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DEVELOPMENTS IN ESTABLISHING A CAP AND TRADE SYSTEM FOR ONTARIO

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This past summer Ontario and Québec agreed to collaborate on a greenhouse gas cap and trade initiative. Subsequently, Ontario joined the Western Climate Initiative (WCI) in working on a regional cap and trade system for greenhouse gas emissions. Forming these linkages with other jurisdictions should hasten Ontario's reductions in greenhouse gas emissions.

Bill 185, The *Environmental Protection Amendment Act (Greenhouse Gas Emissions Trading)*, 2009

On December 3, Bill 185 was passed by the Ontario Legislature. It provides the legislative framework needed for a cap and trade system. It re-enacts s. 176.1 of the EPA to authorize Cabinet to make regulations establishing programs and other measures for the use of economic and financial instruments and market-based approaches, including those pertaining to emissions trading. Regulation-making authority now explicitly includes the power to make regulations:

- prescribing those who will be subject to these programs and other measures;
- governing the creation, distribution, use, trading and retirement of the economic and financial instruments;
- prescribing requirements related to the emission, monitoring and reporting of contaminants; and
- designating a person or body to administer these programs and other measures.

A regulation that relates specifically to greenhouse gases may provide for instruments to be distributed free of charge, or by auction, sale or other means that are not free of charge (s. 176.1(4)). Amounts paid to the Minister of Finance from the distribution of these instruments must be deposited in the newly created Greenhouse Gas Reduction Account (a separate account in the Consolidated Revenue Fund). These funds must be used to reimburse the Crown for costs incurred in administering the greenhouse gas regulations and in supporting greenhouse gas reduction initiatives (s. 176.1(6)-(9)).

The Bill defines "greenhouse gas" to mean "carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, or any other contaminant prescribed as a greenhouse gas by the regulations". The Bill has not yet received Royal Assent.

Greenhouse Gas Emissions Reporting Regulation (O. Reg. 452/09)

The Ontario *Greenhouse Gas Emissions Reporting Regulation*, the next step in implementing a cap and trade initiative in this province, was filed on December 1. The regulation applies to facilities in certain sectors including petroleum, electricity, manufacturing and minerals (s. 2(1)) if the facility emits 25,000 tonnes of carbon dioxide equivalent (CO₂e) or more per year (s. 5(1)). If the regulation applies, then the

person who generates the greenhouse gas must:

- use the *standard* quantification methods to quantify emissions, or for 2010 emissions only, use the *best alternative* quantification methods, as outlined in a technical guideline that accompanies the regulation (s. 4(1), (6));
- prepare annual emissions reports and submit the reports to the Director on or before June 1 in the calendar year following the reporting period, beginning with 2010 emissions (s. 5(1)(a)); and
- ensure that an annual verification statement is prepared by an accredited verification body in accordance with ISO 14064 and ISO 14065 and submitted to the Director on or before September 1 in the calendar year following the reporting period, beginning with 2011 emissions (s. 5(1)(b)).

Although smaller emitters (facilities that emit between 10,000 tonnes and 25,000 tonnes) are not required to report under the regulation, the Ministry has announced that it will develop a program to encourage that they report voluntarily. This will enable them to adapt to emerging North American-wide requirements.

Ontario's stated goal is to continue to work with the federal government and other provinces as well as all the WCI Partners to harmonize GHG reporting requirements and methods, especially in light of the US EPA *Final Mandatory Reporting of Greenhouse Gases Rule* which was published in the Federal Register on October 30 and will be effective December 29.

BRITISH COLUMBIA'S MANDATORY GREENHOUSE GAS EMISSIONS REPORTING TO BEGIN ON JANUARY 1, 2010

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Starting January 1, 2010, facilities in British Columbia that emit greenhouse gases (GHG) over 10,000 tonnes of CO₂E will be required to report annually their GHG emissions to the BC Government. For those facilities emitting more than 25,000 tonnes of CO₂E, you must not only report the emissions, but the emissions must be verified using an independent accredited third party verifier.

This initiative is the second step in B.C.'s cap and trade system that was introduced through the *Greenhouse Gas Reduction (Cap and Trade) Act* which created a framework for a BC cap and trade system. The BC system is based on and is intended to be consistent with the Western Climate Initiative (WCI) a regional cap and trade regime initially started on the US west coast. There are also similarities between BC's new Reporting Regulations and those recently announced by the US Environmental Protection Agency. However, there are also significant differences and companies operating facilities in various locations should review the applicable regulations carefully to ensure their emissions data collection and reporting procedures comply with the regulations.

