



# Environmental Appeal Board

**Citation:** *Executive Flight Centre Fuel Services Ltd. & Danny La Sante v. Director, Environmental Management Act*, 2025 BCEAB 19

**Decision No.:** 2014-EMA-007(a) & 2014-EMA-008(a)

**Decision Date:** 2025-04-22

**Decision Type:** Dismissal Order under section 17(2) of the *Administrative Tribunals Act*

**Appealed Under:** *Environmental Management Act*, SBC 2003, c. 53

**Between:**

Executive Flight Centre Fuel Services Ltd. & Danny La Sante

**Appellants**

**And:**

Director, *Environmental Management Act*

**Respondent**

## SETTLEMENT ORDER

**WHEREAS** on November 28, 2014, the Director's delegate under the *Environmental Management Act*, SBC 2003, c. 53, issued a certificate of cost recovery (the "Certificate") to Executive Flight Centre Fuel Services Ltd. and Danny La Sante.

**AND WHEREAS** the Certificate, issued under what was then section 80 of the *Environmental Management Act*, directed the appellants to pay the government's costs for responding to a hazardous substance spill event on Lemon Creek on July 26, 2013, fixed at \$127,161.89;

**AND WHEREAS** the appellants each filed an appeal of the Certificate;

**AND WHEREAS** on February 17, 2015, the Environmental Appeal Board ("Board") ordered a stay of the Certificate pending resolution of these appeals on their merits;

**AND WHEREAS** with the parties' consent, the Board has since held these appeals in abeyance pending resolution of Supreme Court of British Columbia Vancouver Registry Action Nos. S155933 and S135927 (the "Class Actions");

**AND WHEREAS** on January 15, 2025, the Supreme Court of British Columbia ordered that the settlement agreement between the representative plaintiffs and defendants in the Class Actions is approved and binding on the class members and defendants in the Class Actions, pursuant to section 35 of the *Class Proceedings Act*, R.S.B.C. 1996, c. 50, and that the Class Actions are dismissed;

**AND WHEREAS** the parties agree to resolve all issues in these appeals in accordance with the terms set out below, by consent and without a hearing;

**THE BOARD HEREBY ORDERS** under section 17(2) of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45, that:

1. The notice of appeal filed by Danny La Sante, dated December 22, 2014, is hereby dismissed;
2. The notice of appeal filed by Executive Flight Centre Fuel Services Ltd., dated December 19, 2014, is hereby dismissed; and
3. Each party shall bear their own costs of the Appeal.

**THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS NOTED ABOVE:**

“Rick Williams”

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Signature of Rick Williams  
Lawyer for the Appellant, Danny La Sante

“Sarah Hansen”

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Signature of Sarah Hansen  
Lawyer for the Appellant, Executive Flight Centre Fuel Services Ltd.

“Meghan Butler”

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Signature of Meghan Butler  
Lawyer for the Respondent

**FOR THE BOARD:**

“David Bird”

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David Bird, Vice-Chair and Registrar  
Environmental Appeal Board