
ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta**NEWALTA CORPORATION****SECTION 39 REVIEW OF APPLICATION NO. 1648982****ECKVILLE AREA****2011 ABERCB 030****Proceeding No. 1688971**

DECISION

[1] Having received a letter from Sunrise High River Limited (Sunrise) withdrawing its review application regarding the proposed amendments at Newalta Corporation's (Newalta) WM003 Waste Management Facility, the Energy Resources Conservation Board (ERCB/Board) hereby cancels the review hearing set down to consider the decision approving Application No. 1648982.

REVIEW APPLICATION

[2] On November 8, 2010, the ERCB approved Application No. 1648982 to amend Approval No. WM003 for Newalta to replace and upgrade an existing tank farm (Area 400) at an existing Newalta facility located at Legal Subdivision 11, Section 21, Township 39, Range 3, West of the 5th Meridian, to meet *ERCB Directive 055: Storage Requirements for the Upstream Petroleum Industry* standards. The replacement and upgrade included removing six 80 cubic metre (m³) storage tanks and replacing them with four 160 m³ storage tanks. Newalta also received approval through this application to install an additional 120 m³ storage tank within Area 100 of the facility.

[3] On January 5, 2011, Mr. Mason Lennox, on behalf of Sunrise, made a review and variance request pursuant to Section 39 of the *Energy Resources Conservation Act* and Section 48 of the *Energy Resources Conservation Board Rules of Practice*. On June 1, 2011, the Board registered the review hearing as Proceeding No. 1688971.

DISCUSSION

[4] The Board was scheduled to hold a public hearing in Red Deer, Alberta, on September 20, 2011, before Board Member B. T. McManus, Q.C. (Presiding Member) and Board Members R. C. McManus and A. H. Bolton, P.Geol.

[5] Sunrise and Newalta engaged in the ERCB's Appropriate Dispute Resolution program with Newalta on September 16, 2011. The process resulted in an agreement between parties, and on September 19, 2011, the ERCB received a signed withdrawal of objection from Sunrise.

[6] Accordingly, the public hearing is cancelled.

Dated in Calgary, Alberta, on September 21, 2011.

ENERGY RESOURCES CONSERVATION BOARD

<original signed by>

B. T. McManus, Q.C.
Presiding Member