

Status of Active Appeals

Updated April 29, 2024

Please contact the Board at 780-427-6207 or eab@gov.ab.ca for more information about the appeals.

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>NuVista Energy Ltd. EAB 13-027 April 19, 2024</p>	<p>A Notice of Appeal was received on March 11, 2014 from the landowner with respect to the September 10, 2013 decision of the Director, Alberta Environment and Protected Areas, to issue to NuVista Energy Ltd. Reclamation Certificate No. 00331855-00-00 for the NuVista Alkali 14-13-24-5 well, located at W Sec. 13, Twp. 24, Rg. 5, W4M, near Oyen.</p>	<p>Parties requested the appeal be placed in abeyance while they work to resolve the appeal. NuVista and the Appellant did not resolve the appeal and a virtual hearing is scheduled for July 4, 2024 for NuVista and the Appellant. AEPA advised they do not need to be involved.</p> <p>Any person, other than the parties, who wishes to make a representation before the Board on this appeal must submit a request by fax or by e-mail to the Board. The request must be received by the Board on or before May 8, 2024. It is the applicant's responsibility to ensure that their request has been received. The 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, and (c) contain a summary of the nature of the person's interest in this 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 May 8, 2024, the Board will determine if other persons may make representations and the manner in which they can be made.</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).</p>	

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<p>Westar Landfill Ltd. EAB 14-001 April 26, 2024</p>	<p>A Notice of Appeal was received on April 14, 2014 from Westar Landfill with respect to the April 8, 2014 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue to Westar Landfill EPEA Environmental Protection Order No. EPO-2014/04-SSR for allegedly releasing substances from the landfill, located in Cypress County. Amended Order issued November 24, 2017.</p>	<p>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>Once the hearing is closed, the Board will provide its Report and Recommendations to the Minister of Environment and Protected Areas within 30 days in accordance with the <i>Environmental Protection and Enhancement Act</i>. The Minister will make the final decision on the appeal.</p> <p>The Appellant requested a stay of the Order. AEP agreed to an interim stay and the EPO has been amended by extending the deadlines.</p> <p>Mediation meetings were held on July 15, 2014 and November 17, 2017. Mediation meetings are not open to the public. Westar and the Director discussed appeal with Board Counsel on April 22, 2024. Path forward for the appeal to be decided by the Board.</p>	<p>Decision (2018 ABEAB 19) issued November 9, 2018 stating appeal is valid.</p>
<p>Aurora Heights Management Ltd. EAB 16-045 April 27, 2024</p>	<p>A Notice of Appeal was received on December 2, 2016 from Aurora Heights Management Ltd. in relation to Alberta Environment and Protected Areas (AEPA) failure to process an application dated July 15, 2014, for a <i>Water Act</i> Approval for wetland restoration/compensation in relation to lands located at SE 34-39-27-W4M and SW 35-39-27-W4M in the Town of Blackfalds.</p>	<p>Preliminary Motion - Director requested the Board dismiss the appeal for not being a valid appeal. A preliminary motions hearing was held on December 6, 2017 and a Decision was issued on November 9, 2018. The Board found AEPA had an obligation to make a decision regarding Aurora's application. By failing to do so, the application was deemed refused and, therefore, the Board had jurisdiction to hear the appeal. The Board denied AEPA's request to dismiss the appeal.</p>	<p>Decision (2018 ABEAB 19) issued November 9, 2018 stating appeal is valid.</p>

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<p>Jade Oilfield Maintenance EAB 18-002-003 April 24, 2024</p>	<p>Notices of Appeal were received on May 14, 2018 with respect to the May 7, 2018 decisions of the Director, Alberta Environment and Protected Areas (AEPA), to issue to Jade Oilfield and Russell and Cindy Dolanz, Enforcement Order No. EPEA-EO-2018/05-UAR for operating a pit without holding the required registration, and Enforcement Order No. WA-EO-2018/06-UAR for contravening section 36 of the Water Act by conducting an activity without an Approval, in relation to public lands located at SW-35-052-21-W5M and private land described as Plan 0721014 Block 1 Lot 1, in Yellowhead County.</p>	<p>Mediation - A mediation meeting was held April 26, 2019 and remains outstanding. The appeal was on hold until Aurora received a copy of the Board's Report and Recommendations and the Minister's Order regarding the Town of Blackfalds hearing (20-011-014 & 016). Aurora and AEPA in discussions and update due from AEPA by May 31, 2024.</p> <p>A mediation meeting was held on October 8, 2018. Discussions continued in an effort to resolve the appeals and regular status reports are to be provided on their discussions. A second mediation meeting was held on July 9, 2020. Mediation meetings are not open to the public.</p> <p>Status reports on the parties' discussions are due May 1, 2024.</p>	<p>As of July 13, 2023, the board is to make a decision on the Appellants' reconsideration request.</p>
<p>Zaia Abraham and Romy Tittel EAB 18-015 July 14, 2023</p>	<p>A reconsideration request was received June 28/23 from Romy Tittel and Zaia Abraham with respect to the Board's Report and Recommendations and Ministerial Order for 18-015-R (2022 ABEAB 16) regarding <i>Water Act</i> Enforcement Order No. WA-EO-2018/08-SSR issued to Romy Tittel and Zaia Abraham by the Director, Alberta Environment and Protected Area.</p>	<p>The Appellants are to provide any further information on their reconsideration request by July 11, 2023. No further information was received and as of July 13, 2023 the Board is reviewing.</p>	<p>As of July 13, 2023, the board is to make a decision on the Appellants' reconsideration request.</p>

