

**Minutes of a Meeting of the Environmental Authority  
Held on Wednesday, 19 June 2019  
At the Department of Environment and Natural Resources, Botanical Gardens, Paget**

**PRESENT:** Mrs. Winnifred Fostine-DeSilva, Chair  
Mrs. Susan Armstrong, Member  
Mr. Eugene Saunders, Member  
Mr. Jonathan Starling, Member

**ADVISORS:** Dr. Geoff Smith, Environmental Engineer, DENR  
Dr. Shaun Lavis, Hydrogeologist, DENR  
Ms. Patricia Hollis, Environmental Officer, DENR, Recording Secretary

**IN ATTENDANCE:**

Mr. Justus Anderson, Summer Student, DENR

**ABSENT:** Mrs. Sarah Haycock Tafur, Deputy Chair  
Dr. Nick Bates, Member  
Ms. Lynesha Lightbourne, Member  
Mr. Tom Crossan, Chief Environmental Health Officer  
Mr. Armell Thomas, Senior Environmental Health Officer  
Mr. Tarik Christopher, Principal Engineer (Water & Sewage), Public Works

**1. Confirmation of Minutes**

The minutes of the meeting held on 29 May 2019 were approved and signed by the Chair.

**2. Elbow Beach Waste Water Treatment Plant**

The Authority **TOOK NOTE:**

that the Ministers of Home Affairs and of Tourism & Transport are aware of Elbow Beach's waste water treatment plant not being in compliance with operating licence conditions. Mr. DiMeglio had confirmed with the Department of Environment and Natural Resources (DENR) that they have engaged the services of Water Infrastructure Group to produce both short term and long term options to bring the plant into compliance.

**3. Process to Nominate Competent Persons under Health & Safety (Pressure Systems) Regulations 1989.**

The Authority **TOOK NOTE:**

that the Professional Engineers Registration Council (PERC) had been appointed for the year and that they have approved the proposed process for the nomination of competent persons under the Health & Safety (Pressure Systems) Regulations 1989. DENR will notify pressure system licencees of the new process.

**4. Public Works Request for Disposal of Raw Ash at Airport Waste Facility**

After further discussion, the Authority **AGREED:**

that a letter be sent to the Permanent Secretary of Home Affairs to express their concern.

**5. CP-634, OL-1020 Bierman's Concrete Products mobile rock crusher/sand sifter.**

Further to the Authority granting approval for the construction permit and operating licence for a rock crusher/sand sifter at Bierman's Quarry, Lolly's Well, Smith's, the Members considered conditions to be attached to the operating licence.

The Authority **AGREED:**

That in addition to rock crusher/sand sifter standard conditions, specific requirements will be added to require:

- the regular maintenance of the existing sediment traps to limit sediment in the stormwater down Lolly's well Road and
- the need for a suitable road sign to highlight the operating hours for vehicular access to the Bierman's SDO portion of the site in accordance with the Special Development Order (BR57/1997). The design, size and wording of the sign post is to be approved by the Department of Planning.

## 6. Proposed Changes to the Policy on Noise from Generators

The Members were advised of an installation where the owner had installed a generator within an enclosed stone building and the generator sound still exceeds the night time limit of 45 dBA.

The Authority **AGREED:**

that it would consider granting approval to applications on a case by case basis providing it can be demonstrated that the applicant has taken all reasonable steps to achieve compliance.

A revised draft of the policy will be considered at a later date.

The **AUTHORITY** requested:

that the existing legislation be updated to reflect the need to manage noise sources and other environmental issues, such as petroleum storage.

## 7. Applications for Construction Permits and Operating Licences (New)

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

- CP-610, OL-986 C. Lopes Genset, 40 kW, Mission Crescent, Paget
- CP-611, OL-987 Lovett Genset, 20kW Diesel, 7 South Road, Hamilton Parish (options to mitigate noise and revised sound modelling required); and
- CP-613, OL-989 Clarien Bank, 40kW Kohler, Diesel genset, Point Finger Road, Paget (Deferred pending submission of sound survey).
- CP-636, OL-1022 Harkins, one 20 kW propane generator at 9 Harvest Lane, Hamilton Parish, pending testing with acoustic blankets.
- CP-367, 368, OL-1028, OL-1029 Aeon, two 1500 kW diesel generators at 3 Cahow Way, St. Georges, pending submission of additional information.

7.2 CP-608, OL-981 Mr. Stanfield Smith

The Authority **TOOK NOTE:**

that Mr Smith has notified DENR that he intends to lodge an appeal to the Minister regarding the Authority's decision to defer his application. It was noted that following the deferral letter from the Authority to Mr Smith (dated 18 Feb 2019) and the subsequent appeal letter from the lawyer representing Mr Smith to the Minister of Home Affairs (dated 8<sup>th</sup> April 2019) that DENR has provided a Memo to the Minister of Home Affairs (dated 10<sup>th</sup> June 2019) advising him of DENR's opinions on this matter. A formal response to the lawyers of Mr Smith had yet to be provided.

7.3 The Authority **APPROVED:**

- CP-641, OL-1031 A. Spurling, one 20 kW LPG generator at 12 Speaker's Drive, St. George's, subject to standard conditions and providing a 0.8m high Bermuda stone wall is constructed.
- CP-642, OL-1033 Ed Feeley, one 40 kW diesel generator at 20 South Road, Hamilton Parish subject to standard conditions.
- CP-644, OL-1032 Lou Maroun, one 125 kW diesel generator at 20 South Road, Warwick (retroactive) subject to standard conditions. The Authority considered that high background noise caused by active surf on the South Shore. It was noted that the generator is within a walled, covered building and that it has been in place for a number of years without any complaints.

## 8. Applications for Operating Licences (Reissue)

8.1 The Authority **APPROVED:**

the reissue of Operating Licences on the one-page printout, subject to standard conditions.

## 9. Applications for Water Rights (New)

9.1 WR 5628 Henry Talbot III, 14 Woodlands Road. **Deferred again.**

9.2 WR 5632 Gospel Tabernacle Church, Radnor Estate Road, Hamilton Parish. **Deferred again.**

9.3 WR 5631 MPW/ROCON 8 Somner Road, St. George's. **Deferred again**

9.4 The Authority **APPROVED** water right applications for:

- i. WR 5640 The Barn, 53 Devon Springs Road, Devonshire, for the disposal of rain water, subject to standard conditions.
- ii WR 5641 The Barn, 53 Devon Springs Road, Devonshire, for the disposal of treated sewage effluent, subject to standard conditions and providing the effluent is treated in a septic tank before discharge into a borehole sealed 40 feet below sea level.

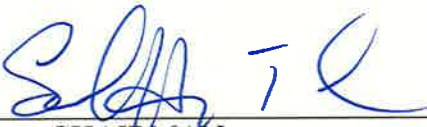
**10. Applications for Water Rights (Reissue)**

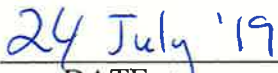
The Authority **APPROVED:**

the issue of water rights as listed on the one-page printout with the exception of two indicated as withdrawn.

**11. Date of the Next Meeting**

The date of the next meeting was set for 8:30 am, Wednesday, 24 July 2019.

  
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CHAIRMAN

  
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DATE