

OPERATOR OF AUTOMOTIVE WRECKING YARD FINED TOTAL OF \$2,500 FOR VIOLATIONS OF THE ENVIRONMENTAL PROTECTION ACT

ST. CATHARINES—Raymond Henderson, operator of an automotive wrecking yard in Niagara Falls, has been fined a total of \$2,500, plus a victim fine surcharge, after pleading guilty to two violations of the *Environmental Protection Act (EPA)*.

Raymond Henderson operates a wrecking yard located at 3901 Detenbeck Road in Niagara Falls, Ontario.

The Court heard that on January 19, 2004, a ministry inspection of the site revealed a 250 gallon storage tank containing waste oil. The provincial officer conducting the inspection instructed Henderson to register as a generator of waste oil, and to report waste oil being stored for more than three months to the ministry. Henderson failed to do so.

The Court also heard that on December 8, 2004, Henderson told an officer with the ministry's Investigations and Enforcement Branch that in May or June of 2004, he had a registered waste oil removal company come to the wrecking yard and remove approximately 930 litres of the oil.

The officer later interviewed the driver of the waste oil removal vehicle who said that he had not removed any waste oil from the site, because Henderson did not have the required Generator Registration number. The officer returned to the wrecking yard, and Henderson confirmed that the waste oil was in fact, still on site.

Henderson pleaded guilty to one count of failing to submit a Generator Registration Report to the ministry once on-site generated waste oil had been stored at the site for more than three months. This was a violation of section 18(10) of Regulation 347 made under the *EPA*, and Henderson was fined \$700 for this offence.

Henderson also pleaded guilty to one count of providing false or misleading information to a provincial officer, contrary to section 184(2) of the *EPA*. He was fined \$1,800 for this offence.

Henderson registered with the ministry in July 2006 for a Generator Registration Number and had waste oil removed by a registered hauler.

Justice of the Peace Thomas Froese sentenced the defendant on July 27, 2006 in the Ontario Court of Justice in St. Catharines.

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