

# Index

## ABATEMENT OFFICERS

- Functions, **3:1**
- Inspections, reasonable inquiries, **3:28 to 3:33**
- Specific areas, search without warrants, **3:6**

## ABSOLUTE POLLUTION EXCLUSION

- See COMPREHENSIVE GENERAL LIABILITY POLICIES

## ACCIDENTS

- See also DANGEROUS OCCURRENCES; EMERGENCIES; TRANSPORTATION OF DANGEROUS GOODS
- Remedial and contingency plans, establishment, **4:46**
- Reporting requirements
  - where dangerous goods involved, **8:23 to 8:40**
  - where radioactive goods involved, **8:23 to 8:40**

## ACCOUNTANTS

- See also CHARTERED PROFESSIONAL ACCOUNTANTS CANADA (CPA Canada).
- Corporate sustainability reports, **4:74 to 4:76**
- Role in supporting corporate GHG emission management activities, **10:32**

## AD HOC WORKING GROUP ON THE DURBAN PLATFORM FOR ENHANCED ACTION (ADP)

- See CONFERENCE OF THE PARTIES

## ADMINISTRATIVE MONETARY PENALTY (FEDERAL)

- Generally, **4:11**
- Statistics, 2018-2021, **4:10**

## ADMINISTRATIVE PENALTIES

- See also OFFENCES AND PENALTIES
- Alberta, **4:16**
- British Columbia recycling, **7:4**

## ADMINISTRATIVE PENALTIES

### —Cont'd

- Environmental
  - Alberta, **4:16**
  - federal, **4:10, 4:11**
  - Ontario, **4:13**
  - Quebec, **4:19**
- Federal, monetary, environmental, **4:10, 4:11**
- New Brunswick recycling, **7:6**
- Non-compliance with environmental legislation, **4:38**
- Ontario, **4:13**
- Quebec, **4:19**
- Waste reduction
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - Manitoba, **7:5**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - P.E.I., **7:10**
  - Quebec, **7:11**
  - Saskatchewan, **7:12**

## ADVERTISING

- See also PACKAGING AND PRINTED MATTER; PRINCIPLES AND GUIDELINES FOR ENVIRONMENTAL LABELLING AND ADVERTISING
- False or misleading representations
  - consumer products, packaging, **7:16**
  - environmentally friendly, **7:25**
  - inorganic, **7:19**
  - inquiries, **7:15**
  - penalty, **7:15**
  - prohibition, scope, **7:15**
- Food, drugs, cosmetics, medical devices, regulation, **7:17**
- Green marketing
  - see GREEN MARKETING
- Labels
  - see LABELLING

**ADVERTISING—Cont'd**

- Trademarks, protection, **7:53**
- United States, developments, **7:39 to 7:44**

**AGREEMENTS OF PURCHASE AND SALE**

- See REAL ESTATE TRANSACTIONS

**ALBERTA**

- Alberta Beverage Container Management Board, **7:3**
- Alberta Recycling Management Authority (ARMA), **7:3**
- Alberta Used Oil Management Association (AUOMA), **7:3**
- Climate change
  - carbon pricing for large industrial emitters, **10:55**
  - former carbon levy, **10:54**
  - greenhouse gas emissions reporting requirements, **10:41**
- Climate Leadership Plan, **5:32**
  - carbon pricing program, **5:31 to 5:46**
  - methane emissions, **5:35**
  - oilsands carbon emissions, **5:34**
  - renewable power and phase-out of coal, **5:36**
  - repealed, **10:54**
- Contaminated sites
  - designation, orders, **1:69**
  - remediation, liability, **1:75 to 1:77, 1:154**
- Corporate officers, environmental restoration, duty, **2:42**
- Electronics Recycling Alberta (ERA), **7:3**
- Electronics recycling program, **7:3**
- Environmental inspections, **3:10**
- Environmental investigation units, establishment, **3:1**
- Environmental management, enforcement, **4:16**
- Extended producer responsibility, **7:3**
- Inspectors, information, supply, **3:32, 3:33**
- Packaging waste reduction initiatives, **7:3**
- Pollution, remedial action, orders, **6:17**
- Waste reduction and diversion initiatives, **7:3**

**ALBERTA BEVERAGE CONTAINER MANGEMENT BOARD**

- Generally, **7:3**

**ALBERTA ENVIRONMENT**

- Tier 1 Soil and Groundwater Remediation Guidelines, **1:74**
- Tier 2 Soil and Groundwater Remediation Guidelines, **1:74**
- Upstream Oil and Gas Reclamation and Remediation Programs, **1:73**

**ALBERTA ENVIRONMENT DIRECTOR**

- Contaminated sites, powers, **1:69**

**ALBERTA RECYCLING MANAGEMENT AUTHORITY (ARMA)**

- See also ALBERTA
- Generally, **7:3**
- Used oil program, **7:3**

**ALBERTA USED OIL MANAGEMENT ASSOCIATION (AUOMA)**

- See now ALBERTA RECYCLING MANAGEMENT AUTHORITY (ARMA).

**ALTERNATIVE MEASURES AGREEMENT**

- Fisheries Act, under, **4:10.60**

**AMERICAN INTERNATIONAL GROUP, INC**

- See CHARTIS INSURANCE

**AMP**

- See ADMINISTRATIVE MONETARY PENALTY

**ANTI-FREEZE**

- Extended producer responsibility
- British Columbia, **7:4**

**ASBESTOS ABATEMENT LIABILITY INSURANCE**

- Environmental impairment liability, coverage, **6:27**

**ASBESTOS INSULATION REMOVAL CONTRACTORS**

- Insurance, environmental impairment liability, coverage, **6:26**

**ASBESTOS MANAGEMENT**

- Generally, **1:184 to 1:192**
- Federal
  - proposed regulatory ban on asbestos, **1:184 to 1:192**

## INDEX

### **ASBESTOS MANAGEMENT—Cont'd**

- Provincial
  - employers, duties of, **1:187**
  - encapsulation and enclosure, **1:189**
  - introduction, **1:185**
  - liability, insurance, **6:26, 6:27**
  - management plans, **1:188**
  - notification requirements, **1:190**
  - owners, duties of, **1:187**
  - pre-work assessments, **1:186**
  - prohibition, penalties, **1:192**
  - removal, **1:191**
  - tenant's liability, asbestos, **1:172**

### **AUDITS**

- See ENVIRONMENTAL AUDITS

### **AUTOMOBILE INSURANCE POLICIES**

- Pollution, liability, coverage, **6:24, 6:26**

### **AUTOMOTIVE PURCHASES**

- See also AUTOMOTIVE TAXES; TAXATION

- British Columbia
  - electric vehicle rebates, **5:48**
- Ontario
  - incentives
    - based on fuel efficiency, **5:24, 5:48**
    - electric vehicle rebates, **5:48**

### **AUTOMOTIVE TAXES**

- See also AUTOMOTIVE PURCHASES; TAXATION

- Fuel taxes, **5:24**
  - British Columbia carbon tax, **5:25**

### **BANKRUPTCY AND INSOLVENCY ACT**

- Court cases
  - environmental issues, **9:10**
  - Provincial and territorial court cases, **9:11**
  - Supreme Court of Canada cases, **9:10:20**
- Crown status as creditor, **9:7**
- Environmental liability issues
  - see LIABILITY
- Introduction, **9:1**
- Liability for environmental clean-up
  - former directors and officers, **2:34**
  - investors, **9:15**

### **BANKRUPTCY AND INSOLVENCY**

#### **ACT—Cont'd**

- Priority of claims, comparison with Companies' Creditors Arrangements Act, **9:8 to 9:12**
  - limitation, **9:9**
- Super priority charge for governmental clean-up costs, **9:8 to 9:12**

### **BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL**

- Generally, **8:40**

### **BATTERY RECYCLING PROGRAMS**

- British Columbia, **7:4**
  - lead acid, **7:4**
- Call2Recycle Canada, **7:7**
- Canadian Battery Association, **7:5 to 7:7**
- Lead acid, British Columbia, **7:4**

### **BCUOMA**

- See BRITISH COLUMBIA USED OIL MANAGEMENT ASSOCIATION

### **BELL CANADA**

- Greenhouse gas emissions, **4:61**
- Solid waste reduction, initiatives, **4:61**

### **BEVERAGE CONTAINERS**

- See also RECYCLING
- Labelling, recycling
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Northwest Territories, **7:13**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - Prince Edward Island, **7:10**
  - Saskatchewan, **7:12**
  - Yukon, **7:13**

### **BIODEGRADABILITY**

- Advertising claims, United States, **7:47**

### **BIOLOGISTS**

- Insurance, environmental impairment liability, coverage, **6:26**

### **BOOKS AND RECORDS**

- See ENVIRONMENTAL INSPECTIONS

**BORROWERS**

Insurance, environmental impairment liability policies, **6:28**

**BRAND OWNER**

See DEFINITIONS

**BRITISH COLUMBIA**

Carbon tax (fuel), **5:25, 10:56**

Corporate officers, environmental restoration, duty, **2:42**

Environmental inspections, **3:11**

Environmental investigation units, establishment, **3:1**

Environmental legislation affecting property transactions, **1:39 to 1:68**

Waste Management Act, **1:39 to 1:67**

Environmental management, enforcement, **4:17**

Extended producer responsibility, **7:4**

Greenhouse gas emissions reporting requirements, **10:42**

Greenhouse gas reduction, **10:38**

Land contamination, notice, **1:68**

Packaging waste reduction initiatives, **7:4**

Pollution, control, orders, **1:39 to 1:67, 6:17**

Remediation, **1:39 to 1:67**

Recovery of remediation costs, **1:67, 1:67.20**

Waste, **7:4**

**BRITISH COLUMBIA USED OIL MANAGEMENT ASSOCIATION**

Generally, **7:4**

**BROWNFIELDS LEGISLATION, ONTARIO**

Generally, **1:2 to 1:38, 2:1**

Building permits, restrictions on, **1:12**

Certificates of property use (CPU), **1:12** and risk assessment, **1:19** prohibition of issuance of building permits, **1:12**

Environmentally sensitive areas, background contaminant standards, **1:18**

Groundwater

sampling, phase two environmental site assessments, **1:17**

standards, potable and non-potable, **1:18**

Introduction, **1:8**

**BROWNFIELDS LEGISLATION, ONTARIO—Cont'd**

Liability, limitation on

executors, administrators, trustees, guardians, attorneys, **1:5, 1:13**

generally, **1:24**

modified generic risk assessment, **1:8, 1:17**

Modified Generic Risk Assessment Model, **1:19**

Municipal incentives for brownfields redevelopment, **1:21**

Municipalities and lenders, protection of, **1:20 to 1:22**

Phase one environmental site assessments and risk assessments, **1:17**

See also PHASE ONE ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)

Phase two environmental site assessments and risk assessments, **1:17**

See also PHASE TWO ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)

Prohibition on change of industrial, commercial or community uses, **1:12**

Qualified immunity from MOE contaminated property orders, **1:9**

Qualified persons

generally, **1:16**

change in land use investigations, certifying, **1:12**

environmental site assessments, certifying, **1:15**

phase one environmental site assessments and, **1:17**

phase two environmental site assessments and, **1:17**

professional liability insurance requirements, **1:16**

qualifications, **1:16**

qualified immunity where qualified person certified record of site conditions, **1:9**

responsibilities, **1:15**

phase one environmental site assessments, **1:17**

Record of site conditions

See also RECORD OF SITE CONDITIONS

filing with Environmental Site Registry, **1:13**

**BROWNFIELDS LEGISLATION,  
ONTARIO—Cont'd**

- Risk assessment
  - generally, **1:19**
  - alternative procedure, **1:19**
  - certificate of property use (CPU), **1:19**
  - limited scope risk assessment, **1:19**
  - new science, **1:19**
  - preparation and review, **1:19**
  - pre-submission form, **1:19**
  - wider area of abatement, **1:19**
- Site condition standards, **1:18**
- Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, **1:8, 1:14 to 1:19**
- Soil contamination
  - see SOIL CONTAMINATION, Ontario
- Soil sampling, phase two environmental site assessments, **1:17**
- Stratified remediation vs. full-depth remediation, **1:18**

**BRUNDTLAND REPORT**

- Generally, **4:72**

**BUSINESS COUNCIL OF CANADA  
(BCC)**

- Generally, **4:56**
- Business Principles for a Sustainable and Competitive Future, **4:56**
- Formerly Business Council on National Issues, **4:56**
- Formerly Canadian Council of Chief Executives (CCCE), **4:56**

**BUSINESS COUNCIL ON NATIONAL  
ISSUES**

- See now BUSINESS COUNCIL OF CANADA (BCC)

**BUSINESS PRACTICES**

- See also ENVIRONMENTAL MANAGEMENT
- Misleading, prohibition, **7:18**

**BUSINESS PREMISES**

- Environmental inspections, searches, **3:5 to 3:25**

**BUSINESS TRANSACTIONS**

- Climate change liability and, **10:31, 10:32**
- Environmental risk identification, **4:40**
- Human rights impacts, **10:33**

**BUSINESS TRANSACTIONS—Cont'd**

- Investors' liability for environmental clean-up, **9:15, 9:16**

**CALIFORNIA**

- Cap-and-trade system
  - closed market, **5:41**
  - harmonization with Quebec, **5:31 to 5:46**
  - joint auction of emission allowances, **5:40**
- Climate change-related litigation, **10:10**

**CAMECO CORPORATION**

- Environmental sustainability initiatives, **4:61**

**CANADA SHIPPING ACT**

- See FEDERAL COMPENSATION PROGRAMS

**CANADIAN BANKERS' ASSOCIATION**

- Environmental liability concerns, **9:1**

**CANADIAN BATTERY ASSOCIATION**

- Generally, **7:5 to 7:7**

**CANADIAN CHARTER OF RIGHTS  
AND FREEDOMS**

- Due diligence defence, impact on, **4:25**

**CANADIAN CHEMICAL  
PRODUCERS' ASSOCIATION**

- See now CHEMISTRY INDUSTRY ASSOCIATION OF CANADA (CIAC)

**CANADIAN COUNCIL OF CHIEF  
EXECUTIVES (CCCE)**

- See now BUSINESS COUNCIL OF CANADA (BCC)
- See also CHEMISTRY INDUSTRY ASSOCIATION OF CANADA (CIAC)

**CANADIAN COUNCIL OF MINISTERS  
OF THE ENVIRONMENT (CCME)**

- Generally, **1:4 to 1:6, 1:70, 1:80, 1:103, 1:106, 2:32, 4:45, 7:2**

**CANADIAN EXPLORATION EXPENSE  
(CEE)**

- See TAXATION

**CANADIAN NATIONAL RAILWAY**

- Environmental sustainability initiatives, **4:61**

**CANADIAN PLASTICS INDUSTRY ASSOCIATION**

Generally, **7:46**  
See also PLASTICS

**CANADIAN RENEWABLE AND CONSERVATION EXPENSES (CRCE)**

See also TAXATION  
Generally, **5:21**

**CANADIAN SECURITIES ADMINISTRATORS**

Generally, **4:69**  
CSA Staff Notice 51-333 on Environmental Reporting Guidance, **10:23**  
test for materiality, **10:23**  
Report on Climate Change-Related Disclosure Project, **4:69**

**CANADIAN STANDARDS ASSOCIATION (CSA)**

Carbon credit registry, **5:41**  
Publications, **1:15, 1:198, 4:44, 4:50, 7:15, 7:23, 7:37, 7:45, 7:46**

**CANADIAN TRANSPORT EMERGENCY CENTRE (CANUTEC)**

Transportation of dangerous goods, emergencies  
activation of emergency response assistance plans, **8:10 to 8:15**  
Emergency Response Handbook, **8:10 to 8:15**  
emergency telephone number, **8:10 to 8:15**  
function, services offered, **8:10 to 8:15**  
shipping documents, telephone contact number, **8:7**

**CANUTEC**

See CANADIAN TRANSPORT EMERGENCY CENTRE

**CAP AND TRADE SYSTEM**

See also CARBON PRICING; TAXATION, carbon credits  
California, harmonization with Quebec, **5:39**  
Failure to cover emissions, **5:39**  
Ontario  
generally, **5:37**

**CAP AND TRADE SYSTEM—Cont'd**

Ontario—Cont'd

cap and trade system repealed, **10:47**  
emission reduction targets, **5:37**  
intention to link to Quebec and California systems, **5:37**  
non-registered emitters, opt-in, **5:37**

Quebec

generally, **5:38 to 5:46**  
applicable industries, **5:38**  
auction, **5:38**  
California, harmonization with, **5:39**  
Compliance Instrument Tracking System Service (CITSS)  
registration under, **5:38**  
emission allowances, **5:38 to 5:40**  
auction, **5:38**  
emitters, **5:38**  
implementation of, **5:39**  
income tax issues, **5:9**  
over-the-counter sales, **5:39**  
participants, **5:38**  
registration, **5:38**  
requirements, **5:38**  
reserve sales, **5:39**  
sales tax, **5:44**

Risks, **5:39**

**CAPITAL COST ALLOWANCE**

See also TAXATION  
Generally, **5:18**

**CAPTIVE INSURANCE COMPANIES**

Creation, self-insurance, advantages, **6:30**  
Defined, **6:30**

**CARBON CREDITS**

See also CAP AND TRADE SYSTEM; CARBON MARKETS; CARBON PRICING; TAXATION  
Generally, **5:31 to 5:46**  
Capital projects, arrangements for, **5:41**  
Commodities, **5:45**  
Defined, **5:31 to 5:46**  
Derivative contracts, **5:42**  
Options, **5:46**  
Sales tax, **5:46**  
Tax consequences, **5:45**

**CARBON DISCLOSURE PROJECT**

Generally, **4:75**



## INDEX

### **CARBON MAJORS**

- Generally, **10:3 to 10:14**
- Defined, **10:3 to 10:14**
- Liability risks, **10:3 to 10:14**
- Litigation against, **10:10**
  - human rights violations related to climate change, **10:12**
  - loss or damage arising climate change impacts, **10:10**

### **CARBON MARKETS**

- See also CAP AND TRADE SYSTEM; CARBON PRICING; CLIMATE CHANGE LEGISLATION; TAXATION
- Generally, **5:31 to 5:46**
- Cap and trade regulatory requirements, **5:42**
- Derivative contracts, **5:42**
- Insurance, **5:42**
- Investment, **5:42**
- Risk management, **5:42**
- Tax consequences, **5:45**
- Voluntary markets, **5:41**
  - investment risk, **5:41**

### **CARBON PRICING**

- Generally, **10:38**
- Alberta, **10:54**
  - carbon pricing for large industrial emitters, **10:55**
  - former carbon levy, **10:54**
- British Columbia, **10:56**
  - carbon tax, **10:56**
- Federal legislation, **10:51**
  - Greenhouse Gas Pollution Pricing Act, **10:50 to 10:58**
    - application, **10:52**
    - fuel charges, **10:52**
      - obligations, **10:52**
      - record-keeping, **10:52**
      - registration criteria and requirements, **10:52**
    - industrial greenhouse gas emissions, **10:53**
      - compensation for excess emissions, **10:53**
      - offset credits, **10:53**
      - output-based pricing system, **10:53**

### **CARBON PRICING—Cont'd**

- Federal legislation, **10:51—Cont'd**
  - Pan-Canadian Framework on Clean Growth and Climate Change, **10:38**
- Nova Scotia, **10:57**
  - cap and trade program, **10:57**
- Quebec, **10:58**

### **CARBON TAX**

- British Columbia, **5:25, 10:56**

### **CARBON VALUE**

- Generally, **5:31 to 5:46**

### **CARRIERS OF DANGEROUS GOODS**

- See also SHIPPERS OF DANGEROUS GOODS; TRANSPORTATION OF DANGEROUS GOODS
- Completion of special waste manifest, domestic, when required, **8:39**
- Dangerous occurrence reports, when responsible for, **8:23 to 8:40**
- Emergency measures to reduce risk to public safety, when responsible for, **8:23 to 8:40**
- Emergency response plan, when obligated to prepare and submit plan, **8:10 to 8:15**
- Independent obligation to ensure compliance with legislation, **8:4**
- Legislation, applicability of, federal and provincial, **8:4**
- Liability, **8:4, 8:45**
- Placarding of transport vehicle, responsibility for, **8:8**
- Requirement to stop transportation during reclassification of goods, **8:6**
- Safety requirements for certain classes of commodities, **8:16 to 8:20**
- Spills, joint liability with shipper under Ontario legislation, **8:45**
- Training suggestions for, **8:21, 8:22**

### **CAVEAT**

- Contaminated property, registration on title, **1:2 to 1:38**

### **CAVEAT EMPTOR**

- Current vendors, doctrine, liability, effect, **1:156.50**

### **CBA**

- See CANADIAN BATTERY ASSOCIATION

**CCME**

See CANADIAN COUNCIL OF  
MINISTERS OF THE ENVIRON-  
MENT (CCME)

**CERES (FORMERLY COALITION  
FOR ENVIRONMENTALLY  
RESPONSIBLE ECONOMIES  
(CERES))**

Documents and reports  
21st Century Corporation: The Ceres  
Roadmap for Sustainability, **4:60**  
Turning Point, **4:60**  
Environmentally responsible economic  
activity, promotion, **4:60**  
Environmental responsibility  
Ceres principles, **4:60**  
Valdez Principles, replacement, **4:60**  
Roadmap for Sustainability, **4:60**  
Sustainability Awards, **4:76**

**CERES—ACCA**

Sustainability Awards, **4:76**

**CERES PRINCIPLES**

See Ceres (formerly COALITION FOR  
ENVIRONMENTALLY  
RESPONSIBLE ECONOMIES  
(CERES))

**CERTIFICATE OF PROPERTY USE**

See BROWNFIELDS LEGISLATION,  
ONTARIO

**CFCS**

See CHLORO-FLUOROCARBONS

**CHARTERED PROFESSIONAL  
ACCOUNTANTS CANADA**

Recommendations on climate-related risk  
disclosure, **10:23**  
Role in corporate greenhouse gas emis-  
sion management, **10:32**  
State of Play: Study of Climate-Related  
Disclosures by Canadian Public  
Companies, **10:22, 10:23**

**CHARTER OF RIGHTS AND  
FREEDOMS**

See CANADIAN CHARTER OF  
RIGHTS AND FREEDOMS

**CHARTIS INSURANCE**

Insurance, environmental impairment  
liability, coverage, **6:27**

**CHEMICAL MANAGEMENT PLAN  
(CMP) (ENVIRONMENT  
CANADA)**

Generally, **1:184 to 1:192**

**CHEMISTRY INDUSTRY  
ASSOCIATION OF CANADA  
(CIAC)**

Generally, **4:59**  
Codes of Practice, **4:59**  
Responsible Care program, terms, **4:59**  
Ethics and Principles for Sustainability,  
**4:59**  
verification process, **4:59**

**CHEMISTS**

Insurance, environmental impairment  
liability, **6:26**

**CHLORO-FLUOROCARBONS**

Reduction initiatives, **4:61**

**CIAC**

See CHEMISTRY INDUSTRY  
ASSOCIATION OF CANADA  
(CIAC).