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<p>Celanese Canada EAB 19-011 and 19-013 March 25, 2024</p>	<p>A Notice of Appeal was received on May 28, 2019 from Celanese Canada with respect to the May 10, 2019 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 1349-03-00 to Celanese Canada ULC for the reclamation of the former Celanese Edmonton Petrochemical Manufacturing Plant. A Notice of Appeal was also received from Capital Power Generation Services Inc. on June 11, 2019 with respect to Celanese's Approval.</p>	<p>The appeal was placed in abeyance from the time it was filed at the request of the parties and regular status reports were provided on their discussions.</p> <p>Mediation meetings via videoconference were held on February 16, 2022 and April 26, 2022. Mediation meetings are not open to the public.</p> <p>The parties are continuing discussions and updates on their discussions are due by June 24, 2024.</p>	
<p>SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) and Minister of Infrastructure EAB 19-051-058, 087-088, 103-110 March 13, 2023</p>	<p>Eighteen Notices of Appeal were received with respect to the December 13, 2019 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval 1744-03-00 to SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) and Her Majesty the Queen in Right of Alberta as represented by the Minister of Infrastructure for the construction, operation and reclamation of the Swan Hills Hazardous Waste Treatment Centre.</p>	<p>Preliminary Motion – On March 13, 2023, the Board issued a <u>Decision</u> regarding dismissing the Notices of Appeal from the Appellants except for Appeal No. EAB 19-055 filed by the Keepers of the Athabasca Watershed Society. The appeals were dismissed for not filing a Statement of Concern with AEPA during the application process.</p> <p>Mediation – The appeal of the Keepers of the Athabasca Watershed Society (EAB 19-055) is proceeding to mediation. Pre-mediation meetings held and further pre-mediation meetings and a mediation meeting to be scheduled.</p>	<p>On March 13, 2023, the Board issued a <u>Decision</u> dismissing all Notices of Appeal except for Appeal No. EAB 19-055 filed by the Keepers of the Athabasca Watershed Society.</p>
<p>Badlands Recreation Development Corp. 19-059-085 April 12, 2024</p>	<p>Twenty-seven Notices of Appeals were received on January 20, 2020 with respect to the January 8, 2020 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Water Act Approval No. 00406489-00-00 to Badlands Recreation Development Corp. for infilling 2 wetlands, modifying 3 wetlands, and constructing,</p>	<p>Preliminary Motions – The Board has issued the following decisions with respect to preliminary motions: April 28, 2020 <u>Decision</u>, June 23, 2021 <u>Decision</u>, May 25, 2022 <u>Decision</u>, and May 31, 2022 <u>Decision</u>, and August 23, 2022 <u>Decision</u>,</p>	<p>The Board has issued the following decisions with respect to preliminary motions: April 28, 2020 <u>Decision</u>, June 23, 2021 <u>Decision</u>, May 25, 2022 <u>Decision</u>, May 31, 2022 <u>Decision</u>, August 23, 2022 <u>Decision</u>, and April 9, 2024 Report and</p>

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Town of High River	Five Notices of Appeal and stay requests were received from February 7-14, 2020 regarding the January 28, 2020 decision of the Director, Alberta Environment and	One appeal (19-090) has been withdrawn. After receiving submissions, on April 1, 2020 the Board dismissed appeal 19-091 for not filing a Statement of Concern with AEPA, a	On October 26, 2021, the Board issued its <u>Decision</u> regarding the applications to intervene.
	operating and carrying out maintenance of a stormwater management system at 22-027-21-W4M, near Rosebud, Alberta, for the Badlands Motorsport Resort.	<p>Hearing – The hearing scheduled for December 7, 9 and 10, 2020 was rescheduled to February 23-25, 2021, then rescheduled to May 16-18, 2022, and was held on November 2-4 & 7, 2022 via videoconference. The hearing did not finish and continued on January 30, 31, and February 1, 2023. Closing arguments, further submissions, and responses to the Panel’s questions received.</p> <p>On September 19, 2023, the Panel advised the hearing closed on September 8, 2023, and on March 28, 2024, the Board provided its Report and Recommendations to the Minister of Environment and Protected Areas. The Board issued its Report and Recommendations and the Minister’s Order on April 9, 2024.</p> <p>Costs – Costs applications are due from Badlands and the Appellants on June 28, 2024 and comments on the costs applications are due July 22, 2024.</p> <p>Judicial Review – The Appellants filed a judicial review in Court of Queen’s Bench in Calgary regarding the Board’s April 28, 2020 decision denying the stay and dismissing 22 of the 27 appeals for not being directly affected. The judicial review has been adjourned <i>sine die</i> until the Minister makes a decision on the appeals following the Board’s hearing. The Consent Order filed in court on December 7, 2020 states that Badlands undertakes to not conduct any physical alteration of the wetlands subject to the Approval until the Minister makes a decision on the appeals (following a hearing).</p>	Recommendations and the Minister’s Order.

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EAB 19-089, 093 and 094 December 4, 2023	Protected Areas (AEPA), to issue Water Act Approval 00419723-00-00 to the Town of High River. The Approval authorizes the construction and placement of a berm, and swale within the flood plain of the Highwood River resulting in the permanent alteration of the flow, direction of flow and water levels, changing the location of water for drainage purposes, and maintaining, removing, or disturbing ground, vegetation or other material in or on any land, water or waterbody. The locations of the activities are Sections 35-018-29-W4M and S½-01-019-29-W4M in the Town of High River.	<p>prerequisite to filing an appeal in this case, and denying the Appellants' stay request. The Board issued its Decision containing the reasons on November 16, 2021.</p> <p>Intervenor Requests – Any person, other than the parties, who wished to make a representation before the Board on these appeals was to submit a request by October 19, 2021. The Board received three applications to intervene. On November 9, 2020, the Board permitted one of the applicants to intervene and on October 26, 2021, the Board issued its Decision providing reasons.</p> <p>Hearing – On November 2 and 9, 2020 after receiving submissions from the parties, the Board set the issues for the hearing. On August 16, 2022 the Board issued its Decision containing the reasons for the issues set for the hearing.</p> <p>The hearing scheduled for October 6-7, 2020 was held on January 12-13, 2021 via videoconference. Following the hearing, the Board requested further information from the parties. The information was received from the parties and on May 31, 2021, the hearing was closed.</p> <p>Report to the Minister – The Minister of Environment and Protected Areas made the final decision on this appeal. Pursuant to EPEA, the Board's Report and Recommendations is to be provided to the Minister within 30 days. The report was due to the Minister on June 30, 2021. The Report and Recommendations was provided to the Minister on June 15, 2022. The Board's Report and Recommendations & the Minister's Order were issued on August 16, 2022.</p> <p>Costs Application – A costs application was received from the Appellants and Intervenor on</p>	<p>On November 16, 2021, the Board issued its Decision containing the reasons for dismissing appeal 19-091 and for denying the stay request.</p> <p>On August 16, 2022, the Board issued its Decision containing the reasons for the issues set for the hearing.</p> <p>On August 16, 2022, the Board issued its Report and Recommendations & the Minister's Order.</p> <p>On December 4, 2023, the Board issued its Decision on the Appellants' and Intervenor's costs application.</p>

