

ALBERTA ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Withdrawal: April 11, 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 Alberta-Pacific Forest Industries Inc. (Alberta-Pacific), with respect to Environmental Protection Order No. 95-09 issued by the Director of Pollution Control, Alberta Environmental Protection to Alberta-Pacific Forest Industries Inc. (Alberta-Pacific) and the letter of withdrawal from Mr. Dennis Thomas on behalf of Alberta-Pacific dated April 11, 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: Alberta-Pacific Forest Industries Inc. (Alberta-Pacific) v. Director of Pollution Control, Alberta Environmental Protection.

BACKGROUND

On March 7, 1996, Alberta-Pacific Forest Industries Inc. (Alberta-Pacific) filed a Notice of Appeal with respect to Environmental Protection Order No. 95-09 issued by the Director of Pollution Control to Alberta-Pacific for a bleached market kraft pulp mill located at Sections 29 and 32, Township 68, Range 19, West of the 4th Meridian operated by Alberta-Pacific.

On March 8, 1996, the Board wrote to the Department of Environmental Protection requesting all related correspondence, documents and materials. On March 18, 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 20, 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, correspondence was received from Mr. Dennis Thomas, counsel for Alberta-Pacific advising that they are in discussions with the Director of Pollution Control and they expect the matter of appeal to be resolved within ten days. The Board responded to Mr. Thomas on that same date requesting a written response be sent to the Board as to the result of these discussions. Further correspondence was received from Mr. Thomas on April 9, 1996, advising that Alberta-Pacific continues to be in discussion with the Director of Pollution Control and that they expect the matter of appeal to be resolved within the next ten days.

On April 11, 1996, the Board received written notification from Mr. Dennis Thomas on behalf of Alberta-Pacific stating that "I am writing to advise you that the Notice of Appeal dated March 7, 1996 is hereby withdrawn by Alberta-Pacific Forest Industries Inc. ("Alberta-Pacific")."

The Board then advised all parties in writing of this information on April 11, 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 11, 1996, at Edmonton, Alberta.

William A. Tilleman, Chair