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## APPEAL NO. 2003-WAS-013(a)

In the matter of an appeal under the *Waste Management Act*, R.S.B.C. 1996, c. 482.

<b>BETWEEN:</b>	West Fraser Mills Limited d.b.a. Eurocan Pulp and Paper Co.	<b>APPELLANT</b>
<b>AND:</b>	Regional Waste Manager	<b>RESPONDENT</b>
<b>AND:</b>	the Haisla Nation	<b>THIRD PARTY</b>

## CONSENT ORDER

**WHEREAS** the Regional Waste Manager made a decision (the "decision") March 12, 2003 regarding Eurocan's action plan for elimination of taint with respect to Permit PE-00292 as amended on April 10, 2003;

**AND WHEREAS** Eurocan Pulp and Paper Co. appealed that decision;

**AND WHEREAS** the Haisla Nation applied for and was granted full party status in the appeal as a Third Party;

**AND WHEREAS** the Appellant, Respondent and Third Party agree to conclude the appeal by way of a consent order of the Environmental Appeal Board;

**NOW THEREFORE** the Environmental Appeal Board orders the following:

- (1) The sentence below is removed from paragraph seven of the aforesaid decision:

"So that there be no misunderstanding, the Regional Waste Manager hereby requires the elimination of tainting of eulachon by March 1, 2007 as determined by an approved taint testing protocol."

- (2) The remainder of the decision is left intact.

- (3) In all other respects the Appeal is dismissed without costs

Consented to:

"James Sullivan"  
James Sullivan, Counsel for the Appellant

"Dennis Doyle"  
Dennis Doyle, Counsel for the Regional Manager

"Allan Donovan"  
Allan Donovan, Counsel for the Third Party

By the Environmental Appeal Board

"Alan Andison"  
Alan Andison, Chair

February 14, 2005