**CITSS**

Generally  
see COMPLIANCE INSTRUMENT  
TRACKING SYSTEM SERVICE  
(CITSS)

**CIVIL ACTIONS**

See also VENDORS  
Against greenhouse gas emitters,  
potential, **10:13**  
British Columbia  
Limitation periods, **1:67, 1:67.50**  
Recovery of remediation and  
consultants costs, **1:67.20**  
Environmental legislation  
statutory cause of action  
Ontario, **1:154, 1:160 to 1:163,**  
**10:13**  
case law, **1:163**  
restoring the natural environment,  
**1:161**  
right to compensation, **1:162**  
Limitation period for environmental  
action  
Alberta, **1:78, 1:155**  
British Columbia, **1:67.50**  
generally, **1:155**



## INDEX

### CIVIL ACTIONS—Cont'd

- Limitation period for environmental action—Cont'd
  - Ontario, **1:155**
- Negligence, **1:160 to 1:163, 4:38**
  - case law, Ontario, **1:163**
  - directors and officers, liability for, **2:39**
- Nuisance, **1:160 to 1:163, 4:38**
  - case law, Ontario, **1:163**
  - contamination discovered before closing, **1:156.60**
  - directors and officers, liability for, **2:39**
  - former owners, not liable to current owners for contamination, **1:156.20**
- Property contamination
  - limitation period for environmental action
    - Alberta, **1:78, 1:155**
    - British Columbia, **1:67.50**
    - generally, **1:155**
    - Ontario, **1:155**
    - Quebec, **1:129**
    - Saskatchewan, **1:136**
    - Yukon, **1:146**
  - Trespass, **4:38**

### CIVIL LIABILITY

- See also ADMINISTRATIVE PENALTIES; CIVIL ACTIONS
- Corporate officers, environmental remediation orders, non-compliance, **2:38**
- Directors and officers, liability for, **2:41**
- Environmental legislation, nuisance, trespass, negligence, **4:38**
- Fisheries Act, under, **4:10.10**
- Government clean-up orders, **4:8 to 4:20**
- Insurers
  - automobile use causing environmental harm, **6:24**
  - bodily injuries, property damage, claims, **6:19**
- Offsite migration of contamination, **1:148 to 1:163**
- Potential liability as person responsible for compensation for climate-related harm, **10:13**
- Statutory cause of action
  - liability of directors and officers under, **2:38, 2:41**

### CIVIL LIABILITY—Cont'd

- Statutory cause of action—Cont'd
  - Ontario, **1:161**
  - case law, **1:163**

### CLEAN-UP

- See also NATURAL ENVIRONMENT, restoration, remedial measures
- Costs
  - see COSTS
- Orders
  - see PROPERTY CONTAMINATION, clean-up orders
- Real estate transactions, provisions, **1:213**

### CLIMATE ACTION TRACKER

- Canada's ranking, **10:36**

### CLIMATE CHANGE

- See also CARBON PRICING; CLIMATE CHANGE RISKS; CLIMATE CHANGE DISCLOSURE; CLIMATE CHANGE LEGISLATION; CLIMATE CHANGE LITIGATION; CLIMATE RISK DISCLOSURE; SUSTAINABLE DEVELOPMENT
- Considerations for directors, officers and other fiduciaries, **10:24 to 10:29**
- Defined, **10:1**
- Financial disclosure, climate-related, **10:3 to 10:14**
- Generally, **10:1**
- Greenhouse gas emissions regulatory reporting, **10:39 to 10:49**
- Legislation, **10:34 to 10:59**
- Litigation based on corporate management and disclosure obligations, **10:24 to 10:28**
- Risks faced by business enterprises, re, **10:2 to 10:23**
  - financial risks, **10:3 to 10:14**
  - litigation, **10:9 to 10:13**
  - reputational risks, **10:9 to 10:13**
- Securities filings, environmental matters, **4:54, 4:69, 10:23**
- Strategic approaches by business, **10:30 to 10:33**
  - directors, officers, fiduciaries, considerations for, **10:24 to 10:29**
- Warming trends, Canada, **10:2 to 10:23**

**CLIMATE CHANGE LEGISLATION**

- Generally, **10:34 to 10:59**
- Background, international treaties and agreements, **10:35**
- British Columbia
  - greenhouse gas reduction, **10:37**
- Canada, **10:37**
  - greenhouse gas emissions reporting requirements, **10:39 to 10:49**
  - Greenhouse Gas Reporting Program, **10:37**

**CLIMATE CHANGE LITIGATION**

- Generally, **10:34 to 10:59**
- Background, international, **10:35**
- Disclosure obligations, based on, **10:29**
  - securities law, Canada, under, **10:29**
- Environment-related human rights impacts, **10:11**
  - international principles applicable to claims, **10:11**
  - judicial and tribunal decisions invoking responsibilities on government and business, **10:12**
  - potential statutory liability, **10:13**
- Financial risks, **10:3 to 10:14**
  - physical risks, **10:4 to 10:8**
    - energy sector, **10:6**
      - electricity generation, **10:6**
      - oil and gas sector, **10:6**
    - manufacturing sector, **10:5**
      - direct and indirect impacts, **10:5**
    - water supply, **10:5**
    - mining sector, **10:5**
      - permafrost degradation, extreme weather, **10:5**
- Liability risks, **10:3 to 10:14**
  - litigation, **10:9 to 10:13**
    - carbon majors, **10:3 to 10:14**
  - transition to low-carbon economy, **10:3 to 10:14**
    - risks and opportunities, **10:3 to 10:14**

**CLIMATE CHANGE POLICIES**

- See also CARBON MARKETS
- Coal, phasing-out
  - Alberta, **5:47, 5:48**
  - Ontario, **5:47, 5:48**
- Federal
  - cleantech, **5:28**

**CLIMATE CHANGE POLICIES**

—Cont'd

- Federal—Cont'd
  - electric vehicles and alternative fuel transportation infrastructure, **5:29**
  - Low-Carbon Economy Fund, establishment of, **5:27**
  - pan-Canadian Framework on Clean Growth and Climate Change, **5:26 to 5:30, 10:38**
- Provincial
  - Alberta
    - Climate Leadership Plan, **5:31 to 5:46**
      - See also ALBERTA repealed, **10:54**
  - Nova Scotia
    - cap and trade system, **10:57**
  - Ontario
    - cap and trade system, **5:37**
    - Climate Change Mitigation and Low-carbon Economy Act, 2016, **5:37**
  - Quebec
    - cap and trade system, **5:38 to 5:46**
- United Nations Framework Convention on Climate Change (UNFCCC), **5:26 to 5:30**

**CLIMATE CHANGE RISK DISCLOSURE**

- See also CLIMATE RISK DISCLOSURE

**CLIMATE CHANGE RISKS FOR BUSINESSES**

- Generally, **10:2 to 10:23**
- Directors, officers, fiduciaries,
  - considerations for, **10:24 to 10:29**
- Financial risks, **10:3 to 10:14**
  - liability risks, **10:9 to 10:13**
  - litigation and reputational risks, **10:9 to 10:13**
    - climate litigation against climate majors, **10:10**
      - Canada, **10:10**
      - international, **10:10**
  - physical risks, **10:4 to 10:8**
    - energy sector, **10:6**
      - electricity generation, **10:6**
      - oil and gas sector, **10:6**
    - manufacturing sector, **10:5**
      - direct and indirect impacts, **10:5**

**CLIMATE CHANGE RISKS FOR BUSINESSES—Cont'd**

- Financial risks, **10:3 to 10:14**—Cont'd
- physical risks, **10:4 to 10:8**—Cont'd
  - manufacturing sector, **10:5**—Cont'd
  - water supply, **10:5**
  - mining sector, **10:5**
    - permafrost degradation, extreme weather, **10:5**
  - physical risks resulting from climate change, **10:4 to 10:8**
    - energy sector, **10:6**
    - manufacturing sector, **10:7**
    - mining sector, **10:5**
  - transition risks, **10:14, 10:17**
  - transition to low-carbon economy, **10:38**
    - defined, **10:14**
    - rejection of intensive GHG-emitting projects, judicial decisions, **10:14**
    - risks, opportunities, **10:38**
    - stranded assets, **10:14**
      - defined, **10:14**
- Liability risks, **10:3 to 10:14**
  - litigation, **10:9 to 10:13**
    - carbon majors, **10:3 to 10:14**
  - transition to low-carbon economy, **10:3 to 10:14**
    - risks and opportunities, **10:3 to 10:14**

**CLIMATE RISK DISCLOSURE**

- Generally, **10:15 to 10:23**
- Legislation, **10:19 to 10:21**
  - Canada, **10:23**
    - securities disclosure obligations, material risks, **10:23**
    - test for materiality, **10:23**
  - European Union, **10:21**
  - France, **10:20**
- Litigation risk arising from poor disclosure, **10:15 to 10:23**
- Provincial securities legislation and, **10:23**
  - no requirements in provincial securities legislation, **10:23**
  - obligation may fall under securities law requirement to disclose material environmental information, **10:23**

**CLIMATE RISK DISCLOSURE—Cont'd**

- Task Force on Climate-related Financial Disclosures, **10:16 to 10:18**
- See also TASK FORCE ON CLIMATE-RELATED FINANCIAL DISCLOSURES

**COAL ENERGY GENERATION**

- See CLIMATE CHANGE POLICIES

**COALITION FOR ENVIRONMENTALLY RESPONSIBLE ECONOMIES (CERES)**

- See Ceres

**CODES OF PRACTICE**

- Corporations, establishment approval, **4:34**
- Bell Canada, solid waste reduction, **4:61**
- Cameco Corporation, emissions, reduction, **4:61**
- considerations, generally, **4:32**
- draft policies, employees, issues, **4:34**
- issues, **4:32**
- Kodak Canada Inc., emissions, reduction, **4:61**
- legal effect, **4:33**
- 3M Canada Corporation, pollution, reduction, **4:61**
- Ontario Power Generation, material and waste management, **4:61**
- Xerox Canada, solid waste recycling, **4:61**

**COGENERATION SYSTEMS**

- Generally, **5:20**

**COLLEGES**

- Environmental performance check-ups, scope, **3:1**

**COMBUSTIBLE MATERIAL**

- See also TRANSPORTATION OF DANGEROUS GOODS, flammables
- Municipal fire officials, removal, powers, **1:38**

**COMMERCIAL REAL ESTATE TRANSACTIONS**

- See REAL ESTATE TRANSACTIONS

**COMPANIES' CREDITORS  
ARRANGEMENT ACT**

- Court cases, **9:10**
  - Provincial and territorial court decisions, **9:11**
  - Supreme Court of Canada cases, **9:10:20**
- Limitation, **9:9**
- Ontario, **9:12**
  - directors' liability, **9:12**
- Priority of claims different from Bankruptcy and Insolvency Act, **9:8 to 9:12**

**COMPENSATION**

- See **CIVIL ACTIONS; COMPENSATION PROGRAMS; CIVIL LIABILITY; NATURAL ENVIRONMENT; SPILLS BILL (ONTARIO)**

**COMPENSATION PROGRAMS**

- See **FEDERAL COMPENSATION PROGRAMS; NUCLEAR INCIDENT COMPENSATION; PROVINCIAL COMPENSATION PROGRAMS**

**COMPLIANCE**

- See **ENVIRONMENTAL LAWS; LEGISLATION**

**COMPLIANCE INSTRUMENT  
TRACKING SYSTEM SERVICE  
(CITSS)**

- See **QUEBEC, cap and trade system**

**COMPOSTABLE MATERIALS**

- Generally, **7:31**
- Advertising claims, **7:50**
- Definition, claims, **7:31**

**COMPREHENSIVE GENERAL  
LIABILITY POLICIES**

- See also **AUTOMOBILE INSURANCE POLICIES; ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES; LIMITED POLLUTION LIABILITY POLICIES**
- Absolute pollution exclusion, **6:21**
- Background, **6:2 to 6:19**
- Civil actions, insurers, duty to defend, clauses
  - environmental exclusion, reliance, effect, **6:19**

**COMPREHENSIVE GENERAL  
LIABILITY POLICIES—Cont'd**

- Civil actions, insurers, duty to defend, clauses—Cont'd
  - pleadings rule, application, **6:19**
  - pollution exclusion, interpretation, **6:19**
- Connotative contextual approach, **6:21**
- Costs, clean-up, pollution abatement, pre-1986 policies
  - coverage, damage, expenses, determination, **6:18**
  - damages, interpretation, **6:8 to 6:19**
  - damages related to property injury, **6:18**
    - Canada Shipping Act, 2001, **6:11**
    - Fisheries Act, **6:13**
    - Marine Liability Act, **6:11**
    - Transportation of Dangerous Goods Act, 1992, **6:12**
  - federal preventive or remedial orders, **6:11**
  - Ontario, Spills Bill, remedial action, duties, **6:14**
  - pollution exclusion clauses, effect, **6:19**
  - recovery, judgments for insured, **6:18**
  - statutory clean-up provisions, generally, **6:10 to 6:17**
  - United States, recovery, exclusion from damages, **6:9**
    - United States, Superfund, remedial measures, payment, **6:9**
- Coverage since 1986, changes
  - see **LIMITED POLLUTION LIABILITY POLICIES**
- Environmental and general liability exposures program, **6:27**
- Environmental impairment liability insurance
  - see **ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES**
- Environmental liability exclusion endorsement
  - background, conflicts, **6:3 to 6:7**
  - post-1986 policies, sudden and accidental, exclusion, **6:7**
  - pre-1986 policies, words sudden and accidental, conflicts, **6:4 to 6:7**
  - standard form language, introduction, **6:2 to 6:19**
  - sudden and accidental, American interpretation, **6:5, 6:6**

**COMPREHENSIVE GENERAL LIABILITY POLICIES—Cont'd**

- Environmental liability exclusion endorsement—Cont'd
  - sudden and accidental, Canadian interpretation, issue, **6:7**
  - unexpected or unintentional discharges, effect, **6:2 to 6:19**
- Insurance Bureau of Canada, standard form, use, **6:2 to 6:19**
- Pollution liability exclusion clause, **6:2 to 6:19**
  - case law, **6:19**
- Pollution liability extension, **6:22, 6:23**
- Sudden and accidental discharges, former coverage
  - anti-coverage cases, **6:6**
  - interpretation of wording, conflicts, **6:4 to 6:7**
  - pre-1976 environmental liability exclusion clause, **6:3**
  - pro-coverage cases, **6:5**
  - trends, **6:7**

**CONFERENCE OF THE PARTIES (COP)**

- See also UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)
- Generally, **10:35**
- Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), **10:35**
- Background, **10:35**
- COP3, **10:35**
- COP17, **10:35**
- COP21, **5:26 to 5:30, 10:35**
- COP24, **10:15 to 10:23**

**CONSUMER AND CORPORATE AFFAIRS**

- See PROGRAM OF ADVISORY OPINIONS

**CONSUMER PRODUCTS**

- Packaging and labelling, regulation, **7:16, 7:17**

**CONTAMINATED SITES**

- Entry, inspection, powers
  - see ENVIRONMENTAL INSPECTIONS
- See also PROPERTY CONTAMINATION; SPILLS

**CONTAMINATED SITES—Cont'd**

- Record of site conditions
  - see BROWNFIELDS LEGISLATION, ONTARIO

**CONTAMINATED SOIL**

- See PROPERTY CONTAMINATION; RADIOACTIVE SOIL CONTAMINATION; SOIL CONTAMINATION

**CONTEMPT OF COURT**

- Officers, directors, prohibition orders, non-compliance, **2:23**

**CONTRACT OF PURCHASE AND SALE**

- Marketable title, contamination, effect, **1:156**

**CONTRACTORS**

- Insurance, environmental impairment liability, **6:27**
- Liability for negligent misrepresentation regarding environmental conditions, **1:159**

**COP**

- See CONFERENCE OF THE PARTIES

**CORPORATE DIRECTORS AND OFFICERS**

- See DIRECTORS AND OFFICERS

**CORPORATE ENVIRONMENTAL MANAGEMENT**

- Generally
  - see ENVIRONMENTAL MANAGEMENT
- Strategies to reduce risk
  - see ENVIRONMENTAL MANAGEMENT

**CORPORATE SOCIAL RESPONSIBILITY (CSR)**

- Generally, **4:74, 4:77**
- Canada
  - corporate attitudes on, **4:6**
  - Foreign Affairs, Trade and Development Canada, **4:74**
  - Industry Canada support, **4:74**
    - SME Sustainability Roadmap, **4:74**
  - Global Reporting Initiative (GRI), **4:74**
  - Global sustainability reporting system, **4:74**

**CORPORATE SOCIAL**

**RESPONSIBILITY (CSR)—Cont'd**

- International Finance and Corporation Performance Standards and Environmental and Social Sustainability, **4:74**
- ISO Environmental Management Standards, **4:74**
- KPMG International Survey of Corporate Responsibility Reporting 2011, **4:74**
- OECD Guidelines for Multinational Enterprises, **4:74**
- Reporting systems, **4:74**
- Sustainability reports, **4:74**
  - Global Reporting Initiative (GRI), **4:74**
  - reporting trends, **4:74, 4:75**
- Voluntary Principles on Security and Human Rights, **4:74**

**CORRECTIVE ACTION PLAN**

- Saskatchewan, environmentally impacted sites, remediation, **1:134**

**CORROSIVE SUBSTANCES**

- Transportation of
  - see TRANSPORTATION OF DANGEROUS GOODS, corrosive substances

**COSMETICS**

- Advertising, packaging, labelling, regulation, **7:17**
- Defined, **7:17**

**COSTS**

- Alberta, contaminated sites, remediation, **1:77**
- Clean-up
  - defined, **6:23**
  - insurance generally
    - see COMPREHENSIVE GENERAL LIABILITY POLICIES
  - limited pollution liability insurance, **6:1, 6:2 to 6:19, 6:23**
  - ships, oil spills
    - see FEDERAL COMPENSATION PROGRAMS
- Environmental compliance, incentives
  - see TAXATION
- Health hazards, elimination, orders, **1:34**
- Legislative guidelines, requirements, **5:47, 5:48**

**COSTS—Cont'd**

- Receivers, appointment, waste, removal, **1:181**
- Taxation, write-offs
  - see TAXATION

**COURTS**

- Environmental management, enforcement, attitudes, **4:21**
- Public welfare offences, attitudes, **8:2, 8:42**

**COVENANTS**

- Real estate transactions, scope, **1:212**

**CPA CANADA**

- See CHARTERED PROFESSIONAL ACCOUNTANTS CANADA

**CRIMINAL INVESTIGATIONS**

- Premises, inspection without warrants, restrictions, **3:5, 3:39**
- Right to remain silent, **3:41**

**CSA**

- See CANADIAN STANDARDS ASSOCIATION (CSA)

**DAMAGE**

- See ENVIRONMENTAL DAMAGE

**DAMAGES**

- Economic loss, purchasers, recovery, **1:156.50**
- Environmental contamination, restoration costs, Ontario, **1:160 to 1:163**
- Punitive, awarded, **1:163**

**DANGEROUS GOODS**

- See also TRANSPORTATION OF DANGEROUS GOODS
- Canadian manufacturers of, when required to register with Director General, **8:23 to 8:40**
- Classification under Transportation of Dangerous Goods Regulations, **8:5 to 8:40**
  - hazard classifications, **8:6**
  - labelling and placarding requirements dependent on, **8:8**
  - product identification number, **8:6, 8:7**
  - safety measures dependent on, **8:7**
- Emission or escape, liability, **6:12, 8:9, 8:45**
  - remedial or preventive measures, **6:12**



## INDEX

### DANGEROUS GOODS—Cont'd

- Guide for Reporting Dangerous Goods Incidents, **APP 8A**
- Importers of, when required to register with Director General, **8:23 to 8:40**
- Transportation of, legislation, **2:6 to 2:17, 8:1 to 8:4, 8:41 to 8:43**
- Transportation of Dangerous Goods Act, 1992, applying only to goods specified in regulations, **8:5 to 8:40**

### DANGEROUS GOODS ADVISORY NOTICE: GUIDELINES FOR TRAINING CRITERIA

- Generally, **8:21, 8:22**

### DANGEROUS OCCURRENCES

- See also TRANSPORTATION OF DANGEROUS GOODS
- Determination of, **8:23 to 8:40**
- Emergency measures required to reduce or eliminate risk to public safety, **8:23 to 8:40**
- Guide for Reporting Dangerous Goods Incidents, **APP 8A**
- Offence for failure to report or to take appropriate emergency measures, **8:23 to 8:40**
- Reporting requirements, **8:23 to 8:40**
  - dangerous goods incidents, **APP 8A, 8:23 to 8:40**
  - 30-day, **8:23 to 8:40**
  - immediate, **8:23 to 8:40**
  - loss, theft or misplacing of dangerous goods, **8:16 to 8:20, 8:23 to 8:40**
  - responsibility for, **8:23 to 8:40**

### DEATH

- Accidents involving release of dangerous goods, report, **8:23 to 8:40**
- Nuclear incidents, claims, limitation period, **6:44**

### DECOMMISSIONING AND CLEAN-UP

- Property remediation orders, determination, **1:5**

### DEFENCES

- See also OFFENCES AND PENALTIES; SENTENCING
- Caveat emptor, **1:156.50**
- Corporate officers, directors, due diligence, **2:18 to 2:22, 4:25, 8:42**

### DEFENCES—Cont'd

- Due diligence, provision for, Transportation of Dangerous Goods Act, 1992, **8:42**
  - sentencing, **4:28**
- Environmental liability, due diligence, **4:23 to 4:27**
- Insurance, pollution exclusion clauses, **6:19**
- Reasonable measures, R. v. Sault Ste. Marie (City) standard, **8:42**

### DEFINITIONS

- Adverse effect, **1:69**
- Blue Box waste, Ontario, **7:9**
- Brand owner
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - P.E.I., **7:10**
  - Saskatchewan, **7:12**
- Brownfields, **1:8**
- Captive Insurance company, **6:30**
- Carbon majors, **10:3 to 10:14**
- Certification mark, **7:53**
- Clean-up costs, **6:23**
- Compostable materials, **7:31**
- Contaminant, **2:18**
- Contaminated site, **1:69**
  - British Columbia, **1:46**
- Cosmetic, **7:17**
- Current vendor, **1:154**
- Damage, **6:44**
- Dangerous goods, **8:5 to 8:40**
- Dangerous occurrence, **8:23 to 8:40**
  - Guide for Reporting Dangerous Goods Incidents, **APP 8A**
- Degradable materials, **7:32**
- Devices, **7:17**
- Discharge, **2:18**
- Distributor
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Northwest Territories, **7:13**
  - P.E.I., **7:10**
  - Yukon, **7:13**
- Enterprise, Quebec, **6:23, 7:11**
- Environmental damage, **6:23**
- First seller, Saskatchewan, **7:12**
- Health hazard, **1:35**
- Import, **8:10**

**DEFINITIONS—Cont'd**

- Injury, **6:44**
- Manufacturer, NWT, **7:13**
- Material or red flag event, **4:48**
- Nuisance, **1:156.20**
- Officer, **2:20**
- Organization, **8:10, 8:41**
- Owner, **1:36**
- Person responsible for the contaminated site, **1:69**
- Pollutants, **6:23**
- Pollution incident, **6:23**
- Producer, British Columbia, **7:4**
- Property damage, **6:23**
- Receiver, **9:5**
- Release, **8:23 to 8:40**
- Remote vendor, **1:154**
- Steward, Manitoba, **7:5**
- Steward of designated material, Manitoba, **7:5**
- Substance, **1:69**
- Supplier
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
- Trademark, **7:53**
- Unlawful interference, not defined in Transportation of Dangerous Goods Act, 1992, **8:20**
- Waste, **1:3, 8:40**
- Waters, **2:18**

**DEGRADABILITY**

- Standards, claims, **7:32**

**DEPRECIATION OF CAPITAL PROPERTY**

- See TAXATION

**DESCRIPTIONS**

- False or misleading, prohibition, **7:18**

**DESIGNED FOR DISASSEMBLY**

- Generally, **7:33**

**DEVELOPERS**

- Property contamination, liability, **1:1**

**DIRECTORS AND OFFICERS**

- See also ENVIRONMENTAL MANAGEMENT; LIABILITY
- Compliance, respect for law, challenges, **4:67**
- Contaminated property, liability, **1:1**

**DIRECTORS AND OFFICERS—Cont'd**

- Due diligence
  - inherently dangerous business, case law, **2:21**
  - recommendations, details, **4:63, 4:64, 8:42, 8:45**
  - See also CANADIAN CHARTER OF RIGHTS AND FREEDOMS
- Environmental duty, Ontario
  - interpretation, **2:21**
  - municipal officials, imposition, **2:20**
  - persons included, **2:20**
  - R. v. Bata Industries Ltd., guidelines, **2:21, 4:27**
  - standard of care, determination, **2:21**
  - statutory provisions, scope, **2:18**
- Environmental liability
  - See also DIRECTORS AND OFFICERS, liability under transportation of dangerous goods legislation; ENVIRONMENTAL MANAGEMENT, strategies to reduce risk
  - active or passive involvement, interpretation, **2:6 to 2:17**
  - at common law, **2:39**
  - background, **2:2**
  - care, management or control, orders, effect, **2:31 to 2:36**
  - case law, scope, **2:4**
  - Companies' Creditors Arrangement Act proceedings, **9:12**
  - contaminated water, discharge, **2:4**
  - contempt of court, **2:23**
  - convictions, imprisonment, **2:4**
  - due diligence
    - demonstration, effect, **4:24 to 4:27**
    - inherently dangerous business, **2:21**
  - false or misleading representations, **2:4**
  - finances or imprisonment, **2:3 to 2:5**
  - indemnity, circumstances
    - under CCAA proceedings, **9:12**
  - liquid industrial waste, discharge, **4:27**
  - municipal officials, **2:20**
  - natural environment, risks, exposure, **2:18**
  - offences, authorization or acquiescence, **2:6 to 2:17**