In order to have a workable cap and trade system, it is important to establish the amount of GHG emissions that each facility emits in BC. Accordingly, the new Reporting Regulation sets out the type of greenhouse gases that must be reported, the threshold level of emissions (10,000 tonnes of CO₂E), the types of facilities required to report, the quantification methods to be used in reporting, how to report, how to verify the emission reporting, and administrative matters such as record keeping and compliance.

The reporting obligation applies to a range of activities including:

- base metal production;
- cement production;
- coal mining from underground mines;
- coal storage at facilities that burn coal;
- electronics manufacturing;
- glass manufacturing;
- industrial wastewater processing;
- petrochemical production and refining;
- pulp and paper production;
- upstream oil and gas;
- natural gas transmission and distribution;
- electricity transmission and distribution;
- oil pipeline transportation.

It is also important to understand the definitions under the Reporting Regulations as they will determine whether and what the facility will be required to report. For example, “linear facilities”, such as oil and gas facilities, that gather, process and distribute emissions may be aggregated where the facility is “managed or controlled” by the same person or company in order to determine whether the facility’s 10,000 tonne reporting threshold and the 25,000 tonne verification threshold are met. Yet, consider a similar scenario where there are similar numerous facilities, but each facility is managed and controlled by a different person. In this scenario, the facilities would not be aggregated to determine whether thresholds have been met. The Reporting Regulations indicate that a facility need not include and report emissions from “mobile equipment” as part of its annual emissions. However, an operating mine facility will likely need to include and report emissions from its ore hauling vehicles because those vehicles are not considered “mobile equipment” for reporting purposes.

On the face of it, the regulation appears to exempt carbon dioxide produced from biomass from the calculations to determine whether thresholds have been met. However, the biomass fuel source must be composed primarily of wood and must contain minimal amounts of other biomass materials. In addition, the regulation does not exempt biomass wood fuel imported into BC from a jurisdiction that does not consider wood biomass carbon neutral.

The Reporting Regulation does not apply to emissions from landfills that are managed under the Landfill Gas Management Regulation. In addition, the Reporting Regulation only requires facilities to report their direct emissions. There is no requirement to include and report indirect emissions emitted by suppliers of materials or services to the reporting facility. In keeping with BC’s participation in WCI, the quantification methods required to be used under the Reporting Regulation are those used by the WCI. However, operators of facilities in various locations in North America should also be aware of the EPA’s reporting requirements and regulations as there are significant differences between those regulations and the WCI regulations.

Annual reporting begins with the 2010 calendar year, and those annual reports are required by March 31 of the following year. For those facilities that are required to report in 2010, and which had greater than 20,000 tonnes of CO₂E for any of the years 2006 to 2009, they are required to report on those prior years’ emissions.

The Reporting Regulation sets out the administrative requirements that businesses must meet, including maintaining records for at least seven years. Although the reported emission information will generally become public information, it is possible to request that certain information remain confidential (in order to protect

proprietary information). Companies that fail to comply with these emission reporting requirements may be penalized with fines of up to \$1 million or imprisonment for a term of up to six months, or both.

For further information or assistance with determining whether the Reporting Regulations apply to your company/facility, please contact Tony Crossman, Charles Bois or Sarah Hansen.

ONTARIO'S TOXICS REDUCTION ACT, 2009 TO COME INTO FORCE

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On June 5, 2009, the *Toxics Reduction Act, 2009* was passed by the Ontario legislature. The Act aims to prevent pollution and protect human health and the environment by reducing the use and creation of toxic substances, and to inform Ontarians about toxic substances. Draft regulations were posted on the Environmental Registry on September 18, 2009 and were available for public comment for one month. Both the Act and its accompanying regulation (O. Reg. 455/09) will come into force by proclamation on January 1, 2010.

Toxic Substance Reduction Plans

Section 3 of the Act requires that if a substance is prescribed by regulation as a toxic substance, the owner and operator of a facility that creates or uses that substance must create a toxic reduction plan if the following criteria are met:

- (1) The facility belongs to a class of facilities prescribed by the regulations. The regulation prescribes the class of facilities subject to the Act to include those identified by a NAICS code commencing with the digits "31", "32" or "33" and some mineral processing facilities.
- (2) The number of persons employed at the facility exceeds the number of persons prescribed by the regulations. Generally, the regulation prescribes the same thresholds as articulated in the NPRI Notice, dated February 2008.
- (3) The toxic substance is used or created at the facility and the amounts of the substance that are used or created meet the criteria prescribed by the regulations. Generally, the regulation prescribes the same thresholds as articulated in the NPRI Notice, dated February 2008.

