

ALBERTA ENVIRONMENTAL APPEAL BOARD

Discontinuance of Proceedings

Date of Discontinuance of Proceedings - December 30, 1998

IN THE MATTER OF Sections 84 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. Werner Schulz with respect to Reclamation Certificate No. 37213 issued to Renaissance Energy Ltd. by Mr. Bill Pelech, Inspector, Land Reclamation Division, Alberta Environmental Protection on July 7, 1998.

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

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BACKGROUND

[1] On July 7, 1998, Mr. Bill Pelech, Inspector, Land Reclamation Division, Alberta Environmental Protection, issued Reclamation Certificate No. 37213 to Renaissance Energy Ltd.

[2] On November 12, 1998, the Environmental Appeal Board (Board) received a Notice of Appeal dated November 6, 1998 from Mr. Werner Schulz advising that he objected to the issuance of Reclamation Certificate No. 37213.

[3] The Board wrote to Mr. Schulz on November 12, 1998, acknowledging receipt of the Notice of Appeal, and by copy of that letter, requested the Department of Environmental Protection (the Department) provide copies of all related correspondence, documents and materials related to this matter. The Board also advised Renaissance Energy Ltd. on this same date that an appeal had been filed and provided them with a copy of Mr. Schulz's appeal.

[4] According to standard practice, on November 18, 1998 the Board wrote to the Natural Resources Conservation Board (NRCB) and the Alberta Energy and Utilities Board (AEUB) asking whether this matter had been the subject of a hearing or review under their respective Boards' legislation. Replies were subsequently received from both the NRCB and the AEUB stating they did not hold any hearing or review under their respective legislation.

[5] On November 27, 1998, the Board received by fax from Mr. Brett Houchin of Renaissance Energy Ltd., a Release signed by Mr. Schulz dated November 25, 1998 and an attached plan.

[6] On November 30, 1998, the Board received by fax, correspondence from Mr. David

Day, Alberta Justice, stating, "We now have the package of information requested by the EAB by way of a letter dated November 12, 1998. It is my understanding that Mr. Schulz is withdrawing his appeal. As a result I will hold the information until the EAB confirms Mr. Schulz's position."

[7] In a letter dated November 30, 1998, the Board forwarded to Mr. Schulz the correspondence from Mr. Brett Houchin of Renaissance Energy Ltd. dated November 27, 1998 and the correspondence from Mr. David Day of Alberta Justice, dated November 30, 1998 requesting that Mr. Schulz advise the Board by December 21, 1998 as to the status of the appeal.

[8] On December 30, 1998, the Board received a letter from Mr. Schulz stating:

"I WOULD LIKE TO REMOVE THE APPEAL REGARDING RECLAMATION CERT. #37213 YOUR FILE # E.A.B. 98-249. LOCATION SW OF SEC 2 TOWNSHIP 60 RANGE 26 WEST OF FOURTH MERIDIAN [sic] AS RENAISSANCE ENERGY HAS NOW PAID TO PUT THE LAND BACK TO MY SATISFACTION"

DECISION

[9] Pursuant to Section 87(7) of the *Environmental Protection and Enhancement Act*, and based on Mr. Schulz's undated letter received on December 30, 1998, the Board hereby discontinues its proceedings in appeal 98-249 and will be closing its file.

Dated December 31, 1998 at Edmonton, Alberta.

Dr. William A. Tilleman