



Canadian Environmental Protection Act (CEPA 1988)

Historical Legal Activities Report

Prosecutions carried out from January 1, 1988 to March 31, 1999

(Compiled by Charged Date)

<i>Company Name and Address</i>	<i>Offence Date and Location</i>	<i>Charged Date</i>	<i>Sections/Offence</i>	<i>Trial Date</i>	<i>Court Decision</i>	<i>Fine & Court Order</i>	<i>Notes</i>
ATLANTIC REGION							
HARRIS & ROOME SUPPLY LIMITED Bathurst, New Brunswick	1993-Jul-30 Bathurst, NW	1998-Oct-14	Ozone-depleting Substances Products Section 5(1)	1998-Dec-09	Convicted	\$20,000.00 fine: \$15,000 to go to Environmental damages fund / 5000.00 fine.	
CHETICAMP PACKERS (1991) LTD and their Directors Box 580 Cheticamp, Nova Scotia	1997-Sept-25	1998-Mar-27	CEPA Section 103 Allegedly providing an Environment Canada inspector with false and misleading information regarding an activity regulated under CEPA.	1998-May-19	Charges dismissed		
1) LA DIGUE FISHERIES LIMITED and, 2) PIERRE LEBLANC P.O. Box 301 Cheticamp, Nova Scotia	1997-Sept-25 (same)	1998-Mar-26 (same)	CEPA Sections 67(1)(a) - Ocean Dumping Allegedly loaded and dumped herring offal without a permit.	1998-May-19 (same)	Charges Withdrawn Guilty Plea to dumping	1) \$7 500 fine 2) \$7 500 fine	1) Charges for loading for the purpose of dumping were dismissed 2) Money went to Receiver General for Canada. Tried to have the funds directed to the Environmental Damage Fund but Judge was not satisfied that CEPA Section 130 gave the court the power to direct the money in that manner.
M.V. BRANDENBURG St.John's Newfoundland	100 Nautical Miles south of Cape St.Mary's Newfoundland	1998-Feb	CEPA - Ocean Dumping Fisheries Act 36(3)	1998-May-29	Charges Withdrawn		
M.V. ATLANTIC CARTIER	1997-Nov-20	1997-Nov-20	CEPA Section 67(1) Migratory Birds Convention Act 1994, Section 35 Canada Shipping Act sec 664(1)	1998-May-29	Guilty plea	Fine \$35,000	
CITY SALES LTD, TRANS CANADA AUTOHAUS LTD, 051544 Fredericton, N.B.	1993March-June	1997-May-15	13 counts Ozone-depleting Substances Regulations Allegedly export CFC's without a valid permit.	1998-Mar-9-13	Guilty Plea	Fine \$20,000	The charge was providing false and misleading information to an inspector. Environment Canada worked with U.S. Court Order directing money to the University of New Brunswick Environmental Sustainable Development Research Centre.



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ATLANTIC REGION							
WERNER'S WHOLESALE GROUP INC., SOCIÉTÉ DE COMMERCE EN GROS WERNER INC.(D.S. FRASER)	1995-Apr-24 - 1995-Oct-20	1996-Jan-15	7 counts Ozone-depleting Substances Products Regulations	1996-Mar-27	Guilty Plea	Fine \$9 000	The company pleaded guilty to a total of ten charges, nine for selling the product and one charge for offering the product for sale. A court order was issued directing Werner's Wholesale Group Inc. to be responsible for disposing of the products in an environmentally safe and acceptable manner.
MIRAMICHI PULP & PAPER INC. Newcastle, New Brunswick	1994-Mar-18	1994-Jun-16	1 count PCB Storage Regulations 1 count Chlorobiphenyls Regulations Approximately 45 litres of PCB oil allegedly leaked into the environment	1994-Aug--09	Guilty Plea	\$100 fine and a court order to pay \$8 000 to the New Brunswick Department of Education for Environmental Education in the area where the offence took place and an additional \$8 000 will be paid to the New Brunswick Community College	The charge under the Chlorobiphenyls Regulations was withdrawn. The company also agreed to pay an additional \$500.00 to Environment Canada for the publication in a newspaper of the facts related to the case.
OCEAN PRIDE FISHERIES LTD MILTON LEBLANC & ROY LEBLANC	1993-Aug-05 Wedgeport, N.S.	1993-Aug-30	2 counts - CEPA 67(1) Ocean Dumping Dog fish offal dump, not in accordance with permit.	1994-Jan-17	Guilty Plea by company Charges against individuals were withdrawn	\$3 000 fine	
DALEY BROTHERS LTD. AND AIDEN DALEY P.O. Box 40 - St. Joseph's, St. Mary's Bay, Nfld.	1992-Mar-31 St. Joseph's, Nfld.	1993-Fev-08	1 count - Ocean Dumping Company loaded fish offal onto a barge for the purpose of dumping without a permit	1993-May-18	Conviction	\$1,000 fine for the company; \$500 fine for the plant manager.	The Crown successfully demonstrated to the Court the intent of the defendant to dump fish offal.
H.W. MACLAUHLAN LTD. AND HARRY MACLAUHLAN Charlottetown, P.E.I.	1992-Jan-30 & 1992-Aug-28 Charlottetown, P.E.I.	1992-Nov-05	12 counts CEPA 36(5) PCB Storage Interim Order		Charges withdrawn		
MOOSEHEAD BREWERIES LTD. St. John, N.B.	1992-Fev-14 & 1992-Apr-28 St. John, N.B.	1992-Jul-21	2 counts Ozone-depleting Substances #1 Two shipments of CFC-115 and	1992-Sept-09	Guilty Plea	Absolute Discharge	Seven 22.7 kg. cannisters of CFCs (value of approx. \$2,500) were forfeited by the company.



