Environmental Disputes

Environmental regulation in Canada is a complex, multi-jurisdictional field, and even diligent operators may face sudden and unexpected events requiring an immediate response. It is essential to have trusted, experienced counsel to provide informed advice and vigilant representation when the need arises.

We are leaders in environmental litigation, regulatory defence and dispute resolution. Our collaborative, multidisciplinary team includes litigators with experience acting in a broad range of areas, including:

- spill response
- toxic tort and contaminated lands litigation
- environmental arbitration and mediation
- forestry disputes, including environmental protests
- clean-up of contaminated sites
- class action law suits
- complex insurance matters triggered by environmental claims
- defence of charges under federal and provincial legislation, including administrative monetary penalties
- proactive advice on compliance and operating approvals
- advising and responding to orders and investigations

We regularly advise private sector corporations, municipalities and individuals charged with environmental offences or named in government compliance and remediation orders. We have been involved in numerous cases involving Indigenous communities and the duty-to-consult process.

Our environmental advocates have appeared before the federal and provincial courts, as well as administrative tribunals and boards.

Experience

- The City of Vancouver in ongoing Federal Court legal proceedings relating to 2015 fuel spill in Burrard Inlet from the vessel Marathassa. This may be a formative case in Canadian law on the scope of recoverable environmental remediation costs under Canada’s current spill response regime.
- The Town of Georgina in defending against a claim for remediation and lost opportunity costs, and loss of property value arising out of alleged wrongful deposit of contaminated fill on plaintiff’s property. The case notably required forensic analysis more than a decade before the claim was commenced.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

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