

ENVIRONMENTAL



We represent insurers and insureds on environmental law matters in British Columbia, Ontario and elsewhere in Canada. Our experience includes acting both as defense and coverage counsel in disputes concerning environmental legal liability.

OUR EXPERTISE

We act for clients operating in a wide variety of sectors that deal with environmental legal issues including natural resource extraction (mining, forestry and energy), real estate transactions, construction projects, manufacturing, hospitals, and transportation.

We regularly provide advice and representation on environmental issues concerning:

- Contaminated sites
- Emergency response
- Pollution and nuisance complaints
- 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 under the *Environmental Management Act* and *Fisheries Act*

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 have drafted environmental policy wording for all-risk liability insurance policies
- We defended an insured owner/operator of a gasoline station concerning

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historical contamination

- We defended an insured manufacturer of heating oil tanks concerning an oil spill and the cost of clean-up
- We provided coverage advice regarding liability for an oil spill in federal waters
- 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 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