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ATLANTIC REGION							
			HCFC-22 ordered and received from the U.S.				
RALPH DOBBIN St. Joseph's, Nfld.	1991-May-14 St. Joseph's, Nfld.	1992-Apr-30	1 count Ocean Dumping Ocean Dumping Permit	1992-May-25	Guilty Plea	\$500 fine.	
BEAVER MARINE CONSTRUCTION GROUP Bedford, Nova Scotia	1989-May	1990-Apr-26	1 count - CEPA 67(1) Ocean Dumping	1990-Jun-04	Guilty Plea	\$2,000 fine	
CONSOLIDATED RAMBLER MINES LIMITED Baie Verte, Nfld.		1989-Fev-13	1 count EC 8(4) Environmental Contaminants	1991-Apr-04	Appeal Rejected		Preliminary hearing in Spring 1990. Charges were dismissed.
BAY BULLS SEA PRODUCT Bay Bulls, Nfld.	1989-Jul-05 Bay Bulls, Nfld.	1989-Nov-17	1 count - CEPA 67(1) Ocean Dumping	1991-Mar-20	Guilty Plea	\$3,000 fine	Crown recommended a \$5,000 fine but Judge considered that the material was not oil, just fish waste.
CHETICAMP PACKERS Cheticamp, N.S.	1988-May-07 Cheticamp, N.S.	1988-Aug-04	2 counts ODCA 4(1) Ocean Dumping	1989-Avr-28	Guilty Plea	\$1,500 fine \$750 per charge	
HARRY LOWELL NEWMAN Yarmouth, N.S.	1988-Sept-19 Yarmouth, N.S.	1988-Dec-02	1 count CEPA 67(1) Ocean Dumping	1989-Avr-12	Conviction	\$500 fine.	First conviction under <i>CEPA</i> .
RICHARD THIBODEAU Wedgeport, N.S.	1988-Sept-22 Yarmouth, N.S.	1988-Nov-03	CEPA 67(1) 1 count Ocean Dumping	1989-Feb-13	Acquitted		
WILFRID S. DEVEAU Cheticamp, N.S.	1988-June-17 Cheticamp, N.S.	1988-Aug-04	ODCA 4(1) 1 count Ocean Dumping	1988-Dec-13	Guilty Plea	\$500 fine	



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QUÉBEC REGION							
SYNDIC RAYMOND, CHABOT, FAFARD, GAGNON INC.	Lachine, Québec	1997-Feb-20	14 counts PCB Storage	1997-Nov-04	Guilty on 4 counts (4,7,9 and 14)	\$20,000	Counts (1,2,3,5,6,8,10,11,12 and 13) were withdrawn
HYDRO-QUÉBEC Station no. 3, Shawinigan Shawinigan, Québec	June-11-1995	1996-Mar-18	PCB Storage Regulations	1998-Nov-09	Guilty Plea	\$1 fine and \$25,000 Court order	The \$25,000 Court order to be used for restoration projects for the Saint-Maurice River.
NARINDER NATH (EXPORTEURS et IMPORTEURS NATH) 10500 boul. l'Acadie Montréal (See Ontario Region, prosecution of Triloki Vashist and Narinder Nath, carrying business as T&N Enterprises Exporters & Importers and TNV Trading Ltd.)	1993-Dec-15 & 1994-Dec-22	1995-Oct-08	26 counts Export/Import of Hazardous Waste Regulations (EIHWR) Alleged exportation of zinc wastes in twelve (12) instances in the Port of Montréal, without giving prior notice.	1996-Dec-20	Guilty Plea	\$10 000 fine	The company plead guilty to one count, the remaining counts were withdrawn.
METALCHEM INC. 1725, Washington Rd, USA (METALCHEM CANADA INC. 2000, Argentina Rd, Ontario)	1993-Aug-30, and 1999-Sept-1	1995-Aug-14	2 counts Export/Import of Hazardous Waste Regulations (EIHWR) Allegedly exported lead dross eight times between Aug.30, 1993 and Sept 29, 1993 without notification and a letter of authorization from Environment Canada.	1996-June-06	Charges withdrawn		
LAIDLAW MEDICAL SERVICES INC. Etobicoke (Ontario) Gatineau (Québec)	Between 1994-Jan-23 and 1994-Feb-11	1995-Apr-10	14 counts Export and Import of Hazardous Waste Regulations (EIHWR)	1995-June-19	Guilty Plea	\$8 000 fine	The company pleaded guilty to 2 counts, and was fined \$4 000 each. The remaining counts were withdrawn by the Crown.



