

**Minutes of a Meeting of the Environmental Authority
Held on Thursday, 14 February 2019
At the Department of Environment and Natural Resources, Botanical Gardens, Paget**

PRESENT: Mrs. Susan Armstrong, Member
Mr. Jonathan Starling, Member
Dr. Nick Bates, Member
Mr. Eugene Saunders, Member

ADVISORS: Dr. Geoff Smith, Environmental Engineer, DENR
Mr. Tarik Christopher, Principal Engineer (Water & Sewage), Public Works
Dr. Shaun Lavis, Hydrogeologist, DENR
Mr. Tom Crossan, Chief Environmental Health Officer
Ms. Patricia Hollis, Environmental Officer, DENR, Recording Secretary

ABSENT: Mrs. Winnifred Fostine-DeSilva, Chair
Mrs. Sarah Haycock Tafur, Deputy Chair
Mr. Yves “Bob” Lortie, Chief Engineer, Public Works (Advisor)

1. Elbow Beach—Non-compliance with WWTP Operating Licence Conditions

Dr Smith reported that the Elbow Beach waste water treatment plant (WWTP) effluent quality is still not compliant with their operating licence conditions. This is contrary to the assurance given by Mr. DeMeglio to the Authority on 21 November 2018 when he said it would be compliant by 31 January 2019. It was noted that Elbow Beach has engaged consultants Water Infrastructure Group (WIG) Ltd to review and advise on the WWTP.

The Members requested that a letter be sent to the Permanent Secretary of Home Affairs to bring this matter to her attention and that of the Ministers of Home Affairs, Tourism and Public Works.

2. Process for Appointing “Competent Persons” for Pressure Systems

The process to appoint “competent persons” under the Health and Safety (Pressure Systems) Regulations 1989 is being progressed. It was noted that three separate certifications are required:

- i) Person certified to inspect and certify in-service pressure equipment;
- ii) Person certified to inspect and certify new pressure systems; and
- iii) Person certified to repair pressure equipment.

The Chief Environmental Health Officer said that the development of the process is nearly complete. The Dept. of Health is working with Public Works and the Professional Engineering Registration Council to identify accrediting bodies and also to confirm the requirements for indemnity insurance. It is expected that the policy will be promulgated in April 2019.

3. Applications For Construction Permits and New Operating Licences

3.1 The Authority **DEFERRED** the following applications:

- CP-608, OL-981 Stanfield Smith, 45 kW propane genset at 7 Long Bay Lane, Sandys, pending a response to a request from the EA that the applicant resubmit plans that show compliance with sound guideline values. The Authority considered the initial application but declined to approve it because the genset sound was predicted to exceed the Authority’s guideline values at several locations, as indicated by sound modelling undertaken by Mr Smith’s agent from EBL designs and Dr Shaun Lavis (DENR). The Authority will consider the matter again if the applicant submits plans that show the sound is compliant. The Authority agreed to notify the applicant in writing of its decision.
- CP-610, OL-986 C. Lopes Genset, 40 kW, Mission Crescent, Paget (pending submission of sound modelling); previously deferred on 19 December 2018.

- CP-611, OL-987 Lovett Genset, 20kW Diesel, 7 South Road, Hamilton Parish (deferred pending submissions of options to mitigate noise and revised sound modelling) previously deferred on 19 December 2018; and
- CP-613, OL-989 Clarien Bank, 40kW Kohler, Diesel genset, Point Finger Road, Paget (deferred pending submission of sound survey), previously deferred on 19 December 2018.

3.2 The Authority **APPROVED**:

- CP-614, OL-990 Dolphin Trust, Lot 17 Dolphin Ridge, Southampton subject to standard conditions and providing a noise barrier is installed around the generator as indicated in the sound modelling and architectural drawings.
- CP-616, OL-992 Greybar Holdings Ltd, 550 gpd rotating disc sewage treatment plant at 12 Bakery Lane, Pembroke (retroactive), subject to standard conditions.
- OL-994 to OL-1010, Bermuda Skyport Corp (retroactive) at Cahow Way, St. George's: 350 hp mobile pressure washer; 37 hp mobile concrete cutting saw; 58 hp mobile compressor; 10 hp mobile compressor; 125 hp mobile brush chipper; 200 kw mobile genset; four 8 kW mobile lighting units, all subject to standard conditions.
- CP-619 to CP-625, OL-1004 to OL-1010 Bermuda Skyport Corp (retroactive) at Cahow Way, St. George's: one 500 gpm fire pump; two 1500 gpm fire pumps; two 250 kW diesel gensets; one 220 kW diesel genset and one 210 kW diesel genset, subject to standard conditions.
- CP-626, CP-627, OL-1011, OL-1012 MND, 6 Front Street, Hamilton, two 400 kW diesel generators, subject to standard conditions.
- OL-627-1 to OL-627-9 Meyer Agencies, Norwegian Gem, 6 gensets, 2 boilers, one waste water treatment plant, subject to standard conditions.
- CP-628, OL-1013 Charles Cooper, 16 Harbour Road, Paget, 22 kW propane generator, subject to standard conditions and providing no objections are received during the advertised period and that the stone wall barrier proposed by the Agent (of Benevides Architects) is constructed.
- CP-629, CP-630, OL-1014, OL-1015 G L Construction, 2 Waller's Point Road, St. George's rock crusher and sand sifter, subject to standard conditions and providing no objections are received during the advertised period.
- CP-630, OL-1016 Saturn Solar 1 Bermuda, Airport Finger, St. George's one 6 MW photovoltaic electricity generator, subject to standard conditions and providing no objections are received during the advertised period. It was agreed that Saturn Solar would be offered an operating licence valid for five years, in accordance with the change to the Authority's Operational Policy No. 10.