**DIRECTORS AND OFFICERS—Cont'd**

- Environmental liability—Cont'd
  - offences, sentences, purpose, considerations, **2:4, 2:24 to 2:27, 4:21**
  - Ontario, **4:26**
    - pending appeal of MOE remedial order, **2:34**
    - remedial orders against director, CCAA proceedings, **9:12**
    - owners, as, determination, **2:31 to 2:36**
    - pesticides, use, adverse effects, **2:18**
    - potential liability as person responsible for compensation for climate-related harm, **10:13**
    - principals or parties, as, **2:4**
    - prohibition orders, non-compliance, effect, **2:23**
    - prosecutions as parties to offences, **2:3 to 2:5**
    - punitive damages, **2:40**
    - reduction, environmental issues, awareness, **4:62 to 4:65**
    - remediation orders, non-compliance, **2:38**
    - scope, **2:1, 8:44, 8:45**
    - statutory civil liability, Ontario
      - director and officer liability, **2:41**
      - judicial interpretation, **1:163**
      - statutory obligations, non-compliance, **4:27**
      - tribunal decisions, **4:29**
      - United States, case law, **2:5**
  - Failure to disclose climate risk arising from obligation to disclose material information under securities law, **10:24 to 10:28**
  - Fiduciary duty, breach of, **10:26**
    - duty to act in best interests of the corporation, climate change, **10:26**
    - failure to consider risks of climate change, **10:24 to 10:28**
    - litigation arising from, **10:25**
  - Insurance policies, coverage, **6:29**
    - environmental impairment liability, **6:26**
    - limited pollution liability, **6:23**
    - pollution exclusion clause, case law, **6:19**
  - Liability
    - see **DIRECTORS AND OFFICERS**, environmental liability

**DIRECTORS AND OFFICERS—Cont'd**

- Liability under transportation of dangerous goods legislation, **8:41**
  - See also **DIRECTORS AND OFFICERS**, environmental liability
    - due diligence, standard of care, **8:42**
    - offences, authorization and acquiescence, **8:41**
- Officer
  - defined, Ontario, **2:20**
  - liability, reduction, recommendations, **4:64**
- Property clean-up orders, compliance, **1:32**
- Restoration orders, natural environment, Alberta, British Columbia, Quebec, **2:42**
- Restoration orders, natural environment, Ontario
  - compliance, exemption, conditions, **2:31 to 2:36**
  - control test, **2:37**
  - Mac's Convenience Stores Inc. v. Ontario, control test, **2:37**
  - Ministry of the Environment, orders, validity, **2:31 to 2:36**
  - non-compliance, liability, **2:38**
  - owners of property, determination, **2:31 to 2:36**
  - P & L Tire Recycling Inc. v. Director (Ministry of the Environment), owners, determination, **2:31 to 2:36**
  - remedial orders, control test, **2:37**
  - remedial or preventive orders, issuance, **2:30**
- Restoration orders, natural environment, transportation of dangerous goods, **8:44, 8:45**
- Statutory duty (Ontario) to prevent discharge of contaminant that may cause adverse effect, **10:26**
- Strategies to minimize liability, **10:30 to 10:33**
- Transportation of Dangerous Goods Act, 1992, provisions
  - independent obligation of officers and directors, **8:41**
  - non-compliance, **8:41**
  - offences, authorization, assent, acquiescence, participation, **8:41**

**DISCLOSURE**

See CLIMATE CHANGE RISKS;  
ENVIRONMENTAL MANAGE-  
MENT, corporate securities filings

**DIVISIONAL COURT (ONTARIO)**

Property clean-up orders, appeals, **1:28**

**DOCUMENTS**

Environmental inspections, seizure  
see ENVIRONMENTAL INSPEC-  
TIONS; ENVIRONMENTAL  
INVESTIGATIONS

Inspections under Transportation of  
Dangerous Goods Act, 1992, **8:43**

**DOW JONES SUSTAINABILITY  
INDICES**

Generally, **4:75**

**DRUGS**

Advertising, packaging, labelling, regula-  
tion, **7:17**

**DRY CLEANERS**

See LANDLORDS; PROPERTY  
CONTAMINATION

**DUE DILIGENCE**

See also ENVIRONMENTAL  
MANAGEMENT, standard of care  
Sentencing considerations, **4:21, 4:28**  
Standard required, environmental liability,  
**4:22 to 4:29**  
Transportation of Dangerous Goods Act,  
under, **8:42**

**DUTY OF CARE**

Contaminated property  
landlords, liability for activities of ten-  
ant, **1:179**  
real estate agents, scope, **1:167**  
solicitors, purchase transactions, **1:169**  
vendors, **1:156**  
misrepresentation, effect, **1:158**  
Directors, officers, environmental liability  
see DIRECTORS AND OFFICERS  
Due diligence  
see ENVIRONMENTAL MANAGE-  
MENT, standard of care

**DWELLINGS**

Environmental inspections, restrictions  
see ENVIRONMENTAL INSPEC-  
TIONS

**ECO-COPS**

See INVESTIGATIONS AND  
ENFORCEMENT BRANCH  
(ONTARIO MOE)

**ECONOMIC INSTRUMENTS**

Emergence, initiatives, scope, **4:71**

**EDUCATION**

See also TRAINING PROGRAMS  
Environmental management programs,  
employees, **4:49**

**EHC**

See ENVIRONMENTAL HANDLING  
CHARGES

**ELECTRICITY INDUSTRY**

Capital cost allowance, **5:18, 5:20**  
climate change-related risk, **10:6**  
restrictions, **5:18**  
Electrical generating systems and Cana-  
dian renewable and conservation  
expenses, **5:21**  
Electricity cooperation, **5:28**  
Flow-through share financing, **5:22**

**ELECTRIC VEHICLES**

Alternative fuel transportation  
infrastructure, **5:29**  
Investment, **5:26 to 5:30**  
Purchase of, rebates for  
British Columbia, **5:48**  
Ontario, **5:48**

**ELECTRONIC PRODUCTS**

**RECYCLING ASSOCIATION**

See also ELECTRONICS RECYCLING  
PROGRAMS; RECYCLING  
Generally, **7:3 to 7:13**

**ELECTRONICS**

Green advertising claims, United States,  
**7:49**

**ELECTRONICS RECYCLING  
ALBERTA (ERA)**

See ALBERTA

**ELECTRONICS RECYCLING  
PROGRAMS**

See also RECYCLING  
Alberta, **7:3**  
British Columbia, **7:4**  
Manitoba, **7:5**

**ELECTRONICS RECYCLING PROGRAMS—Cont'd**

- New Brunswick, **7:6**
- Newfoundland and Labrador, **7:7**
- Northwest Territories, **7:13**
- Nova Scotia, **7:8**
- Nunavut, **7:13**
- Ontario, **7:9**
- Prince Edward Island, **7:10**
- Quebec, **7:11**
- Saskatchewan, **7:12**
- Yukon, **7:13**

**ELLIOTT SPECIAL RISKS LP**

- Environmental impairment liability insurance coverage, **6:26**

**EMERGENCIES**

- Remedial and contingency plans, establishment, **4:39, 4:46**
- Standard operating procedures, terms, **4:47**
- Transportation of Dangerous Goods Act, 1992, under
  - See also EMERGENCY RESPONSE ASSISTANCE PLAN (ERAP) emergency exception permit, **8:38**
  - emergency response assistance plan, **8:10 to 8:15**
  - powers of inspectors to intervene to prevent accidental release of dangerous goods, **8:43**

**EMERGENCY RESPONSE ASSISTANCE PLAN (ERAP)**

- Generally, **8:10 to 8:15**
- Applications and approvals of, **8:10**
  - interim approval, specified period, **8:11**
  - refusal or revocation, **8:11**
  - reporting requirements, **8:12**
    - ERAP implementation reports, **8:14, 8:36**
    - ERAP incident reports, **8:13, 8:35**
    - request for Minister's review where plan refused or revoked, **8:11**
    - requirements, **8:11**
    - review process, **8:11**
    - training and exercises, **8:11**
    - Transport Canada guides, **8:11**
- Approval of, required before importing, offering for transport, handling or

**EMERGENCY RESPONSE**

**ASSISTANCE PLAN (ERAP)**

- Cont'd
  - transporting specified authorized user of, **8:10**
- Classification of goods, significance of, **8:6**
- Dangerous goods, **8:10**
- Emergency response contractor, **8:10, 8:11**
- ERAP reference number, **8:10**
- ERAP required by person handling or transporting dangerous goods where no person importing or offering for transport the goods, **8:10**
- ERAP telephone number, **8:10**
- Implementation of approved ERAP
  - by person directed or authorized by Minister of Transport, **8:10, 8:11**
  - to tier 1 or tier 2, **8:10**
- Overview, **8:10**
- Potential incident analysis, **8:10**
- Required under Transportation of Dangerous Goods Act, 1992, **8:10 to 8:15**
- Responsibilities of plan holder, **8:10**
- Shipping document requirements, **8:10, 8:11**
  - ERAP reference number, **8:10**
  - ERAP telephone number, **8:10**
- Where required, **8:10**

**EMISSION ALLOWANCES**

- See also CAP AND TRADE SYSTEM
- Generally, **5:31 to 5:46**
- Income tax treatment, **5:43**
- Sales tax treatment, **5:44**

**EMPLOYEES**

- Due diligence, recommendations, details, **4:65**
- Environmental management
  - education and Information, **4:49**
  - emergencies, remedial action, training, **4:46**
  - material events, responses, training, **4:48**
- Injuries, limited pollution liability policies, exclusion, **6:2 to 6:19**
- Transportation of dangerous goods, training required, **8:21, 8:22**

**ENERGY CONSERVATION**

- Canadian Council of Chief Executives, recommendations, **4:56**
- CERES Principles, **4:60**
- Equipment, accelerated capital cost allowance, **5:19**
- Sustainable Prosperity, policies, **4:58**
- Systems qualifying for capital cost allowance, **5:20**
- Tax incentives, **5:20**

**ENFORCEMENT**

See OFFENCES AND PENALTIES

**ENGINEERS**

- Insurance, environmental impairment liability, coverage, **6:26, 6:27**

**ENVIRONMENT AND CLIMATE CHANGE CANADA**

- Environmental law enforcement, statistics, **APP 4A, 4:10**
- Hazardous Waste Management Division, **8:40**
- Interpretation of Basel Convention and OECD decision, **8:40**
- Publications
  - Administrative Notice Form, **8:40**
  - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations User's Guide, **8:40**
  - Guide to Classification, **8:40**
  - Movement Document Instruction and Sample Form, **8:40**

**ENVIRONMENT AND PLASTICS INDUSTRY COUNCIL (EPIC)**

See also PLASTICS

**ENVIRONMENT CANADA**

See ENVIRONMENT AND CLIMATE CHANGE CANADA

**ENVIRONMENTAL ADVERTISING**

See ADVERTISING

**ENVIRONMENTAL APPEAL BOARD (ONTARIO)**

See ENVIRONMENTAL REVIEW TRIBUNAL (ONTARIO)

**ENVIRONMENTAL ASSESSMENT BOARD (ONTARIO)**

See ENVIRONMENTAL REVIEW TRIBUNAL (ONTARIO)

**ENVIRONMENTAL AUDITS**

- Access to environmental information, **4:69**
- Basic procedures, **APP 4A, 4:50**
- Canadian Standards Association guidelines, **1:198**
- Certification, standards, **4:69**
- Environmental protection programs, trends, **4:69**
- Management systems, strategies, benefits, **4:50**
- Real estate transactions, **1:194, 1:198 to 1:209**
- See also REAL ESTATE TRANSACTIONS
- Transportation of dangerous goods compliance assessment, **8:45**

**ENVIRONMENTAL BY-LAWS**

- Environmental management programs, compliance, **4:36**
- Environmental recycling programs, under, **7:3 to 7:13**

**ENVIRONMENTAL CLAIMS: A GUIDE FOR INDUSTRY AND ADVERTISERS**

- Generally, **7:23 to 7:37**
- Claims, representations, restrictions, **7:15 to 7:37**
  - general, **7:25**
  - environmentally friendly, **7:25**
  - specific requirements, **7:26**
- Compostable materials, **7:31**
- Degradability standards, **7:32**
- Development, **7:23**
- Principles, establishment, **7:24**
- Recyclable materials, designation, symbol, **7:34**
- Recycled content in materials, designation, symbol, **7:35**

**ENVIRONMENTAL CODES OF PRACTICE**

See CODES OF PRACTICE

**ENVIRONMENTAL COMPENSATION PROGRAMS**

See FEDERAL COMPENSATION PROGRAMS; NUCLEAR INCIDENT COMPENSATION; PROVINCIAL COMPENSATION PROGRAMS



## INDEX

### ENVIRONMENTAL CONFERENCES

Corporations, institutions, laws, knowledge, sources, **4:31**

### ENVIRONMENTAL CONSULTANTS

Corporations, institutions, laws, knowledge, sources, **4:31**

Insurance, professional errors and omissions coverage, **6:26, 6:27**

Liability, real estate transactions, **1:183**

### ENVIRONMENTAL CONTAMINATION

Bankruptcy and insolvency issues  
see BANKRUPTCY AND

INSOLVENCY ACT; LIABILITY

Generally

see PROPERTY CONTAMINATION;  
SOIL CONTAMINATION;  
SPILLS, insurance. See  
COMPREHENSIVE GENERAL  
LIABILITY POLICIES;  
ENVIRONMENTAL IMPAIRMENT  
LIABILITY POLICIES;  
LIABILITY

### ENVIRONMENTAL COSTS

See COSTS

### ENVIRONMENTAL DAMAGE

Defined, **6:23**

Insurance coverage

automobile policies, **6:24**

environmental impairment liability  
policies, **6:25 to 6:29**

generally

see COMPREHENSIVE GENERAL  
LIABILITY POLICIES

limited pollution liability policies, **6:1  
to 6:19**

### ENVIRONMENTAL DISCLOSURE

Acceptance, encouragement, **4:69**

Canadian Securities Administrators  
(CSA) Staff Notice 51-333 on  
Environmental Reporting Guidance,  
**10:23**

Climate change risk, **10:15 to 10:23**

Climate risk disclosure

no requirements in provincial securities  
legislation, **10:23**

obligation may fall under securities law  
requirement to disclose material  
environmental information, **10:23**

### ENVIRONMENTAL DISCLOSURE

—Cont'd

Task Force on Climate-related Financial  
Disclosures, recommendations on,  
**10:16 to 10:18**

### ENVIRONMENTAL EXPENSES

See TAXATION

### ENVIRONMENTAL HANDLING CHARGES

Alberta, **7:3**

British Columbia, **7:4**

Saskatchewan, **7:12**

### ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES

Generally, **6:25 to 6:29**

American International Group, coverage,  
**6:27**

Asbestos insulation removal contractors,  
**6:26**

Automobile pollution, coverage, **6:24,  
6:26**

Availability, **6:25 to 6:29**

Chartis Insurance, **6:27**

Comprehensive general liability

see COMPREHENSIVE GENERAL  
LIABILITY POLICIES

Contractors, pollution liability coverage,  
**6:27**

Elliott Special Risks Ltd., wholesalers,  
coverage, **6:26**

Environmental consultants, professional  
errors and omissions, **6:26, 6:27**

Features, **6:26, 6:27**

Gradual pollution and sudden events, **6:26**

Hospital pollution liability coverage, **6:27**

Lenders and landlords, coverage

extensions, options, **6:28**

pre-existing, undetected or new  
contamination, **6:28**

trust property or foreclosures, **6:28**

Limited pollution

see LIMITED POLLUTION  
LIABILITY POLICIES

Pollution event liability, features, **6:26**

Umbrella insurance, auto, sudden pollu-  
tion, **6:26**

Underground storage tanks coverage,  
**6:27**

**ENVIRONMENTAL INSPECTIONS**

- See also INSPECTORS
- Abatement officers, places other than premises, powers, **3:7**
- Administrative or regulatory purposes, **3:5**
- Agreements with Ministries of Environment re, general, **9:16**
- Authorization, **3:5**
- Corporate Action Plan for Environmental Inspections and Investigations (Appendix A), **APP 3A, 3:29**
- Dwellings, consent, requirement, **3:7, 3:27**
- Entry, search, reasonable times, **3:5, 3:27**
- Federal provisions re, **3:9**
- Inspectors
  - Alberta
    - information, supply, duty, **3:32, 3:33**
    - provisions re, **3:10**
  - British Columbia, provisions re, **3:11**
  - documents, production without warrants, **3:34**
  - excavations without warrants, **3:34**
  - federal provisions re, **3:9**
  - inspections, time, **3:27**
  - judicial inspection orders, issuance, conditions, **3:35**
  - legal counsel, inquiries, presence, **3:29, 3:33**
  - Manitoba, provisions re, **3:12**
  - New Brunswick, provisions re, **3:13**
  - Newfoundland and Labrador, provisions re, **3:14**
  - Northwest Territories, provisions re, **3:15**
  - Nova Scotia, provisions re, **3:16**
  - Nunavut, provisions re, **3:17**
  - Ontario
    - obstruction, offence, **3:31**
    - provincial officer's power to require responses to inquiries, **3:18, 3:31**
    - provisions re, **3:18, 3:19**
    - questions, responses, duty, **3:31, 3:33**
    - spills, **3:19**
    - police forces, assistance, **3:35**
    - powers without search warrants, **3:34**
    - Prince Edward Island, provisions re, **3:20**

**ENVIRONMENTAL INSPECTIONS**

—Cont'd

- Inspectors—Cont'd
  - Quebec, provisions re, **3:21**
  - reasonable inquiries, determination, **3:28 to 3:33**
  - samples, tests, powers, **3:34**
  - Saskatchewan, provisions re, **3:22**
  - seizure without warrants, **3:34**
  - spills, pollutants, powers, **3:8**
  - Yukon
    - provisions re, **3:11**
    - spills, **3:25**
- Investigations, distinction, **3:2**
- Legal counsel, attendance, entitlement, **3:29**
- Legislation, authorization, **3:4**
- Motor vehicles
  - see MOTOR VEHICLES
- Overview, **3:5**
- Property, entry, search, conditions, **3:4**
- Reasonable search and seizure, interpretation, **3:5**
- Regulated premises or facilities
  - businesses, entry, examination, time, **3:5, 3:6**
  - entry, information for criminal offences, **3:5**
  - warrantless searches, **3:5**
- Right to remain silent, determination, **3:30**
- Search warrants, requirement, **3:4, 3:5**
  - Charter breaches, **3:5**
- Spills of pollutants, procedure, **3:8**
- Unlicensed premises or equipment, entry, search, **3:6, 3:7**

**ENVIRONMENTAL INSURANCE**

- See COMPREHENSIVE GENERAL LIABILITY POLICIES; ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES; LIMITED POLLUTION LIABILITY POLICIES

**ENVIRONMENTAL INVESTIGATIONS**

- Criminal investigations, search warrants, requirement, **3:39**
- Inspections, distinction, **3:2, 3:38 to 3:41**
- Investigators
  - Hunter v. Southam, principles, **3:39**
  - questions, responses, requirement, **3:40**

**ENVIRONMENTAL INVESTIGATIONS****—Cont'd**

- Investigators—Cont'd
  - questions, right to remain silent, **3:41**
  - search warrants, requirement, **3:39**
  - warrantless searches, conditions, **3:39**
- Legal counsel, attendance, entitlement, **3:40**
- Methods, **3:38 to 3:41**
- Protection, right to remain silent, **3:41**
- Provinces, units, establishment, **3:1**
- Searches
  - Charter s. 8 rights, case law, **3:39**
  - computers on business premises, **3:39**
- Self-incriminating evidence, protection, **3:41**
- Warrantless searches, conditions, **3:39**

**ENVIRONMENTAL LABELLING**

- See LABELLING; PRINCIPLES AND GUIDELINES FOR ENVIRONMENTAL LABELLING AND ADVERTISING

**ENVIRONMENTAL LAWS**

- See also LEGISLATION; CLIMATE CHANGE LEGISLATION
- Compliance
  - costs, income tax deductions, determination, **5:13 to 5:17**
  - environmental management programs, inclusion, **4:36**
- Enforcement
  - See also ENVIRONMENTAL MANAGEMENT
  - Alberta, policies, **4:17**
  - British Columbia, prosecutions, names, release, **4:16**
  - federal, Environment Canada, statistics, **4:10**
  - Ontario, Ministry of the Environment, statistics, **4:12**
  - Quebec, statistics, **4:18**
  - scope, generally, **4:19**
- Jurisdiction under, **8:2, 8:3**
- Knowledge, corporations, institutions
  - acquisition, sources, **4:31**
  - regulatory surveillance programs, **4:51**
- Overlapping jurisdictions and legislation, **8:2, 8:3, 8:40**

**ENVIRONMENTAL LIABILITY**

- See LIABILITY

**ENVIRONMENTAL MANAGEMENT**

- See also CLIMATE CHANGE RISKS; CODES OF PRACTICE; DIRECTORS AND OFFICERS; CORPORATE SOCIAL RESPONSIBILITY (CSR)
- Audit requirements, trends, **4:69**
- Awareness of environmental issues, scope, **4:62 to 4:65**
- Background, **4:3**
- Business and industry, **4:56**
  - climate change issues, **10:1**
- Business Council on National Issues, principles, **4:56**
- Business transactions
  - risk identification, allocation, **4:40**
- Canadian Chemical Producers' Association, Responsible Care program, **4:59**
- CERES principles, Valdez
  - Principles, replacement, **4:60**
- Climate change
  - assessment of risks, **10:8**
  - risks associated with, **10:1**
- Compliance and respect for law, **4:36, 4:67, 8:44, 8:45**
- Coordination groups, functions, **4:35**
- Corporate management attitudes
  - Canada, **4:6**
  - Europe, **4:5**
  - policies and practices, **4:61**
  - scope, **4:4, 4:7**
  - United States, Pilko survey, findings, **4:5**
- Corporate securities filings,
  - environmental risks, liabilities, **4:54**
- Courts, decisions, attitudes, **4:21, 4:22 to 4:29**
- Development, scope, **4:2, 4:3**
- Directors and officers
  - see ENVIRONMENTAL MANAGEMENT, standard of care, due diligence
- Disclosure of information
  - climate risk disclosure, **10:19 to 10:21**
  - trends, **4:69**
- Economic or financial incentives, emergence, **4:71**

**ENVIRONMENTAL MANAGEMENT****—Cont'd**

- Government enforcement, prosecutions
  - Alberta, **4:17**
  - British Columbia, **4:16**
  - federal, **4:10**
  - Ontario, **4:12**
  - Quebec, **4:18**
  - scope, **4:19**
  - United States, **4:9**
- Government policies, compliance, determination, **4:36**
- Human rights impacts arising from climate change
  - business obligations to prevent, **10:33**
  - remedies, **10:33**
- Information, access, developments, **4:69**
- Issues, **4:1**
- Judicial attitudes, **4:21, 4:22 to 4:29**
- Laws, compliance
  - determination, difficulties, **4:36, 8:44, 8:45**
  - necessity, **4:67**
  - non-compliance, consequences, **4:38, 8:44, 8:45**
  - promotion, advisability, **4:37**
- Laws, knowledge, sources, generally, **4:31**
- Management commitment and support, **4:68**
- National Round Table on the Environment and Economy, objectives, **4:57**
- Office of environmental affairs, functions, **4:35**
- Programs
  - developmental stages, **4:3**
  - management commitment and support, requirement, **4:68**
  - pollution prevention, **4:70**
  - survival, commitment, **4:4**
- Public environmental disclosure, **4:69**
- Responsibility for environmental matters, **4:35, 8:44, 8:45**
- Risk management, objectives, **6:52, 8:44, 8:45**
  - climate change risks, strategies, **10:31**
  - role of certified professional accountants, **10:32**
- Standard of care, due diligence
  - Canadian Charter of Rights and Freedoms, effect, **4:25**

