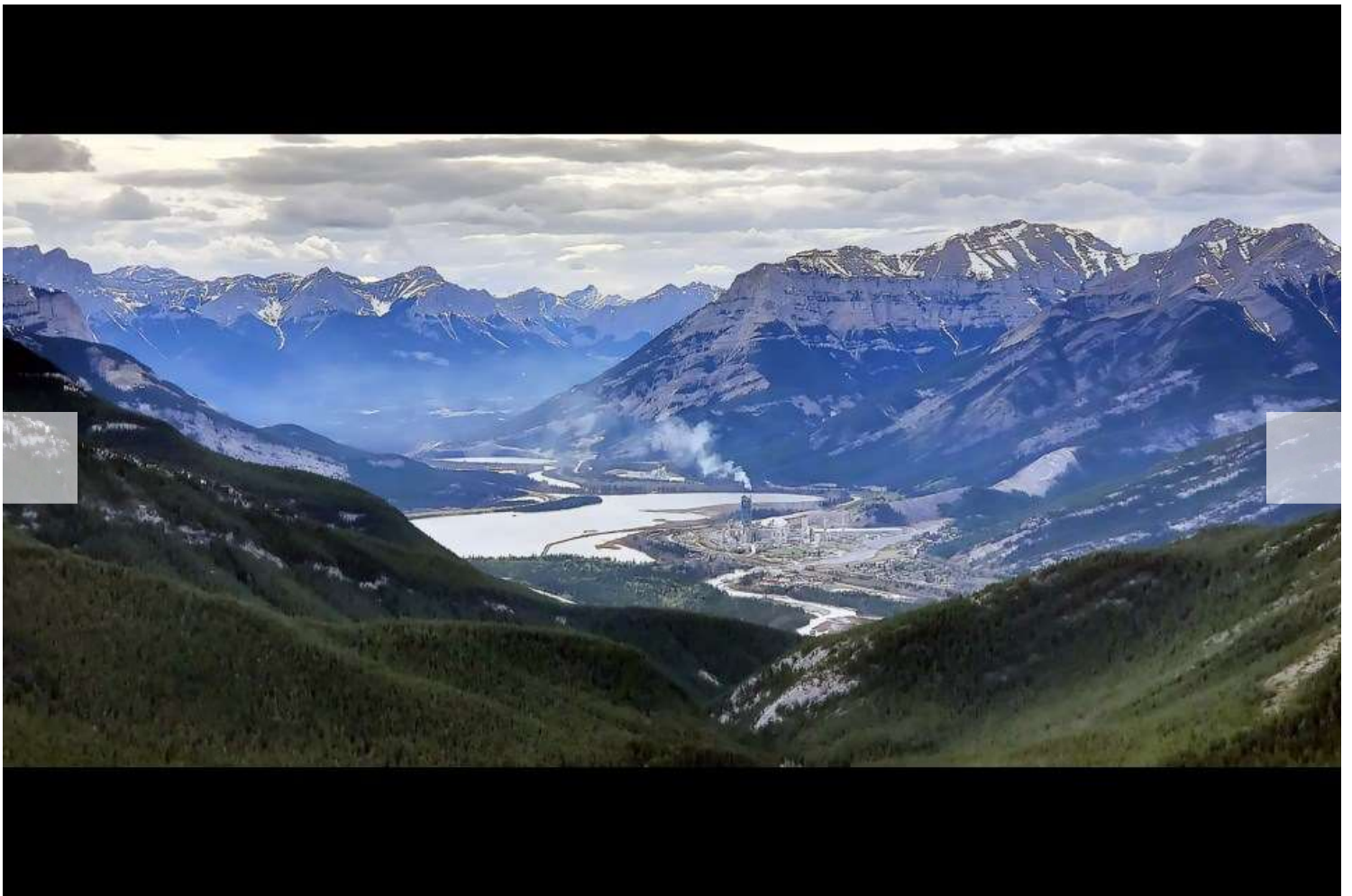


Class-action lawsuit claims Exshaw cement plant creates environmental, health hazards

[Greg Colgan](#)

a day ago



1 / 3 Lafarge plant and Bow Valley view from Yates Mountain. RMO FILE PHOTO

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EXSHAW – A class-action lawsuit against Lafarge Canada and its cement plant in Exshaw for allegedly creating environmental hazards has been launched by an Alberta resident.

Napoli Shkolnik Canada, a class-action litigator based in Calgary and Hamilton, filed the suit on Dec. 6 at the Calgary Court of King's Bench on behalf of Sandra Furlonger.

