

# Hearing Schedule

Revised: January 15, 2019

Please contact the Board at 780-427-6207 or gilbert.vannes@gov.ab.ca 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
November 30, 2016	<b>Palmer Ranch (1984) Ltd.</b> EAB 14-009	<b>Written Hearing</b>
Written Hearing <b>(outstanding)</b>	<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 As of October 22, 2016, the judicial review has not been withdrawn.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. <b>On December 19, 2016, the Panel hearing this matter advised it will have questions for the parties and is addressing the parties' motions.</b></p> <p><b>The parties are also in discussions and as of January 15, 2019 the discussions remain ongoing.</b></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	<b>M. Pidherney's Trucking Ltd. and 1598768 Alberta Ltd.</b> EAB 15-001-002	<b>Hearing</b>
Written Hearing	A Notice of Appeal was received on May 8, 2015 with respect to the April 8, 2015 decision of Alberta Environment and Parks to	A. MacWilliam, AJ Fox,

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
(outstanding)	<p>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 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. <b>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.</b></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>	C. Powter
<p><b>July 24-26, 2018</b></p> <p>8:30 am Environmental Appeals Board #306, 10011-109 Street Edmonton</p>	<p><b>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc.</b> EAB 16-055-056 &amp; 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</p>	<p><b>Preliminary Motions Hearing</b></p> <p>M. Barker N. Tywoniuk D. McGee</p>

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
	<p>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>Alberta Environment and Parks has raised preliminary motions challenging all decisions of the Board Chair with respect to these appeals. The motions will be dealt with at a preliminary motions hearing on July 24, 25 and 26, 2018. The preliminary motions hearing is open to the public for viewing only</p>	
<p><b>July 23-27, 2018 and</b></p>	<p><b>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc.</b> EAB 16-055-056 &amp; EAB 17-073-084</p>	<p><b>Hearing</b></p>
<p><b>ADJOURNED</b></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><b>The hearing scheduled for July 23-27 and August 27-31, 2018 has been adjourned as a result of motions raised by the Director, Alberta Environment and Parks. A preliminary motions hearing will be held July 24-26, 2018 and August 14, 2018.</b></p> <p>Any person, other than the parties, who wished to make a representation before the Board at the hearing on these appeals was to submit a request to the Board by June 11, 2018. The Board allowed the City of Edmonton and Alberta Health Services</p>	<p>M. Barker N. Tywoniuk D. McGee</p>

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
	<p>to participate in the appeals. The hearing is open to the public for viewing only.</p> <p>For further information on the appeal, please contact the Board.</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 <i>Freedom of Information and Protection of Privacy Act</i>, 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.</p> <p>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.</p>	
<p><b>August 14, 2018</b></p> <p>8:30 am Environmental Appeals Board #306, 10011-109 Street Edmonton</p>	<p><b>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc.</b> EAB 18-005-010</p> <p>Notices of Appeal and requests for a stay were received on July 23, 2018 from Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc. with respect to the July 19, 2018 decisions of the Director, Alberta Environment and Parks (AEP), to issue a further Order and amend an existing Order 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 Amendment No. 2 to EPEA-EO-2018/02-RDNSR for Parcel Y Residential Area and EPEA-EO-2018/06-RDNSR for Parcel C regarding the removal of contaminated material.</p> <p>The Board will hold a preliminary motions hearing on August 14, 2018 to hear oral submissions on the Director's motion that the Board does not have jurisdiction and on the Appellants' requests for a stay of the orders. The preliminary motions hearing is open to the public for viewing only.</p>	<p><b>Preliminary Motions Hearing</b></p> <p>M. Barker N. Tywoniuk D. McGee</p>
<p><b>August 27-31, 2018 September 12-14, 2018, October 11-13, 2018</b></p> <p>7:30 am Environmental Appeals Board #306, 10011-109 Street Edmonton</p>	<p><b>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc.</b> EAB 16-055-056, EAB 17-073-084 &amp; EAB 18-005-010</p> <p>Notices of Appeal were received on December 23, 2016, March 23, 2018 and July 23, 2018 from Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc. with respect to the December 16, 2016, March 16, 2018 and July 19, 2018 decisions of the Director, Alberta Environment and Parks (AEP), to issue Orders under the <i>Environmental Protection and Enhancement Act</i> 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><b>Hearing</b></p> <p>M. Barker N. Tywoniuk D. McGee</p>

