

# Court Bulletin

## Earthworx Industries and its Director fined \$84,500 for Depositing Contaminated Soil

March 2, 2015 2:00 P.M.

[Ministry of the Environment and Climate Change](#)

**Peterborough - 2241960 Ontario Inc.**, operating as Earthworx Industries, and a Director of the company, Mr. Claudio Villa, were fined a total of \$84,500 for offences related to the deposit of soil contaminated with metals and organic compounds on a sheep farm in the Township of Otonabee-South Monaghan.

In 2011, the owner of a sheep farm who required fill to level the ground for the construction of new barns, contacted Earthworx Industries. From July through August 2011, the company arranged for fill to be delivered to the farm and an Earthworx Industries' employee graded the soil.

The ministry attended the farm and observed glass, brick, clam shells, small amounts of wood, plastic and debris in the pile of soil. Sample analysis determined the soils brought to the farm contained elevated levels of heavy metals, including lead, cadmium, copper and zinc. The farm owner did not permit his sheep to graze outside, as he normally would, as sheep are known to be particularly sensitive to copper in their diets.

The ministry contacted Mr. Villa on several occasions requesting Earthworx Industries conduct soil samples, but no sampling was carried out. On November 10, 2011 a ministry order was issued requiring Earthworx to submit an action plan to the ministry to characterize the contaminated soil. The order was not complied with and the contaminated fill was ultimately removed from the farm by a third party.

On March 2, 2015, 2241960 Ontario Inc., operating as Earthworx Industries, and company Director, Mr. Claudio Villa, were convicted of two offences each under the Environmental Protection Act. 2241960 Ontario Inc. was fined a total of \$70,000, exclusive of the victim fine surcharges, and given 90 days to pay the fine. Claudio Villa was fined a total of \$14,500, exclusive of the victim fine surcharges, and was given 90 days to pay the fine.