

ALBERTA ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Withdrawal - July 18, 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 Paul Band First Nation
with respect to Approval No.'s 18528-00-00 and 9830-01-00 issued
by the Director of Air and Water Approvals, Alberta Environmental
Protection to TransAlta Utilities Ltd. and the letter of withdrawal
from Paul Band First Nation dated July 18, 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: Paul Band First Nation v. Director of Air and Water Approvals,

Alberta Environmental Protection

BACKGROUND

On July 2, 1996, the Paul Band First Nation filed a Notice of Appeal to the Environmental Appeal Board with respect to Approval No.'s 18528-00-00 and 9830-01-00 issued by the Director of Air and Water Approvals to TransAlta Utilities Ltd. Approval 18528-00-00 is for the construction and operation of a Class III potable water treatment plant constructed on the Sundance power plant site at the NW 1/4 Sec 20-52-4-W5M for the purpose of off-setting TransAlta's impact on water levels in Wabamun Lake and providing potable water. Approval 9830-01-00 is for the Sundance thermal electric power plant.

On July 2, 1996, the Board wrote to the Department of Environmental Protection requesting all related correspondence, documents and materials. On July 8, 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 July 22, 1996, the AEUB and on July 17, 1996, the NRCB 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 July 3, 1996, the Board wrote to Richard Secord, counsel for the Paul Band First Nation, requesting the date of receipt that the Paul Band First Nation received the notice of the decision. Mr. Richard Secord advised on July 3, 1996, that the notice of the decision was received on June 6, 1996.

On July 18, 1996, the Board received written notification from counsel for the Paul Band First Nation that stated:

“This letter will serve as an official request to withdraw my appeal against TransAlta Utilities Ltd.”

The Board then advised all parties in writing of this information on July 23, 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 July 23, 1996, at Edmonton, Alberta.

William A. Tilleman, Chair