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BUSINESS GUIDE TO ENVIRONMENTAL LAW

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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 SLL—Selected Legal Literature, Appendix WP—Words and Phrases and case digests in Chapter 2.

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Highlights:

Appendix 2A—CASE DIGESTS—Plaintiff claimed that dry cleaning solvents used by corporate defendant were allowed to enter ground via dry cleaning filters and products stored at dry cleaner and, as well, through building's sump—Personal defendant was president, director, and officer of corporate defendant—Plaintiff also alleged that defendants, since knowing about migration of contaminant to plaintiff's properties, took no meaningful steps to address it—Personal defendant was sued as homeowner of property that did not directly abut any of plaintiff's properties, but rather was surrounded on its south side by corporate defendant's property—Personal defendant's property was not source of contamination, which came from commercial defendant's property—Personal defendant claimed products were, at relevant time, not known to be hazardous; that he disposed of products as recommended; and that plaintiff had not established damages to, or interference, with his properties—Plaintiff successfully brought action against corporate defendant but not personal defendant for contamination of soils and groundwater in nuisance, negligence, trespass, strict liability and breach of Environmental Protection Act—Plaintiff and corporate defendant appealed—Appeals dismissed—Trial judge's finding that site was not the source of contaminant was entitled to deference—There was no error in trial judge's conclusion that causation had not been established and that personal defendant did not subject plaintiff to unreasonable interference with use and enjoyment of properties. *Huang v. Fraser Hillary's Limited* (2018), 16 C.E.L.R. (4th) 202, 47 C.C.L.T. (4th) 70, 2018 ONCA 527, 2018 CarswellOnt 9105, C.W. Hourigan J.A., Fairburn J.A., M.L. Benotto J.A. (Ont. C.A.).