

ENVIRONMENTAL



We represent clients on a wide variety of environmental law issues in British Columbia, Ontario and elsewhere in Canada.

OUR EXPERTISE

We act for industrial clients in the natural resource sector including mining, forestry and energy companies, corporate clients and their in-house counsel, engineers and environmental consultants, financial service providers, hospitals, and transportation companies.

We regularly provide advice and representation on emerging environmental issues including:

- Contaminated sites
- Emergency response
- Pollution and nuisance complaints
- Insurance issues
- Sales and acquisition of contaminated lands
- Marine pollution issues, including emergency response
- Risk management
- Errors and omissions (“E&O”) claims
- Directors and officers liability
- Environmental offences

OUR SERVICES

We are equipped to provide immediate on-site help and advice to clients when an environmental emergency or incident occurs. We are able to act as an effective liaison with government officials, witnesses, affected neighbours, clean-up personnel and others to help clients minimize environmental damage and any repercussions to the client that may result from the incident. Members of our group periodically attend emergency response training sessions to maintain and foster their response skills.

Our group advises and assists clients in the acquisition and disposition of companies and properties when potential environmental problems are an issue. Services we routinely provide include:

TEAM LEADER



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TEAM MEMBERS

| James Dowler

| David Garner

| Christopher Hirst

| Jason Kostyniuk

| Jason Lattanzio

| Menka Sull

- Conducting due diligence investigations and searches
- Negotiating and drafting purchase and sale agreements
- Preparing indemnity or other agreements to identify, allocate and mitigate any risks associated with environmental contamination

Many of our clients face issues arising under the Environmental Management Act and its regulations regarding contaminated sites. We assist clients in understanding their rights and obligations under this key piece of environmental legislation. Our experience means we can efficiently and effectively create appropriate strategies for handling the remediation of contaminated sites and lessen the impact on our clients. Our expertise in this area includes:

- Defending against and dealing with Remediation Orders
- Negotiating and drafting of remediation agreements
- Interpreting and explaining directives from environmental authorities
- Conducting stakeholder's meetings
- Pursuing actions for the recovery of costs incurred in cleaning up contaminated lands
- Obtaining Approvals in Principle and Certificates of Compliance
- Representing clients in matters before the Environmental Appeal Board and the Courts

INDUSTRY INVOLVEMENT

Our environmental lawyers are members of the [Environmental Managers Association](#), the [British Columbia Environment Industry Association](#) and the Environmental Law section of the [Canadian Bar Association](#). We are also active in providing seminars and information sessions to clients.

REPRESENTATIVE MATTERS

- We defended a company against charges brought under the federal Fisheries Act respecting alleged deposit of deleterious substances in Burrard Inlet
- We appeared before the Environmental Appeal Board to set aside a Remediation Order
- We appeared before the Environmental Appeal Board to defend an Air Quality Permit
- We provided insurance coverage advice regarding liability for an oil spill in federal waters
- We have negotiated a host of multi-party site remediation agreements involving provincial regulatory authorities, municipalities, landowners and other stakeholders
- We developed evidence in a civil proceeding concerning lead-isotope technical analysis to permit conclusive dating of gasoline and other



contaminants