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<p>Secure Energy Services EAB 19-111 September 22, 2022</p>	<p>A Notice of appeal was received on March 20, 2020 from Drew Yewchuk, Faculty of Law, University of Calgary, on behalf of Cody Cuthill and Normtek Radiation Services Ltd., with respect to the March 4, 2020 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Amending Approval No. 48516-01-07 extending the expiry date of Approval 48516-01-00 to March 31, 2021. The Amending Approval was issued to Secure Energy Services Inc. for the construction, operation and reclamation of the Pembina Area Landfill, near Drayton Valley.</p> <p>See appeal EAB 21-018 below.</p>	<p>September 6, 2022, and comments on the application were received from the Town of High River on September 20, 2022. On December 4, 2023, the Board issued its Decision on the costs application awarding costs to the applicants payable by the Town of High River.</p> <p>Judicial Review – The Town of High River filed a judicial review on February 10, 2023 with respect to the Board’s Report and Recommendations and the Minister’s Order. The judicial review will be heard on June 20, 2024.</p> <p>Preliminary Motions – On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board’s reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding.</p> <p>The Board will close its file once the decision on the preliminary motions is issued.</p> <p>Hearing – The hearing scheduled for July 12-13, 2022 was rescheduled to September 29 & 30, 2022. Mediation resolved the appeal and the hearing has been cancelled.</p> <p>Mediation Meeting – Mediation meetings were held May 31, June 9, June 24 and July 15, 2022 via videoconference. The mediation resolved the appeal and hearing set for September 29 & 30, 2022 has been cancelled. Mediation meetings are not open to the public.</p>	<p>On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board’s reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once it issues its decision on the preliminary motions.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister’s Order reflecting the agreement reached by the parties.</p>

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<p>Town of Blackfalds EAB 20-011-014 and 20-016 March 15, 2024</p>	<p>Notices of Appeal were received with respect to the July 15, 2020 decisions of the Director, Alberta Environment and Protected Areas (AEPA), to issue under the Water Act to the Town of Blackfalds Approval No. 00387959-00-00 to construct, operate and carry out maintenance of stormwater management works within NW 26, NW 27, NE 28, SE 33, Section 34, SE 35, SW 35 and NW 35, all within TWP 39 RGE 27 W4M; and Approval No. 00391359-00-00 to modify 2 wetlands, and construct, operate and carry out maintenance of a linear wetland system and the proposed NW Storm Trunk. The activities under the second Approval are authorized for SE 34, NE 34, of 39-27-W4M and SE 3-40-27-W4M in Blackfalds.</p>	<p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>	<p>The Board issued a Decision on May 12, 2021 regarding preliminary matters.</p> <p>The Board issued a Decision on May 17, 2021 regarding intervenor applications,</p> <p>The Board issued a Decision on May 31, 2021 regarding AEP's objection to the May 17, 2021 Decision, and preliminary matters.</p> <p>The Board released the Stay Decision dated July 22, 2022, on December 22, 2023.</p> <p>The Board issued its Report and Recommendations and the Minister's Order on February 14, 2024.</p>
<p>2161889 Alberta Ltd. et al. EAB 20-046-054</p>	<p>The Board received Notices of Appeal on March 19 and 22, 2021 from 216889 Alberta Ltd., Byron Levkulich and Aaron Patch with respect to the March 12, 2021 decision of the</p>	<p>Stay Request – The Board received a request from one of the Appellants for a stay of the Approvals. The Board received submissions and on September 22, 2020 the Board refused to grant a stay of the Approval. The Board released the Stay Decision dated July 22, 2022, on December 22, 2023.</p> <p>Mediation Meeting – Mediation meetings were held on January 11, 2021 and March 9, 2021 via video conference. The mediation meeting did not resolve the appeals.</p> <p>Hearing – A hearing was held on June 14, 17 and 21, 2021 by videoconference.</p> <p>Report to the Minister – The Board provided the Minister of Environment and Protected Areas with its Report and Recommendations on December 22, 2023. The Board issued its Report and Recommendations and the Minister's Order on February 14, 2024.</p> <p>Costs Applications – One of the appellants and the Town of Blackfalds reserved their right to file a costs application. On March 15, 2024 the Board was advised that the Appellant and the Town of Blackfalds would not be filing costs applications, and the Board close its file.</p>	<p>Mediation Meeting (EAB 20-046-054) – A mediation meeting was held on June 15, 2021</p>

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December 19, 2023	<p>Director, Alberta Environment and Protected Areas (AEPA) to issue Water Act Enforcement Order No. EO-WA-35659-01 regarding a gravel pit on public land located at SW-13-065-18-W4M. The Board also received Notices of Appeal on March 19 and 22, 2021 from Lisa Ball, 541466 Alberta Ltd. and Robert Beaverford with respect to the March 12, 2021 decision of the Director, Alberta Environment and Protected Areas, to issue Water Act Enforcement Order No. EO-WA-35659-01 (EO) and EPEA Environmental Protection Order No. EPO-EPEA-35659-07 (EPO) regarding a gravel pit on public land located at SW-13-065-18-W4M.</p>	<p>that did not resolve the appeals. Mediation meetings are not open to the public.</p> <p>EAB 20-046-048 – On February 7, 2022, the appeals of 216889 Alberta Ltd., Byron Levkulich and Aaron Patch (EAB 20-046-048) have been withdrawn.</p> <p>EAB 20-049-054 – The appeals of Lisa Ball, 541466 Alberta Ltd. and Robert Beaverford are in abeyance until December 19, 2022. The hearing scheduled for June 22, 2022 by video conference has been cancelled. The only matter at the hearing was to determine whether they were properly named on the Enforcement Order and Environmental Protection Order. Mantle Materials Group was added to Amendment No. 3 to the Orders and they are completing work in compliance with the Consolidated Remedial Plan.</p> <p>AEPA advised Mantle Materials Group continues to complete remedial work. AEPA to provide an update by June 28, 2024.</p>	
<p>Secure Energy Services Inc. EAB 21-018 September 22, 2022</p>	<p>The Board received a Notice of Appeal and request for a stay on October 28, 2021 from the Public Interest Law Clinic, University of Calgary, on behalf of Cody Cuthill and Normtek Radiation Services Ltd., with respect to the September 30, 2021 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 48516-02-00 to Secure Energy Services Inc. The renewal Approval is for the construction, operation and reclamation of the Pembina Area Landfill where more than 10,000 tonnes per year of hazardous waste and non-hazardous waste are disposed of, near Drayton Valley.</p>	<p>Preliminary Motions – On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once the decision on the preliminary motions is issued.</p> <p>Hearing – The hearing scheduled for July 12-13, 2022 was rescheduled to September 29 &</p>	<p>On November 22, 2021, the Board determined that Normtek is directly affected and stated reasons would be issued in due course. The reasons are outstanding.</p> <p>As of January 13, 2022, the Board's reasons for deciding the mootness of appeals 16-024 and 19-111 (extension approvals) are outstanding. The Board will close its file once it issues its decision on the preliminary motions.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the</p>