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QUÉBEC REGION							
ANACHEMIA LTD 500, 2nd Avenue Lachine, Québec	Between 1991-Aug-6 & 1991-Nov-19 Montréal, Québec	1994-Oct-14	5 counts Ozone-depleting Substances # 1 Illegal importation of products containing CFC's	1995-Feb-24	Guilty Plea	\$3 000 fine	\$1 500 fine for each count, for a total of \$3 000. The remaining counts were stayed.
ACCES-O-TRONIK 2095 boul. Charest, West Sainte-Foy, Québec	1993-Oct-18 Sainte-Foy, Québec	1994-May-13	2 counts Ozone-depleting Substances # 3 Sale of products containing CFCs	1994-Aug-26	Guilty Plea	\$600 fine	
ZEP DU CANADA INC. 660, Lépine Avenue Dorval, Québec	1994-Jan-19 Dorval, Québec	1994-Apr-14	3 counts Ozone-depleting Substances # 3 Illegal importation , offer for sale and sale of products containing CFC's.	1994-Sept-06	Guilty Plea	\$9 600 fine and assume the responsibility for the cost of the destruction of CFC containers.	
MADLIMER INC. 18, Road 199 - C.P. 39 Iles-de-la-Madeleine Québec	Between 1993-May-22 to 1993-June-22 Iles-de-la- Madeleine Québec	1994-Feb-11	CEPA 67(1)(a) Ocean Dumping Dog fish offal dump, not in accordance with permit	1994-June-22	Guilty Plea	\$ 5 000 fine	
ROSGOL INDUSTRIES LTD 2175 Orleans Avenue Montréal, Québec	1992-Dec Montréal, Québec	1993-June-25	4 counts Ozone-depleting Substances # 3 Illegal importation, offer for sale and sale of products containing CFCs.	1995-Dec-14	Guilty Plea	\$ 2 500 fine	Guilty Plea on second & third count, first and fourth count were withdrawn. Madam Justice Louise Provost of the Court of Québec found the company guilty of violating the Ozone-depleting Substances Regulations (Products) No. 3 made under the Canadian Environmental Protection Act, which forbid the sale of CFCs in Canada since 1990. A court order which requires Rosgol Industries Ltd to dispose at its expense, of pressurized containers which were confiscated from its premises. The company was ordered to turn these containers over to Halozone Recycling Inc. , of Mississauga Ontario, who will recycle the CFC's they contain.
VENTES TECHNIQUES LABCOR INC. 7565 Av. M.B. Jodoin, Anjou, Quebec	1992-Apr-4-6-28 (offer for sale) 1992-Apr-16-21 (importation)	1993-Jan-29	2 counts Ozone-depleting Substances #3 Illegal importation, offer for sale and sale of products containing	1993-Sept--02	Guilty Plea	\$500.00 fine for each count.	



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QUÉBEC REGION							
LOU-LEE LTÉE and FRANK GUINTA 1130 Chemin du Ruisseau Sud, St-Mathieu-de-Beloeil, Quebec	1) Cowansville, Québec 2) St-Jean-sur-Richelieu, Québec 3) Québec City, Québec	1991-Jul-30 1992-Aug-05 1991-Jul-13- 1992-May-27 1991-Jul-29- 1992-June-30	CFCs 3 counts - Gasoline Regulations Illegal importation at Cowansville 3 counts Illegal importation at St-Jean-sur-Richelieu 7 counts Illegal sale of gasoline at Québec	1993-Dec-07 1994-Feb-08 1994-Feb-14	1) Guilty Plea 2) Guilty Plea 3) Guilty Plea	\$1 000 fine \$1 000 fine \$1 000 fine	3) Charges of illegal sale were laid in Québec City against both the company and Frank Guinta.
FRIEFELD, LITWIN, LEVITSKY, FELDMAN 1010 Sherbrooke St. W., Suite 2101, Montreal, Quebec	1991-Apr-11 - 1991-May-9 Montreal, Quebec	1992-Oct-7	1 count Ozone-depleting Substances #3 Sale of products containing CFCs	1993-May-20	Charges Withdrawn		Given the acquittal of Les Encanteurs Continentals, the Crown decided to withdraw the charges in this similar case.
LES ENCANTEURS CONTINENTALS LTÉE 478 McGill St. Montreal, Quebec	1991-May-08 Montreal and Chambly, Quebec	1992-Oct-07	1 count Ozone-depleting Substances #3 Sale of products containing CFCs		Acquitted 1993-May-20		The Judge concluded that the defendant acted with due diligence.
DISTRIBUTIONS JOHNSON INC. 8945 Boul. Industriel Chambly, Quebec	1991-Sept-25 1991-Nov-19 1991-Nov-16 Chambly and elsewhere in the Province of Quebec	1992-Oct-07	6 counts Ozone-depleting Substances #3 Sale of products containing CFCs	1993-June-17	Guilty Plea	\$650 fine for each count for a total fine of \$3,900; and court order to confiscate and destroy all CFC products in an environmentally safe manner.	
A & C AMERICAN CHEMICALS 3010 rue De Beane Montreal, Quebec	1989-Nov-7 Stanhope, Quebec	1992-Jul-25	1 count Ozone-depleting Substances #1 Importation of CFCs	1993-May-17	Guilty Plea	\$3,000 fine plus costs.	



