

# Lawsuit alleging health hazards targets Exshaw concrete works

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Canada's Lafarge cement plant at Exshaw near Canmore. Photo by Postmedia Archives

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Neighbors of Lafarge Canada's Exshaw cement plant have launched a class action lawsuit, claiming the facility bombards them with carcinogenic dust and noise.

The plaintiffs in and around the hamlets of Exshaw and Lac des Arcs claim that the factory east of Canmore which operates 24 hours a day has been a nuisance to local residents for

years but there are problems which arising from it has increased since the expansion of the facility in 2016.

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"Following these expansions, the amount of dust leaving the cement plant increased greatly," says a press release from law firm Napoli Shkolnik Canada.

"Huge clouds of carcinogenic cement dust are now regularly leaving the plant and covering nearby properties."

A statement of claim filed Dec. 6 at the Calgary Judicial Center states that "huge clouds of fine powder, including particles of bottom and fly ash, dolomite, granite, gravel, gypsum, limestone, Portland cement, sandstone and shale are leaving the cement plant."

The company says that in the winter snow, including a nearby school yard, regularly turns black from the factory's emissions while neighbors have also suffered severe odors.

"Daily explosions from the Lafarge mine can also be felt in nearby properties, causing homes to shake violently," say plaintiffs who also argue that property values have been damaged by the factory.

The main plaintiff is a property owner less than 1 km from the plant, said Napoli Shkolnik lawyer Adam Bordignon.

"She doesn't live there anymore mainly because of the dust," he said.

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The plant has been part of the company for decades in Bow Valley, with its roots dating back to 1906, and its products have contributed to the construction of large parts of Calgary and other centres.

But Bordignon said who has been there first has no bearing on legal matters.

"Nuisance and negligence laws are about being a good neighbor and it's gotten to the point where the nuisance is unreasonable for people who live nearby," he said.

The plaintiffs are seeking punitive damages for the plant's impact on residents and for Lafarge's alleged misleading statements about the facility's environmental impacts.

"(I) hope the lawsuit will shed light on the seriousness of the situation and prompt necessary changes in Lafarge's operations," Bordignon said.

He said it is too early to put a price tag on what the damage the plaintiffs are trying.

Officials with Lafarge Canada could not be reached.

But on its website, Lafarge said the plant is the largest facility of its kind in Canada and employs 160 people.

"We adhere to the principles of sustainable development, including the prevention of pollution, by continuously improving our environmental performance and seeking to make a positive contribution to nature and society," the company said in a policy statement.

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"We are open, honest, and accountable to our stakeholders; we publicly disclose non-proprietary information about our operations and products, proactively cooperate with lawmakers and regulators, and engage with local communities."

In terms of air quality, the company says that monitoring ensures that the factory complies with the Alberta's Ambient Air Quality Objectives for sulfur dioxide and nitric oxide gases and operates below the prescribed limits of the Environmental Protection and Improvement Act.

Lafarge said it has invested more than \$30 million this year to reduce the facility's carbon emissions.

None of the plaintiffs' claims have been proven in court.

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