

ALBERTA
ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Withdrawal: March 26, 1996

IN THE MATTER OF Sections 84, 85, 86 and 87 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 Mr. Michael Bracko, with respect to Approval No. 11905-00-04 issued by the Acting Director of Land Reclamation, Alberta Environmental Protection to Gregg River Resources and the letter of withdrawal from Mr. Michael Bracko dated March 26, 1996, the Board hereby discontinues its proceedings in this matter and will be closing its file pursuant to section 87(7) of the *Environmental Protection and Enhancement Act*.

Cite as: Mr. Michael Bracko v. Acting Director of Land Reclamation, Alberta Environmental Protection.

BACKGROUND

On February 7, 1996, Mr. Michael Bracko filed a Notice of Appeal with respect to Approval No. 11905-00-04 an amendment to Approval No. 92-WL-031 issued by the Acting Director of Land Reclamation to Gregg River Resources Ltd. The Approval was issued on December 1, 1995, for the modification to the operation of the HI 1 Pit and wastewater handling facilities.

On January 11, 1996, the Board wrote to the Department of Environmental Protection requesting all related documentation.

On February 5, 1996, the Board wrote to Mr. Gary Gould of Gregg River Resources advising him that an appeal was filed by Mr. Michael Bracko and providing him with a copy of all related documentation.

On February 29, 1996, the Board wrote to all parties advising that it has begun consideration of the appeal filed in this matter. Written representations were requested and due by March 15, 1996. Responses were received by the Department of Environmental Protection and Gregg River Resources. Written representations were not received by Mr. Michael Bracko.

On March 6, 1996, the Board wrote to the Alberta Energy and Utilities Board (AEUB) and the Natural Resources Conservation Board (NRCB) requesting both advise whether the matter was the subject of a public hearing or review under either of their Boards. On March 18, 1996, the NRCB and on May 14, 1996, the AEUB both advised that this appeal did not deal with a matter that had been the subject of any hearing or review under their Boards.

On March 26, 1996, the Board received written notification from Mr. Michael Bracko stating:

“At this time I want to cancel my appeal to the Board and will try to find another source to deal with my concerns.”

The Board then advised all parties in writing of this information on April 2, 1996, indicating that pursuant to section 87(7) of the *Environmental Protection and Enhancement Act*, the Board hereby discontinues its proceedings in this matter and will be closing its file.

DECISION

The appeal is therefore withdrawn.

Dated on April 2, 1996, at Edmonton, Alberta.

William A. Tilleman, Chair