
ALBERTA
ENVIRONMENTAL APPEALS BOARD

Discontinuance of Proceedings

Date of Mediation Meeting – November 3, 2008
Date of Discontinuance of Proceedings – November 14, 2008

IN THE MATTER OF sections 91, 92 and 95 of the
Environmental Protection and Enhancement Act, R.S.A. 2000, c.
E-12;

-and-

IN THE MATTER OF an appeal filed by Anthony Halitsky with
respect to *Environmental Protection and Enhancement Act*
Reclamation Certificate No. 00235049-00-00 issued to Signalta
Resources Limited by the Director, Northern Region,
Environmental Management, Alberta Environment.

Cite as: *Halitsky v. Director, Northern Region, Environmental Management, Alberta Environment, re: Signalta Resources Limited* (14 November 2008), Appeal No. 07-148-DOP (A.E.A.B.).

I. BACKGROUND

[1] On February 14, 2008, the Director, Northern Region, Environmental Management, Alberta Environment (the “Director”), issued Reclamation Certificate No. 00235049-00-00 (the “Certificate”), under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, to Signalta Resources Limited (the “Certificate Holder”) for the BRRI et al Rundle NE 8-65-16-W4M well, near Lac La Biche, Alberta.

[2] On March 17, 2008, the Environmental Appeals Board (the “Board”) received a Notice of Appeal from Mr. Anthony Halitsky, the landowner (the “Appellant”) appealing the Certificate.

[3] On March 18, 2008, the Board wrote to the Appellant, the Certificate Holder and the Director (the “Participants”) acknowledging receipt of the Notice of Appeal and notifying the Director of the appeal. The Board requested the Director provide the Board with a copy of the records (the “Record”) relating to this appeal, and that the Participants provide the Board with available dates for a mediation meeting, a preliminary motions hearing or a hearing.

[4] According to standard practice, the Board wrote to the Natural Resources Conservation Board, the Energy Resources Conservation Board and the Alberta Utilities Commission asking whether this matter had been the subject of a hearing or review under their respective legislation. The boards all responded in the negative.

[5] On April 14, 2008, the Board received a copy of the Record from the Director, and on April 16, 2008 forwarded a copy to the Appellant and Certificate Holder.

[6] The Appellant advised on April 16, 2008 that he would only be available for a mediation meeting within the next two weeks and would then be available in September. On April 30, 2008, in consultation with the Participants, the Board scheduled the mediation meeting for September 24, 2008, in Lac La Biche, Alberta.

[7] On September 16, 2008, the Board advised the Participants of a call from the Certificate Holder on September 15, 2008 advising that due to health reasons, they would not be able to attend the mediation meeting on September 24, 2008, and requested the mediation meeting be rescheduled.

[8] On October 9, 2008, in consultation with the Participants, the Board rescheduled the mediation meeting for November 3, 2008, in Lac La Biche, Alberta.

II. MEDIATION MEETING

[9] Pursuant to section 11 of the Environmental Appeal Board Regulation, A.R. 114/93, the Board conducted a mediation meeting in Lac La Biche, Alberta, on November 3, 2008 with Dr. Alan Kennedy, Board member, as the presiding mediator (the “Mediator”).

[10] In conducting the mediation meeting, the Mediator reviewed the appeal and the mediation process and explained the purpose of the mediation meeting. He then circulated copies of the Participants’ Agreement to Mediate. All in attendance signed the agreement and discussions ensued.

[11] Following productive and detailed discussions at the mediation meeting, the Appellant withdrew his appeal.

III. DECISION

[12] Pursuant to section 95(7) of the *Environmental Protection and Enhancement Act*, and based upon the withdrawal of the appeal by the Appellant, the Board hereby discontinues its proceedings in Appeal No. 07-148 and closes its file.

Dated on November 14, 2008, at Edmonton, Alberta.

Dr. Steve E. Hrudey, FRSC, PEng
Chair