

Nunavut Homeowner Ordered to Pay \$55,000 for Heating Oil Tank Spill

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On April 13, 2015 a homeowner from Apex, Nunavut was ordered to pay the Government of Nunavut \$55,000 in restitution for clean up expenditures resulting from environmental damage caused by a home heating oil tank leak. Ms. Simonsen was also fined \$500, which marks the first time an individual has been fined under Nunavut's Environmental Protection Act for a discharge of fuel oil into the environment.

In January 2011, Ms. Simonsen's tank leaked about 600 litres of fuel into the environment. The fuel oil discharge flowed to the edge of Apex Creek, which is connected to tidewater in the Koojessee Inlet. As a result, the Government of Nunavut ordered Ms. Simonsen to clean up the spill. Due to her failure to comply with the order the Government of Nunavut was required to take action and remediate the spill, at a cost of almost \$200,000.

On April 13, 2015 Ms. Simonsen plead guilty to a charge under Nunavut's *Environmental Protection Act*. Under the Act, the maximum fine for this type of an offence is \$300,000. The \$55,000 restitution order and \$500 fine represent a general deterrent and a reminder of homeowners' responsibilities associated with outdoor fuel tanks. Given Nunavut's harsh weather, homeowners must diligently check their fuel tanks for signs of leakage. Homeowners should also be aware of their insurance coverage for fuel tank leaks associated with wear and tear from Arctic winters. Unfortunately, Ms. Simonsen's insurance did not cover the fuel leak.

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