

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – October 1, 2008

Date of Discontinuance of Proceedings – October 2, 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 Riley Resources Inc.
c/o Syndicated Ventures Inc. with respect to the cancellation of
Environmental Protection and Enhancement Act Reclamation
Certificate No. 236136-00-00 by the Director, Northern Region,
Environmental Management, Alberta Environment.

Cite as: *Riley Resources Inc. c/o Syndicated Ventures Inc. v. Director, Northern Region, Environmental Management, Alberta Environment*, (2 October 2008), Appeal No. 08-010-DOP (A.E.A.B.).

I. BACKGROUND

[1] On July 15, 2008, the Director, Northern Region, Environmental Management, Alberta Environment (the “Director”), cancelled Reclamation Certificate No. 236136-00-00 (the “Certificate”), under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, that had been issued to Riley Resources Inc. c/o Syndicated Ventures Inc. in relation to the Riley Et Al Abee 1-30-61-21-W4M well, in the County of Thorhild, Alberta.

[2] On August 7, 2008, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Riley Resources Inc. c/o Syndicated Ventures Inc. (the “Appellant”) appealing the Director’s decision.

[3] On August 11, 2008, the Board wrote to the Appellant and Director (the “Participants”) acknowledging receipt of the Notice of Appeal and notifying the Director of the appeal. The Board requested the Director provide the Board with a copy of the record (the “Record”) relating 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 August 29, 2008, the Board received the Record from the Director and on September 4, 2008 forwarded a copy to the Appellant.

[6] On September 4, 2008 the Board wrote to the landowners, Mr. John and Ms. Susan Chomay (the “Landowners”), and the occupant Mr. Brent Chomay (the “Occupant”), notifying them of the appeal and requesting they advise the Board by September 12, 2008 if they wished to participate in the appeal. The Board also provided the Landowner and the Occupant with a copy of the Record.

[7] On September 10, 2008, the Occupant contacted the Board via telephone and advised that he wished to participate in the appeal, and on September 18, 2008 the Board was advised by the Landowners that they would be represented by the Occupant.

[8] On September 23, 2008, in consultation with the Participants and the Occupant, the Board scheduled the mediation meeting for October 1, 2008, in Westlock, Alberta.

II. MEDIATION MEETING

[9] Pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Westlock, Alberta, on October 1, 2008 with Mr. Eric McAvity, Board member, as the presiding mediator (the “Mediator”).

[10] In conducting the mediation meeting, the Mediator reviewed the appeal and the mediation process and explained the purpose of the mediation meeting. He then circulated copies of the Participants’ Agreement to Mediate. All in attendance signed the agreement and discussions ensued.

[11] Following productive and detailed discussions at the mediation meeting, the Appellant withdrew their appeal.

III. DECISION

[12] 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. 08-010 and closes its file.

Dated on October 2, 2008, at Edmonton, Alberta.

“*original signed by*”

Dr. Steve E. Hruddy, FRSC, PEng
Chair