

1995 ABEAB 10

Appeal No. 95-004

May 17, 1995

IN THE MATTER OF Sections 84, 86, 87, 91 and 92 of the *Environmental Protection and Enhancement Act*, (S.A. 1992, ch. E-13.3 as amended);

- and -

IN THE MATTER OF an appeal filed by Ove Aasen with respect to the reclamation certificate issued by the Inspector, Land Reclamation Division, Alberta Environmental Protection to Renaissance Energy Ltd.

Report and Recommendations

Cite as: Ove Aasen v. Inspector, Land Reclamation Division, Alberta Environmental Protection.

PRE-HEARING MEETING BEFORE: David H. Marko, Vice-chair

APPEARANCES:

Appellant - Ove Aasen

Land Reclamation Division, Alberta Environmental Protection, represented by Doug Rawluk
and William McDonald, Esq.

Renaissance Energy Ltd., represented by Ian Proctor and John Winton

II. THE PRE-HEARING MEETING

The pre-hearing meeting, which was held on May 12, 1995 in Provost, was called by the Board for the purpose of attempting to facilitate the resolution of this appeal or, failing that, to make arrangements for the oral hearing by determining all matters set out in s. 13 of the Environmental Appeal Board Regulation.' The Board invited two representatives from each party to participate in this pre-hearing meeting, and the attendance at this meeting was as follows:

- Mr. Ove Aasen;
- Mr. Ian Proctor and Mr. John Winton, representing Renaissance;
- Mr. Doug Rawluk, representing the Land Reclamation Division, Alberta Environmental Protection; and
- Mr. William McDonald, Environmental Law Section, Alberta Justice, representing the Land Reclamation Division, Alberta Environmental Protection.

The parties at the meeting affirmed their right to represent and bind their organizations. They also confirmed having received all relevant documents. David Marko outlined the history of this appeal and the procedures for the pre-hearing meeting. The pre-hearing was identified as a quasi-judicial meeting, based on a

' Alberta Regulation 114/93

**III . RESOLUTION OF APPEAL NO. 95-004 REGARDING RECLAMATION
CERTIFICATE NO. 32034/NW 20-38-3-W4M**

All parties to the appeal have agreed to the following terms and conditions:

It is resolved that for consideration from Renaissance Energy Ltd., Ove Aasen withdraws his appeal related to pit run gravel left on his land after drilling operation.

Resolution Agreed to by

“original signed by”

Ove Aasen

Date: May 12, 1995

“original signed by”

Renaissance Energy Ltd.,
Represented by Ian Proctor

Date: May 12, 1995

“original signed by”

Inspector, Land Reclamation Division
Alberta Environmental Protection,
Doug Rawluk

Date: May 12, 1995

IV. RECOMMENDATIONS

In light of the specific resolution of this appeal, the Board proposes to discontinue its proceedings with respect to the notice of objection filed by the Appellant.

The Board recommends that no action be taken by the Minister in relation to the Certificate that was issued.

The Board further recommends that it undertake the distribution of this Report and Recommendations to all parties of record.

Dated May 17, 1995, at Edmonton, Alberta.

“original signed by”

David H. Marko, Vice-chair

ORDER

I, Ty Lund, Minister of Environmental Protection, make the following Order:

I agree with the Recommendations of the Environmental Appeal Board.

I do not agree with the Recommendations of the Environmental Appeal Board
and make a further Order as set out below or attached.

Dated at Edmonton this 24th day of May, 1995.

“original signed by”

Honourable Ty Lund
Minister of Environmental Protection

Attachments

No attachments