

provisions of the stipulation as conditions on Permit #TFN 3 4/213.

6. The Protestants have the right to seek a rehearing before the Council where they can present evidence and argument on those issues they believe to be within the Council's jurisdiction on public nuisance.

CONCLUSIONS OF LAW

1. The Environmental Quality Council has jurisdiction over the subject matter of and the parties to this proceeding.
2. The parties to this proceeding, with the exception of DEQ, have entered into a settlement agreement that is enforceable between the signatories to the agreement.
3. This agreement should not be attached to Permit #TFN 3 4/213 as conditions on that permit.

IT IS HEREBY ORDERED THAT:

The Director of the Department of Environmental Quality shall acknowledge the stipulation that has resolved the objections to the permit and issue Permit TFN 3 4/213 to Reeves Inc.

DATED this 5th day of November, 1999.

Pat Hand, Hearing Examiner
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