
ALBERTA ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Withdrawal - August 22, 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 Alice Dupuit with respect to Approval No. 10348-01-00 issued by the Director of Chemical Assessment and Management, Alberta Environmental Protection to Laidlaw Environmental Services (Ryley) Ltd. and the letter of withdrawal from Alice Dupuit dated August 14, 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: Alice Dupuit v. Director of Chemical Assessment and

Management, Alberta Environmental Protection

BACKGROUND

On July 9, 1996, Alice Dupuit filed a Notice of Appeal to the Environmental Appeal Board with respect to Approval No. 10348-01-00 issued by the Director of Chemical Assessment and Management to Laidlaw Environmental Services (Ryley) Ltd. for the operation and reclamation of a hazardous waste storage and hazardous recyclable and processing facility; and the construction, operation and reclamation of a hazardous waste landfill near Beaverhill Lake.

On June 18, 1996, the Board had requested the Department of Environmental Protection provide related correspondence, documents and materials. On June 18, 1996, the Board wrote to the Natural Resources Conservation Board (NRCB), and the Alberta Energy and Utilities Board (AEUB) asking whether any of these matters have been the subject of a hearing or review under their legislation. On June 19, 1996, William Kennedy, Solicitor for the NRCB, advised the Board that the appeal does not deal with a matter that has been the subject of a review under the provisions of the NRCB Act. On July 22, 1996, Mike Bruni, Counsel for the AEUB, advised the Board that they have not reviewed nor held public hearings concerning this appeal.

On July 24, 1996, the Board wrote to the appellant requesting the following information in order to assist in deciding the preliminary matters:

1. Explain how you are “directly affected” by the decision issued by the Director in the above-noted approval.
2. Explain in more detail the environmental concerns you have with the decision issued by the Director in the above-noted approval.
3. Please provide a response to the issue raised by the Department of Environmental Protection in their letter of July 17, 1996, stating that you do not have a right to appeal as no statement of concern in relation to Approval 10348-01-00 was submitted.

On August 12, 1996, the Board wrote to Ms. Dupuit advising that the Board will hold a preliminary meeting on September 30, October 1, and October 2, 1996 and outlining the procedures for the meeting. The Board requested written representations to the following matters.

1. In the event that the Board determines that it has jurisdiction to proceed further to a pre-hearing or hearing, are the appellants directly affected as contemplated by the Act?
2. Is there any new information that is presented in the various appeals that are relevant to Approval No. 10348-01-00 and that was not available to the Director on the date when he made the decision to issue the said Approval, namely June 10, 1996?

The Board received a letter dated August 14, 1996, from Alice Dupuit stating:

“This is to advise you that I will not be making further representation to be heard by the appeal board regarding the Hazardous Waste Landfill Approval #10348-01-00 and I hereby withdraw my application to appeal.”

The Board then advised all parties in writing of this information on August 22, 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 August 22, 1996, at Edmonton, Alberta.

William A. Tilleman, Chair