



Environmental

As regulations multiply and public scrutiny intensifies, environmental issues are emerging as a significant consideration in almost every corporate and real estate transaction as well as ongoing business operations in Canada. Our team of environmental lawyers develops effective and innovative strategies for dealing with potential environmental liabilities in a transactional context as well as risk management solutions for the day-to-day operations of our clients. When an administrative tribunal or litigation cannot be avoided, we also provide strategic dispute resolution and litigation support.

The Stikeman Elliott environmental team has the experience to deal with the unique liability exposure profiles of industries ranging from real estate to retail, manufacturing, mining, petrochemicals, waste management, transportation, agriculture, food and forestry – among others. Additionally, our national platform enables us to advise on environmental laws across Canada.

Clients benefit from our experience and reputation with key regulators across Canada. We assist clients in negotiations with governmental authorities relating to environmental permits, notices of violation, remediation plans, risk assessments, and other environmental reports. Our insight into regulator concerns, processes and expectations can help clients focus their internal resources on the issues that are most likely to have a significant impact on their transactions and ongoing operations.

Our Expertise

- Air emissions and wastewater discharges
- Brownfields
- Climate change and carbon trading
- Commercial transactions
- Contamination remediation
- Director and officer liability
- Environmental assessments
- Environmental policies
- GHG regulation
- Insurance matters
- Internal investigations
- Jurisdiction issues
- Noise limits
- Occupational health and safety
- Off-site migration
- Permitting
- Property development
- Regulatory compliance
- Regulatory investigations

Accolades

- Corporate Law Firm of the Year - *Chambers Canada Awards 2017*
- *The Legal 500 Canada 2019* for Environmental
- *Lexpert 2019 Guide to the Leading US/Canada Cross-Border Lawyers in Canada* for Environmental Law

Recent Work

- Lowe's Companies Inc. on environmental matters in relation to its friendly takeover bid to acquire Rona Inc. for C\$3.2B.
- BWXT Canada Ltd. a subsidiary of BWX Technologies, Inc. on environmental and nuclear liability matters in its acquisition of the shares of GE Hitachi Nuclear Energy Canada Inc.
- Dominion Diamond Corporation on its expansion of the existing Ekati Mine in the Northwest Territories to add the Jay Pipe for production beginning in the early 2020s.
- Torquest Partners Inc., in its acquisition of majority control of Polycor, Inc., a distributor of natural stone products, as part of its merger with Swenson Granite Company LLC, to form one of the largest natural stone companies in the world.
- AquaBounty as lead counsel in responding to an application for judicial review in the Federal Court challenging the federal government's approval of AquaBounty's application to manufacture genetically modified Atlantic salmon.
- The Scotts Miracle-Gro Company in connection with the acquisition of the Acadian Peat Moss business in New Brunswick.
- Terrapure Environmental in connection with the acquisition of Tonolli Canada Ltd., one of Canada's major battery recyclers.
- wpd in an appeal before the Ontario Environmental Review Tribunal with respect to the 27-turbine White Pines Wind Power Project located in Prince Edward County, Ontario.
- ITC Holdings Corp. in its acquisition from Lake Erie Power Company of an underwater electricity transmission line beneath Lake Erie.
- Terrapure Environmental in connection with two investigations by the Ontario Ministry of Environment and Climate Change related to the release of contaminants at one of Terrapure's waste management facilities.
- Sanmina Corporation in connection with groundwater contamination at its former property in Brockville, Ontario.
- Birch Hill Equity Partners in its C\$300M acquisition of Newalta Corporation's Industrial Division.
- A joint venture consisting of Cheung Kong Infrastructure Holdings Limited and Cheung Kong (Holdings) Limited, two companies controlled by Li Ka-shing's Hutchinson Whampoa Ltd., in the acquisition of the Park'N Fly airport parking business in major cities across Canada.
- A large dairy processor in connection with groundwater contamination at its facility in Ottawa, Ontario.
- IRIS The Visual Group with its sale to New Look Vision Group Inc by way of a plan of arrangement, including reviewing the various environmental reports and negotiating the representations, warranties, indemnities and insurance provisions to address the environmental concerns found in due diligence.
- Colas, a French engineering company, in connection with its acquisition of the Miller and McAsphalt group, a major road construction player in Ontario and a leader in bitumen distribution in Canada.

- Boralex Inc. in its acquisition of all of the economic interests of Invenenergy Renewables LLC in 5 wind farms in Québec, totaling 201MW of net installed capacity, for a total cash consideration of C\$215M.
- Lehigh Hanson's acquisition of Colacem's Grenville Sur la Rouge cement plant.
- Louisiana-Pacific Corporation in the exchange ownership with Norbord Inc. of two wood panel mills in Quebec.
- White Birch, in connection with environmental regulatory obligations associated with the permanent cessation of its activities at Scierie Leduc.