

For Immediate Release  
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## **J.C.J. CONTRACTING FINED TOTAL OF \$25,000 FOR VIOLATIONS OF THE ONTARIO WATER RESOURCES ACT**

**LONDON**—504802 Ontario Inc., operating under the name J.C.J. Contracting, has been fined a total of \$25,000, plus a victim fine surcharge, after pleading guilty to two violations of the *Ontario Water Resources Act (OWRA)*.

J.C.J. Contracting is an excavation and demolition company located in Virgil, Ontario. Since 1994, the company has had a contract with the City of London to provide and operate heavy equipment on the city's W12A landfill site—a solid, non-hazardous waste site at the intersection of Manning Drive and White Oak Road.

The landfill site has two storm water retention ponds, one of which discharges to a small ditch, which in turn discharges to a tributary of Dodd's Creek.

The Court heard that on November 25, 2004, a J.C.J. employee was refueling his bulldozer with diesel fuel from a storage tank located in the south-central region of the landfill site. The employee locked the fuel pump in the 'on' position, and went into a nearby trailer to complete some paper work. When the employee later returned, he found that the pump's automatic shut off switch had not worked, and that the transfer of fuel continued after the bulldozer's tank was full.

As a result, approximately 150 litres of diesel fuel overflowed onto the ground and ran into a ditch leading to the storm water retention pond that ultimately discharges into Dodd's Creek. The employee did not report the spill to the ministry.

A short time later, W12A landfill staff discovered the diesel fuel in the storm retention pond and in the nearby ditches. The staff reported the spill to the Ministry of the Environment immediately, and worked to contain the fuel in the ditches and the pond.

Water samples analyzed by the ministry confirmed that the small ditch leading to Dodd's Creek was contaminated with diesel fuel, which was likely to impair the watercourse. Dodd's Creek however, was not contaminated with diesel fuel, because oil absorbent booms installed by landfill staff had held the fuel back.

As a result of the abatement actions taken by the landfill staff, only ten litres of fuel flowed off site.

Following an investigation conducted by the ministry's Investigations and Enforcement Branch, charges were laid.

J.C.J. Contracting pleaded guilty to:

- one count of causing the discharge of a material into a watercourse, which may have impaired water quality; and
- one count failing to notify the ministry of a discharge into a watercourse.

Both were offences under section 107(1) of the *OWRA*. The company was fined \$20,000 for the first count and \$5,000 for the second.

Justice of the Peace Robert Ponton sentenced the defendant on July 10, 2006 in the Ontario Court of Justice in London.

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