**ENVIRONMENTAL MANAGEMENT****—Cont'd**

- Standard of care, due diligence—Cont'd
  - courts, attitudes, **4:21, 8:2, 8:42**
  - criteria, **4:23**
  - demonstration, duty, **4:24, 8:42**
  - determination, **4:23**
  - directors and officers
    - liability, **2:18 to 2:22**
    - recommendations, **4:63, 4:64, 8:45**
    - specific duties, **4:27, 8:42**
  - employee education and information, **4:49, 8:21, 8:22, 8:42**
  - employees, recommendations, details, **4:65, 8:45**
  - establishment, requirement, **4:25, 4:26, 8:42**
  - higher levels of care, special conditions, **4:23**
  - liability, standard, establishment, **4:22, 4:23**
  - occupational health and safety, **4:24**
  - prompt action upon notice, requirement, **4:23**
  - proof on balance of probabilities, **4:25, 4:26**
  - reasonable care, determination, **4:23, 8:42**
  - R. v. Bata Industries Ltd., interpretation, **4:27**
  - R. v. Sault Ste. Marie (City), establishment, **4:22, 4:23, 4:25, 8:42**
  - sentencing considerations, **4:28**
  - specific duty, imposition, **4:27**
  - Transportation of Dangerous Goods Act, 1992, under, **8:42**
  - trustees in bankruptcy, **9:6 to 9:15**
- Statutes, regulations, by-laws, compliance, **4:36, 8:42**
- Strategies to reduce risk
  - accidents, remedial and contingency plans, **4:46, 8:45**
  - business transactions, risks, identification, **4:40**
  - climate change-related, **10:30 to 10:33**
  - dangerous goods, **8:45**
  - directors, due diligence recommendations, **4:63**
  - employees, education and information, **4:49, 4:65, 8:45**

**ENVIRONMENTAL MANAGEMENT****—Cont'd**

- Strategies to reduce risk—Cont'd
  - employees, training for emergencies, **4:46, 8:45**
  - employers, asbestos management, duties of, **1:187**
  - environmental audits, benefits, **4:50, 8:45**
  - environmental impact analysis, **4:39**
  - handling of dangerous goods, risk management, **8:45**
  - laws, knowledge, information, sources, **4:31, 4:51**
  - legislation, policies, compliance, **4:36**
  - legislation, policies, guidelines, knowledge, **4:31**
  - material events, responses, training, **4:48**
  - mining, inactive properties, assessment, **4:39**
  - officers, due diligence recommendations, **4:64**
  - policies, implementation, legal effects, **4:33, 4:34**
  - policies or codes of practice, establishment, **4:32**
  - pollution prevention programs, implementation, **4:43**
  - reduction of use of hazardous materials, **8:45**
    - See also WASTE; WASTE REDUCTION INITIATIVES
  - regulatory surveillance programs, **4:51**
  - responsibility for environmental matters, **4:35**
  - risk assessment programs, development, **4:39**
  - risk management goals, relevance, **6:52**
  - standard operating procedures, development, **4:47**
  - Task Force on Climate-related Financial Disclosures, recommendations on, **10:16 to 10:18**
  - training programs, **8:45**
  - transportation of dangerous goods, risk management, **8:45**
  - waste management risk assessment, **4:39**
- Sustainable development, **4:72**
- United States, attitudes
  - corporate, **4:5**

**ENVIRONMENTAL MANAGEMENT****—Cont'd**

- United States, attitudes—Cont'd
  - judiciary, **4:21**
- Waste reduction and management, corporate practices, **4:61**
- ENVIRONMENTAL OFFENCES**
  - Directors and officers
    - see DIRECTORS AND OFFICERS, environmental liability
  - Generally
    - see OFFENCES AND PENALTIES
- ENVIRONMENTAL PACKAGING**
  - See PACKAGING AND PRINTED MATTER
- ENVIRONMENTAL POLICY**
  - See CODES OF PRACTICE
- ENVIRONMENTAL PRINCIPLES**
  - See also SUSTAINABLE DEVELOPMENT; UNITED NATIONS
  - Business Council on National Issues, **4:56**
  - Canadian Chemical Producers' Association, **4:59**
  - Coalition for Environmentally Responsible Economies (CERES), **4:60**
  - National Round Table on the Environment and Economy, **4:57**
- ENVIRONMENTAL PROTECTION AGENCY (U.S.)**
  - Enforcement and compliance, **4:9**
  - Supplemental Environmental Project (SEP), **4:9**
- ENVIRONMENTAL PROTECTION ALTERNATIVE MEASURE (FEDERAL)**
  - Generally, **4:10.50**
  - Statistics, 2018-2021, **4:10**
- ENVIRONMENTAL PROTECTION COMPLIANCE ORDER (FEDERAL)**
  - Statistics, 2018-2021, **4:10**
- ENVIRONMENTAL PROTECTION PROGRAMS**
  - Audit requirements, **4:69**
  - Compliance, respect for law, **4:67**

**ENVIRONMENTAL PROTECTION PROGRAMS—Cont'd**

Management commitment and support, **4:68**  
 Pollution prevention, **4:70**  
 Public disclosure, **4:69**

**ENVIRONMENTAL PROTECTION TRIBUNAL OF CANADA**

Formerly Environmental Protection Review Canada, **4:11**  
 Generally, **4:11**

**ENVIRONMENTAL REGULATIONS**

Environmental management programs, compliance, scope, **4:35**

**ENVIRONMENTAL REPORTING**

See also CLIMATE RISK DISCLOSURE  
 Generally, **4:69**  
 Climate change and, **4:69**  
 Greenhouse gas legislation provisions, **4:69**  
 National Pollutant Release Inventory (NPRI), **4:69**  
 Public access to information, **4:69**  
 Sustainable development  
     shareholder resolution requesting report, **4:73**

**ENVIRONMENTAL REPORTING SERVICES**

Corporations, institutions, laws, knowledge, sources, **4:31**

**ENVIRONMENTAL RESPONSIBILITY**

See also CLIMATE CHANGE RISKS; ENVIRONMENTAL MANAGEMENT; SUSTAINABLE DEVELOPMENT  
 Audit requirements, **4:69**  
 Courts, decisions, attitudes, **4:21**  
 Directors and officers, generally  
     see DIRECTORS AND OFFICERS  
 Economic, financial incentives, **4:71**  
 Environmental coordination groups, appointment, functions, **4:35**  
 Legislation, compliance, respect, **4:67**  
 Pollution prevention, **4:70, 4:71**

**ENVIRONMENTAL RESTORATION**

See DIRECTORS AND OFFICERS; NATURAL ENVIRONMENT

**ENVIRONMENTAL REVIEW**

**TRIBUNAL (ONTARIO) (FORMERLY THE ENVIRONMENTAL APPEAL BOARD)**

See now ONTARIO LAND TRIBUNAL  
 Amalgamated into Ontario Land Tribunal as of June 1, 2021, **1:27, 1:28**  
 Appeals under, prior to June 1, 2021, **1:27, 1:28, 2:36**  
 corporate directors, officers, hearings  
     environmental restoration orders, **2:2**  
     remedial or preventive orders, validity, **2:31 to 2:36**  
 Former Rules of Practice and Practice Directions of the Environmental Review Tribunal, **2:35**  
 Ontario Land Tribunal Rules, **1:27**  
 Ontario Land Tribunal Rules of Practice and Procedure, **1:27, 1:28**  
 property clean-up orders  
     appeals from, prior to June 1, 2021, **1:28 to 1:31**  
     costs, payment, determination, **1:25 to 1:27**  
     exemptions from, criteria, **1:29 to 1:31**  
     hearings, procedure, **1:28**  
     retrospectivity, **1:4 to 1:6, 1:28**  
 rulings, liability of investors, **9:15**  
 stays pending appeal by corporate directors and officers, prior to June 1, 2021, **2:35**  
 factors considered by Tribunal, prior to June 1, 2021, **2:35**  
 Tribunal decisions regarding, prior to June 1, 2021, **2:36**

**ENVIRONMENTAL RISK ASSESSMENT**

See also BROWNFIELDS LEGISLATION, ONTARIO  
 Checklist, real estate transactions, purchasers, use, **APP 1A, 1:196**  
 Programs  
     see ENVIRONMENTAL MANAGEMENT, strategies to reduce risk  
 Securities filings, disclosure, **4:54**

**ENVIRONMENTAL SITE ASSESSMENTS**

See BROWNFIELDS LEGISLATION, ONTARIO; PHASE ONE



## INDEX

### **ENVIRONMENTAL SITE**

#### **ASSESSMENTS—Cont'd**

ENVIRONMENTAL SITE ASSESSMENT (ONTARIO); PHASE TWO ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)

### **ENVIRONMENTAL SITE LIABILITY INSURANCE**

Generally, **6:28**

### **ENVIRONMENTAL SITE REGISTRY (ONTARIO)**

See RECORD OF SITE CONDITIONS

### **ENVIRONMENTAL TAX ISSUES**

See TAXATION

### **ENVIRONMENTAL TRADEMARKS**

See TRADEMARKS

### **ENVIRONMENTAL UMBRELLA INSURANCE**

Excess liability coverage, scope, **6:26**

### **ENVIRONMENTALLY FRIENDLY PRODUCTS**

See also GREEN MARKETING  
Advertising, United States, **7:47**  
Claims, restrictions, **7:22**

### **EPAM**

See ENVIRONMENTAL PROTECTION ALTERNATIVE MEASURE

### **EPCO**

See ENVIRONMENTAL PROTECTION COMPLIANCE ORDER

### **EQUATOR PRINCIPLES**

Generally, **4:75**

### **EQUIPMENT**

Environmental inspections, **3:5**  
Management strategies, maintenance programs, **4:45**

### **ERAP**

See EMERGENCY RESPONSE ASSISTANCE PLAN (ERAP)

### **EUROPE**

Climate risk disclosure, **10:21**  
Environmental management corporate attitudes, **4:5**

### **E-WASTE**

See WASTE, electronic and electrical equipment

### **EXPENSES**

Taxation, future reclamation costs, deduction  
see TAXATION

### **EXPLOSIVE MATERIAL**

Municipal fire officials, removal, powers, **1:38**

Transportation of  
see TRANSPORTATION OF DANGEROUS GOODS, explosives

### **EXPORT OF DANGEROUS GOODS**

See TRANSPORTATION OF DANGEROUS GOODS,

### **EXTENDED PRODUCER RESPONSIBILITY**

See also RECYCLING

Generally, **7:2 to 7:13**

Defined, **7:2**

Individual producer responsibility programs, Ontario, **7:9**

batteries, **7:9**

electronics, **7:9**

hazardous and special products, **7:9**

paint, **7:9**

Stewardship programs

beverage containers

Alberta, **7:3**

British Columbia, **7:4**

New Brunswick, **7:6**

Newfoundland and Labrador, **7:7**

Nova Scotia, **7:8**

Prince Edward Island, **7:10**

Saskatchewan, **7:12**

Blue Box, **7:9**

electronic and electrical equipment

Alberta, **7:3**

British Columbia, **7:4**

Manitoba, **7:5**

Newfoundland and Labrador, **7:7**

Nova Scotia, **7:8**

Prince Edward Island, **7:10**

Quebec, **7:11**

Saskatchewan, **7:12**

**EXTENDED PRODUCER  
RESPONSIBILITY—Cont'd**

- Stewardship programs—Cont'd
  - hazardous waste
    - see HAZARDOUS WASTE
  - paint
    - Alberta, **7:3**
    - British Columbia, **7:4**
    - Manitoba, **7:5**
    - New Brunswick, **7:6**
    - Newfoundland, **7:7**
    - Nova Scotia, **7:8**
    - Prince Edward Island, **7:10**
    - Quebec, **7:11**
    - Saskatchewan, **7:12**
  - used tires
    - Alberta, **7:3**
    - British Columbia, **7:4**
    - Manitoba, **7:5**
    - Newfoundland, **7:7**
    - Nova Scotia, **7:8**

**EXXON VALDEZ**

- Generally, **4:21, 4:60**

**FACILITIES**

- Environmental inspections, **3:5**
- Inspections under Transportation of Dangerous Goods Act, 1992, **8:43**

**FEDERAL COMPENSATION  
PROGRAMS**

- See also PROVINCIAL COMPENSATION PROGRAMS
- Bunkers Convention (2001), **6:31, 6:32**
  - levies on oil imports, **6:32**
  - Supplementary Fund Protocol (2003), **6:31**
- International Convention on Civil Liability for Bunker Oil Pollution Damage, **6:31**
- International Convention on Civil Liability for Oil Pollution Damage, 1992, **6:31**
- International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, **6:31**
  - claimants, direct action against insurers, rights, **6:31**
  - 2003 Protocol, **6:31**
  - purpose, **6:32**

**FEDERAL COMPENSATION  
PROGRAMS—Cont'd**

- International Oil Pollution Compensation Fund, **6:31**
- Marine Liability Act, **6:31**
- Nuclear incidents
  - see NUCLEAR INCIDENT COMPENSATION
- Pesticide residue compensation
  - amount, maximum, **6:46**
  - applications, information, details, **6:47**
  - claims, scope, **6:49**
  - decisions, appeals, **6:48**
  - qualifications, **6:45 to 6:49**
- Ship-source Oil Pollution Fund, **6:31, 6:32**
  - address for claims, **6:39**
  - claimants
    - procedure, **6:33 to 6:43**
    - proper parties, **6:33**
  - claims
    - filing, limitation period, **6:38**
    - information, documentation, **6:40**
    - subrogation, rights, **6:37**
  - costs, preventive measures, clean-up, information, **6:41**
  - fishery claimants, qualifications, **6:42**
  - fund of first resort, **6:36**
  - fund of last resort, **6:35**
  - liability, applicable waters, **6:33, 6:35, 6:36**
    - exclusions, **6:34, 6:35**
  - losses, earnings or revenue, claims, details, **6:40**
  - Maritime Pollution Claims Fund, replacement, **6:31**
  - maximum liability, **6:33**
  - mystery spills, unknown ships, claims, appeals, **6:33**
  - purpose, **6:31**
  - replacement, repair costs, claims, details, **6:39**
  - SOPF administrator, powers, **6:37**

**FEDERAL GUIDING PRINCIPLES  
FOR ENVIRONMENTAL  
LABELLING AND ADVERTISING**

- See PRINCIPLES AND GUIDELINES FOR ENVIRONMENTAL LABELLING AND ADVERTISING

## INDEX

### **FIDUCIARY DUTY**

See DUTY OF CARE; DUE DILIGENCE; DIRECTORS AND OFFICERS; ENVIRONMENTAL MANAGEMENT LIABILITY

### **FINANCIAL RISK DISCLOSURE**

Generally, **10:1, 10:3 to 10:14**

### **FINANCIAL STABILITY BOARD (FSB)**

Generally, **10:1, 10:3 to 10:23**

### **FINES**

Deductibility as business expenses  
see TAXATION  
Directors, officers, environmental offences  
see DIRECTORS AND OFFICERS  
Generally  
see OFFENCES AND PENALTIES

### **FIRE COMMISSIONER (ONTARIO)**

Orders, buildings, closure, removal of hazards, **1:38**

### **FIRE HAZARDS**

Ontario  
removal, orders, costs, **1:38**

### **FISHING INDUSTRY**

Ships, oil spills, claimants, qualifications, **6:42**

### **FISHING WATERS**

Deleterious substances, deposit, remedial measures, liability, **6:11**  
Ships, oil spills, compensation programs  
see FEDERAL COMPENSATION PROGRAMS

### **FLAMMABLE MATERIALS**

Transportation of  
see TRANSPORTATION OF DANGEROUS GOODS, flammables

### **FLOW-THROUGH SHARES**

See also TAXATION  
Generally, **5:22**

### **FOOD**

Advertising, packaging, labelling  
legislation applicable, **7:19**  
regulation, **7:17**

### **FOREIGN AFFAIRS, TRADE AND DEVELOPMENT CANADA**

Global sustainability reporting system, **4:74**

### **FOURTH NATIONAL CLIMATE ASSESSMENT (U.S)**

Generally, **10:2 to 10:23**

### **FRAMEWORK ON CLEAN GROWTH AND CLIMATE CHANGE**

Generally, **5:26 to 5:30**

### **FRAMEWORK PRINCIPLES ON HUMAN RIGHTS AND THE ENVIRONMENT**

Generally, **4:1, 4:72**

### **FSB**

See FINANCIAL STABILITY BOARD (FSB)

### **FUEL OILS**

Nova Scotia, **1:116**  
Ontario, storage or use, duties, **1:33**

### **FUEL OIL SUPPLIER**

Case law  
exclusion clause in supplier agreement  
contrary to public policy, **4:38**  
negligence, **4:38**

### **GARBAGE**

Building lots, underlay, removal, liability, **1:156.50**  
Generally  
see WASTE

### **GASES**

Transportation of  
see TRANSPORTATION OF DANGEROUS GOODS, gases

### **GASOLINE**

Extended producer responsibility, British Columbia, **7:4**  
Hazardous conditions  
liability of previous owners, **1:156**  
remedial requirements, **1:33**

### **GENERAL ELECTRIC CO.**

Environmental sustainability initiatives, **4:61**  
Greenhouse gas emissions, **4:61**

**G20 FINANCIAL STABILITY BOARD (FSB)**

See FINANCIAL STABILITY BOARD

**GLOBAL CHANGE RESEARCH PROGRAM (U.S.)**

Fourth National Climate Assessment (2018), **10:1**

**GLOBAL REPORTING INITIATIVE (GRI)**

Generally, **4:74, 4:76**  
G4 guidelines, **4:76**

**GOODS AND SERVICES TAX**

Emission allowance  
exempt supply, **5:44**

**GREENHOUSE GAS EMISSIONS REPORTING REQUIREMENTS**

Generally, **10:39 to 10:49**  
Alberta, **10:41**  
British Columbia, **10:42**  
Federal, **10:40**  
Greenhouse Gas Reporting Program (GHGRP), **10:39 to 10:49**  
reporting requirements under Canadian Environmental Protection Act, 1999, **10:40**  
Manitoba, **10:43**  
New Brunswick, **10:44**  
Newfoundland and Labrador, **10:45**  
Nova Scotia, **10:46**  
Ontario, **10:47**  
Quebec, **10:48**  
Saskatchewan, **10:49**

**GREENHOUSE GAS-INTENSIVE ACTIVITIES**

Risks, litigation, regulations, **10:1, 10:3 to 10:14**

**GREENHOUSE GAS REDUCTION**

See also CLIMATE CHANGE LEGISLATION; CLIMATE CHANGE POLICIES; CLIMATE CHANGE RISKS; TAXATION  
Cap and trade system, **5:31 to 5:46**  
See also CAP AND TRADE SYSTEM  
Ontario, **5:37**  
Quebec, **5:38**  
Corporate initiatives, **4:61**  
Federal and provincial policies, **5:31 to 5:46**

**GREENHOUSE GAS REDUCTION**

—Cont'd

Financial implications, **10:1, 10:3 to 10:14**  
International treaties and agreements, emission reduction targets under, **10:35 to 10:38**  
Kyoto Protocol, **10:35**  
Paris Agreement, **10:36**  
United Nations Framework Convention on Climate Change, **10:35**  
Liability issues for business, strategies, **10:32**  
Reporting requirements, **4:69, 10:39 to 10:59**  
Alberta, **10:41**  
British Columbia, **10:42**  
federal  
Greenhouse Gas Reporting Program, **10:39 to 10:49**  
Pan-Canadian Framework on Clean Growth and Climate Change, **10:38**  
international treaties and agreements, emission reduction targets under, **10:35 to 10:38**  
Kyoto Protocol, withdrawal from, **10:37**  
Paris Agreement, ratification, **10:37**  
Manitoba, **10:43**  
New Brunswick, **10:44**  
Newfoundland and Labrador, **10:45**  
Nova Scotia, **10:46**  
Ontario, **10:47**  
Quebec, **10:48**  
Saskatchewan, **10:49**  
Transition to low-carbon economy, **10:1**

**GREEN MARKETING**

Claims  
environmentally friendly products, restrictions, **7:22, 7:47**  
specificity, requirement, **7:21**  
testing methods, standards, **7:21**  
Controversial claims, **7:20**  
Corporate financial and reputational advantage, **4:74**  
Electronics, laptops, **7:49**  
Labelling and advertising  
provincial legislation, **7:38**  
restrictions, **7:14 to 7:52**

**GREEN MARKETING—Cont'd**

- Labelling and advertising—Cont'd
  - trends, general, **7:45**
  - United States
    - federal, state, municipal, **7:39 to 7:45**
    - Federal Trade Commission Guides, **7:39**
    - litigation and regulatory settlements, **7:44**
    - self-regulation, **7:47**
      - advertising modified or discontinued, **7:49**
      - appeals to NARB, **7:50**
      - claims substantiated, **7:48**

**GREEN POLICE**

- See INVESTIGATIONS AND ENFORCEMENT BRANCH (ONTARIO MOE)

**GREEN PRODUCTS**

- Environmental claims, advertising, **7:49**
- Issues, **7:1**

**G20 TASK FORCE ON CLIMATE-RELATED FINANCIAL DISCLOSURES**

- Generally, **10:1**
- Final Report, **10:1**

**GUIDELINES FOR THE DECOMMISSIONING AND CLEANUP OF SITES IN ONTARIO REPLACED BY PARTS XV.1 AND XV.2 OF EPA**

- Generally, **1:7**

**GUIDING PRINCIPLES FOR ENVIRONMENTAL LABELLING AND ADVERTISING**

- See PRINCIPLES AND GUIDELINES FOR ENVIRONMENTAL LABELLING AND ADVERTISING

**GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS**

- See UNITED NATIONS GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

**HAGERSVILLE TIRE FIRE**

- Mortgagees, liability of, **1:181**
- Ontario Claims Board, claimants, assistance, **6:51**

**HARMONIZED SALES TAX**

- Emission allowance
  - exempt supply, **5:44**

**HAZARDOUS WASTE**

- Disposal and recycling, documentation, issues, **8:40**
- Export and import of, **8:40**
  - approvals required, **8:40**
  - Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, **8:40**
  - Export and Import of Hazardous Wastes Regulations, **8:40**
  - insurance requirements, **8:40**
- For disposal, **8:39**
  - domestic movement of, manifest requirements, **8:39**
  - international movement of, applicability of regulations, **8:40**
- For recycling
  - Canada-U.S.A. Agreement on the Transboundary Movement of Hazardous Waste, **8:40**
  - domestic movement of, manifest requirements, **8:39**
  - export and import of, **8:40**
  - individual producer responsibility
    - Ontario, **7:9**
  - international movement of, applicability of regulations, **8:40**
  - provincial programs
    - Manitoba, **7:5**
- Movement of, general
  - see TRANSPORTATION OF DANGEROUS GOODS
- Regulation of, overlap of hazardous waste and dangerous goods legislation, prosecutions, **8:3, 8:39, 8:40**

**HAZARDOUS WASTE FACILITIES**

- See also WASTE
- Transportation to, **8:39, 8:40**

**HEALTH HAZARDS**

- Elimination or decrease, orders, costs, **1:34**
- Green advertising claims, **7:49, 7:50**
- Occupational health and safety, hazardous materials in the workplace, **8:44, 8:45**

**HEALTH HAZARDS—Cont'd**

Property contamination  
see PROPERTY CONTAMINATION

Removal, inspectors, orders, **1:36**

**HEARINGS**

Former Environmental Review Tribunal  
(Ontario), clean-up orders, **1:28**

Ontario Land Tribunal, **1:28**

**HOSPITAL POLLUTION LIABILITY**

Insurance, environmental impairment  
liability, coverage, **6:27**

**HOSPITALS**

Environmental performance check-ups,  
scope, **3:1**

**HUMAN RIGHTS**

See also CLIMATE CHANGE RISKS;  
SUSTAINABLE DEVELOPMENT;  
UNITED NATIONS

Citizen-initiated litigation in domestic  
courts to require governments to act  
to protect rights, **10:9 to 10:13**

Climate-related impacts and claims, **10:11**  
international law principles applicable  
to environmentally related human  
rights, **10:11**

Court orders for government action to  
reduce GHG emissions, Pakistan,  
**10:12**

Obligations by governments and corpora-  
tions to protect, **10:11**  
judicial and tribunal decisions requiring  
government action on  
environmental issues affecting  
human rights, **10:12**

