

For Immediate Release
March 24, 2006

EMPIRE AGRI-SERVICES INC. FINED \$14,000 FOR ENVIRONMENTAL OFFENCES

ST. CATHARINES — Empire Agri-Services Inc. has been fined \$14,000, plus a victim fine surcharge, after pleading guilty to charges under the Environmental Protection Act (EPA).

Empire Agri-Services Inc. is located in Canfield, Ontario and is under contract with Abitibi Consolidated Inc.'s Thorold plant to transport and dispose of paper fibre biosolids generated during the recycling of newsprint at the plant. Beginning in April 2004, Empire Agri-Services Inc. deposited paper fibre biosolids from the plant at 7627 Kalar Road in Niagara Falls.

In June 2004, the Ministry of the Environment received complaints from residents near the Kalar Road site that odours were preventing them from fully using their properties. The ministry followed up and determined that the paper fibre biosolids deposited at the site were a source of the odours. During an inspection on June 30, 2004, ministry officers noted that paper fibre biosolids had been spread onto fields at the site within two meters of a small creek.

Following an investigation by the ministry's Investigations and Enforcement Branch, Empire Agri-Services was charged with permitting the discharge of a contaminant, an odour, that caused an adverse effect contrary to Section 14(1) of the Environmental Protection Act. The company pled guilty and was fined \$11,000. The company also pled guilty to spreading paper fibre biosolids within 20 meters of surface water contrary to section 45 of Ontario Regulation 267/03 under the Nutrient Management Act (NMA), 2002 and was fined \$3,000.

The Court also ordered the company to notify the ministry of when and where it delivers paper fibre biosolids, to ensure that storage on any site is in accordance with the NMA, 2002, and to ensure that it strictly adheres to the method for land application of paper fibre biosolids outlined in the Court Order. In addition, the Court ordered the company to comply with applicable environmental laws and obtain all required approvals.

Justice of the Peace Thomas Froese rendered the decision in the Ontario Court of Justice in St. Catharines, Ontario, on March 23, 2006.

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