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		<p>30, 2022. Mediation resolved the appeal and the hearing has been cancelled.</p> <p>Mediation Meeting – Mediation meetings were held May 31, June 9, June 24 and July 15, 2022 via videoconference. The mediation resolved the appeal and hearing set for September 29 & 30, 2022 has been cancelled. Mediation meetings are not open to the public.</p> <p>On September 22, 2022, the Board issued its Report and Recommendations and the Minister's Order reflecting the agreement reached by the parties.</p>	<p>Minister's Order reflecting the agreement reached by the parties.</p>
<p>Jeff Colvin & Salt Box Coulee Water Supply Company EAB 21-022 February 13, 2023</p>	<p>On December 10, 2021, the Board received appeals from Jeff Colvin & Salt Box Coulee Water Supply Company regarding the December 1, 2021 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue Enforcement Order No. EO-EPEA-34579 to Jeff Colvin and Salt Box Coulee Water Supply Company Ltd. for contravening Approval No. 67490-02-00 in relation to the Salt Box Coulee Waterworks System, located at SW1/4-12-25-3-W5M, in Rocky View County.</p>	<p>AEPA has requested the Board dismiss the appeal related to the Order stating that this Order is not appealable as it was issued under EPEA sections 210(1)(d) and (e). EPEA states that appealable Orders are issued under sections 210(1)(a), (b) or (c). Submissions were received from the parties. On March 25, 2022, the Board asked the parties to advise by April 1, 2022, if they wished to proceed to mediation prior to the Board rendering a decision. The Board noted that Appellants supply water to approximately 70 households.</p> <p>On February 13, 2023, the Board dismissed the appeal for not being valid and advised reasons would be issued in due course.</p>	<p>On February 13, 2023 the Board dismissed the appeal for not being valid and advised reasons would be issued in due course. The reasons are outstanding.</p>
<p>Nanaksar Gurdwara – Gursikh Temple (c/o Jagdev Singh Dhillon) and</p>	<p>On August 23, 2022, the Board received an appeal from Jagdev Singh Dhillon, Nanaksar Gurwara Gursikh Temple and Japinder Singh Grewal. The appeal is with respect to the July 28, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to</p>	<p>Mediation – Since the Appellants and AEPA were not able to resolve the appeal between them, a mediation meeting was scheduled for June 27, 2023. On June 26, 2023, the Appellants requested the mediation be cancelled and the appeal proceed to a hearing.</p>	

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<p>Hapinder Singh Grewal EAB 22-039 & 040 March 13, 2024</p>	<p>issue Notice of Administrative Penalty No. AP-EPEA-37041 to Japinder Singh Grewal and Nanaksar Gurdwara-Gursikh Temple (c/o Jagdev Singh Dhillon), in the amount of \$3,500.00. The Administrative Penalty states the Appellants contravened section 3(1)(a) of the Pesticide (Ministerial) Regulation by using or applying a pesticide listed in schedule 2 without holding the appropriate class of applicator certificate. The activity occurred at SW 32-54-24-W4M in Sturgeon County, Alberta.</p>	<p>Hearing – A written hearing is scheduled and the parties have filed an Agreed Statement of Facts. The last filing date for submissions is December 11, 2024.</p> <p>A Notice of Hearing was placed in the July 28, 2023 St. Albert Gazette advising that if any person, other than the parties, wished to make a representation before the Board on the Administrative Penalty, the request must be received by the Board by August 3, 2023. The Board did not receive any applications to intervene.</p> <p>Once the Board closes the written hearing, the Board will make the final decision within 30 days on this appeal in accordance with the <i>Environmental Protection and Enhancement Act</i>.</p>	
<p>Michel Richard EAB 22-046-049 April 12, 2024</p>	<p>Notices of Appeal and requests for stays were received from Michel Richard and 959117 Alberta Corporation in relation to <i>Water Act</i> Enforcement Orders EO-WA-35539, EO-WA-35679, EO-WA-37321, EO-WA-38079 issued by the Director, Alberta Environment and Protected Areas (AEPA), on August 23, 2022 to Michel Richard for unauthorized activities on his lands located in Saddle Hills County.</p>	<p>Mediation Meeting – Mediation meetings via videoconference were held January 24 and March 15, 2023. Mediation meetings are not open to the public.</p> <p>Appeals of Orders EO-WA-35679, EO-WA-37321 and EO-WA-38079 were withdrawn.</p> <p>Discussions continue on Order EO-WA-35539 and the parties are to provide regular updates.</p>	
<p>Clover Bar Sand & Gravel Ltd. EAB 22-066 April 12, 2024</p>	<p>A Notice of Appeal was received on October 19, 2022, from Clover Bar Sand & Gravel Ltd. The appeal is with respect to the October 14, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Enforcement Order No. EO-EPEA-38679 to Clover Bar Sand & Gravel Ltd. in relation to the operation of a pit under</p>	<p>On October 28, 2022, AEPA requested the appeal be dismissed stating the Order is not appealable. Section 91 of the Environmental Protection and Enhancement Act (the Act) specifies which decisions of the Director, AEPA, can be appealed to the Environmental Appeals Board. Section 91(1)(e) of the Act states an appeal may be filed where the Director issues</p>	<p>The Board issued its Decision on April 12, 2024 containing reasons for dismissing the appeal on February 13, 2023.</p>

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<p>Ian MacGregor EAB 22-067-090 April 25, 2024</p>	<p>Registration No. 00015950-02-00 at NW 20-53-23-W4M in Edmonton.</p> <p>Twenty-four Notices of Appeals were received on with respect to the November 4, 2022 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Preliminary Certificate No. 00346962-00-00 to Ian MacGregor for the Carraig Ridge Development in the MD of Bighorn No. 8. The Preliminary Certificate states Mr. MacGregor will receive a Licence to operate works and divert up to 6,205 cubic metres of water per year at a maximum diversion rate of 22 cubic metres of water per day, from the source of water, at the point of diversion NW 09-026-W5M, Well ID 1022302 (WSW 7711) for the municipal purposes (subdivision water supply) with a priority of 2014-01-28-001, upon compliance with the conditions in the Preliminary Certificate.</p>	<p>an enforcement order under sections 210(1)(a), (b) and (c). The Director states the Order was issued under sections 210(1)(d) and (e) and are not within the scope of the Board's statutory jurisdiction. On November 2, 2022, the Board set a schedule to receive submissions, and the last submission was received on December 15, 2022.</p> <p>On February 13, 2023, the Board advised the appeal was dismissed and reasons were issued on April 12, 2024 for the Decision. The file is in this matter is now closed.</p>	<p>On January 11, 2023, the Board issued a Decision dismissing appeal 22-090 for filing the appeal late.</p>
		<p>Late Filed Appeal – On January 11, 2023, the Board issued a Decision dismissing appeal 22-090 for filing the appeal late.</p> <p>Stay Application – The Appellants requested a stay of the Preliminary Certificate and provided additional information requested by the Board by December 22, 2022. In the Board's February 13, 2023 letter, it noted the Appellants indicated it is the long-term, significant withdrawal that may cause irreparable harm. The Board declines to grant a stay since the Appellants did not provide sufficient information to show that any harm will occur in the time it will take to address the appeals. In the Board's view, the granting of a stay is not just and equitable. The Board did not consider whether each of the Appellants are directly affected by the Preliminary Certificate since no stay was granted.</p> <p>Mediation – The mediation meeting held June 9, 2023 did not resolve the appeals. Mediation meetings are not open to the public.</p> <p>Intervenors – On August 10, 2023 a Notice of Hearing was placed in the Rocky Mountain</p>	