Violation of, by carbon majors,  
complaints, international, **10:12**

**HYDROCARBONS**

Storage or use, duties, **1:33**

**ICE SHELTERS**

Environmental inspection without war-  
rants, scope, **3:6**

**IMPRISONMENT**

Directors, officers  
contempt of court, **2:23**  
environmental offences, generally, **2:24**  
to **2:27**

offences under Transportation of  
Dangerous Goods Act, 1992, **8:41**

**INDEMNITY**

Corporate officers and directors, fines,  
**2:18 to 2:22**

Real estate transactions, purchasers,  
rights, **1:214**

**INDIVIDUAL PRODUCER**

**RESPONSIBILITY FRAMEWORK  
(IPR) (ONTARIO)**

See EXTENDED PRODUCER  
RESPONSIBILITY

**INDUSTRIES**

Environmental principles

Business Council on National Issues,  
**4:56**

Canadian Chemical Producers' Associa-  
tion, **4:59**

Coalition for Environmentally  
Responsible Economies (CERES),  
**4:60**

National Round Table on the Environ-  
ment and Economy, **4:57**

**INDUSTRY CANADA**

Generally, **4:74**

SME Sustainability Roadmap, **4:74**

**INDUSTRY FUNDED ORGANIZATION  
(IFO)**

Generally, **7:2**

Alberta, **7:3**

British Columbia, fCITE7:4

Multi-Material British Columbia  
(MMBC), **7:4**

Recycle BC, **7:4**

Manitoba

Multi-Material Stewardship Manitoba  
(MMSM), **7:5**

Ontario, **7:9**

**INFECTIOUS SUBSTANCES**

Transportation of

see TRANSPORTATION OF  
DANGEROUS GOODS, infec-  
tious substances

**INITIAL EMERGENCY RESPONSE  
GUIDE**

See CANADIAN TRANSPORT EMER-  
GENCY CENTRE (CANUTEC)

**INJURIES**

Insurance coverage

automobiles, use or operation, **6:24**



## INDEX

### INJURIES—Cont'd

- Insurance coverage—Cont'd
  - generally
  - see COMPREHENSIVE GENERAL LIABILITY POLICIES;  
LIMITED POLLUTION LIABILITY POLICIES
- Nuclear incidents, facility operators, duties, **6:44**

### INSPECTIONS

- Environmental
  - see ENVIRONMENTAL INSPECTIONS
- Real estate transactions, purchasers, benefits, **1:195, 1:196**
- Under Transportation of Dangerous Goods Act, 1992, **8:43**

### INSPECTORS

- Environmental inspections, functions, **3:26 to 3:37**
- Powers under Transportation of Dangerous Goods Act, 1992
  - documents, production without warrants, **8:43**
  - importation, **8:43**
  - intervention in emergencies to prevent release of dangerous goods, **8:43**
  - remedying non-compliance, **8:43**
  - taking samples of dangerous goods, **8:43**
  - without search warrants, **8:41, 8:43**

### INSTITUTIONS

- Environmental laws, knowledge, sources, **4:32**
- Environmental management
  - see ENVIRONMENTAL MANAGEMENT
- Inspections, searches, **3:5**

### INSURANCE

- See also ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES
- Automobile policies, pollution, liability, coverage, **6:24**
- Financial security for nuclear installations, as, **6:44**
- Generally
  - see COMPREHENSIVE GENERAL LIABILITY POLICIES;  
ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES;

### INSURANCE—Cont'd

- Generally—Cont'd
  - LIMITED POLLUTION LIABILITY POLICIES
  - Hazardous waste transportation, **8:40**
  - Insurer's duty to defend, **6:19**
  - Liability, climate change and securities filings, disclosure, **4:54**
  - Overview, challenges, **6:1**
  - Risk management, relevance, **6:52**
  - Self-insurance, captive insurance companies, creation, advantages, **6:30**
  - Sudden and accidental, case law, **6:7**

### INSURANCE BUREAU OF CANADA

- Policies, standard form, **6:2 to 6:19**

### INSURERS

- Carbon extractors and emitters
  - increased liability, **10:3 to 10:14**
- Climate change risks and, **10:1**
- Weather-related risks, **10:2 to 10:23**

### INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (IPCC)

- Fourth Assessment Report, **10:1**

### INTERNATIONAL ATOMIC ENERGY AGENCY

- Convention on Supplementary Compensation for Nuclear Damages, **6:44**

### INTERNATIONAL CIVIL AVIATION ORGANIZATION (I.C.A.O.)

- Technical Instructions for the Safe Transport of Dangerous Goods by Air, **8:38**

### INTERNATIONAL MARITIME DANGEROUS GOODS CODE

- Generally, **8:38**

### INTERNATIONAL OIL POLLUTION COMPENSATION FUND

- See FEDERAL COMPENSATION PROGRAMS

### INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)

- Certification, corporations, **4:61**
- Environmental management standards, **4:74**

**INVESTIGATIONS**

Environmental  
see ENVIRONMENTAL INVESTIGATIONS

**INVESTIGATIONS AND ENFORCEMENT BRANCH (ONTARIO MOE)**

Establishment, functions, **3:1**

**INVESTMENT TAX CREDITS**

Pollution control equipment, qualification, **5:19**

**INVESTORS**

Agreements with Ministries of Environment to limit liability, **9:16**

Carbon markets, **5:31 to 5:46**

Climate change risks and, **10:1**

Climate risk disclosure and, **10:15 to 10:23**

Contaminated property, liability, **9:15, 9:16**

Financial challenges and opportunities, **10:3 to 10:14**

Former Environmental Review Tribunal (Ontario), rulings on liability, **9:15**

Investor activism, **10:14 to 10:23**

Transition to low-carbon economy, **10:3 to 10:14**

**IONIZING RADIATION**

Emission, excessive levels, liability, **6:11**

**IPCC**

See INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE

**ISO 14000 ENVIRONMENTAL LABELLING SERIES**

Generally, **7:37**

**JUDICIAL INSPECTION ORDERS**

Environmental inspectors, issuance, conditions, **3:35**

**KODAK CANADA INC.**

Solid waste reduction, recycling initiatives, **4:61**

**KYOTO PROTOCOL**

Generally, **10:35**

Adoption of, **10:35**

Background, **10:35**

Canada, withdrawal from, **10:35**

**LABELLING**

See also ADVERTISING; PACKAGING; PRINCIPLES AND GUIDELINES FOR ENVIRONMENTAL LABELLING AND ADVERTISING

Beverage containers, legislation, **7:3 to 7:13**

Complaints under former Principles and Guidelines, **7:36**

Consumer products, regulation, **7:16**

Dangerous goods  
see TRANSPORTATION OF DANGEROUS GOODS, labelling of goods/product

Drugs, cosmetics, medical devices, regulation, **7:17**

Environmental claims, guidelines, **7:24 to 7:30**

False representations, effect, **7:15, 7:20**

Food, **7:17, 7:19**

Green marketing  
see GREEN MARKETING

Misleading representations, prohibition, **7:14 to 7:52**

Provincial legislation, **7:38**

Trademarks, protection, **7:53**

United States, guidelines, **7:39 to 7:41**

**LANDLORDS**

See also TENANTS

Contaminated property, liability  
common law, issues, **1:177 to 1:179**

negligence, **1:178, 1:179**

nuisance, **1:178**

strict liability, **1:178**

generally, **1:1**

statutory, clean-up, **1:180**

to third party for activities of tenant, **1:179**

Insurance, environmental impairment liability policies, **6:28**

**LEAD-ACID BATTERIES**

See BATTERY RECYCLING PROGRAMS

**LEASES**

Environmental risk assessment, prior consideration, **4:40**

**LEGAL COUNSEL**

See also SOLICITORS

## INDEX

### LEGAL COUNSEL—Cont'd

- Environmental inspections, attendance, **3:29, 3:33**
- Environmental investigations, attendance, **3:40**
- Policies, development, consultations, **4:33**
- Regulatory surveillance programs, assistance, **4:51**

### LEGISLATION

- See also CLIMATE CHANGE LEGISLATION; ENVIRONMENTAL LAWS
- Compliance, determination, difficulties, **4:36, 4:67, 8:44, 8:45**
- Knowledge, understanding, strategies, **4:31**
- Regulatory surveillance programs, benefits, **4:51**

### LENDERS

- Climate change risks, obligations and, **10:1**
- Insurance, environmental impairment liability policies, **6:28**
- Liability
  - agreements with Ministries of Environment re contaminated sites, **9:16**
  - potential for liability as person responsible for compensation for climate-related harm, **10:13**
- Secured, environmental liability, **9:16**

### LESSEES

- See TENANTS

### LIABILITY

- See also CIVIL ACTIONS; CIVIL LIABILITY; ENVIRONMENTAL MANAGEMENT
- Contaminated property
  - agreements with Ministries of Environment, general, **9:16**
  - Alberta, remediation, **1:75, 1:76, 1:154**
  - British Columbia, remediation, **1:39 to 1:67**
  - care, management or control, orders, compliance, **2:31 to 2:36**
  - civil actions, limitation period, **1:155**
  - environmental consultants, **1:183**
  - fuel oil suppliers, case law, **4:38**
  - generally, **1:1**

### LIABILITY—Cont'd

- Contaminated property—Cont'd
  - investors, **9:15, 9:16**
    - See also INVESTORS
  - landlords, scope, **1:177 to 1:180**
  - mortgagees
    - exempt from liability under Act (Ontario)
      - case law, **1:4 to 1:6, 1:181, 9:14**
      - waste removal, **1:181**
  - municipalities, negligent misrepresentation, **1:164**
- Ontario
  - See also BROWNFIELDS LEGISLATION, ONTARIO
  - qualified immunity from MOE remediation orders upon filing of record of site condition, **1:23, 9:16**
  - owners, remedial orders, compliance, **2:30 to 2:36**
  - previous owners
    - see VENDORS, remote vendors
  - public agencies, failure to act or warn, **1:165**
  - real estate agents, **1:1, 1:167, 1:168**
  - receivers, **1:182, 9:2 to 9:5**
  - recovery of remediation costs
    - restoration of corporation and reconstitution of director, case law, **1:66**
  - remedial orders, issuance, proper parties, **2:37**
  - secured lenders, **9:16**
  - solicitors, purchase and sale, negligence, **1:169**
  - sources of civil and statutory, **1:148**
  - tenants
    - see TENANTS
  - trustees in bankruptcy, **9:6 to 9:15**
  - vendors
    - see VENDORS
- Corporate reduction, generally
  - see ENVIRONMENTAL MANAGEMENT,
- Dangerous goods, emission or escape, **6:11, 8:9, 8:23 to 8:40**
  - See also TRANSPORTATION OF DANGEROUS GOODS, discharge, emission or escape of dangerous goods

**LIABILITY—Cont'd**

- Dangerous occurrences, **8:23 to 8:40**  
See also DANGEROUS OCCURRENCES
- Directors and officers, environmental responsibility  
see DIRECTORS AND OFFICERS
- Emergencies, standard operating procedures, effect, **4:47, 8:23 to 8:40**
- Fishing waters, deleterious substances, deposit, **6:11**
- Insurance
  - automobile policies, coverage, **6:24**
  - climate change and, securities filings, disclosure, **4:54**
  - See also INSURERS
  - generally  
see COMPREHENSIVE GENERAL LIABILITY POLICIES;  
ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES;  
LIMITED POLLUTION LIABILITY POLICIES
  - self-insurance, captive insurance companies, creation, **6:30**
  - transportation of hazardous wastes, **8:40**
- Ionizing radiation, emission, **6:11**
- Lending and insolvency issues, general, **9:1**  
Ontario, qualified immunity from MOE remediation orders upon filing record of site condition, **9:16**
- Municipalities, remedial measures, **6:14**
- Negotiating with Ministries of Environment, **9:16**
- Oil pollution damage, ships, **6:11**
- Pollution prevention programs, effect, **4:43**
- Securities filings, environmental matters, disclosure, **4:54**
- Spills Bill (Ontario), under, **6:14, 8:45**
- Standard, courts, establishment, **4:22, 8:42**
- Standard of care  
see ENVIRONMENTAL MANAGEMENT, standard of care
- Transportation of dangerous goods  
see TRANSPORTATION OF DANGEROUS GOODS, liability

**LICENCES AND PERMITS**

- Environmental tax, cost, write-offs, restrictions, **5:15**

**LIENS**

- Fire hazards, removal, cost, **1:38**
- Objection to title, conveyance, effect, **1:156**
- Property clean-up orders, costs, **1:2 to 1:38**

**LIFE CYCLE ANALYSIS**

- Generally, **7:9**

**LIMITATION PERIOD**

- See CIVIL ACTIONS, limitation period of environmental actions;  
NEGLIGENCE, contaminated property, liability limitation period;  
OFFENCES AND PENALTIES, Transportation of Dangerous Goods Act, 1992, and Regulations, non-compliance, limitation period;  
VENDORS, remote (former) vendors, contaminated property, liability

**LIMITED POLLUTION LIABILITY POLICIES**

- Availability, **6:22**
- Background, **6:20**
- Compensatory damages, clean-up costs, coverage, **6:23**
- Coverage, restrictive, **6:25 to 6:29**
- Definitions, **6:23**
- Directors, officers, shareholders, coverage, **6:23**
- Exclusions, **6:20**

**LIMITED SCOPE RISK ASSESSMENTS (ONTARIO)**

- See BROWNFIELDS, LEGISLATION (ONTARIO)

**LITIGATION**

- See CLIMATE CHANGE LITIGATION

**LOANS**

- Environmental risk identification, prior consideration, **4:40**

**LOW-CARBON ECONOMY FUND**

- Generally, **5:26 to 5:30**

## INDEX

### **MAINTENANCE EXPENSES**

Environmental cost write-offs  
see TAXATION

### **MANAGEMENT INFORMATION SYSTEMS**

Environmental coordination groups,  
establishment, scope, **4:35**

### **MANITOBA**

Cap and trade system, intention, to join,  
**5:31 to 5:46**  
Climate change considerations under the  
Planning Act, **10:59**  
Contaminated sites legislation, **1:79 to  
1:101**  
Environmental inspections, **3:12**  
Extended producer responsibility, **7:5**  
Greenhouse gas emissions reporting  
requirements, **10:43**  
Greenhouse gas reduction, **10:40**  
Packaging waste reduction initiatives, **7:5**  
Waste diversion and reduction initiatives,  
**7:5**

### **MARINE LIABILITY ACT**

See also FEDERAL COMPENSATION  
PROGRAMS  
Generally, **6:31 to 6:43**

### **MARKETING**

See GREEN MARKETING; GREEN  
PRODUCTS

### **MATERIAL EVENTS**

Responses, training, development, **4:48**

### **3M CORPORATION**

Pollution reduction programs, **4:61**

### **MEDICAL DEVICES**

Advertising, packaging, labelling, regula-  
tion, **7:17**

### **MEDICAL OFFICER OF HEALTH**

Health hazards, elimination, decrease,  
powers, **1:34**

### **METHANE EMISSIONS**

Alberta, **5:35**  
Canada  
legislation, reduction of, **10:38**

### **MINING**

Climate change impacts and, **10:5**  
Corporate sustainability initiatives, **4:61**

### **MINING RECLAMATION TRUST**

See QUALIFYING ENVIRONMENTAL  
TRUST

### **MINISTER OF TRANSPORT (FEDERAL)**

Marine shipments of oil, levies, imposi-  
tion, **6:31**  
Ships, oil spills, claims  
fishing claimants, disputes, determina-  
tion, **6:42**  
procedure, generally, **6:31 to 6:43**

### **MINISTRY OF LABOUR (ONTARIO)**

Health or safety hazards, powers, **1:36**

### **MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE (ONTARIO)**

Abatement officials, functions, **3:1**  
Compliance Policy, Applying Abatement  
and Enforcement Tools, **1:4 to 1:6,  
9:15**  
Contaminated property, clean-up, powers,  
**1:2 to 1:38, 1:165**  
Directors, officers, restoration orders  
see DIRECTORS AND OFFICERS,  
Guidelines for the Decommissioning and  
Cleanup of Sites in Ontario  
criteria, **1:2 to 1:38**  
Immunity, qualified, to secured creditors  
re MOE remediation orders, **9:16**  
Inspections  
see ENVIRONMENTAL INSPEC-  
TIONS  
Investigations  
see ENVIRONMENTAL INVESTIGA-  
TIONS  
Investigations and Enforcement Branch,  
establishment, **3:1**  
Orders, preventive measures, **1:4 to 1:6**  
case law, management or control, **1:6**  
Orders, property clean-up  
appeals, **1:28**  
costs, recovery, **1:25 to 1:27**  
liability of corporate directors pending  
appeal, Ontario, **2:36**  
Northern Wood Preservers cases, inter-  
pretation, **1:29 to 1:31**  
scope, **1:4 to 1:6**  
source of contaminant, determination,  
**1:29 to 1:31**  
stay pending appeal, **2:36**

**MINISTRY OF THE ENVIRONMENT  
AND CLIMATE CHANGE  
(ONTARIO)—Cont'd**

Orders, to monitor, record and report,  
Ontario  
stay pending appeal, **2:36**  
Pollutants, spills, directions, **3:7, 6:14**  
Waste disposal sites, use, approval, **1:3**

**MMBC**

See MULTI-MATERIAL BRITISH  
COLUMBIA

**MMSB**

See MULTI-MATERIALS STEWARD-  
SHIP BOARD

**MMSM**

See MULTI-MATERIAL STEWARD-  
SHIP MANITOBA

**MMSW**

See MULTI-MATERIAL STEWARD-  
SHIP WESTERN

**MOBIUS LOOP**

See also RECYCLING  
Generally, **7:27, 7:28, 7:34, 7:35, 7:37**

**MODIFIED GENERIC RISK  
ASSESSMENT**

See BROWNFIELDS LEGISLATION,  
ONTARIO

**MONETARY PENALTIES**

See ADMINISTRATIVE PENALTIES

**MORTGAGEES**

Liability, contaminated property  
exempt from, case law (Ontario), **1:4 to  
1:6**  
remediation, **1:50**  
waste removal, **1:181, 9:14**

**MOTOR VEHICLE INSURANCE  
POLICIES**

Pollution, liability, coverage, **6:24**

**MOTOR VEHICLES**

See also AUTOMOTIVE PURCHASES;  
ELECTRIC VEHICLE  
Inspection without warrants, scope, **3:6**  
British Columbia, **3:11**  
Manitoba, **3:12**  
Northwest Territories, **3:15**  
Nova Scotia, **3:16**

**MOTOR VEHICLES—Cont'd**

Inspection without warrants, scope, **3:6**  
—Cont'd  
Nunavut, **3:17**  
Ontario, **3:18**  
Quebec, **3:21**

**MULTI-MATERIAL BRITISH  
COLUMBIA**

Generally, **7:4**

**MULTI-MATERIALS STEWARDSHIP  
BOARD**

Generally, **7:7**

**MULTI-MATERIAL STEWARDSHIP  
MANITOBA**

Generally, **7:5**

**MULTI-MATERIAL STEWARDSHIP  
WESTERN**

Generally, **7:2**  
Saskatchewan, **7:12**

**MUNICIPAL BY-LAWS**

Compliance, premises, entry, inspection,  
powers, **3:5**  
Directors, officers, anti-pollution, viola-  
tion, effect, **2:23**  
Land use, restrictions, **1:37, 1:38**

**MUNICIPALITIES**

Environmental performance check-ups,  
scope, **3:1**  
Fire officials, powers, Ontario, **1:38**  
Hazardous or special waste, Ontario, **7:9**  
Negligent misrepresentation, contami-  
nated property, non-disclosure, **1:164**  
Officers, environmental duty, reasonable  
care, **2:20**  
Pollutants, spills, remedial measures,  
duties, **6:14**  
Waste removal, costs, recovery from land-  
owner, **1:38**

**NAD**

See NATIONAL ADVERTISING DIVI-  
SION OF THE COUNCIL OF BET-  
TER BUSINESS BUREAUS, INC.  
(NAD) (U.S.)

**NARB**

See NATIONAL ADVERTISING  
REVIEW BOARD (U.S.)



## INDEX

### **NATIONAL ADVERTISING DIVISION OF THE COUNCIL OF BETTER BUSINESS BUREAUS, INC. (NAD) (U.S.)**

Generally, **7:47**

NAD Case Reports, excerpts, **7:48 to 7:50**

National Advertising Review Board, **7:50**

### **NATIONAL ADVERTISING REVIEW BOARD (U.S.)**

Generally, **7:50**

### **NATIONALLY DETERMINED CONTRIBUTIONS (NDCS)**

See PARIS AGREEMENT

### **NATIONAL POLLUTANT RELEASE INVENTORY (NPRI)**

Generally, **4:69**

### **NATIONAL ROUND TABLE ON THE ENVIRONMENT AND ECONOMY (NRTEE)**

Discontinued, **4:57**

Objectives for Sustainable Development, terms, **4:57**

### **NATURAL**

See also GREEN MARKETING  
Advertising claims, United States, **7:48, 7:50**

### **NATURAL ENVIRONMENT**

Inspection, powers  
see ENVIRONMENTAL INSPECTIONS

Preventive measures, dangerous goods, **6:12**

Restoration, remedial measures

See also DIRECTORS AND OFFICERS; PROPERTY CONTAMINATION

control, preventive orders, issuance, **2:30**

directors, officers, duties, **2:31 to 2:36**

of federal property pursuant to provincial legislation, **8:3**

Ontario

Spills Bill, restoration under, **1:161**  
right to compensation, **1:162**

Ontario Environmental Appeal Board, hearings

see ONTARIO LAND TRIBUNAL

### **NATURAL ENVIRONMENT—Cont'd**

Restoration, remedial measures—Cont'd

Ontario Environmental Appeal Board, hearings—Cont'd

generally, **2:31 to 2:36**

provinces, legislation, **2:42**

remedial orders

control test, **2:37**

non-compliance, **2:38**

Ontario, against directors where

orders stayed by CCAA

proceedings, **9:12**

Quebec, **2:42**

remediation requirements at common

law and relationship to provincial

remediation guidelines, **1:166**

Transportation of Dangerous Goods

Act, 1992, provisions, **8:41**

### **NATURAL RESOURCES**

Sustainable use, CERES Principles, **4:60**

### **NEGLIGENCE**

Canada, negligence claim, transnational tort, **10:12**

Climate change litigation, **10:10**

Contaminated property, liability

limitation period

Alberta, **1:78, 1:155**

Ontario, **1:155**

solicitors, purchase transactions, **1:169**

vendors, **1:155**

Director or officer liability at common

law, **2:39**

Fuel oil suppliers, case law, **4:38**

Legislation, non-compliance, evidence,

**4:38**

### **NEGLIGENT MISREPRESENTATION**

Contaminated property, liability

contractors, **1:159**

current vendors, non-disclosure, **1:158**

municipalities, inaccurate information,

**1:164**

public agencies, failure to warn, **1:165**

### **NEW BRUNSWICK**

Clean Environment Act, **1:102**

Contaminated sites remediation, **1:103**

Environmental inspections, **3:13**

Extended producer responsibility, **7:6**

Greenhouse gas emissions reporting

requirements, **10:44**

**NEW BRUNSWICK—Cont'd**

Waste diversion and reduction initiatives, **7:6**

**NEWFOUNDLAND AND LABRADOR**

Contaminated sites remediation, **1:104, 1:105**

Environmental inspections, **3:14**

Environmental management, enforcement, **4:18**

Extended producer responsibility, **7:7**

Greenhouse gas emissions reporting requirements, **10:45**

Waste diversion and reduction initiatives, **7:7**

**NORTHWEST TERRITORIES**

Environmental inspections, **3:15**

Extended producer responsibility, **7:13**

Guideline for Contaminated Site Remediation, **1:106**

**NOVA SCOTIA**

Cap and trade program, **10:46, 10:57**

Contaminated site remediation, **1:107 to 1:116**

Notification of Contamination Protocol, **1:108**

remedial duties, **1:110 to 1:116**

full property remediation, **1:114**

limited remediation pathway, **1:111**

Environmental inspections, **3:16**

Extended producer responsibility, **7:8**

Greenhouse gas emissions reporting requirements, **10:46**

Waste diversion and reduction initiatives, **7:8**

electronic and electrical equipment, **7:8**

packaging waste reduction initiatives, **7:8**

**NUCLEAR ENERGY**

Advertising claim, United States, **7:49**

Insurance, **6:44**

**NUCLEAR INCIDENT  
COMPENSATION**

Generally, **6:44**

**NUCLEAR LIABILITY AND  
COMPENSATION ACT**

Civil liability regime, **6:44**

Nuclear claims tribunal, **6:44**

**NUCLEAR LIABILITY AND  
COMPENSATION ACT—Cont'd**

Nuclear facility operators

absolute liability, **6:44**

exception, **6:44**

claims, **6:44**

liability amounts, **6:44**

compensation, injuries, **6:44**

damages, loss, remedial measures, **6:44**

financial security required, **6:44**

harmonization with global liability regime, **6:44**

jurisdiction, **6:44**

Nuclear Liability Act, replaced, **6:44**

**NUISANCE**

Climate change litigation and, **10:10**

Defined, **1:156**

Director or officer liability, **2:39**

Landlord

common law liability in nuisance, negligence and strict liability, **1:179**

common law liability in nuisance and strict liability, **1:79**

Vendors and owners, civil liability, **1:156**

Vendors, remote, not liable to current owner, **1:156**

**NUNAVUT**

Environmental inspections, **3:17**

Extended producer responsibility, **7:13**

**OCCUPATIONAL HEALTH AND  
SAFETY LEGISLATION**

Asbestos management legislation, guidelines, **1:184 to 1:192**

See also ASBESTOS MANAGEMENT

Occupational Health and Safety Act

orders re health or safety hazards to workers, Ontario, **1:35**

relationship to transportation of dangerous goods legislation, **8:44, 8:45**

Overlap with environmental protection legislation, Ontario, **2:19**

**OFFENCES AND PENALTIES**

See also ADMINISTRATIVE PENALTIES; DEFENCES; SENTENCING

Advertising, misleading representations, **7:15**

Building Code Act, 1992 (Ontario), contravention, **1:37**

**OFFENCES AND PENALTIES—Cont'd**

Business practices, misleading, **7:18**  
 Cosmetics, advertising, packaging, labelling, deceptive, **7:17**  
 Dangerous goods, transportation of, **8:9, 8:41, 8:44, 8:45**  
 See also OFFENCES AND PENALTIES, Transportation of Dangerous Goods Act, 1992, and Regulations, non-compliance  
 Directors, officers, environmental offences  
   acquiescence or authorization, **2:6 to 2:17**  
   contaminants, water, discharge, **2:18, 4:27**  
   federal provisions, **2:6 to 2:17**  
   pesticides, use, adverse effects, **2:18**  
   principals or parties, **2:3 to 2:5**  
   provincial provisions, **2:6 to 2:17**  
   sentences, considerations, **2:24 to 2:27**  
 Drugs, advertising, packaging, labelling, deceptive, **7:17**  
 Environmental Enforcement Act, under, **4:10.30, 4:10.80**  
 Environmental Protection Act (Canada), under, **4:10.20, 4:10.40**  
 Environmental Protection Act (Ontario), under, information, refusal, **3:31**  
 Environmental protection alternative measures, **4:10.50**  
 Environment-related claims, misleading, **7:21**  
 Environmental Violations Administrative Monetary Penalties Act, **4:11**  
 Fines, tax deductions, guidelines, **5:17**  
 Fisheries Act, under, **4:10.20, 4:10.60**  
 Food, advertising, packaging, labelling, deceptive, **7:17**  
 Goods, misleading descriptions, **7:18**  
 Health Protection and Promotion Act (Ontario), contravention, **1:34**  
 Information, inspectors, provincial officers, refusal, **3:31**  
 Investigations, search warrants, requirement, **3:5, 3:39**  
 Labelling, false representations, **7:15, 7:16**  
 Loading, unloading or storing, **8:9**  
 Medical devices, advertising, packaging, labelling, deceptive, **7:17**

