

**Minutes of a Meeting of the Environmental Authority
Held on Tuesday, 29 November 2022
At the Department of Environment and Natural Resources, Botanical Gardens, Paget
and Remotely using WebEx Teleconference**

PRESENT: Ms. Davida Morris, Chair (by remote access)
Mr. Eugene Saunders, Deputy Chair
Mrs. Susan Armstrong, Member
Mr. Andrew Barnes, Member (by remote access)
Mr. Willie Ferguson, Member (by remote access)
Mr. James Morrison, Member (by remote access)
Mr. Jonathan Starling, 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)
Ms. Crystal Baxter, Environmental Health Officer (by remote access)
Mr. Paul McDonald, Acting Senior Planner, Dept. of Planning (by remote access)
Mr. Justus Anderson, Dept. of Planning, work experience (by remote access)
Ms. Patricia Hollis, Environmental Officer, DENR, Recording Secretary

ABSENT: Mr. Tarik Christopher, Principal Engineer (Water & Sewage), Public Works
Mr. Armell Thomas Senior Environmental Health Officer

TBWEF REPS: Mr. Nazir Wade, Plant Manager
Mr. Sean Crockwell, Maintenance Engineer
Ms. Zoey Roberts, OHSE Officer

1. Confirmation of Minutes

The Minutes of the meetings held on 25 October 2022 and 22 November 2022 were approved and then signed by the Deputy Chair. The Authority noted that the meeting held on 22 November 2022 was held electronically and for the avoidance of doubt ratified all decisions made.

2. BELCO Air Quality Updates

2.1 The Authority TOOK NOTE:

2.1.1 BELCO submitted a monthly update letter for October 2022. It reported that there were 4 odour complaints from fuel tanks and associated activities along St. John's Road, Pembroke (two on 18th Oct, two on 25th Oct); there was no switching to low-sulphur fuel as a result of potential down-drafting to the Ocean Lane area in October 2022, there were no sensors at Ocean Lane so exceedance of the air quality standards or targets are unknown; there were 5 soot complaints in October (two on 6th October, one on 15th October, two on 30th October).

2.1.2 The Members reviewed a revised draft letter to be sent from the Environmental Authority to BELCO. The Authority **APPROVED** the letter and the Chair agreed to sign it.

3 BELCO's Operating Licence Reissue & Conditions

The Members reviewed the proposed changes to BELCO's operating licence conditions (OL-114).

The Authority **AGREED:**

the proposed amendments which include:

- a) Nuisance odours to be added to the list of reportable complaints so that DENR may validate them.
- b) The North Power Station construction permit requirement for noise monitoring after 2 years of operation shall be amended to require noise monitoring to be undertaken after a verified complaint.

The Authority **APPROVED:**

the issuance of the BELCO annual operating licence OL-114 with the amended conditions.

4 Elbow Beach Waste Water Treatment Plant

The Authority **TOOK NOTE:**

that there is nothing new to report: the main hotel is closed, wastewater is received only from one restaurant and some of the apartments of Fritholme Gardens. The plant continues to operate without an activated sludge as a result of the low organic load.

5 Ministry of Public Works Tynes Bay October 2022 Operation Update

The Authority **TOOK NOTE:**

- 4165.56 tonnes of waste (including 37.39 tonnes cooking oil) were incinerated in October.
- Stream 1 was unavailable for October due to ESP failure. Stream 2 was available for 31 days and ran 100% of the month.
- The turbine operated at 40% efficiency for the month.
- No ash cement was produced due to the lack of availability of cement trucks. 98.87 tonnes of unconsolidated ash were removed and disposed of at the Airport Waste Management Facility
- None of the three cement trucks were operational in October. Environmental controls (failure of the catalytic converters, unavailable parts and complicated electronic controls to service) were cited as reasons for them being unavailable.

6. Tynes Bay Waste to Energy Facility Presentation of 2021 Annual Report

It was reported that total tonnage of waste processed at the Tynes Bay Waste to Energy Facility (TBWEF) was down slightly in 2021 due to fewer residents, less tourism, and Covid. Total tonnage of cooking oil incinerated was 419 tonnes. 63% of generated electricity was exported to BELCO. The remainder was used in-house and to power the reverse osmosis plant potable water plant on North Shore, Devonshire. Emission testing was not undertaken because of Covid restrictions and lack of flights from overseas. The production of ash blocks was low, due to the time taken to install the clinker crane where the delays were acknowledged to be due to a failure on behalf of the manufacturer.

There was discussion on the operational challenges, maintenance carried out, and repairs still to be undertaken at the plant. The installation of the clinker crane reduced production of ash blocks. Fires in the bunker resulted in the stored wastes getting saturated with water. Wood chips are being used to help absorb surplus water, augment the burn, and to keep the boilers operating efficiently. In June and July, the economiser tubes failed and were replaced once parts were available. During the time when the boiler was out of commission, the bunker filled with garbage, then the bailer failed, preventing storage of wastes in the contingency yard. This resulted in the landfilling of wastes for 4 days at Marsh Folly, Pembroke. It was reported that the wastes had subsequently been returned to TBWEF for incineration. As the grab crane in the bunker has not yet been fixed; temporary usage of a contractor's crane and grapple is being explored.