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<p>Wesley Barrett EAB 22-091 June 2, 2023</p>	<p>A Notice of Appeal was received on December 13, 2022 from Mr. Wesley Barrett with respect to the December 12, 2022 letter from the Director, Alberta Environment and Protected Areas (AEPA), advising <i>Water Act</i> Application DAPP0003045 submitted by Mr. Barrett for the diversion of up to 500 cubic</p>	<p>Outlook advising that any person, other than the parties, who wished to make a representation before the Board on these appeals must submit a request to the Board by August 24, 2023. The Board received applications to intervene from the Stoney Nakoda Nations and the Stoney Nakoda Land Management Ltd. The parties were given an opportunity to comment on the applications. On September 7, 2023, the Stoney Nakoda Nations and the Stoney Nakoda Land Management Ltd. were permitted to intervene.</p> <p>Hearing – A hearing was held November 16 and 17, 2023, at the Beaupre Hall, Rocky View County, on 8:30 am-7:30 pm. The hearing was open to the public for viewing only. The hearing continued on March 14, 2024.</p> <p>Virtual closing arguments were given by the Appellants, Ian MacGregor and the Director on March 14, 2024. Written closing arguments were also filed. The Panel had questions for the parties and responses were received on April 25, 2024. The Panel will review and advise when the hearing is closed.</p> <p>Once the hearing is closed, the Board will provide its Report and Recommendations to the Minister of Environment and Protected Areas within 30 days and she will make the final decision on these appeals pursuant to section 100 of the <i>Environmental Protection and Enhancement Act</i>.</p> <p>Preliminary Motion - Upon review of the Notice of Appeal it appears the December 12, 2022 letter rejecting the application may not be appealable. The decisions that are appealable to this Board are listed in section 115 of the <i>Water Act</i>. Section 115(1)(d) states: 115(1) A notice of appeal under this Act may be</p>	<p>On June 2, 2023 the Board advised it decided it has jurisdiction to hear the appeal with reasons to be issued. The reasons are outstanding.</p> <p>Once the Board issues its reasons for the June 2, 2023 decision, AEPA will</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	metres of groundwater from a water well located at NW 17-020-028-W4M in High River, Alberta, has been rejected because the well "...does not meet the guidelines for the size of the screened interval...."	<p>submitted to the Environmental Appeals Board by the following persons in the following circumstances: ... (d) subject to clause (e), the applicant for the approval or licence, if the Director refuses to issue an approval or licence. Mr. Barrett provided further information to support the appeal. On December 23, 2022, the Board requested submissions from the Director and a final submission from Mr. Barrett. The final submission was received on January 30, 2023.</p> <p>On June 2, 2023 the Board advised it has decided the appeal is that of the Director's refusal to issue a licence, therefore, the Board has jurisdiction to hear the appeal, and reasons for the decision will be issued in due course.</p> <p>Reconsideration Request – AEPA requested the Board reconsider its June 2, 2023 decision to accept the appeal, and declined to participate in mediation at this time. On June 13, 2023, the Board advised the parties the reconsideration request will be addressed once it issues its reasons for the June 2, 2023 decision.</p>	be filing a reconsideration of that decision.
<p>Crowsnest Lake Bible Camp Association EAB 22-092-093 April 19, 2024</p>	A Notice of Appeal was received on January 17, 2023 from the Crowsnest Lake Bible Camp Association regarding Water Act Licence No. 00288572-00-00 issued on December 15, 2022 by Mr. Stephen Mathyk, Director, Alberta Environment and Protected Areas (AEPA), to Crowsnest Lake Bible Camp Association to operate a works and divert 13,445 cubic metres of water per year for recreational purposes (camp and motel); and Environmental Protection and Enhancement Act Approval No. 399504-00-02 issued on June 30, 2022 by the Director to Crowsnest Lake Bible Camp Association to	<p>Preliminary Motions - A preliminary motions hearing was held on April 28, 2023 regarding the Appellant's late filed appeal of the EPEA Approval and the Appellant's request for the Board to grant an extension to file the appeal of the Approval. The preliminary motions hearing also dealt with the AEPA's request that the appeal of the Licence be dismissed stating the Licence was issued as a result of a Preliminary Certificate. The Appellant was issued a Preliminary Certificate and upon complying with the conditions in the Preliminary Certificate was issued a Licence. In this circumstance, the Director states the appeal of the Licence is not</p>	On September 8, 2023 the Board dismissed the appeal of the Licence and accepted the appeal of the EPEA Approval with reasons to be issued. The reasons are outstanding.