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QUÉBEC REGION							
ECG CANADA INC. 1928 Boul. St-Regis Dorval, Quebec H9P 1H6	1992-Apr-02 Dorval, Quebec	1992-Aug-27	3 counts Ozone-depleting Substances #3 Offered to sell imported cans containing CFCs	1993-Jan-20	Guilty Plea to first count	\$3,000 fine for one count plus confiscation of all seized CFCs.	Two counts were withdrawn.
121412 CANADA INC. and LES ENTREPRISES THERRIEN ENRG. 1000 Boul. Lemire Drummondville, Quebec	1991-May at Lacolle, Quebec and in 1992-Apr, at Drummondville, Quebec	1992-Oct-21	4 counts: Gasoline Regulations: -2 counts for illegal sale of gas in Drummondville -2 counts for illegal importation of gas in Lacolle	1993-Jan-12	Guilty Plea to two counts of illegal importation	\$10,000 fine (\$5,000 for two counts).	The charges against Les Entreprises Therrien for illegal sale of leaded gasoline at Drummondville were withdrawn by the Crown.
HÖESCHST CANADA INC. Willowdale, Ontario and 4045 Côte Vertu, Montreal, Quebec	Between 1989- Aug-01 and 1990- Aug-31 Toronto and Ontario	1992-Oct-22	Ozone-depleting Substances #1 2 counts under Section 3 & Section 5. Importation of unauthorised amounts of CFC-113 in 1989 and 1990	1992-Dec-18	Guilty Plea	\$35,000 fine for one count	Investigation conducted by Quebec region; charges laid by Ontario region. The second count was withdrawn.
GERVAIS DUBÉ INC. Mr Gervais Dubé and Mr Francis Dubé 76, rue Morrissette Trois-Pistoles, Quebec	Between 1990- Oct-5 and 1990- Dec-10 Carleton, Quebec	1992-Feb-06	2 counts CEPA 67(1)(a) Ocean Dumping	1992-Aug-07	Guilty Plea	\$2,000 fine plus costs.	1 Count was withdrawn. Charges against Mr G. Dubé and Mr F. Dubé were withdrawn.
GLOBE MOTORISTS SUPPLY CO. & MARC CUTTLER 121-123 East Third Street Mount Vernon, New York 10550 See also I.C.M. Automotive Ltd., below:	1991-March-23 1991-April-1 1991-May-30 Lacolle, Quebec	1991-Oct-11 1991-Nov-25	6 counts Ozone-depleting Substances #1 Importing CFC 12 from the United States	1992-Jun-09	Guilty plea	Court order under section 130 of CEPA, to make a donation of \$3,000 to an environmental organization.	Charges against Marc Cuttler were stayed.
I.C.M. AUTOMOTIVE LTD. 90 Bates Rd Montreal, Quebec H2V 1A9	1991-April-8 and 30 Lacolle, Quebec	1991-Oct-11	2 counts Ozone-depleting Substances #1 Importing CFC 12 from the United States	1992-June-9	Charges stayed	Same court order as above for a total penalty of \$6,000 for Globe Motorists Supply Co.	Because the charges were stayed against I.C.M. Automotive Ltd., Globe Motorists Supply Co. agreed to make an additional donation of \$3,000 to an environmental organization.



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QUÉBEC REGION							
DEPARTMENT OF PUBLIC WORKS and RAYMOND MURRAY Rimouski, Quebec	Between 1990-June-1 and 1990-Aug-31 Havre-aux-Maisons, Îles-de-la-Madeleine	1991-April-4/25	CEPA 67(1)(a) 2 counts (1 each) Ocean Dumping	1992-April-15	Guilty Plea	A fine of \$1.00 without costs. Public Works was ordered to carry out improvements at their facility at the wildlife reserve on Îles-de-la-Madeleine for no less than \$40,000. The work must be completed by 93/11/30 to the satisfaction of Environment Canada.	A guilty plea was entered on 92/04/15. The original penalty of \$100,000 was the largest since the beginning of CEPA. The Department of Public Works appealed this penalty. The lower penalty of \$40,000 was levied on 92/11/20 and represents the original joint submission made by the Crown and Public Works at trial. The charge against Raymond Murray was withdrawn.
INDUSTRIES DOMCO LTÉE 1001 rue Yamaska Farnham, Quebec J2H 1S7	Farnham, Quebec	1991-Oct-10	CEPA PCB Interim Order 3(1)(d) 1 count Importation of a condenser from the United States	1992-April-4/10	Guilty Plea	\$3,500 fine.	
ENTREPOSAGE JARRY 8757 8ieme avenue Montreal, Quebec H1Z 4C5	1991-March-23 Lacolle, Quebec	1991-Nov-25	2 counts Ozone-depleting Substances #1 Importing CFC 12 from the United States	1992-March-10	Guilty Plea	\$2,000 for one count.	One count was withdrawn.
GROUPE MASTER 2555 Place Chassé Ltée Montreal, Quebec H1Y 2C3	1990-June-12 1990-Nov-21 1990-Jul-06 Montreal, Quebec	1991-Nov-1	3 counts Ozone-depleting Substances #1 Importing CFCs from Belgium	1991-Dec-6	Conviction	\$6,000 total \$2,000 per count	Approximately \$5,000 worth of CFCs were seized and confiscated.
INCENDEX INTERNATIONAL INC. 5905 rue Thimens Ville St. Laurent, Quebec	1987-Dec-8 1989-Aug-2 Ville St. Laurent, Quebec	1991-Feb-6	2 counts CEPA 18(1)(b) Ozone-depleting Substances #1 Provided false information to the Minister	1991-10-31	Guilty Plea	\$3,000 fine.	
ALCAN SMELTER & CHEMICAL LTD., SECAL L'ascension de Notre Seigneur, Quebec	1990-March-6 Chutes du Diable, Lac St. Jean	1990-Dec-17	1 count CEPA PCB Reg. 6(1)	1991-June-10	Guilty Plea	\$30,000 fine.	Pleaded guilty to a count under sec 6(1) of the PCB Regs Interim Order and a count under section 36(1)(a) was abandoned.
OLD PORT OF MONTREAL and ROBERT SIMARD Montreal, P.Q.	Between 1989-May-Aug.	1990-Jul-11	2 counts CEPA PCB Storage Did not respond to an inspector's	1991-Apr	Guilty Plea	Port of Montreal: \$25,000 fine and an order to inform its employees of CEPA requirements.	



