

MOE's Order to Recycling Company Upheld on Appeal



For eight years, a recycling company operated its business on a piece of property. Rainwater flowing through non-recyclable materials stored on the property and into the ground contaminated the groundwater, both on-site and off-site. After complaints from nearby residents, the MOE ordered the company and its directors to undertake certain remedial and monitoring measures. The company appealed. A court upheld the order. The MOE clearly weighed the factors specified in the environmental law. Her conclusion that the company was a 'person' under the law who'd created an adverse effect on the environment beyond the *de minimus* was certainly well within the range of reasonable outcomes available based on all of the information that was before her [3076525 *Nova Scotia Limited v. Nova Scotia (Environment)*, [2017] NSSC 67 (CanLII), March 9, 2017].