**OFFENCES AND PENALTIES—Cont'd**

Occupational Health and Safety Act (Ontario), under, **1:35**  
 Packaging, misleading representations, **7:15, 7:16**  
 Public welfare offences, transportation of dangerous goods, **8:2, 8:42**  
 Services, misleading descriptions, **7:18**  
 Strict liability, establishment, **4:23**  
 Technical Standards and Safety Act, 2000 (Ontario), contravention, **1:33**  
 Transportation of Dangerous Goods Act, 1992, and Regulations, non-compliance, **8:9, 8:41, 8:45**  
   dangerous occurrences, failure to report, **8:23 to 8:40**  
   emergencies, failure to reduce risk, **8:23 to 8:40**  
   handling or offering for transport, non-compliance with legislation, **8:9, 8:41**  
   inspectors' powers to monitor compliance, **8:43**  
   limitation period, **8:41**  
   loading, unloading or storing in unsafe manner, **8:9**  
   means of containment, improper, **8:9**  
   officers and directors may be held liable under independent obligation, **8:41**  
   overlap of federal and provincial legislation, **8:3**  
   placarding, prosecutions, **8:42**  
   provincial waste management regulations and, prosecutions, **8:39**  
   provision for due diligence defence under Act, prosecutions, **8:42**  
   remedial action, compensation, fines, **8:41**  
 Waste reduction programs  
   British Columbia, **7:4**  
   Manitoba, **7:5**  
   New Brunswick, **7:6**  
   Newfoundland and Labrador, **7:7**  
   Northwest Territories, **7:13**  
   Nova Scotia, **7:8**  
   Ontario, **7:9**  
   P.E.I., **7:10**  
   Quebec, **7:11**  
   Saskatchewan, **7:12**  
   Yukon, **7:13**

**OFFICE OF ENVIRONMENTAL AFFAIRS**

Corporations, establishment, advisability, **4:35**

**OIL AND GAS INDUSTRY**

Climate change-related risk, **10:6**  
 liability and litigation risk, **10:9 to 10:13**  
     human rights issues, **10:11**  
     regulatory uncertainty, **10:9 to 10:13**  
     reputational risk, **10:9 to 10:13**  
 Directors' and officers' statutory duty to prevent corporation from discharge of contaminant, **10:27**  
 potential liability with respect to GHG emissions, **10:27**

**Litigation**

**Canada**

class action lawsuit by municipality against for climate change costs incurred, **10:10**

international, **10:10**

United States, **10:10**

Role of accountants in supporting corporate GHG emission management activities, **10:32**

Transition to low-carbon economy  
 financial risk, **10:1, 10:3 to 10:14**  
 judicial review of approvals for GHG-emitting activities, **10:14**

**OIL POLLUTION DAMAGE**

Clean-up, property, Ontario, **1:33**  
 Federal government compensation programs, claims  
     see **FEDERAL COMPENSATION PROGRAMS**  
 Ships, discharge, liability, remedial orders, **6:11**

**OIL POLLUTION DAMAGE COMPENSATION FUNDS**

See **FEDERAL COMPENSATION PROGRAMS**

**OIL RECYCLING PROGRAMS**

Alberta, **7:3**  
 British Columbia, **7:4**  
 Manitoba, **7:5**  
 New Brunswick, **7:6**  
 Nova Scotia, **7:8**  
 Ontario, **7:9**

**OIL RECYCLING PROGRAMS**

**—Cont'd**

Prince Edward Island, **7:10**

Quebec, **7:11**

**OIL SPILLS**

See **OIL POLLUTION DAMAGE**

**ONTARIO**

See also **BROWNFIELDS LEGISLATION, ONTARIO**

Cap and trade system, **5:31 to 5:46**

See also **CAP AND TRADE SYSTEM**  
 intention to link to Quebec and California systems, **5:37**

repealed, **10:47**

Climate Change Mitigation and Low-carbon Economy Act, 2016, **5:37**

Contaminated property clean-up orders, authority, **1:33 to 1:38**

qualified immunity from, **1:9**

Contaminated sites, liability, **1:156**

**Directors and officers**

environmental offences, liability, **2:18 to 2:22**

natural environment, restoration, duty, **2:29 to 2:41**

Electronic and electrical equipment waste, individual producer responsibility, **7:9**

Environmental inspections, **3:18, 3:19**  
 spills, **3:19**

Environmental legislation affecting property transactions, **1:2 to 1:38**

Environmental offences, prosecutions, **4:12**

Extended producer responsibility, **7:9**

Fire Code, contravention, remedies, **1:38**

Fuel oils or hydrocarbons, regulation, **1:33**

Gasoline handling, regulations, compliance, **1:33**

Greenhouse gas emissions reporting requirements, **10:47**

Health hazards, elimination, decrease, orders, **1:34**

Individual producer responsibility, **7:9**

Insurance, spills, clean-up, pollution abatement

see **COMPREHENSIVE GENERAL LIABILITY POLICIES**

Land, use, regulation, by-laws, **1:36, 1:37**

## INDEX

### ONTARIO—Cont'd

- Packaging waste reduction initiatives, **7:9**
- Pollutants, spills, remedial measures, legislation, **6:14**
- Preventive measures, orders, **1:4 to 1:6**
- Waste reduction and diversion programs, **7:9**

### ONTARIO CLAIMS BOARD

- Establishment, purpose, **6:51**

### ONTARIO ENVIRONMENTAL APPEAL BOARD

- See ENVIRONMENTAL REVIEW TRIBUNAL (ONTARIO)

### ONTARIO ENVIRONMENTAL COMPENSATION CORPORATION

- See PROVINCIAL COMPENSATION PROGRAMS

### ONTARIO LAND TRIBUNAL

- Appeal to, re order to pay Ministry of Environment remediation costs, **1:80**
- Environmental Review Tribunal amalgamated under, effective June 1, 2021, **1:2, 1:4, 1:27, 1:28, 2:33 to 2:36**
- Formation, **1:27, 1:28**
- Incorporates Environmental Review Tribunal, **1:27, 1:28**
- Ontario Land Tribunal Rules, **1:27**
- Ontario Land Tribunal Rules of Practice and Procedure, **1:27, 1:28**

### ONTARIO POWER GENERATION (OPG)

- Environmental sustainability initiatives, **4:61**

### ONTARIO PROVINCIAL POLICE

- Environmental inspectors, assistance, **3:35**

### ONTARIO SUPERIOR COURT OF JUSTICE

- Fire Commissioner, orders, enforcement, **1:38**
- Health hazards, elimination, orders, powers, **1:34**

### ORGANIC PEROXIDES

- Transportation of see TRANSPORTATION OF DANGEROUS GOODS, organic peroxides

### ORGANIC PRODUCTS

- See also GREEN MARKETING
- Generally, **7:19**

### OUTPUT-BASED PRICING SYSTEM (OBPS)

- See CARBON PRICING

### OWNERS

- Defined, **1:36**
- Gasoline storage tanks, property, orders, **1:33**
- Health hazards, elimination, orders, **1:34, 1:35**
- Remediation of contaminated site, **1:50**
- Remote vendors, negligence, damages, recovery, **1:156**

### OXIDIZING SUBSTANCES

- Transportation of see TRANSPORTATION OF DANGEROUS GOODS, oxidizing substances

### PACKAGING AND PRINTED MATTER

- See also ADVERTISING; EXTENDED PRODUCER RESPONSIBILITY
- Advertising claims, United States, **7:48, 7:49**
- Consumer products, regulation, **7:16**
- Dangerous goods, **8:5 to 8:40**
- See also TRANSPORTATION OF DANGEROUS GOODS
- small containers, **8:9**
- special requirements, **8:9**
- Devices, restrictions, **7:17**
- Disposal, problems, **7:2**
- Durable, Ontario, **7:9**
- False representations, prohibition, **7:15, 7:16**
- Food, drugs, cosmetics, medical devices, regulation, **7:17**
- Milk containers, **7:8**
- Prepackaged products, representations, restrictions, **7:16**
- Regulatory legislation, **7:3 to 7:13**
- Solid waste stream, composition, **7:2**
- Waste reduction initiatives
- Alberta, **7:3**
- British Columbia, **7:4**
- Manitoba, **7:5**
- New Brunswick, **7:6**
- Newfoundland and Labrador, **7:7**

**PACKAGING AND PRINTED MATTER**

—Cont'd

- Waste reduction initiatives—Cont'd
  - Northwest Territories, **7:13**
  - Nova Scotia, **7:8**
  - Nunavut, **7:13**
  - Ontario, **7:9**
    - blue box program plan, **7:9**
    - transition, **7:9**
  - Prince Edward Island, **7:10**
  - Quebec, **7:11**
  - Saskatchewan, **7:12**
  - Yukon, **7:13**

**PAINT RECYCLING PROGRAMS**

- See also EXTENDED PRODUCER RESPONSIBILITY; RECYCLING
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - Manitoba, **7:5**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - Prince Edward Island, **7:10**
  - Quebec, **7:11**
  - Saskatchewan, **7:12**

**PAN-CANADIAN FRAMEWORK ON CLEAN GROWTH AND CLIMATE CHANGE**

- See CLIMATE CHANGE POLICIES
  - Generally, **5:26 to 5:30, 10:38**

**PARIS AGREEMENT**

- Generally, **5:26 to 5:30, 10:14, 10:34 to 10:59**
  - Adoption, **10:36**
  - Canadian response, **10:38**
  - Carbon reduction goals
    - stranded assets and, **10:14**
  - Emission reduction targets and, **10:36**
    - nationally determined contributions (NDCs), **10:36**

**PARIS COP21**

- Generally, **5:26 to 5:30**

**PARTICIPATING INSURANCE PLANS**

- Alternative insurance arrangements,
  - access, **6:30**

**PCBS**

- See POLYCHLORINATED BIPHENYLS (PCBs)

**PENALTIES**

- See OFFENCES AND PENALTIES
  - Deductibility as business expense
    - see TAXATION

**PENSION PLAN FUND MANAGERS AND TRUSTEES**

- Fiduciary duty, breach of
  - failure to consider climate-related risks in management of pension investments, **10:1, 10:24 to 10:28**
  - obligation to disclose relevant information to beneficiaries, **10:28**

**PERMAFROST DEGRADATION**

- Extreme weather and, **10:5**
- Mining operations, effect on, **10:5**

**PESTICIDES**

- Directors or officers, use, adverse effects, **2:18**
- Extended producer responsibility, British Columbia, **7:4**
- Locations, provincial officers, inspection, **3:6**
- Residue compensation programs, applications, claims, appeals, **6:45 to 6:49**

**PETROLEUM CONTAMINATION**

- Guidelines for remediation at operating commercial sites (Ontario), **1:7**
- Guidelines for soil and water contamination during removal of underground storage tanks (Quebec), **1:121 to 1:130**
- Risk Based Corrective Actions for Petroleum Contaminated Sites (Saskatchewan), **1:138**

**PETROLEUM PRODUCTS**

- Recycling
  - see EXTENDED PRODUCER RESPONSIBILITY; RECYCLING

**PHASE ONE ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)**

- Generally, **1:17**
  - Conceptual site model, **1:17**
  - Enhanced investigation property, additional requirements, **1:17**



## INDEX

### PHASE ONE ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)

#### —Cont'd

- Interviews, **1:17**
- Objectives, **1:17**
- Overview, **1:15**
- Qualified person, role of, **1:16**
  - review and evaluation of information, **1:17**
- Records review, **1:17**
- Report, **1:17**
  - Record of Site Conditions, Schedule D, Table 1, **1:17**
- Requirements, **1:17**
- Schedule D, **1:15**
- Site reconnaissance, **1:17**
- When required
  - potentially contaminating activity conducted on property, **1:15**

### PHASE TWO ENVIRONMENTAL SITE ASSESSMENT (ONTARIO)

- Generally, **1:17**
- Groundwater sampling and analysis, **1:17**
- Objectives, **1:17**
- Overview, **1:15**
- Qualified person, role of, **1:16**
  - review and evaluation of information, **1:17**
- Report, **1:17**
  - Record of Site Conditions, Schedule E, Table 1, **1:17**
- Requirements, **1:17**
- Site investigation
  - planning, **1:17**
  - requirements, **1:17**
- Soil sampling, **1:17**
- When required, **1:17**

### PLASTICS

- Advertising claims, United States, **7:48, 7:49**
- Plastic resin identification coding system, **7:27**
- Plastics industry association, **7:46**

### POISONS

- Transportation of
  - see TRANSPORTATION OF DANGEROUS GOODS, poisonous substances

### POLICE SERVICES

- Environmental inspectors, assistance, **3:35**

### POLLUTION

- See also SPILLS; TAXATION
- British Columbia, control, orders, **1:39 to 1:67**
- Jurisdiction of offences not exclusive, **8:3**
- Land, generally
  - see PROPERTY CONTAMINATION
- Ships
  - discharge, liability, remedial orders, **6:11**
  - federal government compensation programs, claims
    - see FEDERAL COMPENSATION PROGRAMS
- Special taxes, imposition, issues, **5:23 to 5:25**

### POLLUTION CONTROL EQUIPMENT

- Regular maintenance plans, consideration, **4:45**
- Taxation, accelerated depreciation write-offs, **5:18 to 5:22**

### POLLUTION EVENT LIABILITY POLICIES

- Coverage, scope, **6:26**

### POLLUTION INCIDENTS

- Defined, **6:23**
- Insurance
  - limited pollution liability coverage, **6:22, 6:23**
  - sudden pollution events, coverage, **6:26**

### POLLUTION LIABILITY ASSOCIATION

- Establishment, composition, **6:22**

### POLLUTION LIABILITY INSURANCE

- See COMPREHENSIVE GENERAL LIABILITY POLICIES; ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES; LIMITED POLLUTION LIABILITY POLICIES

### POLLUTION PREVENTION PROGRAMS

- Cost, write-offs
  - see TAXATION
- Economic investments, **4:71**

**POLLUTION PREVENTION**

**PROGRAMS—Cont'd**

Environmental management strategies,  
4:43, 4:45

Requirements, regulatory initiatives, pres-  
sures, 4:70

**POLLUTION TAXES**

See also ENVIRONMENTAL TAXES

**POLYCHLORINATED BIPHENYLS  
(PCBS)**

Ontario, as factor in determining stay  
pending appeal by corporate director,  
2:36

Reduction in use, corporations, 4:61

Transportation of, special safety require-  
ments, 8:16 to 8:20

Ontario, PCB waste management  
regulations, prosecutions under,  
8:3, 8:40

**PREMISES**

Environmental inspections  
see ENVIRONMENTAL INSPEC-  
TIONS

**PRINCE EDWARD ISLAND**

Contaminated sites, 1:119

Environmental inspections, 3:9

Extended producer responsibility, 7:10

Greenhouse gas emissions reporting  
requirements, 10:42

Minister's remedial orders, 1:118

Petroleum hydrocarbon remediation  
regulations, 1:120

Waste diversion and reduction initiatives,  
7:10

**PRINCIPLES AND GUIDELINES FOR  
ENVIRONMENTAL LABELLING  
AND ADVERTISING**

See also ENVIRONMENTAL CLAIMS:  
A GUIDE FOR INDUSTRY AND  
ADVERTISERS

Actions/settlements, scope, 7:36

Claims, misleading, complaints, 7:36

Development of, 7:23

Forerunner of Environmental Claims: A  
Guide for Industry and Advertisers,  
7:15

Superseded, 7:23

**PRINTED MATTER**

See PACKAGING AND PRINTED MAT-  
TER

**PROACTIVE ENVIRONMENTAL  
MANAGEMENT**

See CLIMATE CHANGE RISKS;  
ENVIRONMENTAL MANAGE-  
MENT

**PRODUCER RESPONSIBILITY**

See EXTENDED PRODUCER  
RESPONSIBILITY

**PRODUCER RESPONSIBILITY  
ORGANIZATION (PRO)  
(ONTARIO)**

See EXTENDED PRODUCER  
RESPONSIBILITY.

**PRODUCT CARE ASSOCIATION OF  
CANADA (PCA)**

See also PRODUCT CARE  
RECYCLING

Programs  
lighting products, 7:2  
paint, 7:2  
pesticides, 7:2

**PRODUCT CARE RECYCLING**

Newfoundland and Labrador, 7:7  
Nova Scotia, 7:8

**PRODUCT IDENTIFICATION  
NUMBER**

See TRANSPORTATION OF DANGER-  
OUS GOODS, product identification  
number

**PRODUCTS**

False or misleading advertising, prohibi-  
tion, 7:15

**PRODUCT STEWARDSHIP**

See EXTENDED PRODUCER  
RESPONSIBILITY

**PROGRAM OF ADVISORY OPINIONS**

Establishment, purpose, 7:22  
Opinion, environmentally friendly, 7:22  
Opinion, recyclability, degradability, 7:22

**PROPERTY**

Damage, insurance  
see COMPREHENSIVE GENERAL  
LIABILITY POLICIES;

**PROPERTY—Cont'd**

Damage, insurance—Cont'd  
 ENVIRONMENTAL IMPAIRMENT LIABILITY POLICIES;  
 LIMITED POLLUTION LIABILITY POLICIES

Defined, **6:23**

Use, regulation, by-laws, **1:36, 1:37**

**PROPERTY CLEAN-UP ORDERS**

See PROPERTY CONTAMINATION, clean-up orders

**PROPERTY CONTAMINATION**

See also REAL ESTATE TRANSACTIONS

Alberta, sites, designation, orders, **1:69 to 1:78**

British Columbia

notice of contamination, filing, **1:68**

prior controllers of pollutants, remedial measures, **1:39 to 1:67**

remediation

persons not responsible, **1:51**

persons responsible, **1:50, 1:51**

Caveats, registration, **1:2 to 1:38**

Clean-up orders

appeals, scope, **1:28**

Building Code Act, 1992 (Ontario), under, **1:37**

control orders, issuance, conditions, **1:4 to 1:6**

costs, recovery, **1:25 to 1:27**

criteria, guidelines, **1:7**

exemptions, criteria, **1:29 to 1:31**

Fire Protection and Prevention Act, 1997 (Ontario), under, **1:38**

Health Protection and Promotion Act (Ontario), under, **1:34**

injury to land, life or water, remedial measures, **1:4 to 1:6**

issuance, scope, **1:4 to 1:6**

Municipal Act, 2001 (Ontario), under, **1:36**

Occupational Health and Safety Act (Ontario), under, **1:35**

P & L Tire Recycling Inc. v. Director (Ministry of the Environment), criteria, **1:29 to 1:31**

spills, restoration of natural environment, **1:4 to 1:6**

**PROPERTY CONTAMINATION**

—Cont'd

Clean-up orders—Cont'd

Technical Standards and Safety Act, 2000 (Ontario), under, **1:33**

waste removal and property restoration, **1:4 to 1:6**

Decommissioning, recent developments, **1:2 to 1:38**

Directors, officers, liability

see DIRECTORS AND OFFICERS

Fuel oils or hydrocarbons, regulation, **1:34**

Gasoline, hazardous conditions, remedy, **1:33**

Health hazards, elimination, orders, **1:36**

Insurance

automobile policies, coverage, **6:24**

generally

see COMPREHENSIVE GENERAL LIABILITY POLICIES;  
 LIMITED POLLUTION LIABILITY POLICIES

Landlords, statutory liability, **1:177 to 1:180**

Liability

See also LIABILITY

environmental consultants, **1:183**

generally, **1:1**

landlords, **1:177 to 1:180**

mortgagees

Ontario, exempt from, under Act, **1:4 to 1:6**

public authorities, negligent misrepresentation, **1:164**

real estate agents, duty of care, **1:1, 1:167, 1:168**

receivers, **1:182**

solicitors, purchase transactions, **1:1, 1:169**

sources of civil and statutory liability, **1:148**

tenants, **1:172**

waste removal, **1:181**

Manitoba, remediation, liability, **1:79 to 1:101**

Municipalities, negligent misrepresentation, **1:164, 1:165**

New Brunswick

Clean Environment Act, **1:102**

contaminated sites remediation, **1:103**

**PROPERTY CONTAMINATION**

—Cont'd

Newfoundland and Labrador  
contaminated sites remediation, **1:104, 1:105**

Northwest Territories, guideline for contaminated site remediation, **1:106**

Nova Scotia, contaminated site remediation, **1:107 to 1:116**

Nunavut, **1:117**

Ontario, Ministry of the Environment, preventive measures, orders, **1:4 to 1:6**

case law, management or control, **1:6**

Ontario, Ministry of the Environment, remediation orders, **2:29 to 2:41**

brownfields legislation, **1:8 to 1:13**

See also BROWNFIELDS

LEGISLATION, ONTARIO

Prince Edward Island, contaminated site remediation, **1:118 to 1:120**

Quebec, decontamination, restoration, **1:121 to 1:130**

Real estate agents, liability, **1:1, 1:167, 1:168**

Saskatchewan

corrective action plan, **1:134**

environmentally impacted site, **1:134**

Soil contamination

existence without escape, **1:4 to 1:6**

radiation  
see RADIOACTIVE SOIL  
CONTAMINATION

Solicitors, purchase transactions, liability, **1:1, 1:169**

Source of contaminant, determination, **1:4 to 1:6, 1:29 to 1:31**

Tenants, liability

see TENANTS

Vendors, liability

see VENDORS

Waste removal, mortgagees, liability, **1:181**

Yukon, contaminated sites, remediation, **1:139 to 1:146**

**PROPERTY OWNERS**

Insurance, environmental impairment liability policies, **6:28**

**PROSECUTIONS**

Environmental management, enforcement  
Alberta, **4:16**

**PROSECUTIONS—Cont'd**

Environmental management, enforcement  
—Cont'd

British Columbia, **4:17**

federal, Fisheries Act, under, **4:10:70**

federal, statistics, **4:10**

Newfoundland and Labrador, **4:18**

Ontario, statistics, **4:12**

Quebec, statistics, **4:19**

United States, **4:9**

Legislation, non-compliance, **4:38, 8:42**

**PROVINCIAL COMPENSATION PROGRAMS**

Ontario

Claims Board

establishment, purpose, **6:51**

Hagersville tire fire, claims, procedure, **6:51**

Environmental Compensation Corporation

dissolution, effective June 25, 2010, **6:50, 6:51**

establishment, purpose, **6:50**

statutory compensation, **6:50**

**PROVINCIAL CROWN AGENCIES**

Environmental performance check-ups, scope, **3:1**

**PUBLIC AGENCIES**

Contaminated property

failure to act or warn, **1:165**

liability, generally, **1:1**

negligent misrepresentation, non-disclosure, **1:164**

Environmental performance check-ups, scope, **3:1**

Real estate transactions, purchasers, records, searches, **1:197**

**PUBLIC AUTHORITIES**

Ships, oil spills, claims, procedure, **6:31 to 6:43**

**PUBLIC HEALTH INSPECTORS**

Health hazards, property, elimination, orders, **1:35**

**PUBLIC INSTITUTIONS**

Environmental performance check-ups, scope, **3:1**

Environmental protection programs  
audit requirements, **4:69**

## INDEX

### **PUBLIC INSTITUTIONS—Cont'd**

- Environmental protection programs—Cont'd
  - economic instruments, **4:71**
  - management commitment and support, **4:68**
  - public disclosure, requirement, **4:69**
  - sustainable development, challenges, **4:72**
- Laws, compliance and respect, **4:67**