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	construct, operate and reclaim a waterworks system for the Crowsnest Lake Bible Camp.	<p>valid. Further submissions were received, and on September 8, 2023 the Board dismissed the appeal of the Licence and accepted the appeal of the EPEA Approval and reasons for the decision will be issued in due course.</p> <p>Further motions from the Appellant to be dealt with in relation to the outstanding reasons for the September 8, 2023 decision made by the Board's previous Chair (functus officio) and the Appellant's request to amend their Notice of Appeal.</p> <p>Mediation – A mediation meeting is scheduled for June 5, 2024. Mediation meetings are not open to the public.</p>	
<p>Minhas Bros. Holdings Ltd. EAB 22-095 January 22, 2024</p>	<p>A Notice of Appeal was received on March 16, 2023 from Minhas Bros. Holdings Ltd. with respect to the March 8, 2023, decision of Jack McNaughton, Director, North Region, Regulatory Assurance Division, Alberta Environment and Protected Areas (AEPA), to issue Water Act Enforcement Order No. EO-WA-36082 to Minhas Bros. Holdings Ltd. The Enforcement Order states the Appellant conducted unauthorized activities on lands located at NE-36-70-06-W6M, in the County of Grande Prairie.</p>	<p>The mediation meeting by videoconference scheduled for August 9, 2023 was cancelled as the parties are working towards resolving the appeal. The parties are to provide updates by June 28, 2024.</p>	
<p>Lawrence and Ursula Dyck EAB 22-096 December 22, 2023</p>	<p>A Notice of Appeal was received on March 23/23 from Lawrence and Ursula Dyck with respect to the March 17, 2023, decision of Elise Chamberland, Director, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), to issue Water Act Enforcement Order No. EO-WA-00037359 to Lawrence Dyck and Ursula</p>	<p>Stay Request – On May 1, 2023, the Board granted the Appellants' stay request, with reasons to be issued. On February 21, 2024 the Board advised the parties that the previous Chair was appointed to the Bench and therefore is unable to issue their reasons. Further, given the Minister has issued an Order on the appeal,</p>	<p>On November 7, 2023, the Board issued a Decision regarding hearing issues.</p> <p>On December 22, 2023, the Board issued its Report and Recommendations and the Minister's Order.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>LANXESS Canada Co./Cie EAB 22-098 October 27, 2023</p>	<p>Dyck for lands located at Lot 10, Block 2, Plan 7810597, in the Georgian Estates subdivision, Rocky View County. The Enforcement Order states the Dycks contravened section 49(1) of the Water Act by commencing and continuing to divert water without a licence and without otherwise being authorized by the Water Act.</p> <p>A Notice of Appeal was received on March 27/23 from Mr. Brad Gilmour, Bennett Jones, filed on behalf of Celanese Canada ULC, dated and received on March 27, 2023. This appeal is with respect to the February 27, 2023, decision of Mr. Feschuk, Director,</p>	<p>the stay is moot and the Board has closed its file.</p> <p>Mediation Meeting – The mediation meeting held June 22, 2023 did not resolve the appeal.</p> <p>Intervenors – On September 26, 2023 a Notice of Hearing was placed in the Rocky View Weekly advising that any person, other than the parties, who wished to make a representation before the Board on this appeal must submit a request to the Board by October 3, 2023. The Board did not receive any applications to intervene.</p> <p>Hearing –A virtual hearing was held on November 8, 2023.</p> <p>The Board issued a Decision on November 7, 2023 stating the issues that were heard at the hearing.</p> <p>Report to Minister – The Board's Report and Recommendations and the Minister's Order were issued on December 22, 2023.</p> <p>Judicial Review – On September 29, 2023, AEPA filed a judicial review related to the Board's April 6, 2023 and May 1, 2023 letters granting a stay with reasons to follow, and no reasons provided. The judicial review will be heard on March 27, 2025. Note that there is no stay in place by the Board since the Minister has made the final decision on the appeal by issuing a Ministerial Order.</p> <p>A mediation meeting was held October 26, 2023 and is ongoing. Parties are to provide an update by April 26, 2024. Mediation meetings are not open to the public.</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	<p>Regulatory Assurance Division North, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 11510-03-00 to LANXESS Canada Co./Cie for the decommissioning and reclamation of the former Clover Bar Chemical Manufacturing Plant in Edmonton, Alberta.</p>		
<p>Howell's Excavating Ltd. EAB 23-002-020 and 23-027-044 October 30, 2023</p>	<p>Notices of Appeal and requests for a stay were received from 9 individuals and the Alberta Wilderness Association on June 7, 12, 13, 15, 20 and July 12 with respect to the May 30, 2023, decisions of Todd Aasen, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), to issue to Howell's Excavating Ltd. <i>Water Act</i> Approval Nos. DAUT0012377, DAUT0012378 and DAUT0012379 for the purposes of aggregate extraction, a berm and end pit lakes located at SE-13-36-2 W5M in Red Deer County; and <i>Water Act</i> Licence No. 00432249-00-00 for the purpose of operating a works and diverting up to 21,000 cubic metres of water per year from the point of diversion located at SE-13-36-2W5 in Red Deer County.</p>	<p>The Alberta Wilderness Association (AWA) filed a Notice of Appeal regarding the Approval on June 15, 2023. The normal timeline for filing an appeal of a <i>Water Act</i> Approval is 7 days. The AWA is to explain to the Board by June 26, 2023 why an extension of time to appeal should be granted. The AWA advised on June 23, 2023 they did not intend to file an appeal but support the other appeals. Board's July 7, 2023 closes the Board's file with respect to the AWA's appeal.</p> <p>On September 5, 2023, the Appellants applied to the Board for the following orders: Interim stay of proceedings until final determination by this Board; limiting the Director's standing in this appeal; and interim costs. On October 6, 2023 the Appellants made further motions stating there is no requirement for the Board to decide that a party is directly affected before issuing a stay; there is no requirement for the Board to decide that a party is directly affected before proceeding to a hearing; and Howell's and the Director should be bringing the motion that the Appellants are not directly affected, and accordingly would bear the onus of proving this. Submissions were received related to the Appellants' motions. Last submission was received on October 30, 2023 and the Board will make a decision.</p>	<p>As of October 30, 2023, the Board is to make a decision on a stay and various motions filed by the Appellants.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) EAB 23-021 October 18, 2023</p>	<p>A Notice of Appeal was received on June 23, 2023 from the Keepers of the Water Society regarding the May 26, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue to SUEZ Canada Waste Services Inc. (now Veolia Waste Services Alberta Inc.) and Alberta Infrastructure <i>Environmental Protection and Enhancement Act</i> Amending Approval No. 1744-03-02 for the Swan Hills Hazardous Waste Treatment Centre. The Approval amends section 4.3.37 of Approval No. 1744-03-00 relating to a Mercury Emissions Study.</p>	<p>Veolia and Alberta Infrastructure requested appeal be dismissed stating the Keepers of the Water Society is not directly affected by the Amending Approval. The Board's July 14, 2023 letter sets a schedule to receive submissions from the parties, and the last submission was received on September 25, 2023. Since Veolia filed a further submission, the Director and the Appellant are to also file further submissions. The last submission was received on October 18, 2023 and the Board will decide if the appeal is valid.</p>	<p>As of October 18, 2023, the Board will decide if the Appellants' appeal is valid.</p>
<p>Zaia Abraham & Romy Tittel EAB 23-025 August 17, 2023</p>	<p>A Notice of Appeal was received on June 29/23 from Zaia Abraham and Romy Tittel regarding <i>Water Act</i> Enforcement Order No. WA-EO-2018/08-SSR Amendment No. 2 issued on June 28, 2023 by the Director, Alberta Environment and Protected Areas, to Zaia Abraham and Romy Tittel. The Amendment reflects the revised dates in Ministerial Order 31/2022 (2022 ABEAB 16), legislative changes that only relate to the procedure by which their water well is to be reclaimed, and events that have occurred since the Enforcement Order was issued such as the name change of the department.</p>	<p>The Director requested the appeal be dismissed stating the Water Act does not allow for appeals of amendments to orders. Submissions were received on the Director's motion to dismiss the appeal, and as of August 17, 2023 the Board will decide if the appeal is valid.</p>	<p>As of August 17, 2023 the Board will decide if the appeal is valid.</p>
<p>John Beck EAB 23-026 March 15, 2024</p>	<p>A Notice of Appeal and request for a stay was received on July 12, 2023 from John Beck regarding the June 21, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA) to issue <i>Water Act</i></p>	<p>A mediation meeting was held on September 15, 2023. The parties reached a resolution and updates are due every 3 months commencing December 15, 2023. Next update due June</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	Enforcement Order No. WA-EO-37959 to John Beck for unauthorized activities on the Clearwater river in Clearwater County.	14, 2024. Mediation meetings are not open to the public.	
Mountain Ash Limited Partnership EAB 23-045-052, 056-057 March 6, 2024	Ten Notices of Appeal were received on July 26, 27 and 28, and August 7 and 10, 2023 regarding the July 20, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue <i>Water Act</i> Approval No. DAUT0012841 to Mountain Ash Limited Partnership for aggregate extraction at NW and SW 31-026-03-W5M in Rocky View County.	<p>EAB 23-056-057 – Two of the appeals appear to be filed late and the Board requested additional information from the appellants. On October 12, 2023 the Board dismissed appeal 23-056 since the Appellant did not provide sufficient information to extend the appeal period and reasons for the decision will be issued in due course.</p> <p>The Board received submissions on appeal 23-057 and as of November 13, 2023 the Board is to make a decision on whether to accept the late filed appeal.</p> <p>EAB 23-047-050 – On October 3, 2023 Mountain Ash challenged the directly affected status of Appellants 23-047-050. The Board received submissions and as of December 15, 2023 the Board will decide if these Appellants are directly affected by the Approval.</p> <p>EAB 23-046 – On March 6, 2024, the Board issued its Decision with respect to the stay request of the Bighill Creek Preservation Society (EAB 23-046). The Board determined the Society is directly affected by the Approval, however, declined to grant a stay. The Board will decide how appeal 23-046 will proceed.</p>	<p>On October 12, 2023 the Board dismissed appeal 23-056 for filing the appeal late and reasons for the decision are outstanding.</p> <p>As of November 13, 2023, the Board is to make a decision on whether to accept late filed appeal 23-057.</p> <p>As of December 15, 2023, the Board will decide whether Appellants 23-047-050 are directly affected.</p> <p>On March 6, 2024, the Board issued its Decision with respect to the stay request of the Bighill Creek Preservation Society (EAB 23-046).</p>
Strategic Group Capital Corp., Riaz Mamdani, and 12-10 Capital Corp. EAB 23-053-055	Three Notices of Appeal were received on August 4, 2023 regarding the August 1, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Environmental Protection Order No. EPO-	<p>Mediation Meeting – The mediation meeting held February 27, 2024 did not resolve the appeal.</p> <p>Hearing – A virtual hearing is scheduled for October 22-24, 2024. Details regarding the</p>	

