

# News Release Communiqué



Ministry of the  
Environment

Ministère de  
l'Environnement

For Immediate Release  
February 20, 2006

## **IMPERIAL PRECAST CORPORATION AND OWNER FINED TOTAL OF \$58,000**

HAMILTON —Imperial Precast Corporation and owner Emilio Domenic Sciallo were fined a total of \$58,000 today, after pleading guilty to violations of the *Environmental Protection Act (EPA)* and the *Ontario Water Resources Act (OWRA)*.

Imperial Precast manufactures concrete products in the City of Hamilton. The Court heard that between September 2002 and June 2004, inspections conducted by environmental officers from the Ministry of the Environment (MOE) found that:

- significant quantities of cement dust were not properly contained within the site and drifted onto neighbouring residential properties;
- process water that was contaminated with chemicals and concrete particulate was drained into a ditch that runs into Fifty Mile Creek;
- sewage was discharged from an outdoor holding tank without a certificate of approval from MOE; and
- a storage silo that discharged cement dust was used without a certificate of approval.

The Court heard that MOE received complaints from nearby residents about dust emissions from the facility. The Court also heard that Fifty Mile Creek is a migratory and spawning habitat for Lake Ontario fish, as well as seasonal habitat and resting areas for migratory shorebirds and waterfowl.

Following an investigation by MOE's Investigations and Enforcement Branch, charges were laid.

The company and Sciallo each pled guilty to:

- One count of causing or permitting the discharge of a contaminant into the natural environment that caused or was likely to cause an adverse effect, contrary to section 14(1) of the *EPA*. The company was fined \$25,000 and Sciallo was fined \$4,000.
- Two counts of causing or permitting the discharge of a material that may impair the quality of water, contrary to section 30(1) of the *OWRA*. The company was fined \$10,000 and Sciallo was fined \$1,000 for each count.

The company also pled guilty to:

- One count of discharging contaminated water without a certificate of approval, contrary to section 53(5) of the *OWRA*, and was fined \$3,000 for this violation.
- One count of operating or using a structure from which a contaminant may be discharged without a certificate of approval, contrary to section 9(7) of the *EPA*, and was fined \$2,000 for this violation.

Scullo also pled guilty to providing false or misleading information to a provincial officer with respect to on-site waste at the facility in May 2005, contrary to section 184(2) of the *EPA*. He was fined \$2,000.

Justice of the Peace Barbara J. Waugh heard the case in the Ontario Court of Justice in Hamilton, Ontario on February 20, 2006.

- 30 -

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