### **PUBLIC UTILITIES**

- Environmental performance check-ups, scope, **3:1**

### **PUBLIC WELFARE LEGISLATION**

- Transportation of dangerous goods legislation, **8:2, 8:42**

### **PUNITIVE DAMAGES**

- See **DIRECTORS AND OFFICERS**, environmental liability

### **PURCHASERS**

- Commercial real estate
  - see **REAL ESTATE TRANSACTIONS**
- Property contamination, liability, **1:1**

### **QUALIFIED PERSONS**

- See **BROWNFIELDS LEGISLATION, ONTARIO**

### **QUALIFYING ENVIRONMENTAL TRUST**

- See also **TAXATION**
- Generally, **5:9**

### **QUEBEC**

- Cap and trade system, **5:31 to 5:46, 10:58**
  - See also **CAP AND TRADE SYSTEM**
- Contaminated sites
  - Environment Quality Act provisions, **1:121 to 1:130**
    - characterization studies and rehabilitation plans, **1:128**
    - civil liability, **1:129**
    - industrial or commercial sites
      - cessation of certain activities, **1:125**
      - change in land use, **1:124**
      - notice of potential off-site contamination, **1:126**
    - partial remediation, requirements for risk assessment, **1:127**

### **QUEBEC—Cont'd**

- Contaminated sites—Cont'd
  - Environment Quality Act provisions, **1:121 to 1:130**—Cont'd
    - registry of contaminated lands, **1:130**
    - rehabilitation plans, **1:123**
    - site characterization studies and notice of contamination, **1:122**
- Corporate officers, environmental restoration, duty, **2:42**
- Environmental inspections, **3:21**
- Environmental investigation units, establishment, **3:1**
- Environmental management, government, enforcement, **4:19**
- Extended producer responsibility, **7:11**
- Greenhouse gas emissions reporting requirements, **10:48**
- Petroleum contamination, **1:121 to 1:130**
- Pollutants, remedial measures, orders, **6:17**
- Property, decontamination, restoration, liability, **1:121 to 1:130**
- Waste diversion and reduction initiatives, **7:11**

### **RADIOACTIVE SOIL CONTAMINATION**

- Public agencies, negligent misrepresentation, **1:164**
- Vendors, negligence, **1:156.50**

### **RADIOACTIVE SUBSTANCES**

- Soil contamination
  - see **RADIOACTIVE SOIL CONTAMINATION**
- Transportation of
  - see **TRANSPORTATION OF DANGEROUS GOODS**, radioactive substances

### **REAL ESTATE AGENTS**

- See also **REAL ESTATE TRANSACTIONS**
- Contaminated property, liability
  - duty of care, scope, **1:167**
  - generally, **1:1**
  - negligence, **1:167**
  - United States, developments, **1:168**

### **REAL ESTATE CONTAMINATION**

- See **PROPERTY CONTAMINATION; SOIL CONTAMINATION**

**REAL ESTATE TRANSACTIONS**

See also **CIVIL ACTIONS; LIABILITY; PROPERTY CONTAMINATION; VENDORS**

Agreements of purchase and sale  
 closing, conditions, compliance, **1:216**  
 covenants, scope, **1:212**  
 environmental problems, clean-up, **1:213**  
 environmental problems, risk, **1:217**  
 holdback, instalments, insurance, **1:215**  
 indemnities, **1:214**  
 representations, warranties, reliance, **1:211**

**Audits**

benefits, generally, **1:194, 1:198**  
 Canadian Standards Association guidelines, **1:198**  
 financing, considerations, **1:205**  
 issues, risks, **1:206**  
 negotiations, vendors, purchasers, views, **1:202 to 1:204**  
 phases, details, **1:198**  
 problems, **1:206, 1:208**  
 protection, **1:194, 1:198 to 1:209**  
 risks, allocation, **1:207**

Potential environmental risks, remediation, **1:193**

**Purchasers**

documents under information access legislation, **1:193**  
 due diligence, exercise, **1:196**  
 environmental audits, benefits, **1:194, 1:198 to 1:209**  
 environmental risk assessment checklist (Appendix A), **1:196**  
 past and current use, information, supply, **1:194, 1:196**  
 property, records, inspection, **1:195**  
 public agency records, searches (Appendix B), **1:197**

Sales on as is basis, issues, **1:194**

**Vendors**

contamination discovered before closing, **1:156.60**  
 environmental audits, benefits, **1:194, 1:198 to 1:209**  
 inspections, prospective purchasers, limits, **1:195**  
 post-closure risks, limitation, **1:193**

**REAL ESTATE TRANSACTIONS**

—**Cont'd**

Vendors—**Cont'd**  
 potential environmental risks, policies, **1:193**

**RECEIVERS**

Contaminated property, liability, **1:182, 9:2 to 9:5, 9:16**  
 See also **LIABILITY**  
 case law, **9:3, 9:4**  
 provincial laws and, **9:4**  
 Court-appointed, **9:3, 9:4**  
 Defined under Bankruptcy and Insolvency Act, **9:5**  
 Fuel charges, federal, liability for, **10:52**  
 Issues, effects of 1997 amendments, **9:2**  
 Limits on liability, case law, **9:3, 9:4**  
 Personal liability, **9:4**  
 Waste, property, removal, mortgagees, effect, **1:181**

**RECLAMATION COSTS**

See **TAXATION**

**RECORD OF SITE CONDITIONS**

Change of land use  
 not requiring an RSC, **1:12**  
 prohibition on change of land use without filing, **1:12**  
 Environmental Site Registry, **1:13**  
 Filing with Environmental Site Registry, **1:13**  
 Risk assessment approach  
 certificate of property use, **1:12**  
 Transitional provisions  
 prepared prior to October 1, 2004, **1:10**  
 with respect to July 1, 2011 amendments, **1:11**

**RECYCLABLE**

See **RECYCLING**

**RECYCLING**

Advertising claims, United States, **7:48, 7:49**  
 Beverage containers  
 see **EXTENDED PRODUCER RESPONSIBILITY**  
 Electronic and electrical equipment  
 see **EXTENDED PRODUCER RESPONSIBILITY**



## INDEX

### **RECYCLING—Cont'd**

- Hazardous waste
  - see HAZARDOUS WASTE
- Paint recycling programs
  - see EXTENDED PRODUCER RESPONSIBILITY
- Recyclable
  - designation, **7:34**
  - plastics industry, **7:46**
- Recycled content in materials
  - advertising claims, United States, **7:48, 7:49**
  - designation, **7:35**
- Symbols, use, Mobius Loop, restrictions, **7:27**
- Tire recycling programs
  - see EXTENDED PRODUCER RESPONSIBILITY
- Transportation of hazardous wastes for, **8:39, 8:40**
- United States, labelling, advertising, **7:39 to 7:44**

### **REED STENHOUSE INSURANCE LIMITED**

- Alternative insurance, consultations, **6:30**
- Risk management, comments, **6:52**

### **REGENERATION (ORGANIZATION)**

- Newfoundland and Labrador, **7:7**

### **REGULATORY SURVEILLANCE PROGRAMS**

- Environmental management, establishment, **4:51**
- Self-policing, transportation of dangerous goods legislation, **8:4**

### **REMEDIATION**

- See NATURAL ENVIRONMENT

### **RENEWABLE ENERGY**

- See TAXATION

### **REPAIR EXPENSES**

- Environmental cost write-offs
  - see TAXATION

### **REPORTING EXCHANGE**

- Generally, **4:78**

### **REPORT OF THE INDEPENDENT EXPERT ON THE ISSUE OF HUMAN RIGHTS OBLIGATIONS RELATING TO THE ENJOYMENT OF A SAFE, CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT**

- See BRUNDTLAND REPORT.

### **RESEARCH EXPENSES**

- Environmental cost write-offs
  - see TAXATION

### **RESOURCE PRODUCTIVITY AND RECOVERY AUTHORITY (ONTARIO)**

- Programs covered, **7:9**
- Transition of existing waste diversion programs into new producer responsibility regime, **7:9**
- Waste Diversion Ontario, replaced, **7:2**

### **RESPONSIBLE CARE PROGRAM**

- See CHEMISTRY INDUSTRY ASSOCIATION OF CANADA (CIAC)

### **RISK ASSESSMENT PROGRAMS**

- See also BROWNFIELDS LEGISLATION (ONTARIO)
- Climate change-related risks, **10:30 to 10:33**
- Environmental management
  - material events, identification, response, **4:48**
  - proactive strategies, generally, **4:39**
- Greenhouse gas emissions-related risks, **10:32**
- Handling and transportation of dangerous goods, **8:45**

### **RISK MANAGEMENT**

- See CLIMATE CHANGE RISKS; ENVIRONMENTAL MANAGEMENT, strategies to reduce risk; FINANCIAL RISK DISCLOSURE

### **RUGGIE PRINCIPLES**

- See UNITED NATIONS, principles and guidelines, Guiding Principles on Business and Human Rights

### **SAFETY HAZARDS**

- Removal, inspectors, orders, **1:36**

**SAFETY MARKS**

See also TRANSPORTATION OF DANGEROUS GOODS, safety marks; tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4

Generally, **8:8**

**SARCAN**

Generally, **7:12**

**SASKATCHEWAN**

Contaminated sites  
civil liability, **1:136**  
Environmental inspections, **3:22**  
Extended producer responsibility, **7:12**  
Greenhouse gas emissions reporting requirements, development of, **10:49**  
Waste diversion and reduction initiatives, **7:12**

**SDG COMPASS**

Generally, **4:72**

**SEARCH AND SEIZURE**

See ENVIRONMENTAL INSPECTIONS; INSPECTIONS

**SEARCH WARRANTS**

Inspections or investigations, **3:4, 3:5, 3:39**

**SECURED CREDITORS**

See MORTGAGEES

**SECURITIES FILINGS**

See also ENVIRONMENTAL MANAGEMENT, corporate securities filings  
Canadian Securities Administrators (CSA) Staff Notice 51-333 on Environmental Reporting Guidance, **10:23**  
Climate risk disclosure  
no requirements in provincial securities legislation, **10:23**  
obligation may fall under securities law requirement to disclose material environmental information, **10:23**

**SELF-INSURANCE**

Captive insurance companies, creation, advantages, **6:30**

**SENTENCING**

Considerations, **4:28**

**SENTENCING—Cont'd**

Directors, officers, environmental offences, **2:24 to 2:27**  
Due diligence and, **4:28**  
Environmental protection alternative measures, **4:10:50**  
Jail sentences, case law, **4:28**  
Judicial attitudes, environmental offences, **4:21**

**SERVICES**

False or misleading description, prohibition, **7:15, 7:18**

**SHAREHOLDERS**

Activism re carbon-intensive projects, **10:14**  
Climate change disclosure, **10:15 to 10:23**  
Insurance, limited pollution liability coverage, **6:23**  
Potential for inclusion as person responsible for compensation for climate-related harm, **10:13**

**SHIPPERS OF DANGEROUS GOODS**

See also CARRIERS OF DANGEROUS GOODS; TRANSPORTATION OF DANGEROUS GOODS, transportation intermediaries  
Classification of goods, responsibility for, **8:6**  
Dangerous occurrence reports, when shipper liable, **8:37**  
Dangerous waste movements, special manifest provisions applying, **8:7**  
Emergency measures to reduce risk to public safety, when shipper responsible, **8:23 to 8:40**  
Emergency response plan, when obligated to prepare and submit plan, **8:10 to 8:15**  
Legislation, applicability of, **8:4**  
Liability, **8:4, 8:42, 8:45**  
Prosecutions under transportation of dangerous goods legislation, **8:42**  
R. v. Travenol Canada Inc., non-compliance, improper documentation, **8:42**  
R. v. Travenol Canada Inc., non-compliance, safety marks omitted, **8:42**

INDEX

**SHIPPERS OF DANGEROUS GOODS**

—Cont'd

Shipper as owner, spills  
joint liability with carrier under Ontario  
legislation, **8:45**

**SHIPS**

Oil spills, claims, compensation  
see FEDERAL COMPENSATION  
PROGRAMS

Pollutants, discharge, remedial orders,  
liability, **6:11**

**SHIP-SOURCE OIL POLLUTION  
FUND**

See FEDERAL COMPENSATION  
PROGRAMS

**SHUTDOWN COSTS**

See TAXATION

**SINGLE-USE RETAIL BAGS**

Northwest Territories, **7:13**

**SMART PROSPERITY INSTITUTE**

Formerly Sustainable Prosperity, **4:58**

**SME SUSTAINABILITY ROADMAP**

See INDUSTRY CANADA

**SOIL, GROUND WATER AND  
SEDIMENT STANDARDS FOR  
USE UNDER PART XV.1 OF THE  
ENVIRONMENTAL PROTECTION  
ACT**

See BROWNFIELDS LEGISLATION,  
ONTARIO

**SOIL ANALYSTS**

Insurance, environmental impairment  
liability, **6:26**

**SOIL CONTAMINATION**

See also BROWNFIELDS LEGISLA-  
TION, ONTARIO; PROPERTY  
CONTAMINATION; RADIOAC-  
TIVE SOIL CONTAMINATION

Ontario

remediation, stratified versus full-  
depth, **1:18**

sampling, phase two environmental site  
assessments, **1:17**

Soil, Ground Water and Sediment Stan-  
dards for Use under Part XV.1 of  
the Environmental Protection Act,  
**1:18**

**SOIL CONTAMINATION—Cont'd**

Ontario—Cont'd  
standards, **1:18**

Vendors, remote, nuisance, liability, **1:152**

**SOLICITORS**

See also LEGAL COUNSEL

Contaminated property, liability  
duty of care, scope, **1:169**  
generally, **1:1**

purchase transactions, negligence,  
effect, **1:169**

**SOLID WASTE**

See WASTE

**SPILLS**

See also TRANSPORTATION OF  
DANGEROUS GOODS, discharge,  
emission or escape of goods

Compensation

see FEDERAL COMPENSATION  
PROGRAMS; PROVINCIAL  
COMPENSATION PROGRAMS

Inspectors, premises, entry, search,  
seizure, **3:7**

Insurance

automobile liability policies, coverage,  
**6:24**

generally

see COMPREHENSIVE GENERAL  
LIABILITY POLICIES;  
LIMITED POLLUTION  
LIABILITY POLICIES

Liability

directors and officers, see DIREC-  
TORS AND OFFICERS,  
environmental liability

generally

see LIABILITY

insurance

see COMPREHENSIVE GENERAL  
LIABILITY POLICIES;  
ENVIRONMENTAL IMPAIR-  
MENT LIABILITY POLICIES;  
LIMITED POLLUTION  
LIABILITY POLICIES

Oil, ships

discharge, liability, remedial orders,  
**6:11**

federal government compensation  
programs, claims

see FEDERAL COMPENSATION  
PROGRAMS

**SPILLS—Cont'd**

- Orders to restore natural environment, **1:4 to 1:6, 8:44, 8:45**
- Pollutants, Ontario, Ministry of the Environment, procedure, **1:4 to 1:6, 3:7**
- Preventive measures, orders, Ontario, **1:4 to 1:6**
- Remedial and contingency plans, **4:46**
- Remedial orders, Ontario, **1:4 to 1:6**
- Reporting procedures, dangerous goods see DANGEROUS OCCURRENCES
- Reporting procedures, management strategies, **4:45, 8:44, 8:45**

**SPILLS BILL (ONTARIO)**

- Duty to restore natural environment, **1:161**
- Pollutants, spills, remedial measures, duties under, **1:161, 6:14, 6:50**
- Retroactivity, case law, **1:163**
- Right to compensation under, **1:162**

**STANDARD OF CARE**

- Courts' attitude toward, **8:2**
- Environmental management, **4:21 to 4:29**
- Transportation of dangerous goods, **8:1, 8:2**

**STEEL PLANTS**

- Regulatory measures, tax changes, proposals, **5:31 to 5:46**

**STEWARDSHIP PROGRAMS**

- See also EXTENDED PRODUCER RESPONSIBILITY
- Generally, **7:2**
- Shift to extended producer responsibility programs, **7:2**
- Alberta, **7:2**
- Nova Scotia, **7:2**
- Ontario, **7:2**
- Saskatchewan, **7:2**

**STRANDED ASSETS**

- See also CLIMATE CHANGE RISKS
- As transition risk, **10:14**
- Defined, **10:14**

**STRATOS INC.**

- Generally, **4:75**
- Report, Canada, corporate sustainability reporting, **4:75**

**STRICT LIABILITY**

- Civil liability of vendors and owners/occupiers for contaminated property, **1:156.20**

**SUDDEN AND ACCIDENTAL**

- See COMPREHENSIVE GENERAL LIABILITY POLICIES

**SUPERFUND LEGISLATION (UNITED STATES)**

- Generally, **5:1**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP)**

- See ENVIRONMENTAL PROTECTION AGENCY (U.S.).

**SUSTAINABLE DEVELOPMENT**

- Generally, **4:72**
- Canada
  - Federal Sustainable Development Strategy, **4:72**
- Disclosure, public, **4:69**
- Europe
  - corporate attitudes, **4:5**
- Goals, **4:72**
- Guides, **strategies**
  - SDG Compass, **4:72**
- Policies, principles
  - Framework Principles on Human Rights and the Environment, **4:1, 4:69, 4:72**
  - 21st Century Corporation, The: The Ceres Roadmap to Sustainability, **4:72**
- United States
  - corporate attitudes, **4:5**

**SUSTAINABLE DEVELOPMENT GOALS**

- See SUSTAINABLE DEVELOPMENT; UNITED NATIONS.

**SUSTAINABLE PROSPERITY [ORGANIZATION]**

- See now SMART PROSPERITY INSTITUTE

**SUSTAINABLE REPORTING**

- See also CLIMATE CHANGE RISKS; CORPORATE SOCIAL RESPONSIBILITY (CSR); ENVIRONMENTAL REPORTING.
- Generally, **4:73**

## INDEX

### SUSTAINABLE REPORTING—Cont'd

- Canada, **4:74, 4:75**
- Shareholder resolution requesting, **4:73**

### TASK FORCE ON

#### CLIMATE-RELATED FINANCIAL DISCLOSURES (TCFD)

- Generally, **10:1, 10:16 to 10:18**
- Background, **10:1, 10:16 to 10:18**
- Categories of financial disclosure, **10:17**
- Final Report: Recommendations of the Task Force on Climate-related Financial Disclosures, **10:1**
- Framework not legally binding, **10:19 to 10:21**
  - governance, **10:17**
  - metrics and targets, **10:17**
  - risk management, **10:17**
  - strategy, **10:17**
- Principles for effective disclosure, **10:18**
- Recommendations, **10:17**

### TAXATION

- Accelerated depreciation write-offs,
  - energy conservation, renewable energy, **5:18 to 5:22**
  - air and water, special allowance, **5:19**
- Canadian Exploration Expense, **5:21**
- Canadian renewable and conservation expenses, **5:21**
- capital cost allowance, **5:18**
- energy conservation and renewable energy equipment, capital cost allowance, **5:20**
- Automotive taxes
  - carbon tax, British Columbia, **5:25**
  - fuel tax, **5:24**
  - vehicle purchase tax incentive, **5:48**
- Canadian renewable and conservation expenses (CRCE), **5:21**
- Capital cost allowance, **5:18**
  - See also TAXATION, pollution control equipment
  - accelerated, for carbon capture and storage assets, proposed, **5:20**
  - electricity industry, restrictions, **5:18**
- Carbon credits, **5:31 to 5:46**
  - commodities trading, tax consequences, **5:44, 5:45**
  - current or capital expense, **5:41**
  - sales tax treatment of, **5:42**
  - seller of, tax treatment, **5:43**

### TAXATION—Cont'd

- Carbon tax
  - British Columbia, **5:25**
- Current period, compliance costs, deductibility
  - categories, issues, **5:13 to 5:17**
  - compensatory compliance costs, **5:16**
  - expenses for production of income, test, **5:17**
  - finances, expenses, public policy considerations inapplicable, **5:17**
  - gaining or producing income, test, **5:16, 5:17**
  - licences or permits, payments to maintain, terms, **5:15**
  - maintenance, repair or research expenses, **5:14**
  - ordinary course of business, payments, **5:14**
  - payments on account of capital, exclusion, **5:14, 5:15**
  - penalties under environmental control legislation, **5:17**
- Energy conservation equipment, **5:19**
  - qualification for investment tax credits, **5:19**
- Environmental taxes, special, issues, **5:23 to 5:25**
  - automotive fuel taxes, **5:24**
  - See also TAXATION
  - automotive taxes
    - vehicle purchase incentives, **5:48**
- Expenses, deductibility
  - See also TAXATION, current period, compliance costs, deductibility; future reclamation or shutdown costs, deductibility
- Canadian exploration expense pool (CEE), **5:21**
- Canadian renewable and conservation expense (CRCE), **5:21**
  - qualifications, **5:21**
  - wind farm project, **5:21**
- Fines, expenses, deductibility, **5:17**
- Fines, penalties, **5:17**
- Flow-through shares, **5:22**
- Future reclamation or shutdown costs, deductibility
  - conditions, **5:3 to 5:12**
  - current obligation as expense, **5:4**

**TAXATION—Cont'd**

- Future reclamation or shutdown costs, deductibility—Cont'd
  - current period, future ascertainable expenses, **5:10**
  - current period profits, association, **5:4**
  - deductibility, **5:3 to 5:12**
  - determination, terms, **5:5**
  - expenses, determination, **5:4**
  - expenses on account of capital, issues, **5:8**
  - income production expenses, status, **5:7**
  - levies, annual, status, **5:4**
  - liabilities as expenses, determination, **5:4**
  - on account of capital, disallowance, **5:7, 5:8**
  - present and certain liability, as, **5:4**
  - profits, determination, principles, **5:5**
  - reserves, status, **5:4**
  - revenues and expenses, matching principle, **5:5**
  - running expenses, restrictions, **5:5**
  - security deposits, status, **5:4**
  - United Kingdom, case law, **5:6**
  - United States, provisions, problems, **5:11, 5:12**
- Government policies
  - carbon credits, **5:26 to 5:46**
- Greenhouse gas emissions
  - reduction, cap and trade system, **5:31 to 5:46**
- Income Tax Act, proposals, generally, **5:1**
- Pollution control equipment, **5:19**
  - qualification for investment tax credit, **5:19**
- Proposals, general concerns, **5:1**
- Provincial policies
  - British Columbia carbon tax, **5:25**
- Renewable energy system, **5:20**
  - capital cost allowance rate, **5:20**
- Undepreciated capital costs, **5:18**
  - See also TAXATION, capital cost allowance

**TAX AUDITS**

- Premises, inspection without warrant, scope, **3:5**

**TCFD**

- See TASK FORCE ON CLIMATE-RELATED FINANCIAL

**TCFD—Cont'd**

DISCLOSURES (TCFD)