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
April 11, 2024	EPEA-40679 to 12-10 Capital Corp., Strategic Group Capital Corp., and Riaz Mamdani, for the release of and continued release of a substance causing an adverse effect on the environment and human health for lands located at Plan 1423LK, Block 47 and Plan 1423LK, Block 46, in the City of Calgary.	hearing and applications to intervene will be forthcoming.	
Jody Young 23-058-059 April 12, 2024	Two Notices of Appeal were received on August 23, 2023 from Jody Young and Chad Young regarding the August 3, 2023 decision of the Compliance Assurance Lead, Regulatory Assurance Division South, Alberta Environment and Protected Areas (AEPA), advising Jody Young that Incident No. 763686 has been closed. The incident relates to an investigation into the alleged impacts of Red Deer County's sand and gravel operation (Lozynski Pit) on the Appellants' private water well. The Appellants object to AEPA's decision to close the investigation and not issue an enforcement order to Red Deer County.	Submissions are being received from the Appellants, AEPA and Red Deer County to determine if the matter is appealable pursuant to section 115 of the Water Act. The last submission was received September 29, 2023 and the Board will make a decision on whether the appeal is valid. The Board finds that Part 9 does not provide for an appeal of EPA's decision to close its investigation file and, as a result, not issue an enforcement order under the Water Act. Based on the foregoing, on April 12, 2024 the Board dismissed the appeals and closed its file.	On April 12, 2024 the appeal was dismissed as AEPA's August 3, 2023 decision is not a decision that can be appealed.
Willows West GP Ltd. 23-061, 064-091 December 5, 2023	A Notice of Appeal and request for a stay were received on September 6, 2023. Twenty-eight additional appeals were received on September 18-20, 2023. The appeals are regarding the May 23, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Water Act Approval DAUT0012285 to Willows West GP Ltd. for placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground, vegetation or other material in or on any land,	AEPA and Willows West requested all the appeals be dismissed for failing to file a Statement of Concern with AEPA during AEPA's application process for the Approval, which is a prerequisite to filing appeal according to the legislation. Further, AEPA and Willows West also requested the appeals be dismissed for filing the appeals late. AEPA issued the Approval to Willows West on May 23, 2023 and the appeals were filed September 6, and 18-20, 2023. The Appellants stated they received notice of AEPA's decision to issue the Approval on August 30, 2023 from the Town of	On December 5, 2023 the Board dismissed all the appeals for not filing a Statement of Concern with AEPA, a prerequisite to filing an appeal, and for filing the appeals late. Reasons for this decision are outstanding.

