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Local News

Class-action lawsuit alleging health hazards filed against Exshaw cement plant

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Lafarge Canada cement plant in Exshaw near Canmore. PHOTO BY POSTMEDIA ARCHIVES

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

The plaintiffs from in and around the hamlets of Exshaw and Lac des Arcs claim the plant east of Canmore that operates round-the-clock has been a source of annoyance for local residents for years but problems stemming from it have increased since the facility's expansion in 2016.

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

"Huge clouds of carcinogenic cement dust now regularly leave the plant and blanket nearby properties."

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

The firm says snow in the winter, including that in an adjacent school yard, regularly turn black from the factory's emissions while neighbours have also endured severe odours.

"Daily blasts from Lafarge's mining operations can also be felt in nearby properties, causing homes to violently shake," say plaintiffs who also contend property values have been harmed by the plant.

The lead plaintiff is an owner of property less than 1 km from the plant, said Napoli Shkolnik lawyer **Adam** Bordignon.

"She no longer lives there mainly because of the dust," he said.



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The plant has been a fixture in the Bow Valley for decades, with its origins dating back to 1906, and its products have contributed to building large parts of Calgary and other centres.

But Bordignon said who's been there first has no bearing on legal issues.

“Laws of nuisance and negligence are about being a good neighbour and it’s gotten to the point where the nuisance is unreasonable for people living nearby,” he said.

The plaintiffs are seeking punitive damages for the plant’s impact on residents and for Lafarge’s allegedly misleading statements about the facility’s environmental effects.

“(I) hope the lawsuit will shed light on the gravity of the situation and prompt necessary changes in Lafarge’s operations,” said Bordignon.

He said it’s too early to put a price tag on what damages the plaintiffs are seeking.

Officials with Lafarge Canada couldn’t be reached.

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

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

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

On air quality, the company says monitoring ensures the plant complies with the Alberta Ambient Air Quality Objectives for sulphur dioxide and nitric oxide gases and operates below the the prescribed limits from the Environmental Protection and Enhancement Act.

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

None of the plaintiffs’ allegations have been proven in court.

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