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QUÉBEC REGION							
			direction			Robert Simard: conditional discharge, donating \$5,000 to a non-profit organization, 6 months probation.	
HYDRO-QUÉBEC, Shawinigan, Quebec 340, rue St-Maurice Trois-Rivieres, Quebec	1990-Jan-01 Shawinigan power station	1990-June-5	2 counts CEPA 36(1)(a) and Section 6(a) PCB Interim Order	1998-Nov-9	Guilty Plea	\$600,000	Supreme Court of Canada upholds the federal government's constitutional authority to regulate toxic substances. In the long course, it is believed that improvements to the Shawinigan Station will bring an estimated "environmental profit" of up to \$1,735,000
CONSOLIDATED BATHURST BELGO DIVISION Shawinigan, Quebec	1989-April-4	1989-Apr-13	1 count CEPA 36(1)(b) PCB Regs	1990-Sept-7	Convicted	\$5000 fine.	Found guilty on 10 Aug 90. The conviction was appealed on 7 Sep 90. The conviction was upheld in Appeal Court.
MINES D'ARGENT ABCOURT. Val d'Or, Quebec	1986-Jul-8	1988-Feb-5	TDGA 4 counts Transportation of Dangerous Goods		Acquitted		



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ONTARIO REGION							
1) MOE CAMPBELL LINCOLN MERCURY SALES (1981) LIMITED, Windsor, Ontario, and 2) DAVID BADMAN	1996-Oct-19 1996-Jan-1	1998-Oct-21 (same)	Ozone-depleting Substances General 3 (1) or sub-section 6(2)	1999-Nov. 22	1) Charges withdrawn 2) Guilty Plea	2) \$30,000.00 to be paid to Solicitor General of Canada.	
ALCAN ALUMINIUM LIMITED carrying on business as ALCAN RECYCLING, and DALLA VIA, PETER	1995-Apr-01 (same)	1998-Mar-12 (same)	Export and Import of Hazardous Waste - 17(1)(c) (same)	1998-Apr-3 1998-Oct-16	Guilty Plea Charges Withdrawn	1. Alcan pay forthwith (within 30 days) a sum of \$40,000 to the Receiver General of Canada in trust for the Grand River Conservation Authority, to be used for the following projects: (i) "The Alf Hales Memorial Trail" a riverbank improvement project and recreational trail corridor whose aim is the naturalization of the riverbank of the Speed River within the limits of the City of Guelph and linkage with the Trans-Canada Trail System, (ii) "The Guelph Lake Nature Centre" the site of daily outdoor education classes and environmentally related curriculum classes in support of school children, community groups and the general public;	Counts 2 to 60 were stayed by the Crown.
PROTOTYPE CIRCUITS INC. and MOHAMMED ZADEH	1996-May-Nov	1997-Jan-01	Export and Import of Hazardous Wastes Section 3(4)	1998-Sept. 14-18	Guilty Plea	1. Order a corporation to comply with EMS and ISO 14001 environmental standards, 2. Order a corporation to conduct seminars on waste reduction and pollution prevention,	



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						3. Order a corporation to contribute a significant sum (\$20,000) to youth orientated environmental education 4. Order a corporation to contribute a significant sum (\$10,000) to an environmental law enforcement agency (EC-EPB-EED) for the express purpose of aiding the enforcement of CEPA and its regulations, and 5. Order an individual (Zadeh) to assist EC - Toxics Prevention Division, organize and run a workshop whose purpose is pollution prevention and waste reduction in a specific industrial sector - the printed circuit board industry.	
BOLTON STEEL TUBE COMPANY; and HENRY KOURY & BRYAN JAMES Bolton, Ontario	1994-Sept.-to 1995-Dec	1996-Oct-24	12 counts Export/Import of Hazardous Waste Regulations 12 counts Transportation of Dangerous Goods Act	1997-March-25	Guilty Plea	\$10 000 fine and a court order of \$20 000 to support environmental education.	
AMCAST INDUSTRIAL LIMITED and MR. PETER CLOTHIER Burlington, Ontario This case is associated with the prosecution in Atlantic Region of Werner's Wholesale Group/DS Fraser Stores. A	1993-1995	1996-May-15	7 counts Ozone-depleting Substances Products Regulations Alleged illegal sale of a product containing restricted ozone-depleting substances (SCC20 Switch and Contact Cleaner containing CFC 113).	1996-Nov-6	Guilty Plea	\$25 000 Fine	The company pleaded guilty to one count of illegally importing a CFC product specifically 48 cans of SCC20 Switch and Contact Cleaner. The remainder of the charges including those against the manager, were stayed.



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ONTARIO REGION							
conviction was obtained recently in Atlantic Region.							
MOTILAL DHAR carrying on business as DHAR TRADING COMPANY	1994-Apr to 1995-March Toronto	1996-Feb-8	16 counts Export/Import of Hazardous Wastes Regulations	1996-June-21	Guilty Plea	\$2 500 fine	Mr. Dhar pleaded guilty to one count. The remainder of the charges were withdrawn.
WALTER FAGGION and NORTH AMERICAN ZINC COMPANY Stoney Creek, Ontario	1993-1995 Stoney Creek	1995-Dec-12	70 counts Export/Import of Hazardous Wastes Regulations (EIHWR) Allegedly exported hazardous wastes from Canada to the USA contrary to the requirements of CEPA and the EIHWR.	1996-May-10	Charges withdrawn		Crown prosecutor and the judge withdrew all charges after a re-examination of the evidence.
MIDA METALS INTERNATIONAL INC. and BRIAN LOVE Burlington, Ontario	1993-1994	1995-Dec-12	62 counts Export/Import of Hazardous Wastes Regulations (EIHWR) Allegedly exported hazardous wastes from Canada to the USA contrary to the requirements of CEPA and the EIHWR.	1996-Jul-10	Charges withdrawn		
T&N ENTERPRISES EXPORTERS & IMPORTERS and TNV TRADING LTD. TRILOKI VASHIT & NARINDER NATH Brampton, Ontario	Between 1994 & 1995	1995-June-30	40 counts Export/Import of Hazardous Waste Regulations Allegedly exported hazardous waste without meeting the prescribed condition for such exports contrary to the provisions of the EIHWR issued	1996-Dec-13	Guilty Plea	\$12 000 fine	Charges stayed for the two individuals