Defining "Toxic"

The regulation defines a toxic substance any substance as listed in Schedule 1 to the NPRI Notice, dated February 2008, if the substance is used or created in the form specified in that Schedule. The Ministry may add to this list from time to time.

The effect of this scheme is to label as "toxic" any substance listed the Federal NPRI notice. While the attempt to co-ordinate Federal and Provincial regulatory schemes is a laudable one in areas such as Environmental Law, where there is overlapping jurisdiction, the use of a schedule created for one purpose (the NPRI) to create a definition for a new regulatory label ("Toxic Substance") might prove to be problematic. The word "Toxic" carries more heavily laden connotations than "Pollutant" and could suggest to some a compound more deleterious than something simply labelled a "pollutant" or "contaminant". This in turn might affect public perception of releases from regulated industry and might even involve reconsideration by some industries of labels they had previously used to describe their own products and releases which are now explicitly, and perhaps for the first time, by virtue of the regulation, labelled as "Toxic".

Content of the Plan

The Act states that a toxic reduction plan must include, among other things:

- (1) A statement that the owner or operator intends to reduce the use or creation of the toxic substance at the facility, or reasons for not including such a statement;
- (2) The objectives of the plan, including any targets for reduction in the use or creation of the

- toxic substance at the facility;
- (3) A description of each process at the facility that uses or creates the toxic substance;
 - (4) An analysis of options considered for reducing the use or creation of the toxic substance;
 - (5) A statement identifying and describing the options that will be implemented, or a statement that none will be implemented; and
 - (6) Such other information as is prescribed by the regulations. The regulation adds considerably to the contents of a toxic substance reduction plan.

A toxic substance reduction plan for a facility must include certifications by the highest ranking employee at the facility and by a person who has the qualifications prescribed by the regulations (s. 4(2), 4(3)). The plan and a summary of it must be given to the Director (s. 6) and the summary must also be made available to the public (s. 8). The regulation provides greater detail on both requirements. The owner or operator must ensure that the plan is reviewed in accordance with the regulations (s. 7). The regulation requires a review of the plan in 2018 and every five years thereafter or following a significant process change at the facility (s. 21).

The owner or operator of a facility required to prepare a toxic reduction plan must track and quantify the toxic substance for each process at the facility that uses or creates the substance (s. 9) as well as report on the toxic reduction plan in accordance with the Act and regulations (s. 10(1)). The report must include the results of tracking and quantification for the toxic substance with a comparison to results of previous years as well as an indication of whether the toxic substance reduction plan was prepared before or during the reporting period, and if so, an indication of the effectiveness in meeting the objectives of the plan (s. 10(2)).

Substances of Concern

“Substances of concern” are prescribed by the regulations. The owner and operator of a facility must ensure that a report on a substance of concern is prepared and given to the Director if the facility belongs to a class of facilities prescribed by the regulations and the substances of concern are used or created at the facility in amounts that meet the criteria in the regulations (s. 11). The Ministry has decided to defer proclamation of s. 11 of the Act and proposes to develop regulations pertaining to substances of concern at a later date.

Ministry Reports and Reviews

The Minister must prepare annual reports describing progress in the implementation of the Act and such reports must be made available to the public (s. 12).

The Minister must, at least once every five years, consult with experts and the public about possible changes to the lists of substances prescribed as toxic substances and substances of concern as well as possible changes to the regulations (s. 49(1)). The Minister must also publish a list of non-toxic substances or substances of concern which he or she proposes to consider during the next consultation (s. 49(2)).

Compliance and Enforcement

The Act also contains the usual compliance and enforcement provisions normally included in environmental statutes. These include inspection powers, order making powers, amendments to or revocation of orders, review and appeal of orders, administrative penalties, and offences and associated penalties. The Ministry has decided to defer proclamation of s. 30 of the Act relating to administrative penalties.

