the Notice of Appeal and notifying the Inspector of the appeal. The Board also requested the Inspector provide the Board with a copy of the records (the “Record”) in relation to this appeal, and that the Participants provide the Board with available dates for a mediation meeting, a preliminary motions hearing or a hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board, the Energy Resources Conservation Board and the Alberta Utilities Commission asking whether this matter had been the subject of a hearing or review under their respective legislation. The boards all responded in the negative.

[5] On June 25, 2008, the Board received a copy of the Record from the Inspector, and on June 26, 2008, provided a copy to the Appellant.

[6] On July 7, 2008, the Board wrote to Ms. Heather Mellon, the landowner, and Mr. Erin McKeeman, the occupant, of NE 31-073-07-W6M, notifying them of the appeal, requesting they advise the Board by July 14, 2008 if they wished to participate in the appeal and providing them with a copy of the Board’s file. The Board did not receive a response from Ms. Mellon and Mr. McKeeman.

[7] After several exchanges of correspondence to secure a date for a mediation meeting, on August 22, 2008 the Board scheduled a mediation meeting for November 20, 2008 in Grande Prairie.

[8] On November 19, 2008, the Board received a telephone call from the Appellant advising they reached an agreement with the Certificate Holder and were withdrawing their appeal. The Board advised the Participants on November 19, 2008 the mediation meeting was cancelled and the Board would be closing its file in this matter.

II. DECISION

[9] 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. 08-006 and closes its file.

Dated on November 24, 2008 at Edmonton, Alberta.

“original signed by”

Dr. Steve E. Hrudey, FRSC, PEng
Chair