

For Immediate Release
July 4, 2006

J. & J. GENERAL STORE LIMITED AND OWNER FINED TOTAL OF \$40,000 FOR OFFENCES UNDER THE ENVIRONMENTAL PROTECTION ACT

THUNDER BAY—J. & J. General Store Limited and owner John Edward Lundstrom have been fined a total of \$40,000, plus a victim fine surcharge, for violations of the *Environmental Protection Act (EPA)*.

J. & J. General Store Limited owns and operates a CAN-OP service station located on King Street in Armstrong, Ontario. John Edward Lundstrom owns both the company and the property, including three storage tanks enclosed behind fencing on the property—one for gasoline, a second for diesel fuel and a third for coloured diesel fuel.

The Court heard that on May 10, 2004 the ministry received a report from an Ontario Provincial Police Officer stating that fuel was flowing from the ground near the service station and into neighbouring Hoodoo Creek. An environmental officer went out to the site that day and concluded that the fuel was seeping out of the service station property.

On May 11, 2004, a Provincial Officer Order was issued to Lundstrom, requiring him to take immediate measures to minimize, or alleviate the flow of fuel into the creek. Specifically, he was ordered to place a minimum of two booms into the creek to contain and absorb the fuel.

An investigation conducted by the ministry's Investigations and Enforcement Branch found that Lundstrom had not immediately installed the booms, as he had been ordered to do. The investigation also revealed that water quality in the creek was impaired, and aquatic life was killed, as a direct result of the fuel discharge.

J. & J. General Store Limited pleaded guilty to:

- One count of permitting the discharge of a contaminant into the natural environment that caused an adverse effect, contrary to section 14(1) of the *Environmental Protection Act (EPA)*.
- One count of failing to do everything practicable to prevent, eliminate, or ameliorate an adverse effect, and to restore the natural environment, contrary to section 93(1) of the *EPA*.

John Edward Lundstrom pleaded guilty to:

- One count of failing to comply with a Provincial Officer Order, contrary to section 186(2) of the *EPA*.

The company was fined \$15,000 for each of its offences, and Lundstrom was fined \$10,000 for his offence. The Court also ordered the defendants to clean up the property.

Justice of the Peace Robert Michels sentenced the defendants on Friday June 23, 2006 in the Ontario Court of Justice in Thunder Bay.

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