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ONTARIO REGION							
SEE QUEBEC REGION, PROSECUTION OF NARINDER NATH			under CEPA				
HARISH GHANDI, operating as SOKARI INTERNATIONAL Mississauga, Ontario	Between 1993-April and 1994-Sept	1995-May-17	36 counts Export and Import of Hazardous Waste Regulations (EIHWR) Allegedly exported hazardous wastes without meeting the prescribed conditions for such exports	1996-Nov-22	Guilty Plea	\$12 000 fine	The corporate accused pleaded guilty to one count. All additional counts against the corporate accused and all counts against Harish Gandhi, President, were subsequently withdrawn.
G.H. JOHNSON'S (DUFFERIN) LTD & PATRICK JOHNSON Toronto, Ontario	1994-July-8	1995-May-1	22 counts Storage of PCB Material Regulations	1996-Jan-16	Guilty Plea	\$10 000 fine for G.H. Johnson's & \$5 000 fine for Patrick Johnson	Total 3 counts at \$ 5 000 each.
IMPERIAL OIL CHEMICALS DIVISION MR. DOUGLAS REID, former plant manager Sarnia, Ontario	Between 1993-June-19 and July 12 Sarnia, Ontario	1995-Jan-30	4 counts Vinyl Chloride Release Regulations	1995-Dec-4	Guilty Plea	\$18 000 fine	
BIOCAN WASTE MANAGEMENT SYSTEMS & GARY ZIMAK Thunder Bay, Ontario	1993-Aug-5 Canada Customs Thunder Bay, Ontario	1994-June-14	Export and Import of Hazardous Waste Regulations (EIHWR)	1994-Sept-26	Guilty Plea	Biocan \$5 000 fine President \$2 500 fine	Also community service for 1 year.
KIRKEY RACING FABRICATION INC. and STEPHEN PATRICK KIRKEY St. Andrews West, Ontario	Throughout 1992 St. Andrews West, Ontario	1993-Jan-21	Gasoline Regulations 22 counts of illegal importation and sale of leaded gasolines	1994-Apr-7	Guilty Plea	\$6 000 fine	Two charges against the company. \$4 000 fine for importation & \$2 000 fine for selling. Remainder, stayed



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ONTARIO REGION							
T.G. HAMMOND St. Mary's, Ontario	Spring and Summer, 1992 St. Mary's, Ontario	1992-Nov-24	Gasoline Regulations 35 counts of illegal importation and sale of leaded gasoline	1995-May-9	Guilty Plea	\$10 000 fine	
DRUMMOND FUELS Nepean, Ontario	Spring and Summer, 1992 Nepean, Ontario	1992-Nov-17	4 counts Gasoline Regulations Charges laid for illegal sale of two types of leaded fuel	1993-Jan-15	Charges stayed		Charges stayed by DOJ were not reintroduced into court during the one year limitation period and therefore the case is closed.
ONTARIO COMPETITION FUELS Mississauga, Ontario	1991-92 Mississauga, Ontario	1992-Nov-12	Gasoline Regulations 59 counts of illegal importation and sale of leaded gasoline	1994-March-28	Charges stayed		Charges were stayed by the Crown because of the Government's intent to decriminalize the activity for which the company was charged. This case was reviewed by DOJ after the Gasoline Regulation amendment process was concluded.
RADIO SHACK Barrie, Ontario	1992 Barrie, Ontario	1992-Oct-13	36 counts under Section 3(2) Ozone-depleting Substances #3	1995-Oct-13	Acquitted		
D.G. HUTZEL WHOLESALE LTD. Etobicoke, Ontario	1991-March-4 Fort Erie, Ontario	1992-March-6	2 counts Ozone-depleting Substances #1	1992-Apr-24	Guilty Plea	\$2,500 fine	One count was withdrawn.
ROBERT AUTO SUPPLIES Toronto, Ontario	1991-May-21 Toronto, Ontario	1991-Sept-23	2 counts Ozone-depleting Substances #3 Selling CFCs to a CEPA investigator	1992-Oct-26	Guilty Plea	\$2,000 fine	
HI-LINE MANUFACTURING	1990-1991 Various locations in Quebec and Ontario	1991-Sept-23	96 counts Ozone-depleting Substances #1 and #3	1992-Sept-2	Guilty Plea	\$100,000 fine	Fines of \$50,000 for one count importing CFCs and \$50,000 for one count selling CFCs. Charges stayed against three company officials.



