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BUSINESS GUIDE TO ENVIRONMENTAL LAW

David Estrin

Release No. 3, December 2024

Business Guide to Environmental Law addresses business liability regarding Canadian environmental law. It is designed to aid legal counsel as well as senior executives in dealing with legal situations regarding the environment. The topically organized presentation of issues includes environmental issues in real estate transactions, directors' and officers' liabilities, transportation of dangerous goods, extended producer liability, labelling, advertising, patents and trademarks.

What's New in this Update:

This release features updates to Appendix B. Selected Federal and Provincial Policies and Guidelines, and Appendix WP. Words and Phrases. Additionally, there has been a new appendix added: Appendix SLL. Selected Legal Literature.

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Highlights:

The links in Appendix B1. Federal have been updated, including, but not limited to:

- Canada-Wide Standards for Petroleum Hydrocarbons in Soil 2023 Progress Report
- Guidance on Good Practices in Climate Change Risk Assessment (2021)
- Guidance on Good Practices in Climate Change Risk Assessment – A Summary (2021)
- Key Elements to Guide Governance for Cumulative Effects Assessment, Monitoring and Management (2021)
- Groundwater Sustainability Assessment Approach – Guidance for Application (2017)

A new appendix, Appendix SLL. Selected Legal Literature, has been added to this release. The appendix features resources on a variety of environmental topics, including, but not limited to:

- Directorial responsibility for end-of-life oil and gas liabilities: an overview of current legal requirements and recent developments; by Janice Buckingham, Sander Duncanson and Emily Paplawski; (2022) Key Developments in Environmental Law, 51-68.
- ESG [Environment, Social and Governance]: bigger than crypto, but no less confusing; ESG primer; by Richard Butler; (May 2022) 12th Business Law Summit, Toronto, On (Toronto, Law Society of Upper Canada, 2022), tab 9.
- Insolvent oil company assets must be used to clean up wells, Alberta Court of Appeal rules; by James Gaughan; (Mar. 2022) Lawyer's Daily (Online).
- Sidestepping contracts: the expansion of environmental liability where the contractor is not paid; by Talia Gordner and Jamieson D. Virgin; (June 2024) 36 Com. Insolv. R., 81-84.

A book that is directed to business people is appropriately dedicated to my parents, Hy Estrin and Goldy Hurtig Estrin, who were business partners for almost 50 years.

I hope that business people, whether in small enterprises such as my parents' or in multi-national corporations, will benefit from this book — and that the environment in turn will benefit from the attention and positive actions of all concerned business people.