

1999 ABEAB 35

December 2, 1999

Via Fax or Mail

Ms. Kathleen Nourse
732 Matador Crescent NE
Calgary, AB T2E 5Z5

Dear Ms. Nourse:

Re: Petro Canada Oil and Gas
Our File No.: 99-158

Further to Mr. Raymond Bodnarek's letters of November 1, 1999 and November 18, 1999, this will confirm that the Board, at this time, cannot proceed with an appeal as no decision has been issued by the Department of Environment.

For your information, the Board's appeal process cannot commence until a Director of Alberta Environment issues an approval under section 84 of the *Environmental Protection and Enhancement Act*. Your ability to appeal would then at that time surface. A copy of Part 3 of the Act and the Environmental Appeal Board Regulation are attached for your reference. The Environmental Appeal Board is limited by the law in what cases it can hear. These limits are set out in section 84 of the *Alberta Environmental Protection and Enhancement Act*.

As indicated in Mr. Bodnarek's letters, the Environmental Appeal Board does not have jurisdiction as indicated in section 84 of the *Environmental Protection and Enhancement Act*. In the event that there is a decision that is caught by section 84 of the *Environmental Protection and Enhancement Act*, your ability to appeal would *then* surface.

If you have any questions, please do not hesitate to call me directly. Thank you.

Yours truly,

Joanne Taylor
Executive Director and
Registrar of Appeals

cc: Mr. Raymond Bodnarek
Alberta Justice

Petro Canada Oil and Gas