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
<p><b>September 12-15, 2018,</b>  <b>October 11-13, 2018</b>  <b>August 27-31, 2018</b></p> <p>7:30 am  Environmental Appeals Board  #306, 10011-109 Street  Edmonton</p>	<p><b>Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc.</b>  EAB 16-055-056, EAB 17-073-084 and EAB 18-005-010</p> <p>Notices of Appeal were received on December 23, 2016, March 23, 2018 and July 23, 2018 from Cherokee Canada, 1510837 Alberta Ltd. and Domtar Inc. with respect to the December 16, 2016, March 16, 2018 and July 19, 2018 decisions of the Director, Alberta Environment and Parks (AEP), to issue Orders under the <i>Environmental Protection and Enhancement Act</i> 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 7 Orders: EO-2016/03 Amendment No. 1 to EO-2016/03 (Amendment No. 1 adds Domtar Inc. as a party to the Order and amends the remedial requirements); EO-2018/02</p>	<p><b>Hearing</b></p> <p>M. Barker  N. Tywoniuk  D. McGee</p>
	<p>AEP issued the following 7 Orders: EO-2016/03 (for the berm); EO-2016/03 Amendment No. 1 to EO-2016/03 (Amendment No. 1 adds Domtar Inc. as a party to the Order and amends the remedial requirements); EO-2018/02 (proposed residential area of Parcel Y at Plan 1321679, Block 1, Lot 1, not including the berm); EO-2018/03 (municipal Greenbelt area located at SW and NW 18-53-23-W4M, which is next to the site); EO-2018/04 (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); Amendment No. 2 to EO-2018/02 (Parcel Y residential area); and EO-2018/06 (Parcel C berm).</p> <p><b>The hearing is scheduled for August 27-31, September 12-15, 2018, and October 11-13, 2018. The hearing is open to the public for viewing only.</b></p> <p>Any person, other than the parties, who wished to make a representation before the Board at the hearing on these appeals was to submit a request to the Board by June 11, 2018. The Board allowed the City of Edmonton and Alberta Health Services to participate in the appeals. The hearing is open to the public for viewing only.</p> <p>For further information on the appeal, please contact the Board.</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 <i>Freedom of Information and Protection of Privacy Act</i>, 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.</p> <p>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.</p>	

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	<p>(proposed residential area of Parcel Y at Plan 1321679, Block 1, Lot 1, not including the berm); EO-2018/03 (municipal Greenbelt area located at SW and NW 18-53-23-W4M, which is next to the site); EO-2018/04 (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); Amendment No. 2 to EO-2018/02 (Parcel Y residential area); and EO-2018/06 (Parcel C berm).</p>	
	<p><b>The hearing is scheduled for August 27-31, September 12-15 and October 11-13, 2018. The hearing is open to the public for viewing only.</b></p>	
	<p>Any person, other than the parties, who wished to make a representation before the Board at the hearing on these appeals was to submit a request to the Board by June 11, 2018. The Board allowed the City of Edmonton and Alberta Health Services to participate in the appeals. The hearing is open to the public for viewing only.</p>	
	<p>For further information on the appeal, please contact the Board.</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 <i>Freedom of Information and Protection of Privacy Act</i>, 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.</p>	
	<p>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.</p>	
<p><b>November 15, 2018</b></p>	<p><b>Telus Communications Inc.</b> EAB 16-042</p>	<p><b>Mediation Meeting</b></p>
<p>Edmonton</p>	<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 has been scheduled for November 15, 2018. Mediation meetings are not open to the public.</p>	<p>B. Ballachey</p>
<p><b>November 16, 2018</b></p>	<p><b>Associated Aggregates</b> EAB 17-085</p>	<p><b>Hearing</b></p>
<p><b>CANCELLED</b></p>	<p>A Notice of Appeal was received from Associated Aggregates with respect to the March 22, 2018 decision of the Director, Alberta</p>	<p>A. MacWilliam A. Mullick T. Bews</p>

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
November 22, 2018	<b>Aurora Heights Management</b> EAB 18-004	<b>Mediation Meeting</b>
Red Deer	<p>A Notice of Appeal was received on July 19, 2018 from Aurora Heights Management Ltd. regarding the July 13, 2018 decision of the Director, Alberta Environment and Parks (AEP), to refuse an application from Aurora Heights for an amendment to <i>Water Act</i> Approval No. 00354103-00-00. AEP refused the application because there is no adequate stormwater management system in the northwest portion of the Town of Blackfalds. Further, AEP stated an adequate outlet for the area needs to be finalized by the Town of Blackfalds and approved by AEP prior to any further developments occurring.</p> <p>A mediation meeting has been scheduled for November 22, 2018. Mediation meetings are not open to the public.</p>	D. McGee
January 22, 2019	<b>Crowsnest-Pincher Creek Landfill Association</b> EAB 18-011-012	<b>Mediation Meeting</b>
Pincher Creek	<p>Notices of Appeal were received on August 20 and 22, 2018 with respect to the July 23, 2018 decision of the Director, Alberta Environment and Parks (AEP), to issue an amended approval to the Crowsnest/Pincher Creek Landfill Association for the Class II landfill where more than 10,000 tonnes per year of non-hazardous waste is disposed of. The amendment is for the construction, operation, and reclamation of an incinerator at the landfill.</p> <p>A mediation meeting has been scheduled for January 22, 2019. Mediation meetings are not open to the public.</p>	T. Bews
February 14, 2019	<b>Donald Belland</b> EAB 18-014	<b>Mediation Meeting</b>
Edmonton	<p>A Notice of Appeal was received on October 26, 2018 with respect to the October 23, 2018 decision of the Director, Red Deer North Saskatchewan Region, Alberta Environment and Parks (AEP), to issue <i>Water Act</i> Enforcement Order No. WA-EO-2018/09-RDNSR to Donald Belland for allegedly commencing or continuing an</p>	D. McGee

