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Canadian
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FOR IMMEDIATE RELEASE

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B.C. Court of Appeal to hear from environmentalists on Chevron contaminated site liability

Vancouver. Madame Justice Rowles of the B.C. Court of Appeal today announced that the Kelowna-based environmental organization, Canadian Earthcare Society, will be allowed to make submissions to the court on Chevron's liability for oil contamination at a former gas station in Salmon Arm. Canadian Earthcare had applied to become an intervener in the appeal of *Gehring v. Chevron*, a precedent setting case that will set the rules for who will be required to pay for the clean up of contaminated sites in British Columbia.

Madame Justice Rowles, in concluding that Canadian EarthCare's involvement would assist the court, wrote: "EarthCare's experience in making representations to government on legislation designed to clean up contaminated sites and Earthcare's knowledge of the principles which promote necessary remediation of contaminated sites will enable EarthCare to bring a broader perspective to the issues than the parties will likely be able to bring to this case." Madame Justice Rowles also granted the provincial government leave to intervene.

Lloyd Manchester, Director of Canadian EarthCare was delighted: "Canadian EarthCare will be asking the B.C. Court of Appeal to interpret B.C.'s contaminated sites legislation broadly, to ensure that large gas companies that have benefited from operations that caused contamination do have to share in the clean-up costs."

Gehring v. Chevron is widely regarded in the legal community as setting the rules for who will need to pay the costs for future efforts to clean up contaminated sites; for this reason the environmental law group, West Coast Environmental Law, agreed to fund the costs of EarthCare's intervention. Andrew Gage, a staff lawyer with the group, explained: "We're supporting Canadian EarthCare in this precedent-setting case because it is critical that the Court of Appeal hear from the environmental movement in deciding who has the legal responsibility to clean up oil contamination."

In April 2007 Madam Justice Gray of the B.C. Supreme Court held while two former owners of the Salmon Arm property were legally responsible for 50% and 25% of the clean up costs respectively, and that the current owners were responsible for the remaining 25%, Chevron was not responsible at all, despite having brought oil to the site throughout its history as a gas station, because it had kept an arms-length involvement in the operations of the gas station.

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