

MEDIA RELEASE

March 24, 2004

CLASS CLAIM FILED ON BEHALF OF SYDNEY RESIDENTS INJURED BY STEEL WORKS CONTAMINATION

Today, a claim was filed on behalf of a class of people who live or have lived in the neighbourhoods immediately surrounding the site of the Sydney steel plant, former coke ovens operations, and Tar Ponds. The class is represented by four representative plaintiffs, being Neila Catherine MacQueen, Joseph M. Petitpas, Ann Marie Ross, and Kathleen Iris Crawford – all life-long residents of the Whitney Pier or Ashby areas. The following defendants have been named in the action: The Attorney General of Canada (representing Her Majesty the Queen in right of Canada); the Attorney General of Nova Scotia (representing Her Majesty the Queen in right of the Province of Nova Scotia); the Sydney Steel Corporation; Ispat Sidbec Inc.; Hawker Siddeley Canada Inc.; Domtar Inc.; and the Canadian National Railway Company.

On behalf of themselves and the class, the Plaintiffs are seeking compensatory, aggravated and punitive damages for injuries to their personal health and properties. In addition, and in recognition of the serious health risks created by exposure to the defendants' toxic emissions, the Plaintiffs are seeking funds to establish a Medical Monitoring mechanism. The availability of these medical resources is long overdue and will ensure that class members have access to much-needed medical and health expertise in the area of toxic exposure.

The Plaintiffs have alleged that the defendants are liable in battery, negligence, trespass, nuisance and strict liability. Among other allegations, the Plaintiffs state that the defendants knowingly released materials that they knew would pose a serious risk of adverse human health consequences over the people living in the neighbourhoods immediately proximate to their operations. This exposure constitutes an unlawful interference with the bodily security of the class members.

While the Plaintiffs are also seeking an Order that the defendants finally and effectively clean-up the contamination remaining on the steel plant, coke ovens, and Tar Ponds sites, the primary focus of this claim is on responding to the injuries suffered, and risks faced, by the people of Sydney. For too long, any processes undertaken with a view to planning the toxic remediation of the Tar Ponds watershed area have largely ignored the class members' health and property rights.

Raymond F. Wagner, of the law firm of Wagner & Associates located in Halifax, Nova Scotia, is lead counsel for the Plaintiffs and class members. The entire legal team represents a collaborative effort as between Wagner & Associates and the London, Ontario law firm of Siskind, Cromarty, Ivey & Dowler (a firm with expertise in class actions).

"This is an important day for the people of Sydney. This claim provides a voice for the long unheard and ignored people of Sydney who live, and have lived, under a plume of toxic emission. Justice demands that their health and property claims be responded to without further excuses and delay."

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