

Hearing Schedule

Revised: June 8, 2018

Please contact the Board at 780-427-6207 to confirm events and times.

The recent hearings are at the end of the list.

Hearings that appear dated remain on the hearing list because the hearing is outstanding and has not closed.

| Date, Time, Location | Appeal Name and Number | Type of Function & Board Member |
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| November 30, 2016 | Palmer Ranch (1984) Ltd. EAB 14-009 | Written Hearing |
| Written Hearing (outstanding) | <p>A Notice of Appeal was received on May 27, 2014 from Palmer Ranch (1984) Ltd., in relation to the March 31, 2014 decision of the Director, Alberta Environment and Parks (AEP), to issue <i>Water Act</i> Preliminary Certificate No. 00348439-00-00 to Palmer Ranch (1984) Ltd. The Preliminary Certificate states that upon compliance with conditions in the Preliminary Certificate, Palmer Ranch (1984) Ltd. will receive a licence to divert 730 cubic metres of water annually for commercial purposes (water bottling) from a well in NE 29-003-28-W4M that is hydraulically connected to the Waterton River with priority number 2000-04-04-001.</p> <p>The Board agreed to set aside its May 20, 2015 <u>Decision</u> and hear the merits of the appeal in exchange for the Appellant withdrawing their judicial review. As of October 22, 2016, the judicial review has not been withdrawn. A written hearing has been scheduled and the last submission was received on November 30, 2016. On December 19, 2016, the Panel hearing this matter advised it will have questions for the parties and is addressing the parties' motions. The parties are also in discussions.</p> <p>The information requested is necessary to allow the Board to perform its function. The information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of this appeal. The information you provide will be considered a public record.</p> <p>The Minister will make the final decision on the appeal. The Board must provide the Minister of Environment and Parks with its Report and Recommendations within 30 days of the hearing closing pursuant to the <i>Environmental Protection and Enhancement Act</i>. The due date to provide the Minister with the Report and Recommendations will be determined after the hearing is closed.</p> | A. MacWilliam E. McAvity A. Mullick |
| February 17, 2017 | M. Pidherney's Trucking Ltd. and 1598768 Alberta Ltd. EAB 15-001-002 | Hearing |
| Written Hearing (outstanding) | <p>A Notice of Appeal was received on May 8, 2015 with respect to the April 8, 2015 decision of Alberta Environment and Parks to issue to M. Pidherney's Trucking Ltd. and 1598768 Alberta Ltd. EPEA Administrative Penalty No. 15/03-AP-RDNSR-15/03 in the amount of \$224,542.00 for allegedly operating a pit exceeding 5</p> | A. MacWilliam, AJ Fox, C. Powter |

| Date, Time, Location | Appeal Name and Number | Type of Function & Board Member |
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| | <p>hectares without authorization, and failing to report any contravention of the Code of Practice for pits, for a site at SW-5-40-9-W5M in Clearwater County.</p> <p>Two issues only were being addressed through a written hearing, however in May 2017 the Board decided it would proceed to an oral hearing on the two issues. Submissions on the two issues were received in February 2017. Due to the parties' schedules the hearing will be held at the end of September or October 2017. The hearing is outstanding and as of July 4, 2017 the Board is reviewing comments from the parties on the process set to address this appeal.</p> <p>The issues to be heard are: 1. Is the Director obligated to consider what may be an appropriate administrative penalty for a corporation who has been found to have operated a sand and gravel facility without a registration with respect to section 237(2) of the Environmental Protection and Enhancement Act on both subsections (a) and (b)? 2. If the principles of parity and proportionality do apply, what direction would the Board provide as to how a Director ought to consider these principles in the administrative penalty assessment process? Once the Board has made a decision on these issues, it will provide direction on how the remaining issues in this appeal will be dealt with.</p> <p>Any person, other than the parties, who wished to make a representation before the Board on this appeal was to submit a request to the Board by January 6, 2017. The Board did not receive any applications to intervene.</p> <p>The information requested is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of this appeal. The information you provide will be considered a public record.</p> <p>The Board will make the final decision on this appeal. The Board must issue its Decision within 30 days of the hearing closing pursuant to the Environmental Protection and Enhancement Act.</p> | |
| <p>March 23, 2018</p> <p>Edmonton</p> | <p>Associated Aggregates EAB 17-046</p> <p>A Notice of Appeal was received on August 4, 2017 in relation to the July 28, 2107 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Enforcement Order No. WA-EO-2017/04-RDNSR to Associated Aggregates Inc. Associated Aggregates operates a sand and gravel pit on public lands located at E1/2-14-49-7-W5M in Drayton Valley. The Order states that Associated Aggregates Inc. has contravened section 36(1) of the Water Act, by commencing excavation which resulted in the South End Pit Lake, including the Constructed Berm, without an</p> | <p>Mediation Meeting</p> <p>E. McAvity</p> |

