

PRAXAIR CANADA INC. FINED \$35,000 FOR DISCHARGING A CONTAMINANT INTO THE NATURAL ENVIRONMENT

TORONTO—Praxair Canada Inc. has been fined \$35,000, plus a victim fine surcharge, after pleading guilty to a violation of the *Environmental Protection Act (EPA)*.

Praxair Canada Inc. operates an industrial gas manufacturing facility located at 60 Skagway Avenue in Toronto. The facility uses refrigeration to separate air into its various components for distribution to customers.

The Court heard that on April 15, 2005, maintenance work was being completed on the facility's cold box, which is used in their operations. Workers began removing a non-toxic insulation material known as *perlite*, to gain access to inner components of the box. During the removal, there was an unexpected eruption of perlite from the box. A northwest wind carried the perlite over residential and commercial areas, and to Walter Perry Junior Public School, which is one kilometre from the plant.

Some people in the area, including school children, reported eye and throat irritations caused by exposure to the perlite dust. Six of the school children required eye rinsing to alleviate the discomfort caused by the dust.

Following an investigation conducted by the Ministry of the Environment's Investigations and Enforcement Branch, a charge was laid.

Praxair Canada Inc. pleaded guilty to one count of discharging a contaminant into the natural environment that caused an adverse effect, contrary to section 14(1) of the *EPA*. The company was fined \$35,000 for this offence.

The Court was also told that when the eruption occurred, Praxair immediately initiated its emergency response procedures and notified the appropriate authorities. The company undertook an extensive community cleanup, and Praxair personnel contacted all neighbours who were affected by the discharge to offer information and any needed assistance.

Justice of the Peace Donte La Caprara sentenced Praxair Canada Inc. on September 21, 2006 in the Ontario Court of Justice in Scarborough.

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