

**Minutes of a Meeting of the Environmental Authority
Held on Tuesday, 30 November 2021
At the Department of Environment and Natural Resources, Botanical Gardens, Paget
and Remotely using WebEx Teleconference**

PRESENT: Mr. Eugene Saunders, Chair
Mrs. Susan Armstrong, Member (by remote access)
Mr. Andrew Barnes, Member, (by remote access)
Mr. Willie Ferguson, Member (by remote access)
Mr. James Morrison, Member (by remote access)

ADVISORS: Dr. Geoff Smith, Environmental Engineer, DENR
Dr. Shaun Lavis, Hydrogeologist, DENR
Mr. Kirk Outerbridge, Chief Engineer, Public Works (by remote access)
Mr. Tarik Christopher, Principal Engineer (Water & Sewage), Public Works
Ms. Patricia Hollis, Environmental Officer, DENR, Recording Secretary

ABSENT: Ms. Davida Morris, Chair,
Mr. Jonathan Starling, Member,
Mr. Tom Crossan, Chief Environmental Health Officer
Mr. Armell Thomas, Senior Environmental Health Officer
Mr. Paul McDonald, Acting Senior Planner, Dept. of Planning

1. Confirmation of Minutes

The Minutes of the meeting held on 26 October 2021 and 9 November 2021 were approved and signed by the Chair. The Authority noted that the meeting held on 9 November 2021 was held electronically and for the avoidance of doubt ratified all decisions made.

2. Corporation of Hamilton – Upgrades to Sewer and Treatment Plant

It was reported that the letter from the Environmental Authority to the Ministry of Public Works supporting the upgrade to the Corporation of Hamilton Front Street sewage treatment facility was mailed on 8 November 2021. No reply had yet been received.

3. Elbow Beach Waste Water Treatment Plant

The permanent closure of the holiday cottages at Elbow Beach Hotel (EBH) means that wastewater is only being received at the treatment plant from a few apartment units located within Fritholme Gardens and from the one restaurant on the EBH site. Effluent quality reported over October demonstrated largely compliant BOD readings (~20mg/l) and non-compliant TSS readings (~220 mg/l) suggesting that the wastewater is not receiving sufficient organic matter to remain activated and promote settling within the settlement chamber.

4. BELCO Air Quality Complaints

The Members were reminded that two letters had been sent to Belco about soot emissions and periodic poor air quality at Ocean Lane. Belco's reply, once received, will be circulated to Members for comment. Belco is in the process of changing the piston crowns in the last new North Power Station engines, and this, when complete (expected early 2022), is expected to address future soot emissions. To reduce the effects of the downdrafting of exhaust air at Ocean Lane, Belco reported in one public forum that it is considering using fuel with a lower sulphur content. This may reduce exhaust odours, but may not lead to the elimination of them; there may come a point when the concentration of SO_x cannot be lowered, yet the neighbours may still be impacted by exhaust odours.

The Clean Air Act Amendment Bill, which is expected to be tabled in the House of Assembly in 2022, will align the Clean Air Standards to international standards and also to the UK air quality objectives. Legislation to address nuisance odours from controlled plants is also proposed to be incorporated into the Clean Air Act 1991.

5. BELCO Application for Annual Operating Licence

The Environmental Authority **APPROVED:**

BELCO's operating licence application subject to the same conditions as the previous licence that was issued in April 2021. The Authority considered that isokinetic in-stack testing of flue gases was not required during this licence period.

6. Operational Policy (#14) for Importation of Controlled Chemicals, Including Refrigerants and Halons

The Authority considered the draft operational policy for the importation of controlled chemicals, including refrigerants and halons. It was noted that the UK has banned the import of HCFC's (i.e. R-22), but the US has permitted its use until 2030 providing the HCFC is from recycled or reclaimed stock, sourced from within the US.

It was noted that the refrigerant industry was advised in 2012, 2014 and 2017 to use alternative gases to R-22 as R-22 was being phased-out (it was also becoming more difficult and expensive to source). At the time, and consistent with latest (at the time) amendment to the Montreal Protocol (i.e. 2017), the continued use of R22 was permitted by the EA, at 0.5% of that imported over the base year of 1989, out to 2030.

The policy also addresses the latest amendment to the Montreal Protocol (i.e. Kigali Amendment) that is working to phase down the use of gases that were previously recommended to replace HCFC's (i.e. F-Gases, HFC's) over the next decade. The need to replace F-gases and HFC's derives more from their impact on global warming, than their effect on the ozone layer.

The Authority **APPROVED:**

the policy (Issue 1) which bans the import of R-22 after 1 January 2024, and in the meantime permits its import from the US providing it is demonstrated that the need is essential in terms of health and safety considerations.

7. Presentation by the Regulatory Authority in the Integrated Resource Plan update (IRP)

There was nothing to report.

