

ALBERTA  
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings – January 15, 2010

**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 Robert and Trina Comartin and 821951 Alberta Ltd., with respect to *Environmental Protection and Enhancement Act* warning letter issued on December 2, 2009 to 821951 Alberta Ltd. by the Director, Southern Region, Environmental Management, Alberta Environment.

Cite as: *Comartin and 821951 Alberta Ltd. v. Director, Southern Region, Environmental Management, Alberta Environment*, (15 January 2010), Appeal No. 09-036-DOP (A.E.A.B.).

## **I. BACKGROUND**

[1] On December 2, 2009, the Director, Southern Region, Environmental Management, Alberta Environment, issued a warning letter under the *Environmental Protection and Enhancement Act* to Mr. Robert Comartin, Director, 821951 Alberta Ltd., for contravening sections 6.1.1 and 6.1.11(b) of Approval No. 196369-00-02 held by Priddis Creek Developments Ltd. and 496290 Alberta Ltd. for the Priddis Creek Development's wastewater treatment plant.

[2] On December 13, 2009, the Environmental Appeals Board received a Notice of Appeal from Mr. Robert and Ms. Trina Comartin appealing the warning letter.

[3] On December 15, 2009, the Board acknowledged the appeal and notified the Director, Appellants, and Approval Holders, of the appeal and stated that the warning letter did not appear to be a decision that is appealable under section 91 of the *Environmental Protection and Enhancement Act*. The Board requested the Appellants provide any additional information by January 18, 2010, before the Board made its decision on the validity of the appeal.

[4] On January 13, 2010, the Board received an e-mail from Mr. and Ms. Comartin withdrawing their appeal.

## **II. DECISION**

[5] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, and based upon the withdrawal of the appeal by Mr. Robert and Ms. Trina Comartin, the Board hereby discontinues its proceedings in Appeal No. 09-036 and closes its file.

Dated on January 15, 2010, at Edmonton, Alberta.

*“original signed by”*

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Delmar W. Perras  
Chair