ALBERTA’S ENVIRONMENTAL IMPACT ASSESSMENT AND APPROVAL PROCESSES EXPECTED TO UNDERGO MAJOR CHANGES IN 2010

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As noted in the June 2008 EnviroNotes Article “Alberta’s Cumulative Effects Management Framework: Bold New Step or Brave New World?” Alberta’s environmental regulatory process is undergoing a major transformation from the traditional command and control model that limits and mitigates impacts associated with individual projects

to a more results-based and regional landscape level approach. As more detail emerge regarding both the new approach to land use planning proposed under the *Alberta Land Stewardship Act* (“ALSA” currently awaiting proclamation) and the key components of the *Environmental Cumulative Effects Management Act* (draft legislation expected to be introduced in June 2010), it is becoming clear that significant changes to the existing provincial environmental impact assessment and approval regimes are on the horizon.

As recently considered by the Canadian Council of Ministers of the Environment (CCME) Environmental Assessment Task Group in their review of Canada’s provincial and federal environmental assessment regimes, the project-specific approach to environmental assessment from the past is insufficient to achieve the substantive promise of effective environmental assessment in the future. For example, despite the considerable expansion of late in terms of the elements, expense and time taken to complete environmental assessments, the current process fails to:

- Provide value-added information that can supplement existing regional data, as much of the information generated is site-specific and is not easily integrated into regional datasets;
- Contribute to the full understanding of cumulative effects in the region both in terms of existing operations, but also in terms of prospective or planned operations;
- Yield an integrated approach to understanding all the environmental impacts of a project in combination, most often focusing on the isolated assessment of effects on a single media (i.e. air, water and soil); and
- Achieve the integration between environmental, economic and social factors required for decision-making processes to support sustainable development.

A key aspect of Alberta’s response to the deficiencies in existing processes is the introduction of a Regional Strategic Assessment (“RS Assessment”) process. Although the details remain to be developed, Alberta’s approach to RS Assessment is based on the recognition that project-specific assessment must address the extent to which the proposed project is consistent with achieving the environmental outcomes defined on a regional basis under the ALSA in accordance with a Regional Plan, and informed by provincial policies such as Water for Life, the Alberta Energy Strategy, the Oil Sands Strategy, etc.

In contrast to the focus of project-specific assessments, which is on mitigating individual environmental impacts associated with the proposed activity at the project fence-line, RS Assessment is designed to more systematically assess the potential environmental effects, including cumulative effects, of the proposed activity in the context of surrounding activities and regional objectives/thresholds. The emphasis of RS Assessment will be on ensuring that individual project decisions support the overall environmental, economic and social sustainability of a region and achieve a desired level of environmental quality at the regional level, rather than solely focusing on impact mitigation at a plant site level. RS Assessment is viewed by the Province as integral to ensuring that the assessment of cumulative environmental effects is not an afterthought in the environmental assessment and approval process, but rather is fully integrated into those processes.

In terms of what the revamped process might look like to project proponents and the public, it is important to remember that the RS Assessment process will not supplant the individual project-specific environmental assessments. Rather, it is expected that RS Assessments will provide the platform on which project-based environmental impact assessments will be built. This will mean that RS Assessment data, which is being gathered to support the development of Regional Plans under the ALSA, will be made available to project proponents and will be expected to inform a proponent’s project-level environmental assessment. In turn, the hope is that site-specific data generated during the project-level assessment will be fed back into the regional datasets to enhance the overall understanding of the environmental conditions in the region as well as adding to future RS Assessments.

It is also expected that project-level assessments will be required to not only assess the likely environmental impacts associated with the proposed activity, but will also be required to assess how the project complies with the regional environmental, social and economic outcomes established in the applicable Regional Plan. For project proponents it is essential to understand that under the ALSA all regulatory decisions (including environmental approvals or authorizations) must comply with any thresholds and/or objectives established in the Regional Plan. As a result, if a project-level assessment identifies that a project would add air emissions to a regional airshed and the cumulative effect would be to cause exceedances in the regional air quality

objectives and/or thresholds, the project would not be approved for that region. Needless to say, with the significant legal effect of Regional Plans under the *ALSA*, the planning process leading to the development of objectives and thresholds is of critical importance to project proponents considering development activity in Alberta in the near future.

So when are changes to existing processes expected? At present, Regional Plans are being developed for the Lower Athabasca and South Saskatchewan Regions, and these Regional Plans are expected to be complete in 2010. Current indications are that the Regional Plans for the North Saskatchewan and Upper Athabasca Regions will be initiated in 2010 and completed in 2011, with the Regional Plans for the Red Deer, Upper Peace and Lower Peace Regions to be initiated in 2011 and completed in 2012. It is expected that regardless of the region, all Regional Plans will identify and set resource and environmental management outcomes for air, land, water and biodiversity, and that these outcomes will be the basis for all future development decisions in that region.