8. Tynes Bay Waste to Energy Plant: Repairs & Landfilling to Marsh Folly

The Authority was given an update on the state of Tynes Bay Waste to Energy Facility (TBWEF) and the need to landfill garbage at Marsh Folly, Pembroke

The Authority **TOOK NOTE:**

- i) Budgetary constraints and covid travel restrictions prevented timely maintenance of the TBWEF boilers over 2020 and 2021. As a consequence, they have deteriorated and now require specialist welding to repair. A team of welders from Europe have been contracted to undertake the emergency repairs. This is expected to take up to two weeks to complete. The plant was shut down to permit access to the boilers, which also afforded the opportunity to bring the planned maintenance of the ash clinker crane forward a few weeks.
- ii) The contingency plan of baling garbage during the TBWEF outage was not possible due to the failure of the baler. This requires replacement of several parts that were not held on the island and the manufacturer did not have in stock and was unable to procure due to supply chain problems. On site reconstruction of one of the parts using a 3-D printer was successful, but another failed part required further repairs.
- iii) With the garbage bunker being full to overflowing, it was deemed essential to landfill the waste in Marsh Folly until TBWEF was functioning or the baler was repaired.
- iv) It was noted that there was one smouldering fire in the garbage bunker caused by spontaneous combustion of waste products. With the bunker being full, it was a challenge to extinguish it.

The Authority **REQUESTED:**

That the letter be sent to Ministry of Public Works, approving and providing conditions of the temporary landfilling to Marsh Folly. This request was further to the approval provided at the electronic meeting of the 23rd November

The Authority **REQUESTED:**

that a letter be sent to the Ministry of Finance stressing the environmental importance of funding the incinerator third stream.

9. Applications for Construction Permits and Operating Licences (New)

9.1 738, OL-1163 Hope Healthcare

Whilst it was noted that the sound model predictions indicate 12 dBA exceedance above the night time limit of 45 dBA at a nearby residence, this was considered as an essential service. The applicant had considered other locations on the property, but no compliant site could be found.

The Authority **APPROVED:**

the application for a 150 kW diesel generator at 32 Point Finger Road, Paget, subject to standard conditions and providing the most reasonable sound attenuation equipment available is used.

9.2 CP-661, OL-1054 Mr. Collins

The Authority considered the application for a 125 kW diesel generator at 50 Tucker's Town Road, St. Georges. It was reported that the applicant had built a barrier wall and lowered the elevation of the ground behind the wall where the genset could be sited. It was proposed that sound tests be undertaken using a portable generator to demonstrate the effectiveness of the barrier.

The Authority **DEFERRED** the application pending submission of the sound testing.

9.3 OL-292 Market Place, 6 South Road, Smith's; OL-975 Speciality Inn, 4 South Road, Smith's (Reissues)

The Authority considered the reissuance of OL-292 and issuance of OL-975. It was noted that both generators are located in an area where there are close residences and the sound exceeds the policy guidelines, however, they are both for essential use.

The Authority **APPROVED:**

the issuance of OL-975 at Speciality Inn, 4 South Road, Smith's subject to standard conditions, and

the re-issuance of OL-292 at Market Place, 6 South Road, Smith's subject to standard conditions and providing the genset exhaust is directed away from the nearby residences.

10. Applications for Operating Licences (Reissue)

10.1 The Authority **APPROVED:**

the reissue of operating licences on the one-page printout, subject to standard conditions, with the exception of OL-981 (Stanfield and Sandra Smith) and OL-142 (Corp of Hamilton sewage treatment plant). Susan Armstrong stood aside during consideration of OL-1051, Generator at 181 South Road, Paget.

10.2 OL-981 Stanfield and Sandra Smith, 7 Long Bay Lane, Sandys

The Authority **DEFERRED:**

The application for reissue pending a sound survey. It was noted that the initial application was denied by the Authority on the grounds of excessive noise, then approved by the Minister of Home Affairs on appeal.

10.3 OL-142 Corporation of Hamilton WWTP, Front Street, Hamilton

The Authority **DEFERRED:**

consideration of this application until submission of the annual report.

10.4 Ministry of Public Works Applications

The Authority **APPROVED:**

12 applications for reissue of their controlled plant for which annual reports are not required, subject to standard conditions. It was noted that the expiry dates will be changed to 1 April 2022 at the request of the applicant.

- OL-350 Asphalt Plant, Government Quarry
- OL-453 Tynes Bay Sea Water RO plant genset
- OL-468 Spray Paint Facility, Government Quarry
- OL-514 Generator Alton Hill

- OL-523 Generator Hamilton Police Station/Court
- OL-596 Generator Marsh Folly, Pembroke
- OL-640 Generator Marsh Folly, Pembroke
- OL-782 Generator Government Quarry
- OL-792 Generator Airport Waste Management Facility
- OL-910 Generator Prospect Water Depot
- OL-972 Generator, telecoms, Government Quarry
- OL-985 Generator, Artemis Bldg, Government Quarry

11. Applications for Water Rights (New)

The Authority **APPROVED:**

11.1 WR 5714, Edward & Belinda Harris, domestic water right for supply to 2 housing units at 1 George's Bay Drive, Sandys.

11.2 WR-5715 – WR 5734 BELCO monitoring/recovery wells

The Authority **APPROVED:**

the application for 20 domestic water rights for monitoring/recovery wells to be sited near the periphery of the proposed demolition of the Old Power Station. These shall replace the 100 existing monitoring/recovery wells registered under 13 water rights that will be destroyed during the demolition.

12. Applications for Water Rights (Reissue)

The Authority **APPROVED:**

the reissuance of Water Rights on the one-page printout, subject to standard conditions, excepting one indicated as withdrawn (WR 3694)

13. Date of the Next Meeting

The date of the next meeting was set for 8:30 am, Tuesday, 21 December 2021.



 CHAIRMAN

25 January 2022

 DATE