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
	water or water body; altering flow, direction of flow or level of water; to infill 1 wetland for the purpose of residential development, in Cochrane.	<p>Cochrane's Planner. An appeal of a Water Act Approval must be filed within 7 days of receiving notice of AEPA's decision in accordance with the legislation. Submissions were received from the Appellants.</p> <p>On December 5, 2023 the Board dismissed all the appeals for not filing a Statement of Concern with AEPA, a prerequisite to filing an appeal, and for filing the appeals late. The Board's reasons for the decisions will be issued in due course.</p>	
<p>Mantle Materials Group Inc. (previously JMB Crushing Systems Inc.),</p> <p>Byron Levkulich, JMB Crushing Systems Inc.,</p> <p>Aaron Patsch, JMB Crushing Systems Inc.,</p> <p>23-096-101</p> <p>23-103-108</p> <p>23-110-112</p> <p>23-142-144</p> <p>23-145-147</p> <p>April 12, 2024</p>	<p>Notices of Appeal and request for a stay were received on September 28, October 23, November 17, 2023 and January 31, 2024 with respect to the September 21, October 18, 2023, and January 30, 2024 decisions of the Director, Alberta Environment and Protected Areas (AEPA), to issue Environmental Protection and Enhancement Act Environmental Protection Order Nos. EPO-EPEA-35659-11, EPO-EPEA-35659-12, EPO-EPEA-35659-15, EPO-EPEA-35659-17, EPO-EPEA-35659-14, EPO-EPEA-35659-13 and EPO-EPEA-35659-16 to Mantle Materials Group, Byron Levkulich and Aaron Patsch in relation to the Havener gravel pit located at NW16-056-7 W4M, the Shankowski gravel pit located at SW21-56-7-W4M, and gravel pits on public land located at NW-15, SE-15 and SW-15-061-18-W4M, SE-11-061-18-W4M, NE-11-061-18-W4M, NE-15 and SE-15-061-18-W4M, and NW-14- and SW-14-061-18-W4M in the County of Smoky Lake.</p>	<p>Stay Request – The Appellants requested stays of the Orders. The Board granted stays of the 7 Orders until the Minister makes a decision on the appeals or the Board orders otherwise. The Board issued Stay Decision 23-096-101, Stay Decision 23-103-108, Stay Decision 23-110-112 on March 28, 2024, and issued Stay Decision 23-142-144-ID1 and Stay Decision 23-145-147-ID1 on April 15, 2024,</p> <p>Hearing – A one day virtual hearing has been scheduled for each of the 7 Orders on September 11, 12, 24, 25, and November 26, 27 and 28, 2024. Further details regarding the hearings will be issued in due course.</p> <p>Bankruptcy Proceedings – The Appellants are to provide updates on the bankruptcy proceedings on the first of each month from March to July 2024.</p>	<p>The Board issued Stay Decision 23-096-101, Stay Decision 23-103-108 and Stay Decision 23-110-112 on March 28, 2024 with respect to 5 of the Orders. The Board issued Stay Decision 23-142-144-ID1 and Stay Decision 23-145-147-ID1 on April 15, 2024.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>411614 Alberta Ltd. EAB 23-109 April 25, 2024</p>	<p>A Notice of Appeal and request for a stay were received on November 16, 2023 from Windy Field Ltd. with respect to the November 3, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue <i>Water Act</i> Approval No. DAUT0013709 to 411614 Alberta Ltd. for stormwater management works for the Payne Lake Family Campground at NE-02-002-28-W4M in Cardston County.</p>	<p>Stay Request - On January 25, 2024 the Board issued a Decision granting a stay until the Minister makes a decision on the appeal or the Board orders otherwise.</p> <p>Preliminary Motions – A virtual preliminary motions hearing is scheduled for April 29, 2024 to decide the Appellant’s reconsideration request on the issues set to be heard at the hearing.</p> <p>Hearing – The virtual hearing scheduled for May 16-17, 2024 has been rescheduled to June 27-28, 2024, due to the Appellant’s motions.</p> <p>On April 4, 2024 a Notice of Hearing was placed in the Temple City Star advising that 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 April 11, 2024. The Board did not receive any requests.</p> <p>The Board will provide its Report and Recommendations to the Minister of Environment and Protected Areas within 30 days of the hearing closing, and the Minister will make the final decision on this appeal in accordance with the <i>Environmental Protection and Enhancement Act</i>.</p>	<p>On January 25, 2024 the Board issued a Decision granting a stay until the Minister makes a decision on the appeal or the Board orders otherwise.</p>
<p>Mason EAB 23-113 December 21, 2023</p>	<p>A Notice of Appeal was received on December 3, 2023 from Patricia Mason regarding the November 10, 2023 letter from Alberta Environment and Protected Areas (AEPA), to Patricia Mason, with respect to a Notice of Non-Compliance, reference No. 415513, for an oversized dugout in a wetland at NW-15-58-9-WM in Mayerthorpe.</p>	<p>The Board advised the Appellant that the letter from AEPA does not appear to be a matter that can be appealed pursuant to section 115(1) of the <i>Water Act</i>, and requested comments on why the Board should accept the appeal.</p> <p>A response was received from the Appellant on December 21, 2023 and the Board will make a decision on the validity of the appeal.</p>	<p>As of December 21, 2023 the Board is to make a decision on whether the appeal is valid.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
<p>Red Deer County EAB 23-114-116 April 23, 2024</p>	<p>Notices of Appeal were received on December 11 and 12, 2023 with respect to the December 5, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue Water Act Approval No. DAUT0013961 to Red Deer County authorizing them to commence, continue, discontinue the placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body, maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or waterbody for the purpose(s) of groundwater disturbance for aggregate extraction and the construction and reclamation to end pit lakes located at NE-03-038-24 W4 in Red Deer County.</p>	<p>The virtual mediation meeting scheduled for April 17, 2024 has been rescheduled to May 6, 2024.</p>	
<p>Rimrock Renewables Ltd. EAB 23-117-128 February 7, 2024</p>	<p>Notices of Appeal were received January 4-11, 2024 from 11 individuals and the Town of High River regarding the December 11, 2023 decision of the Director, Alberta Environment and Protected Areas (AEPA), to issue EPEA Approval No. 484778-00-00 to Rimrock Renewables Ltd. for the Foothills County Waste Management Facility. The Approval authorizes the construction, operation and reclamation of the facility for the collection and processing of waste or recyclables to produce fuel and the associated power plant.</p>	<p>A virtual mediation meeting will be held May 30, 2024.</p>	
<p>BURNCO Rock Products Ltd.</p>	<p>Thirteen Notices of Appeal were received January 18-20, 2024 regarding the January 12, 2024 decision of the Director, Alberta</p>	<p>AEPA to provide their records related to the Approval by May 14, 2024.</p>	<p>The reasons for denying the Appellants' stay request on March 13, 2024 are outstanding.</p>

Appeal Name & Number	Description of Appeal	Status	Decisions Issued or outstanding
EAB 23-129-141 April 25, 2024	Environment and Protected Areas (AEPA), to issue Water Act Approval DAUT0014236 to BURNCO Rock Products Ltd. authorizing the placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body; maintaining, removing or disturbing ground vegetation or other material in or on any land, water or water body; altering flow, direction of flow or level of water and to disturb groundwater and manage water subject to the terms and conditions in the Approval, near Cochrane, Alberta:	Stay Request – On March 13, 2024, the stay requested by the Appellants was denied and the Board will issue reasons for the decision.	Mediation Meeting – The Appellants requested the Board delay the virtual mediation meeting until they are prepared to proceed. On April 25, 2024 the Board requested the Appellants provide an update by May 31, 2024.

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