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ONTARIO REGION							
MCKERLIE-MILLEN LTD. and JACK PRICE Cornwall, Ontario	1991-Apr-26 Cornwall, Ontario	1991-May-22	3 counts Ozone-depleting Substances #3 Selling CFCs in small cans.	1992-Jan-20	Guilty Plea	\$8,000 fine.	\$3,000 each count for McKerlie-Millen. \$1,000 each count for Jack Price
SELWYN P. BELSHER LTD. Etobicoke, Ontario	1991-Sept-9 North York, Ontario	1991-Oct-31	9 counts Ozone-depleting Substances #3 Selling CFCs in a pressu-rized container less than 10 kg.	1992-Jan-10	Guilty Plea	\$30,000 for one count	Of the remaining 8 counts, 4 charges were withdrawn and 4 charges were stayed.
AUTO ACTION PARTS AND SUPPLIES Weston, Ontario	Weston, Ontario	1991-Aug-20	2 counts Ozone-depleting Substances #3 Sale of cans containing freon	1991-Sept-24	Guilty Plea	\$2,000 for one count	One count withdrawn.
ALERT AUTOMOTIVE SUPPLIES Thornhill, Ontario	1991-May-4 Thornhill, Ontario	1991-Jul-12	6 counts Ozone-depleting Substances #3 Offering for sale and selling a product containing CFCs.	1991-Sept-10	Guilty Plea	\$2,500 fine	\$1,000 fine for 2 counts selling \$500 for 1 count offering to sell The remaining 3 counts were withdrawn.
ECOLAB Mississauga, Ontario	1991-Jan-7 Mississauga, Ontario	1991-May-22	1 count Phosphorus Regulations	1991-Sept-16	Guilty Plea	\$4,000 for one count	
MR. GAS Orleans, Ontario	Between 1989-Jul- 9 and 13	1989-Nov-13	4 counts Gasoline Regulations High lead content	1990-March-12	Charges Withdrawn		Lab used analyses method different from regulatory requirements.



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PRAIRIE AND NORTHERN REGION							
CANADA SAFEWAY LIMITED Calgary, Alberta	1998-Feb-10	1998-Dec-18	1) Ozone-depleting Substances (General); 2) CEPA - Section(s) 26(1)(a)	2000-May -31	Guilty Plea for both	1) \$7,500 2) \$7,500	\$35,000 to University of Calgary for scholarship for environmental science Substance ordered returned to U.S., in compliance with ODSR, 1998. Permit is required to be applied for within 30 days, and within 30 days of permit received substance has to be exported.
SHRED-A-CAN RECYCLERS LTD., Bay 1, 861644 Street S.E. Calgary, Alberta	Between 1994-Dec and March	1995-Oct-17	Export/Import of Hazardous Waste Regulation	1996-Oct. 23	Guilty Plea	\$4 000 fine	The company pleaded guilty to two charges and was sentenced to pay a fine of \$2 000 on each count for a total of \$4 000. The charges against the company's president, Frederic M. Cohen, were dismissed.
SUPERSPORT CLASSICS LTD. Calgary, Alberta	1991-Sept-9 Calgary, Alberta	1992-Oct-6 & 28	6 counts Gasoline Regulations Import of approximately 19,000 litres of leaded gas. Offer for sale and sale of leaded gasoline.	1994-July-14	Guilty Plea	\$9 000 fine \$1 000 for importing leaded gasoline (5 counts) and \$4 000 for unlawfully offering for sale (1 count)	92/10/06 - charge for " importation". 92/10/28 - charge for "offer for sale".
EPHRAIM HAAS & HEIGHTS TRANSPORTATION SERVICES LTD. Medicine Hat, Alberta	1992-April-26 Medicine Hat, Alberta	1992-July-31	1 count Ozone-depleting Substances #3 Imported, sold and offered to sell banned ozone depleting substances.	1993-May-4	The accused were acquitted		
DEUTZ-ALLIS CORPORATION (CANADA) LTD., Regina, Saskatchewan	1991-July-30 North Portal, Saskatchewan	1992-July-30	17 counts Ozone-depleting Substances #1 and #3 Importation of ozone depleting substances	1992-Sept-30	Guilty Plea	\$5,000 fine	\$2,500 for one count under Section 3 and \$2,500 for one count under Section 3(1)(a) of the Regulations. 15 counts were withdrawn.



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PACIFIC AND YUKON REGION							
ROBERT GUTTMANN Manager Interior Battery Warehouse Prince George, BC	1998-Apr-2 Prince George	1998-May-11	Transportation of Dangerous Goods Act, 1992 Part IV Sections 5 (b) and 5 (c)	1998-June 10	Convicted	\$5 000 fine	
WHITE PASS TRANSPORTATION LTD, and Employees: PAUL TAYLOR PRESTON CLAYTOR ED HANOUSEK	1995-Aug-2	1996-Dec-8	1 count Export/Import of Hazardous Wastes Regulations (EIHWR) Allegedly failed to notify of hazardous waste shipment	1997-Apr-21	Guilty Plea	\$12 000 fine	For the CEPA offence, \$6 000 fine and an additional \$6 000 to be directed to Environment Canada pursuant to section 130(1) of the Act for use on environmental projects.
MILLER CONTRACTING LTD (Sandheads)	1995-Dec--12 to March 7 New Westminster	1996-Aug-16	Ocean Dumping	1998-May-15	Acquitted		
J.J.M. CONSTRUCTION, (J.J. MILLER MILLER CONTRACTING)	1995-Oct-27 Fraser River	1996-Feb-6	CEPA B.C. Waste Management Act	1997-June-10	Found Guilty	\$52 000 fine	J.J.M. Construction and J.J. Miller were acquitted. Charges under CEPA were stayed. Miller Contracting found guilty on 3 counts under B.C. Waste Management Act.
JOHN W. LAMBERTON	1995-Oct-27 Strait of Georgia	1995-Dec-19	CEPA Ocean Dumping B.C. Waste Management Act	1997-May-12	Guilty Plea to 1 count under B.C. Waste Management Act	\$12 000 fine	1 year prohibition against any ocean dumping Charges under CEPA were stayed
VANDERVALK-CORNELIUS	1994-Sept-1	1994-Nov-21	1 count Ocean Dumping	1994-Dec-1	Guilty Plea	\$500 fine	\$145.00 restitution, 35 hours of community service and a public apology
BELLA COOLA FISHERIES LTD. 9829 River Road,	1992-March and 1993-Feb. Aug. Sept. &	1994-Apr-7	5 counts Ozone-depleting Substances # 2 Importation of Ozone- depleting	1994-Nov-23	Guilty Plea	\$7 500 fine	