**TECHNICAL INSTRUCTIONS FOR THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR**

- Generally, **8:38**

**TECHNICAL STANDARDS AND SAFETY AUTHORITY (TSSA)**

- Generally, **1:33**

**TENANTS**

- See also LANDLORDS
- Contaminated property, liability
  - asbestos contamination, **1:172**
  - commercial leases, terms, effect, **1:171 to 1:175**
  - covenants to repair, effect, **1:171, 1:175**
  - duty to repair, wear and tear, construction, **1:172**
  - net leases, remediation costs, **1:174**
  - soil remediation, **1:173**
  - statutory, scope, **1:176**
  - waste, use, determination, **1:170, 1:175**

**TESTING LABORATORIES**

- Insurance, environmental impairment liability, **6:26**

**TEXTILE FACTORIES**

- Regulatory measures, tax changes, proposals, **5:31 to 5:46**

**TIRE RECYCLING PROGRAMS**

- See also EXTENDED PRODUCER RESPONSIBILITY; RECYCLING
- Alberta, **7:3**
- British Columbia, **7:4**
- Manitoba, **7:5**
- Newfoundland and Labrador, **7:7**
- Nova Scotia, **7:8**
- Ontario, **7:9**
  - transfer of Used Tire Program to new individual producer responsibility framework, **7:9**
- Yukon, **7:13**

**TOXIC REAL ESTATE**

- See PROPERTY CONTAMINATION; REAL ESTATE TRANSACTIONS

**TOXIC SUBSTANCES**

- Manufacture and import of new substances, regulation, **8:44, 8:45**



## INDEX

### TOXIC SUBSTANCES—Cont'd

Release, export and import, regulation of, **8:44, 8:45**

Transportation of  
see TRANSPORTATION OF  
DANGEROUS GOODS, toxic  
substances

### TRADEMARKS

See also ADVERTISING; LABELLING;  
PACKAGING AND PRINTED  
MATTER

Actions, word green, use, **7:53**

Certification mark, defined, **7:53**

Defined, **7:53**

Environmental claims associated with,  
**7:25**

Protection, **7:53**

Registered owner, use, rights, **7:53**

### TRAINING PROGRAMS

Coordination groups, establishment,  
scope, **4:35**

Employees, environmental management  
strategies, **4:46, 4:48, 4:49**

Handling and transportation of dangerous  
goods, **8:21, 8:22, 8:45**

Material events, identification, response,  
**4:48**

### TRANSIT COMMISSIONS

Environmental performance check-ups,  
scope, **3:1**

### TRANSITION RISKS

Generally, **10:22, 10:23, 10:29**

### TRANSITION RISKS/IND-CONT

See also CLIMATE CHANGE RISKS

Defined, **10:14**

### TRANSITION TO LOW-CARBON ECONOMY

Generally, **10:3 to 10:14, 10:22, 10:23,  
10:29, 10:38**

### TRANSPORTATION OF DANGEROUS GOODS

See also DANGEROUS GOODS; HAZ-  
ARDOUS WASTE

Accidents, **8:7, 8:9**

See also DANGEROUS OCCUR-  
RENCES

dangerous occurrence reports, **8:23 to  
8:40**

### TRANSPORTATION OF DANGEROUS GOODS—Cont'd

Accidents, **8:7, 8:9**—Cont'd

ERAP reports, **8:12**

explosion or fire, **8:23 to 8:40**

By air, codes, requirements, **8:39**

By rail, safety requirements, **8:9**

By road

placarding and labelling

see TRANSPORTATION OF  
DANGEROUS GOODS,  
placarding of transport unit, and  
labelling

reciprocal recognition of U.S. highway  
driver training standards, **8:38**

By water, **8:38**

marine pollutant placard

see tab Legislation — federal  
Transportation of Dangerous  
Goods Regulation, Part 4

Carriers

see CARRIERS OF DANGEROUS  
GOODS

Certificates

emergency, **8:37**

equivalency, **8:37**

temporary, **8:37**

Classification of goods under Regulations,  
according to hazard, **8:6**

See tab Legislation — federal  
Transportation of Dangerous  
Goods Regulation, Part 4

Corrosive substances

classification and safety marks, **8:6**

See tab Legislation — federal  
Transportation of Dangerous  
Goods Regulation, Part 4

Damage to container

notification, **8:7**

suspected, report required, **8:23 to 8:40**

Dangerous occurrences, **8:23 to 8:40**

See also DANGEROUS OCCUR-  
RENCES

Dangerous waste

see HAZARDOUS WASTE;  
TRANSPORTATION OF  
DANGEROUS GOODS, hazard-  
ous waste

Diagnostic specimens, exemption from  
regulations, **8:5 to 8:40**

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Discharge, emission or escape of goods, **8:9**  
See also DANGEROUS OCCURRENCES  
imminent, inspector's powers to intervene, **8:41 to 8:43**
- Documentation  
see TRANSPORTATION OF DANGEROUS GOODS, shipping documents
- Domestic movement  
hazardous waste, **8:39**  
regulation of, federal and provincial legislation, **8:2, 8:3, 8:39**
- Emergency exception permits, application, requirements, **8:38**
- Emergency measures in case of accident, **8:7**
- Emergency response assistance plan, **8:6, 8:7, 8:10 to 8:15**  
See also EMERGENCY RESPONSE ASSISTANCE PLAN (ERAP)
- Equivalent level of safety permit, application, requirements, **8:37**
- Explosives, **8:6**  
classification and safety marks  
see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4  
handling or offering for transport, special requirements, **8:9**  
loss, theft or misplacing of, immediate report required, **8:23 to 8:40**
- Export and import of dangerous goods  
emergency response assistance plan, responsibility for, **8:10 to 8:15**  
hazardous wastes, **8:40**  
See tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4  
importation, inspector's powers re, **8:43**
- Export and Import of Hazardous Wastes Regulations, **8:40**
- Flammables, **8:6**  
classification and safety marks  
see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4  
shipping documents required, **8:7**

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Gases, **8:6**  
classification and safety marks  
see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
- Handling, offering for transport, transporting or importing, **8:4**  
See also TRANSPORTATION OF DANGEROUS GOODS, transportation intermediaries
- Handling or offering for transport, **8:9**
- Hazardous waste  
See also HAZARDOUS WASTE  
domestic movement of, **8:39**  
export and import of, **8:40**  
for disposal, **8:39, 8:40**  
for recycling, **8:39, 8:40**  
insurance, **8:40**  
prosecutions involving, **8:39**  
shipping documents required, **8:7, 8:39**  
subject to more than one set of regulation, **8:3, 8:39, 8:40**
- Hazard warnings, **8:5 to 8:40**
- Infectious substances  
classification and safety marks  
see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4  
loss, theft or misplacing of, immediate report required, **8:23 to 8:40**  
shipping documents required, **8:7, 8:9**
- Inspections under Transportation of Dangerous Goods Act, 1992, **8:43**  
See also INSPECTORS
- International Maritime Dangerous Goods Code, **8:38**
- International movement, **8:38**  
hazardous wastes, **8:40**  
recognition of non-Canadian codes, **8:38**  
United States, to and from, **8:38**
- Labelling of goods/product, **8:6, 8:8**  
See tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4  
primary responsibility on consignor for, **8:8**
- Legislation  
See also TRANSPORTATION OF DANGEROUS GOODS, regulation of; tab

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Legislation—Cont'd
  - general, **8:5 to 8:40**
  - non-compliance, inspector's powers to monitor, **8:43**
  - Ontario, **8:4, 8:39**
  - overlap of federal and provincial jurisdiction, **8:2, 8:3, 8:39, 8:40**
  - prosecutions, **8:3, 8:39**
  - purpose, regarded as public welfare legislation, **8:2, 8:42**
  - scope, **8:1, 8:3, 8:4**
- Liability
  - carriers, **8:4, 8:8, 8:45**
  - environmental, spills in Ontario, **8:45**
  - officers and directors, **8:41, 8:45**
  - shippers, **8:4, 8:42, 8:45**
  - transportation intermediaries, **8:4, 8:45**
- Loss, theft or misplacing of certain classes of dangerous goods, **8:23 to 8:40**
- Means of transport regulated, **8:5 to 8:40**
- Offences and penalties under transportation of dangerous goods legislation, **8:9, 8:41, 8:45**
  - See also OFFENCES AND PENALTIES
  - sentencing considerations
    - due diligence, **4:28**
- Organic peroxides, **8:6**
  - classification and safety marks
    - see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
- Oxidizing substances, **8:6**
  - classification and safety marks
    - see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
- Packaging, **8:5 to 8:40**
  - exemption from regulations and, **8:5 to 8:40**
  - means of transport and, **8:9**
  - product classification and, **8:6**
  - reciprocal recognition of U.S. packaging standards, **8:38**
- PCBs, special safety requirements, **8:16 to 8:20**
  - See also POLYCHLORINATED BIPHENYLS (PCBs)

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Permits
  - emergency exceptions, **8:37**
  - equivalent level of safety exception, application, requirements, **8:37**
- Placarding of transport unit, **8:6, 8:8**
  - See tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
  - primary responsibility of carrier for, **8:8**
  - R. v. Motorways (1980) Ltd., prosecution for non-compliance, re, **8:42**
- Poisonous substances, see toxic substances
- Product identification number, **8:6**
- Radioactive substances, **8:6**
  - accidents involving, **8:23 to 8:40**
  - classification and safety marks
    - see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
  - loss, theft or misplacing of, **8:23 to 8:40**
  - shipping documents required, **8:7**
  - special safety requirements, **8:16 to 8:20**
- Reclassification if error discovered, responsibility, **8:6**
  - carrier, **8:7**
  - consignor, **8:7**
- Registration by importers in bulk, manufacturers as shippers in bulk, with Director General, **8:23 to 8:40**
- Regulation of
  - See also TRANSPORTATION OF DANGEROUS GOODS, legislation
    - reciprocal recognition of international and non-governmental codes, **8:2**
- Releases of dangerous goods
  - see DANGEROUS GOODS
- Reporting requirements, **APP 8A, 8:5 to 8:40**
  - air transportation reports, **8:28 to 8:30**
  - dangerous goods accident or incident report, **8:28**
  - dangerous goods occurrence report, **8:30**

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Reporting requirements, **APP 8A, 8:5 to 8:40—Cont'd**
  - air transportation reports, **8:28 to 8:30—Cont'd**
    - 30-day follow-up report to dangerous goods accident or incident report, **8:29**
    - undeclared or misdeclared dangerous goods report, **8:30**
- ERAP reports, **8:12, 8:34 to 8:36**
  - ERAP implementation report, **8:14, 8:36**
  - ERAP incident report, **8:13, 8:35**
- road, rail and marine reports, **8:25 to 8:27**
  - emergency report, **8:25**
  - release or anticipated release report, **8:26**
    - 30-day follow-up report to release or anticipated release report, **8:27**
- security reports, **8:18, 8:31 to 8:33**
  - loss or theft, **8:19, 8:32**
  - unlawful interference, **8:20, 8:33**
- Safety marks, **8:8**
  - See tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
- placarding of transport vehicles and, **8:8**
- product classification and, **8:7**
  - See tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4
- product labelling and, **8:8**
- prosecutions re, **8:42**
- Safety measures and requirements, **8:7, 8:16 to 8:20**
  - classification of goods and, **8:6**
  - handling or offering for transport, **8:9**
- Security plans and requirements, **8:16 to 8:20**
  - rail security regulations, **8:17**
  - security reports, **8:18, 8:31 to 8:33**
- Shippers
  - see SHIPPERS OF DANGEROUS GOODS; TRANSPORTATION OF DANGEROUS GOODS, shipping documents

**TRANSPORTATION OF DANGEROUS GOODS—Cont'd**

- Shipping documents, **8:4, 8:6, 8:7**
  - classification of dangerous goods and, **8:6, 8:7**
  - contents, requirements, purpose and significance of, **8:7**
  - infectious substances, poisons, flammables and radioactive materials, hazardous wastes, special provisions for, **8:7**
  - plan summary number, where required, **8:7**
  - responsibility for, **8:4, 8:6, 8:7**
- Shipping name, **8:6, 8:7**
- Technical Instructions for the Safe Transport of Dangerous Goods By Air, **8:38**
- Toxic substances
  - classification and safety marks
    - see tab Legislation — federal Transportation of Dangerous Goods Regulation, Part 4, **8:6**
  - export and import of, regulation, **8:44, 8:45**
  - loss, theft or misplacing of, immediate report required, **8:23 to 8:40**
  - shipping, special documents required, **8:7**
- Training courses, organizations offering, **8:5 to 8:40**
- Training requirements, content of program and guidelines, under Regulations, **8:6, 8:21, 8:22**
- Transportation intermediaries (warehousemen, freight forwarders, customs brokers, etc.), **8:9**
  - dangerous occurrence reports, when responsible for, **8:23 to 8:40**
  - emergency measures to reduce risk, when responsible for, **8:23 to 8:40**
  - independent obligation to ensure compliance with legislation, **8:4**
  - safety requirements under Regulations, **8:9**
- Transportation of Dangerous Goods Act, 1992, provisions, non-compliance prosecution, **8:42**
- Transportation of Dangerous Goods Regulations, **8:5 to 8:40**

**TRANSPORT CANADA**

See also CANADIAN TRANSPORT  
EMERGENCY CENTRE  
(CANUTEC)

Transportation of dangerous goods  
assessment of emergency response  
assistance plans, remedial  
measures specialists, **8:10 to 8:15**  
equivalent level of safety permits,  
permission, **8:38**  
publications  
Classification and Safety Marks, **8:8**  
Dangerous Goods Advisory Notice:  
Guidelines for Training Criteria,  
**8:21, 8:22**

**TRUSTEES IN BANKRUPTCY**

See also ENVIRONMENTAL  
MANAGEMENT; LIABILITY  
Generally, **9:6 to 9:15**  
Fuel charges, federal, liability for, **10:52**  
Liability, contaminated property  
Crown status as creditor, **9:6 to 9:15**  
protection under Bankruptcy and  
Insolvency Act, **9:6 to 9:15**

**TRUST PROPERTY**

Insurance, environmental impairment  
liability policies, **6:28**

**UNDERGROUND STORAGE TANKS**

Gasoline contamination  
remediation requirements, Ontario,  
**1:33**  
Insurance, environmental impairment  
liability, coverage, **6:27**

**UNITED KINGDOM**

Taxation, future period or reclamation  
costs, case law, **5:6**

**UNITED NATIONS**

2030 Agenda for Sustainable Develop-  
ment, **4:1**  
Conference on Sustainable Development,  
Rio +, **4:72**  
Sustainable Development Goals, **4:72**  
Principles and guidelines  
Framework Principles on Human  
Rights and the Environment, **4:1,**  
**4:72, 10:11**  
public access to information, **4:69**

**UNITED NATIONS—Cont'd**

Principles and guidelines—Cont'd  
Guiding Principles on Business and  
Human Rights, **4:1, 10:11, 10:12**  
referenced in Canadian climate  
change litigation, **10:12**  
Report of the Independent Expert on  
the issue of human rights obliga-  
tions relating to the enjoyment of a  
safe, clean, healthy and sustain-  
able environment, **4:66 to 4:78**

**UNITED NATIONS FRAMEWORK  
CONVENTION ON CLIMATE  
CHANGE (UNFCCC)**

See also CONFERENCE OF THE PAR-  
TIES  
Generally, **5:26 to 5:30, 10:35**  
Background, **10:35**  
Conference of the Parties, **10:35**  
Kyoto Protocol, **10:35**

**UNITED NATIONS GLOBAL  
COMPACT**

Generally, **4:77**  
Corporate participation, **4:61, 4:77**  
Principles, **4:77**

**UNITED NATIONS GUIDING  
PRINCIPLES ON BUSINESS AND  
HUMAN RIGHTS**

Generally, **10:11**

**UNITED STATES**

Climate change litigation, **10:29**  
Directors, officers, environmental  
offences, **2:5**  
Environmental management  
corporate attitudes, **4:5**  
courts, decisions, attitudes, **4:21**  
government enforcement, prosecutions,  
**4:9**  
Green marketing, labelling, advertising,  
**7:39 to 7:52**  
Insurance, comprehensive general liability  
policies  
clauses, interpretation, **6:4 to 6:7**  
Superfund, remedies, clean-up, pollu-  
tion abatement, **6:9**  
Real estate agents, property contamina-  
tion, liability, **1:1, 1:167, 1:168**  
Recycling, labelling, advertising, **7:39 to**  
**7:44**

**UNITED STATES—Cont'd**

Transportation of dangerous goods by road vehicle, **8:38**

**VALDEZ PRINCIPLES**

See COALITION FOR ENVIRONMENTALLY RESPONSIBLE ECONOMIES (CERES); EXXON VALDEZ

**VANCOUVER DECLARATION**

Generally, **5:26 to 5:30, 10:38**

**VEHICLES**

See also ELECTRIC VEHICLES; MOTOR VEHICLES

Environmental inspection without warrants, scope, **3:7**

**VENDORS**

See also CIVIL ACTIONS; REAL ESTATE TRANSACTIONS

Contaminated property, liability, generally, **1:1**

Current vendors, contaminated property, liability

building lots, garbage underlay, knowledge, **1:156.50**

caveat emptor, determination, **1:156.50**

civil liability, basis to object, **1:156.60**

current vendor, defined, **1:154**

damages for economic loss, **1:156.50**

discovery prior to closing contract, **1:156.50**

fraudulent misrepresentation, **1:156.50**

latent defects, non-disclosure, effect, **1:156.50**

negligent misrepresentation, **1:158**

patent defects, non-disclosure, **1:156.50**

purchasers, inspection, effect, **1:156.50**

radioactive soil contamination, knowledge, **1:156.50**

statutory, scope, **1:160**

warranties, knowledge of defects, effect, **1:157**

Marketable title, delivery, doctrine, **1:156.50**

Remote (former) vendors, contaminated property, liability, **1:155**

civil actions, limitation period, **1:155**

current owners, actions, rights, **1:156**

negligence, **1:156**

nuisance, soil contamination, **1:156.20**

**VENDORS—Cont'd**

Remote (former) vendors, contaminated property, liability, **1:155**—Cont'd remote vendor, defined, **1:154**

**VESSELS**

Environmental inspection without warrants, scope, **3:6**

**VOLATILE ORGANIC COMPOUNDS**

Green advertising claims, paints, **7:49**

**WARRANTIES**

Property sales, defects, knowledge, effect, **1:157**

**WARRANTS**

Environmental inspections or investigations, searches, **3:4, 3:5, 3:39**

**WASTE**

See also HAZARDOUS WASTE

Compliance under various regulations, **8:40**

Defined, **1:3, 8:40**

Directors, officers, chemicals, discharge, liability, **2:18 to 2:22, 4:27**

Discharge, remedial orders

see DIRECTORS AND OFFICERS

Electronic and electrical equipment

see RECYCLING

Federal and provincial regulation, overlap of, **8:2, 8:3, 8:39, 8:40**

Hazardous, transportation of, **8:39, 8:40**

Household and commercial sources, **7:2**

Inspection, powers

see ENVIRONMENTAL INSPECTIONS

Insurance, environmental impairment liability policies, **6:26**

Liquid waste, improper storage, discharge, **2:18 to 2:22, 4:27**

Management areas, risk assessment, considerations, **4:39**

Mortgagees, property, removal, liability, **1:181**

Movement, federal and provincial regulation of, **8:39**

Municipal by-laws, regulation, **1:37, 1:38**

Ontario, Ministry of the Environment, remedial, preventive orders, **2:29 to 2:41**



## INDEX

### WASTE—Cont'd

- Packaging
  - reduction, initiatives
    - see PACKAGING AND PRINTED MATTER
- Recycling
  - See also RECYCLING; EXTENDED PRODUCER RESPONSIBILITY
- Reduction
  - corporations, **4:61**
    - generally, concerns, **7:1**
  - Reduction, generally, concerns, **7:1**
  - Reduction of hazardous waste, **8:45**
    - Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, **8:40**
- Removal and restoration of sites, orders, **1:4 to 1:6**
- Statutory obligations, R. v. Bata Industries, **4:27**
- Tenants, property, use, liability, **1:170**
- Waste electronic and electrical equipment (WEEE) initiatives
  - see RECYCLING
- Waste management and recycling, insurance, **6:26**

### WASTE DISPOSAL SITES

- Clean-up criteria, guidelines, establishment, **1:7**
- Entry, inspection, powers
  - see ENVIRONMENTAL INSPECTIONS
- Establishment, difficulties, **7:2**
- Land, use, restrictions, time, **1:3**

### WASTE DIVERSION INITIATIVES

- See WASTE REDUCTION INITIATIVES

### WASTE DIVERSION PROGRAMS

- See also EXTENDED PRODUCER RESPONSIBILITY; RECYCLING
- Generally, **7:1, 7:2**
- Batteries, lead-acid
  - Manitoba, **7:5**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Nova Scotia, landfill ban on, **7:8**
- Beverage containers
  - Alberta, **7:3**

### WASTE DIVERSION PROGRAMS

#### —Cont'd

- Beverage containers—Cont'd
  - British Columbia, **7:4**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - Prince Edward Island, **7:10**
  - Saskatchewan, **7:12**
- Cell phones
  - Alberta, voluntary program, **7:2**
  - Nova Scotia, **7:8**
  - Ontario, EPR program, **7:2**
- Electronic and electrical equipment
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - Manitoba, **7:5**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - Prince Edward Island, **7:10**
  - Quebec, **7:11**
  - Saskatchewan, **7:12**
- Hazardous household waste
  - Alberta, **7:3**
- Nationally, lack of harmonization, **7:2**
- Paint and paint containers
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - Manitoba, **7:5**
  - New Brunswick, **7:6**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Ontario, **7:9**
  - Prince Edward Island, **7:10**
  - Quebec, **7:11**
  - Saskatchewan, **7:12**
- Paper and packaging, **7:2**
  - Alberta, **7:3**
  - British Columbia, **7:4**
  - Manitoba, **7:5**
  - Newfoundland and Labrador, **7:7**
  - Nova Scotia, **7:8**
  - Nova Scotia, landfill ban on, **7:8**
  - Ontario, **7:9**
  - Saskatchewan, **7:2**
- Plastic bags
  - Alberta, **7:3**

**WASTE DIVERSION PROGRAMS**

—Cont'd

Plastic bags—Cont'd

Nova Scotia, **7:8**

Used oil

Alberta, **7:3**

British Columbia, **7:4**

Manitoba, **7:5**

New Brunswick, **7:6**

Newfoundland and Labrador, **7:7**

Nova Scotia, **7:8**

Used tires

British Columbia, **7:4**

Manitoba, **7:5**

New Brunswick, **7:6**

Newfoundland and Labrador, **7:7**

Nova Scotia, **7:8**

Ontario

transfer of Used Tire Program to new individual producer responsibility framework, **7:9**

**WASTE REDUCTION INITIATIVES**

See also **PACKAGING AND PRINTED MATTER; RECYCLING**

CERES Principles, **4:60**

Corporate policies and practices  
see **CODES OF PRACTICE**

**WATER**

Chemical waste water, discharge, violation, **2:23**

Contaminated, discharge, officers, directors, liability, **2:18, 2:37**

Contamination, remedial orders  
see **DIRECTORS AND OFFICERS**

Mine tailings, discharge, liability, **2:18 to 2:22**

Provincial officers, locations, inspection, **3:6**

**WATER CONTAMINATION**

See also **PROPERTY CONTAMINATION; SOIL CONTAMINATION; SPILLS**

Groundwater, Ontario

case law, management or control, **1:6**

**WEATHER PATTERNS**

See **CLIMATE CHANGE; CLIMATE CHANGE RISKS**

**WESTERN CLIMATE INITIATIVE INC. (WCI INC.)**

Generally, **5:40**

**WIND FARM PROJECT**

Development costs as deductible expenses, **5:21**

**WINDING UP AND RESTRUCTURING ACT**

Liability, environmental claims arising during liquidation, **9:13 to 9:15**

**WORLD BUSINESS COUNCIL FOR SUSTAINABLE DEVELOPMENT**

Generally, **4:73**

The Reporting Exchange, **4:78**

**XEROX CANADA LTD.**

Greenhouse gas emissions, **4:61**

Solid waste materials, recycling initiatives, **4:61**

**YUKON**

Contaminated sites

civil liability, **1:146**

remediation, **1:139 to 1:146**

Environmental inspections, **3:23 to 3:25**  
spills, **3:25**

Extended producer responsibility, **7:13**