The 10-page statement of claim states in addition to "constant, excessive and unreasonable levels of noise that can be heard from neighbouring and nearby properties," the cement plant also creates "huge clouds" of dust.

The lawsuit states Furlonger owns property less than a kilometre away from the plant.

The lawsuit states Lafarge increased the cement plant's capacity in 2013, which significantly grew the amount of dust. Furlonger, according to the lawsuit, had to repeatedly paint her home due to dust since it was unable to be taken off by a power washer or cleaning supplies.

"The dust has unilaterally altered the character of Exshaw and Lac Des Arcs," claims the lawsuit.

"Lafarge made only half-hearted and spurious remediation efforts respecting the damage caused to those residing within Exshaw or Lac Des Arcs, which efforts it abandoned."

The class-action lawsuit claims "Lafarge owed a duty to the plaintiff to exercise reasonable care in the design and operation of the cement plant."

It further alleges that "Lafarge continuously emitted dust beyond levels outlined in applicable directives, guidelines, order, regulations, standards, statutes and terms."

The lawsuit claims Lafarge breached the standard of care in 12 cases by failing to use fuels that produce less dust, failing to have proper dust suppression and failing to find and monitor all sources of dust.

It states Furlonger developed a persistent cough that has her spending less time outdoors, cleaning her property on a daily basis and "dust made breathing outdoors uncomfortable or impossible."

The class-action lawsuit alleges three individual incidents created safety and health hazards with a poorly trained driver unloading fly ash into a silo that released "excessive amounts of dust", bottom ash, sandstone, black shale and pit run being improperly stored and flame scanners on two kilns being broken for multiple years.

Furlonger is asking for general, special and punitive damages as well as costs and interest and other reliefs a court may deem necessary. No specific costs have been filed.

A statement of defence from Lafarge Canada has yet to be filed, but would have 20 days from the filing of the statement of claim.

Kristen Marston, the communications and marketing manager for Lafarge Canada's western Canada operations said since the matter is before the courts they're unable to comment specifically on the class-action lawsuit. She added they're taking it "with the utmost seriousness" and Lafarge Canada's "core values revolve around an unwavering commitment to health, safety, and environmental stewardship."

Class-action lawsuits are a form of civil law and can take several years. Rather than launch an individual or several separate lawsuits, a class-action lawsuit is a claim on behalf of several people or organizations. According to the Canadian Bar Association's class-action database, Lafarge Canada has three active class-action suits against it.

Located outside of Banff and Canmore, the Exshaw cement plant has been at its site since 1906.

Between 2013-16, the plant in the MD of Bighorn expanded its operations at a cost of more than \$500 million and runs seven days a week.

Earlier this year, Lafarge announced the Exshaw plant would have about \$30 million invested into lower carbon fuels.

Lafarge and ATCO announced a 12-and-a-half year solar virtual power purchase agreement that would supply 79.9-gigawatt hours of renewable energy to the plant, which would meet 34 per cent of the plant's power needs.

The wind power purchase power agreement with TransAlta will supply 100-gigawatt hours per year for the Exshaw-based plant. Lafarge also announced last year Kiln 6 would burn low carbon fuels of shredded wood, plastics and asphalt roof shingles instead of fossil fuels to reduce carbon emissions.

The plant's website states it operates below prescribed limits from the Environment Protection and Enhancement Act and is compliant with the Alberta Ambient Air Quality Objectives. The website also provides hourly, daily, weekly and monthly air quality reports.

The plant employs 160 people, according to the company's website.

None of the claims in the lawsuit have been proven in court.

[Statement of claim against Lafarge Canada Exshaw cement plant – Dec. 6, 2023](#) by [Greg](#) on Scribd

COURT FILE NUMBER _____

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF SANDRA FURLONGER

DEFENDANT LAFARGE CANADA INC.



Brought under the Class Proceedings Act

DOCUMENT PLEADING

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STATEMENT OF CLAIM
(dated December 6th, 2023)

NOTICE TO THE DEFENDANT

You are being sued. You are a Defendant. Go to the end of this document to see what you can do and when you must do it.

I. STATEMENT OF FACTS RELIED ON

A. Parties

1. Sandra Furlonger resides in Alberta.
2. Lafarge Canada Inc. (“Lafarge”) was incorporated under Canadian laws and carries on business in Alberta.

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About the Author: Greg Colgan

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