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PACIFIC AND YUKON REGION							
Delta, British Columbia	Dec.		Substances				
ISLAND-SEA MARINE LTD. & MR KENNETH HIGGS Victoria, British Columbia	1991-Aug, Nov, Dec, and 1992-Apr-5	1992-Sept-10	CEPA 67(1) & 68(4) Ocean Dumping 3 counts Dumping of gyproc	1993-Dec-6	Guilty Plea	\$30 000 fine for the company and \$10 000 fine for K.W. Higgs (President)	Judge Filmer imposed a \$10 000 personal fine for K.W. Higgs (President) and prohibited him from engaging in any ocean dumping activity for a period of one year. He was also placed on unsupervised probation for one year. H. Higgs appealed conviction and sentence for company. Appeal hearing scheduled to mid-October. Appeal dismissed and fines upheld.
VALLEY TOWING LIMITED #1 Front St., New Westminster, British Columbia	1991-Sept-25	1992-Feb-5	6 counts CEPA 69(1) & 67(1) Ocean Dumping	1993-March-8	Guilty Plea	\$1,000 fine plus court order to pay \$20,000 to support research into the ecological use and disposal of wood debris.	Charges were laid against the company and its director. Five of the charges, including those against the company director, were stayed. Environment Canada will be the scientific authority and will oversee implementation of the court order.
PETER FINN Kamloops, British Columbia	1992-Apr Kamloops Indian Reserve	1992-Sept-31	5 counts PCB Waste Storage Charged for burning PCB-containing fluorescent light ballasts on an Indian Reserve	1992-Dec-18	Guilty plea	Suspended sentence plus 150 hours of community service (possibly in recycling industry)	
AQUA CLEAN SHIPS LTD PACIFIC INCINERATIONS LTD and ALAN G. PRICE 2319 Commissioner St. Vancouver, British Columbia	1990-July-5 to 7 North foot of Nanaimo St, Vancouver 49 18'N, 123 03'W	1990-Oct-2	CEPA 67 & 69 Ocean Dumping 8 counts with the collection and incineration of international ship's garbage on a barge moored in Vancouver Harbour	1994-Oct-24-26	Aqua Clean Ships: Acquitted Pacific Incineration: Found Guilty on 1 count Alan G. Price: Absolute discharge	\$1 000 fine	The conviction of Pacific Incineration Ltd was upheld as was the absolute discharge of Alan G. Price.
PATTAR SAWMILLS and SWARAN PATTAR 8081 River Road	1989-Feb-14 - 1989-Jul-25 Delta, B.C.	1990-May	16 counts CEPA PCB I.O. Inadequate storage of PCB	1990-Oct-31	Acquittal		Crown failed to prove the defendant was "owner of the facility at times material to the offenses." An appeal was considered but not proceeded with. Another 14 charges were laid under the BC MOE PCB Waste



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PACIFIC AND YUKON REGION							
Delta, B.C.	19 09'N, 122 57' W		waste equipment and contaminated soil				Storage legislation.
RMS - ROSS AND RAYMOND MARKS 44325 Yale Rd. Chilliwack, B.C.	1989-May-4 Huntingdon Border 49' N, 122 16'W	1989-Dec-6	2 counts CEPA PCB I.O. Importation of equipment containing PCBs	1990-Sept-26	Guilty Plea	\$5,000 fine.	Charges stayed against RMS-Ross. Raymond Marks has pleaded guilty to one count. He was not an employee or officer of RMS-Ross and was charged as an individual.
WEST ISLE FOREST PRODUCTS (now FUTURA FOREST PRODUCTS) 1185 Hallowell Rd., View Royal, Victoria, B.C.	1988-Dec-28 Esquimalt I.R. (Plumper Bay), B.C. 49 24'N, 123 28'W	1989-Aug-21	7 counts CEPA PCB I/O PCB Electrical Equipment damaged in sawmill demolition and fire	1990-Apr-11	Guilty Plea	\$20,000 fine on 4 counts	Defendant was shell company with no assets. Fine paid by President Herb Doman.
MACMILLAN BLOEDEL - ALBERNI Division 1075 West Georgia St. Vancouver, B.C.	1989-Jul-1-3 Polly Point, Alberni Inlet, B.C.	1989-August	1 count CEPA 67(1) Dumping logging debris not in accordance with a permit	1990-Jan-26	Conviction	\$1,000 fine. Plus \$14,000 court order to improve habitat.	First conviction under CEPA. Court order was to improve spawning habitat but not in the area where the offence occurred.
LIGNUM SALES LIMITED	1987-May-1 - 1987-June-30	1988-Apr-27	ECA 3(1)(a) PCB Regulation #2 2 counts	1988-Oct-18	Acquitted		Crown could not prove beyond a reasonable doubt that the company and employee knowingly offered PCB equipment for sale.
CROWN ZELLERBACH CANADA LIMITED	1980-August-16-17 Beaver Cove, Johnstone Strait, B.C. 50 32' N 126 51'W	1980-Feb-20	2 counts ODCA Ocean Dumping Control Act - Dredging contrary to permit	1990-Oct-15	Conviction	\$8,000 fine \$4,000 per charge	Went through the courts to the Supreme Court of Canada. Federal powers apply to Provincial territorial waters.