| Date, Time, Location | Appeal Name and Number | Type of Function & Board Member |
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| | approval. A mediation meeting is scheduled for March 23, 2018. Mediations are not open to the public. | |
| April 25, 2018 | Associated Aggregates EAB 17-046 | Hearing |
| CANCELLED | <p>A Notice of Appeal was received on August 4, 2017 in relation to the July 28, 2107 decision of the Director, Alberta Environment and Parks (AEP), to issue Water Act Enforcement Order No. WA-EO-2017/04-RDNSR to Associated Aggregates Inc. Associated Aggregates operates a sand and gravel pit on public lands located at E1/2-14-49-7-W5M in Drayton Valley. The Order states that Associated Aggregates Inc. has contravened section 36(1) of the Water Act, by commencing excavation which resulted in the South End Pit Lake, including the Constructed Berm, without an approval.</p> <p>The hearing scheduled for April 25, 2018 was cancelled as the appeal was resolved in mediation.</p> | <p>A. MacWilliam S. McRory T. Goos</p> |
| May 29, 2018 | Town of Wainwright EAB 16-009 | Hearing |
| CANCELLED | <p>A Notice of Appeal was received on July 18, 2016 regarding the July 6, 2016 decision of Alberta Environment and Parks (AEP), to issue <i>Water Act</i> Approval No. 00367709-00-00 to the Town of Wainwright to infill and disturb wetlands near SE-05-45-06-W4M in Wainwright.</p> <p>The hearing scheduled for May 29, 2018 has been cancelled.</p> | <p>AJ Fox N. Tywoniuk S. McRory</p> |
| June 27, 2018 | Telus Communications Inc. EAB 16-042 | Mediation Meeting |
| Edmonton | <p>A Notice of Appeal was received on November 25, 2016 in relation to the October 28, 2016 decision of Alberta Environment and Parks (AEP) to issue Environmental Protection and Enhancement Act Administrative Penalty No. EPEA-16/12-AP-UAR-16/12 in the amount of \$634,315.00 to TELUS Communications for allegedly disposing waste without authorization near the Town of Hinton.</p> <p>A mediation meeting is scheduled for June 27, 2018. Mediation meetings are not open to the public.</p> | B. Ballachey |

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| <p>July 12, 2018</p> <p>Edmonton</p> | <p>Associated Aggregates EAB 17-085</p> <p>A Notice of Appeal was received from Associated Aggregates with respect to the March 22, 2018 decision of the Director, Alberta Environment and Parks (AEP), to refuse Water Act Application No. 003-00231435 to amend Water Act Approval No. 00231435-00-03. Water Act Approval No. 00231435-00-03 was originally issued in July 2007 for the construction, operation and maintenance of a gravel mining operation for the final creation of one end pit lake in the E 1/2 14-49-7-W5, near Drayton Valley.</p> <p>A mediation meeting is scheduled for July 12, 2018. Mediation meetings are not open to the public.</p> | <p>Mediation Meeting</p> <p>E. McAvity</p> |
| <p>July 23-27, 2018 and August 27-31, 2018</p> <p>8:30 am Environmental Appeals Board #306, 10011-109 Street Edmonton</p> | <p>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc. EAB 16-055-056 & EAB 17-073-084</p> <p>Notices of Appeal were received on December 23, 2016 and March 23, 2018 from Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc. with respect to the December 16, 2016 and March 16, 2018 decisions of the Director, Alberta Environment and Parks (AEP), to issue Orders for the clean-up of a site located at 44 Street and 127 Avenue in Edmonton that operated as a wood processing and treatment plant from 1924 to 1987. The site was previously owned by Domtar.</p> <p>AEP issued the following Orders: EPEA-EO-2016/03-RDNSR; Amendment No. 1 to Enforcement Order No. EPEA-EO-2016/03-RNSR (Amendment No. 1 adds Domtar Inc. as a party to the Order and amends the remedial requirements); EPEA-EO-2018/02-RDNSR (proposed residential area of Parcel Y at Plan 1321679, Block 1, Lot 1, not including the berm); EPEA-EO-2018/03-RDNR (municipal Greenbelt area located at SW and NW 18-53-23-W4M, which is next to the site); and EPEA-EO-2018/04-RDNSR (Parcel X of the site which is located next to the south boundary of a CN Railway line, Yellowhead Trail, 50 Street to the west, Parcels C and Y to the east, and residential homes north and east of the site).</p> <p>Any person, other than the parties, who wishes to make a representation before the Board on these appeals must submit a request in writing by fax or by e-mail to the Board. The request must be received by the Board on or before 4:30 pm on June 11, 2018. It is your responsibility to ensure that your request is received by the Board by 4:30 pm on June 11, 2018. Such a request shall (a) contain the name, address, e-mail, and telephone and fax numbers of the person submitting the request, (b) indicate whether the person submitting the request intends to be represented by a lawyer or agent and, if so, the name of the lawyer or agent, (c) contain a summary of the nature of the person's interest in these appeals, and (d) be signed by the person submitting the request. Applications will only be considered if the information will assist the Board in making its decision, and will not duplicate the information provided by the</p> | <p>Hearing</p> <p>A. MacWilliam N. Tywoniuk M. Barker</p> |

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parties. After 4:30 pm on June 11, 2018, the Board will, in its discretion, determine if other persons may make representations, and the manner in which they can be made. Once the Board makes a decision on any intervenor applications, the hearing will be open to the public for viewing only. For further information on the appeal, please contact the Board.

The information requested is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the *Freedom of Information and Protection of Privacy Act*, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of these appeals. The information you provide will be considered a public record.

The Minister will make the final decision on the appeals. The Board will provide the Minister with a Report and Recommendations within 30 days of the hearing closing.

September 2018

Sears Canada Inc. and Concord North Hill GP Ltd.
EAB 17-069 & 17-070

Mediation Meeting

Calgary

Notices of Appeal were received on March 6 and 7, 2018 from Sears Canada Inc. and Concord North Hill GP Ltd. with respect to the decision of the Director, Alberta Environment and Parks (AEP), to issue Environmental Protection Order No. EPO-2018/01-SSR, under the Environmental Protection and Enhancement Act to Sears Canada Inc. and Concord North Hill GP Ltd. for a release of a substance which has caused, is causing or may cause an adverse effect on the environment in relation to lands located at Plan 8210266, Block 21, in the City of Calgary.

A mediation meeting is being scheduled for September 2018. Mediation Meetings are not open to the public.

N. Tywoniuk