A contingency site for the storage of bales of waste during prolonged shutdowns is being sought.

The Tynes Bay representatives were thanked for their presentation.

7. Clinical Waste Incinerator (Mediwaste) Public Complaints

The Members were reminded that Mediwaste was granted operating licences OL-1185, OL-1186) for the incineration of clinical wastes and pets (OL-1187 at Southside, St. David's, subject to conditions (EA Meeting 366, 31 May 2022). Subsequent to that, some residents of St. David's expressed their concerns to MP Tinee Furbert, who then relayed these concerns to the Minister of Home Affairs, Walter Roban. A Town Hall meeting was organised by DENR on 1st November 2022 to which at least 82 persons attended and provided their email contact details.

The main issues raised by attendees were related to

- a) NIMBY-ism (Not-in-my-back-yard);
- b) St, David's allegedly has a greater proportion of developments with a negative environmental and social-economic implication than other areas of Bermuda;

- c) Advertisement processes in the Official Gazette for Department of Planning (For 'In-Principle' and 'Final Approval' adverts) and Clean Air Act (Construction Permit advert) did not alert anyone in 2020 or 2022 (no objections received).

After the meeting in November, it became known to the Dept of Environment and Natural Resources that 17 shipping containers of biomedical waste had been placed in storage by Mediawaste along Carter's Bay Road, a public road, with the expectation that they would be there until mid-March 2023 when the incinerator is due to finish its commissioning. Under operating licence condition #15 the interim storage of infectious clinical waste shall be for as short a period of time as is practicable using appropriate refrigerated facilities and using good housekeeping as recommended by best practices in other developed jurisdictions. Mediawaste was notified of the noncompliance to condition #15 and were instructed to relocate the shipping containers to a suitable site. When they were unable to secure a site, Government was approached and a space at the Airport Waste Management Facility (AWMF) was prepared. The Environmental Authority approved the AWMF to house clinical waste until 31 March 2023. On 30 November 2022, all containers of biomedical waste were moved to the AWMF and positioned so the contents could not be accessed by the public. It was noted that only full containers would be stored at the AWMF. A single shipping container will be located at the Sallyport Hazardous Waste Facility, Dockyard, while it is filled by Mediawaste and prior to transport to the AWMF.

The Members were informed that the Bermuda Hospitals Board's (BHB) two steam sterilizer & macerators had come to the end of their useful lives. BHB has entered into a contract with Mediawaste to transport and dispose of its clinical waste. The Members recommended that appropriate health oversight is carried out when the containers are opened.

The Authority requested that Mediawaste develop and submit their contingency plans to DENR on how clinical wastes will be transported and stored in the event of an outage of their incinerator.

The Chair agreed to meet with the Disaster Risk Reduction & Mitigation Team to discuss the need for standards or guidelines to oversee the collection, transport, storage, and disposal of clinical wastes by appropriate Government Departments.

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

8.1 CP-783, OL-1201 Helen Parfit

The Authority **APPROVED**:

the application for a 36 kW lpg generator at 6 Manse Road, Paget, subject to standard conditions and providing the genset is situated in a concrete surround as designed.

8.2 CP-784, CP-785, OL-1202, OL-1203 Ariel Sands Ltd.

The Authority **APPROVED**:

the construction permit and operating licence applications for a 100 kW diesel generator and 250 diesel generator at 21 Ariel Drive, Devonshire, subject to standard conditions.

8.3 CP-786, OL-1204 Three M Trust

The Authority **APPROVED**:

the construction permit and operating licence applications for a 22 kW lpg generator at 49 Berry Hill Road, Paget, subject to standard conditions providing the near neighbouring buildings are occupied by businesses. Should the buildings in the areas exceeding 45 dB be residential, the application shall be brought back to the Environmental Authority for further consideration.

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

9.1 The Authority APPROVED:

The applications for reissue of operating licences listed on the three-page printout, subject to standard conditions, with the exception of OL-305 RWTP Management WWTP which was deferred pending submission of annual report in December 2022. Those approved included the application for OL-145 Grotto Bay WWTP; OL-146 Fairmont Southampton Princess WWTP; OL-478 Newstead Lantana WWTP.

10. Applications for Water Rights (New)

10.1 The Authority APPROVED:

WR-5772-5774 Ariel Sands Ltd, three domestic water rights at 21 Ariel Drive, Devonshire for the disposal of rainwater, subject to standard conditions

10.2 The Authority APPROVED:

WR-5775 Ariel Sands Ltd, commercial water right at 21 Ariel Drive, Devonshire for the disposal of treated sewage effluent, subject to standard conditions and providing the borehole is sealed at least 40 feet below sea level.

10.3 The Authority APPROVED:

WR-5776 Majiedah Azhar, domestic water right at 5 Sunset Pass, Pembroke for the supply to one household, subject to standard conditions


11. Applications for Water Rights (Reissue)

The Authority **APPROVED:**

the reissuance of Water Rights on the one-page printout, subject to standard conditions, with the exception of two indicated as withdrawn.

12. Date of the Next Meeting

The date of the next meeting will be determined later.



CHAIRMAN

31 January 2023
DATE