

ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – January 14, 2009

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 Mancal Energy Inc.
with respect to the November 25, 2008 decision of the Inspector,
Northern Region, Environmental Management, Alberta
Environment, to refuse to issue a Reclamation Certificate under the
Environmental Protection and Enhancement Act to Mancal Energy
Inc. for the Mancal Deadwood 4-1-91-24-W5M well.

Cite as: *Mancal Energy Inc. v. Inspector, Northern Region, Environmental Management, Alberta Environment* (14 January 2009), Appeal No. 08-027 (A.E.A.B.).

I. BACKGROUND

[1] On November 25, 2008, the Inspector, Northern Region, Environmental Management, Alberta Environment (the “Inspector”), refused to issue a Reclamation Certificate under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, to Mancal Energy Inc. for the Mancal Deadwood 4-1-91-24-W5M well located in the Municipal District of Northern Lights.

[2] On December 11, 2008, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Echo Environmental on behalf of Mancal Energy Inc. (the “Appellant”) appealing the Inspector’s November 25, 2008 decision.

[3] On December 15, 2008, the Board wrote to the Appellant 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, by January 15, 2009.

[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 January 9, 2009, the Board received an e-mail from the Appellant advising that after discussions with Alberta Environment, they are withdrawing their appeal. On January 12, 2009, the Appellant confirmed in a telephone call they are withdrawing their appeal. On January 13, 2009, the Board wrote to the Participants acknowledging the e-mail and telephone call.

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. 08-027 and closes its file.

Dated on January 14, 2009 at Edmonton, Alberta.

“original signed by”

Dr. Steve E. Hruddy, FRSC, PEng
Chair