Date, Time, Location	Appeal Name and Number	Type of Function & Board Member
	<p>activity without an approval at SW-5-58-9-W4M in the County of St. Paul No. 19.</p> <p>A mediation meeting has been scheduled for January 22, 2019. Mediation meetings are not open to the public.</p>	
<b>March 13, 2019</b>	<p><b>Zaia Abraham &amp; Romy Tittel</b> EAB 18-015</p>	<b>Mediation Meeting</b>
Calgary	<p>A Notice of Appeal and request for a stay were received on November 7, 2018 with respect to the October 31, 2018 decision of the Director, South Saskatchewan Region, Alberta Environment and Parks (AEP), to issue Water Act Enforcement Order No. WA-EO-2018/08-SSR to Zaia Abraham and Romy Tittel requiring them to cease using a water well on their property located at Lot 68, Plan 9010544 in Rocky View County.</p> <p>A mediation meeting is scheduled for March 13, 2019. Mediation meetings are not open to the public.</p>	M. Barker
<b>March 19, 2019</b>	<p><b>Fred Wishloff, Allied Paving Co. Ltd.</b> EAB 18-016</p>	<b>Mediation Meeting</b>
Edmonton	<p>A Notice of Appeal was received on November 13, 2018 with respect to the November 5, 2018 decision of the Director, Lower Athabasca Region, Alberta Environment and Parks (AEP), to issue Administrative Penalty No. EPEA-18/07-AP-LAR, in the amount of \$28,000, under the Environmental Protection and Enhancement Act to Fred Wishloff, Allied Paving Co. Ltd, for allegedly contravening sections 109(2), 110(1), 112 and 182 of the Environmental Protection and Enhancement Act relating to the release of asphalt oil into the environment at two locations within the industrial park located at NW 34-66-14-W4M in Lac La Biche County.</p> <p>A mediation meeting is scheduled for March 19, 2019. Mediation meetings are not open to the public.</p>	A. Mullick
<b>April 30, 2019</b>	<p><b>Lafarge Canada Inc.</b> EAB 15-021</p>	<b>Hearing</b>
<p>8:30 am Environmental Appeals Board #306, 10011-109 Street Edmonton</p>	<p>A Notice of Appeal was received on August 28, 2015 with respect to the August 14, 2015 decision of Alberta Environment and Parks (AEP) to issue Water Act Approval No. 00255428-00-00 to Lafarge Canada for the construction and maintenance of an end pit lake for recreational use as a result of reclamation of a sand and gravel extraction operation, and for the construction of river flood protection works including goynes and a rock trenchfill structure for a sand and gravel extraction operation on the NE 34-</p>	<p>A. MacWilliam B. Barker T. Goos</p>



**Date, Time, Location****Appeal Name and Number****Type of Function  
& Board Member**

061-06-W5M and SE 03-062-06-W5M, near Fort Assiniboine.

A hearing is scheduled for April 30, 2019. The Board issued a [Decision](#) on September 4, 2018 stating the appellant is directly affected and identifying the issues that will be heard at the hearing.

Any person, other than the parties, who wishes to make a representation to the Board on this appeal must submit a request by fax (780-427-4693) or by email ([gilbert.vannes@gov.ab.ca](mailto:gilbert.vannes@gov.ab.ca)) to the Board by 4:30 pm on January 29, 2019. It is your responsibility to ensure your request is received. The request shall contain the name, address and email of the person making the request; indicate whether the person is being represented and if so, their contact information; and a summary of the nature of the person's interest in the appeal. 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 parties. After January 29, 2019, 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 regarding 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 this appeal. The information you provide will be considered a public record.

The Minister of Environment and Parks will make the final decision on this appeal. The Board must provide the Minister with its Report and Recommendations within 30 days of the hearing closing pursuant to section 99(1) of the *Environmental Protection and Enhancement Act*.

Environmental Appeals Board  
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