In addition, the regulations supporting the implementation of the regional planning process established under the *ALSA* are expected to be introduced this year, and the *ALSA* itself is expected to be proclaimed in force sometime this fall. The specific changes to the existing environmental assessment and approvals frameworks are expected to be introduced by late spring or early summer of 2010 under the auspices of the new *Environmental Cumulative Effects Management Act*. As a result it is expected that the first projects to be governed by the new processes will likely be those proposed for the Lower Athabasca or South Saskatchewan Regions, and will involve assessments commencing in late 2010 or early 2011.

As indicated in our article in the summer of 2008, stay tuned, as there is much more to come as environmental assessment “v. 2.0” goes live in 2010.

GREEN ROOFS COMING TO TORONTO

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On May 26, 2009, Toronto became the first municipality in North America to adopt a Green Roof By-law (By-law No. 583-2009). A Green Roof is defined as “an extension of an above grade roof, built on top of a human-made structure, that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in accordance with the Toronto Green Roof Construction Standard” (§492-1).

The By-law requires that every residential, commercial and institutional building or building addition constructed after January 30, 2010 with a gross floor area of 2,000 m² or greater include a green roof. The same will apply to industrial buildings and building additions after January 30, 2011 (§492-2). A permit from the Chief Building Official is required prior to constructing or altering a green roof (§492-4).

The green roof coverage requirement of the available roof space ranges from 20% for buildings with a gross floor area of 2,000 m² to a maximum of 60% for buildings with a gross floor area of 20,000 m² or greater. An industrial building or building addition larger than 2,000 m² constructed after January 30, 2011 must include a green roof which is equal to the lesser of 2,000 m² or 10% of the available roof space (§492-2). Exemptions are provided in §492-5. Maintenance standards are set out in the by-law (§492-9).

The By-law permits an applicant to apply to the Chief Planner for a variation of coverage requirement for a green roof provided that a cash-in-lieu payment is made in accordance with the By-law. It also permits an applicant to apply to City Council for a complete exemption from the green roof requirement of the By-law. Where an application for a complete exemption is made, the Chief Planner must report to the appropriate Community Council and that Council must consider the application and recommend to City Council whether to approve or refuse the application. City Council must then decide whether to approve or refuse the application. The By-law does not provide any guidance to a Community Council in making such recommendations or to City Council in making such decisions (§492-11).

The By-law states that where less than the required green roof coverage than otherwise required is provided, either because of a variance or exemption, the Applicant must make payment of cash-in-lieu of construction of a green roof based on the average actual cost of construction of a green roof. Presently, it is set at \$200 per m² but the Chief Planner can recommend changes to the base sum to City Council to ensure that it reflects the prevailing average actual cost of construction of a green roof. All of the funds collected as cash-in-lieu of construction of a green roof must be segregated and directed to the Eco-Roof Incentive Program of the City for provision of green roofs on existing buildings (§492-12).

The Chief Building Official has to establish a Green Roof Technical Advisory Group to make recommendations on technical issues relating to the creation, implementation and development of the Green Roof Construction Standard (§492-15). The Chief Building Official must also review and make recommendations on the Standard to City Council (§492-18).

The contravention of the By-law, term or condition of a green roof permit or an order under s. 384(1) or 385(1) of the *City of Toronto Act, 2006* is an offence and punishable by a maximum fine of \$100,000.

We'll be watching the development of Toronto's green roofs and the value of the payments-in-lieu. For more information please contact Tamara Farber.

BEWARE OF OLD HEATING OIL TANKS IN RESIDENTIAL PROPERTIES

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In a recent decision in the British Columbia Provincial Court, a person who had paid for remediation costs to clean up contamination failed in their attempt to claim those costs from a previous owner because the expert hired used the wrong analysis method. However, even if the right method had been used, the court found that the previous owners had exercised “due diligence” when they purchased the property by hiring an inspector who could not find evidence of the oil tank.

Background

When two doctors agreed to buy a house on the east side of Vancouver, the sale was subject to the buyers inspecting the property, and if an oil tank was found, the seller would remove it. The doctors hired an inspector who carried out a thorough inspection, not finding any signs of an underground oil storage tank. The doctors completed the sale.

A few years later, with jobs taking them elsewhere, the doctors sold the house to another doctor, Dr. Simpson. Dr. Simpson, in the course of doing some backyard gardening, discovered soil that was contaminated with oil. Experts were brought in and an underground oil tank was found, removed and the soil remediated. A registered Applied Science Technologist was hired as part of the clean up team and concluded that the soil was contaminated according to the BC standards. Dr. Simpson claimed the remediation costs from the previous owners.