4. **Environmental Authority Operational Policy No. 10 Amendment**

Photovoltaic systems less than 500 kW are not required to apply for operating licences. It is recognised that photovoltaic systems provide little risk to air quality. Those larger systems (500 kW or greater) are required to be licenced, and may be offered a licence valid for 5 years providing the annual fee is paid in advance. The Authority **APPROVED** the changes to its Operational Policy No. 10.

5. **Applications for Operating Licences (Reissue)**

The Authority **APPROVED** the reissue of Operating Licences listed on the five page printout. It was noted that OL-974 125 kW diesel generator at Bermuda Security Group was granted a 3 month licence so that noise attenuation plans may be submitted and reviewed.

The annual reports for the Loughlands (OL-434); Sinky Bay Ltd (OL-819; BLDC (OL-857); Sardis at the Loren (WR 887) and Corporation of Hamilton (OL-142) sewage plants were reviewed.

6. **MPW – Waste facilities – Outstanding Annual Reports**

The Authority **TOOK NOTE** that annual reports have not been received for Marsh Folly (OL-349, last report received 31st March 2015) and that the Sallyport Waste Facility is due to present to the Authority at a date to be confirmed.

As there had been no update by the agreed deadline of 31st January 2019 on the Marsh Folly annual report, the Authority asked that a letter be sent to the Permanent Secretary for Home Affairs to seek rectification.

7. Chemical Import Permits

The Authority **TOOK NOTE** that an import permit had been granted to Aircare Ltd. for the importation of 1920 lbs of R404, a non-ozone depleting refrigerant.

8. Applications for Water Rights (New)

8.1 The Authority APPROVED:

- WR 5622 Greybar Holdings Ltd, , 12 Bakery Lane, Pembroke commercial water right for disposal of treated sewage effluent from a rotating disk waste water treatment plant, subject to standard conditions and providing the borehole is sealed 40 ft below sea level. The well drilling is to be undertaken on a Sunday or public holiday to minimise exposure of contaminated ground water to the public (retroactive);
- WR 5623 Greybar Holdings Ltd, 12 Bakery Lane, Pembroke domestic water right for the disposal of rainwater, subject to standard conditions (retroactive);
- WR 5624 Cabana Beach Club, Southampton Princess, South Road, Southampton, domestic water right for the disposal of rain water, subject to standard conditions;
- WR 5625, 5626 BELCo, North Power Station, two commercial water rights for the disposal of storm water, subject to standard conditions, and providing that the proposed water interceptors are installed and maintained; and
- WR 5627 Clearwater, Azura 90 South Road, Warwick, commercial water right for the disposal of treated sewage effluent from a septic tank, subject to standard conditions and providing the borehole is sealed 60 feet below sea level.

8.2 The Authority DEFERRED

WR 5628 Henry Talbot III, 14 Woodlands Road, Pembroke commercial water right for the supply to a gym. This application was deferred pending input from the Department of Health.

9. Applications for Water Rights (Reissue)

The Authority **APPROVED:**

the issue of Water Rights as listed on the four-page printout, subject to standard conditions, with the exception of 11 indicated as withdrawn.

10. Well Digger’s Licence

The Authority **APPROVED** annual well digger’s licences, subject to standard conditions, for:

- Brewster Well Drilling;
- Works & Engineering; and
- Atlantic Water Development Ltd.

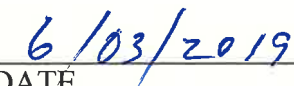
11. Date of the Next Meeting

The date of the next three meetings were tentatively set for:

- 8:30 am, Wednesday 6 March 2019;
- 8:30 am, Wednesday, 27 March 2019; and
- 8:30 am, Wednesday, 24 April 2019.



 CHAIRMAN



 DATE