The Threshold Question: Was the Property a Contaminated Site?

The presence of the underground oil tank and the oily soil does not necessary lead to the conclusion that a site meets the legal definition of a “contaminated site”. The claimants relied on a report by the Applied Science Technologist who had used US ESA Method 9074 which used an EPH (extractable petroleum hydrocarbon) standard as the analytical method in determining whether the site was contaminated. At trial, he was questioned about a 2003 BC Ministry of Environment release that made it clear that the standard set in the *Environmental Management Act* Regulation is based on LEPH (light extractable petroleum hydrocarbons) or HEPH (heavy extractable petroleum hydrocarbons). Although the Ministry acknowledged that EPH can be used as a valuable screening tool, it is not a substitute for analyzing for LEPH or HEPH. The experts called by the previous owners confirmed this.

The court found that the claimants had failed to prove their property was a “contaminated site” under the BC contaminated site legislation, and their claim was dismissed.

Liability Between Buyer and Seller (If the Claimants Had Proven That Their Property Was a Contaminated Site)

Although it was unnecessary for the court to do so, it went on to discuss who would be responsible for the remediation costs.

In particular, the court looked at Section 46(1)(d)(i) of the *Environmental Management Act* and Section 28 of the Contaminated Sites Regulation, which allows an exemption from liability if a person had proved that they took “all appropriate reasonable steps to investigate whether the site was contaminated”.

The court concluded that the previous owners did what a reasonable person would have done when buying a house in that they hired an inspector, but no evidence of an oil tank was found. Dr. Simpson (who in fact found the contamination) argued that underground oil tanks were common in Vancouver and that a prudent seller would carry out a metal detection test for underground storage tanks. The court found that there was an absence of evidence that it was a common practice for a buyer to carry out a metal detection test and found that the actions of hiring an inspector (who failed to find anything) provided the exemption from liability under Section 46(1)(d)(i).

Further, the court implied that the failure of the current owner, Dr. Simpson, to hire an inspector to carry out an inspection, would have gone against him and it is “no answer to say that the real estate market was over heated at the time and requesting this condition might have led the claimants to lose their chance to buy this house”.

Accordingly, in such a heated real estate market, it is still imperative that due diligence is conducted. It is interesting to note that the court held that the standard practice for residential property was to hire an inspector, not an environmental consultant.

WHAT’S HAPPENING AROUND MILLER THOMSON?

Aaron Atcheson of our London office represented Wasatch Wind, Inc. on its sale of the world's largest offshore wind prospect to Canadian Hydro Developers Inc. The project is located in the Great Lakes and when fully built out would generate enough electricity to power two million homes.

Aaron Atcheson spoke at the University of Toronto Carbon Finance Conference on October 29th in a session on the role of carbon finance in the development of renewable energy.

Aaron Atcheson spoke on an environmental panel discussing a wide range of environmental issues impacting commercial leasing and building owners at the RealLeasing Conference held on September 17th in Toronto.

Sarah Hansen spoke on the carbon economy in British Columbia at the 5th Annual Meeting of ACCT Canada (Alliance for Commercialization of Canadian Technologies) from November 8th to 10 in Victoria, British Columbia.

Sarah Hansen was elected VP of Communication for the Environmental Managers Association of British Columbia.

On October 1 **Teresa Meadows** presented a talk on “Green Issues for Directors Struggling to Stay in the Black” at the Miller Thomson Executive Breakfast Seminar on “Directors Duties, Obligations and Risks in “The Vicinity of Insolvency” in Edmonton.

On October 8 **Teresa Meadows** presented in Edmonton at the Miller Thomson Seminar “Recent Developments in Municipal Law” on “The *Alberta Land Stewardship Act*—the Effect on Municipalities”.

Tony Crossman spoke about climate change issues in Ottawa on November 6 at the Federal Department of Justice day.

On November 12 and 13 **Teresa Meadows** co-chaired the Canadian Institute Conference “Environmental Law & Regulation North of 60°” and presented on the topic of environmental assessment on the first day of the conference.

Miller Thomson sponsored the Remediation Solutions Workshop which was part of the Canadian Brownfield Network annual meeting in Vancouver.

Miller Thomson hosted a series of seminars this fall on opportunities in cleantech, federal developments on climate change, and waste to energy project developments. Seminars were held in Vancouver, Edmonton, Toronto and Waterloo.

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