

**Minutes of a Meeting of the Environmental Authority
Held on Wednesday, 27 November 2024
At the Department of Environment and Natural Resources, Botanical Gardens, Paget
and Remotely using Teams Teleconference**

PRESENT: Mr. Eugene Saunders, Deputy Chair
Mr. Willie Ferguson, Member (by remote access)
Mr. Harry Matthie, Member
Mr. Jonathan Starling, Member (by remote access)

ADVISORS: Dr. Geoff Smith, Environmental Engineer, DENR
Dr. Shaun Lavis, Hydrogeologist, DENR
Mr. Armell Thomas, Acting Chief EHO (by remote access)
Ms. Crystal Baxter, Environmental Health Officer

IN ATTENDANCE: Mr Mark Husdan, MPW Solid Waste Manager
Dr. Kent Simmons, Bermuda Water Consultants Ltd

ABSENT: Ms. Davida Morris, Chair
Mr. Andrew Barnes, Member
Mr. James Morrison, Member
Mr. Tarik Christopher, Acting Chief Engineer, Public Works
Mr. Paul McDonald, Senior Planning Officer, Dept. of Planning
Ms. Patricia Hollis, Environmental Officer, DENR

1. Confirmation of Minutes

Minutes of the meeting No. 399 held on 30 October 2024 were approved; they will be signed at the next EA meeting.

2. MATTERS ARISING

2.1.1 BELCO Complaints – October 2024

The Authority **TOOK NOTE:**

There were three validated complaints of soot on 7th, 9th and 16th October and none for hot oil/fuel odours.

2.1.2 BELCO Remedial Action Plan Update

- There was no update.

2.2 Tynes Bay Waste Facility October 2024 Update

The Authority **TOOK NOTE:**

- Total tonnes less metal across the weighbridge: 4453.04
 - Of that 47.05 tonnes of cooking oil.
- Stream 1 available for 31 days and ran for 31 days (100% of the month).
- Stream 2 was available for 31 days and ran for 20 days or 64.5% of the month.
 - Offline 20-31, due to Planned maintenance.
- T2 Turbine available 31 days at 44% efficiency.
- Total MWh sent to BELCO (15th Month 1 to 15th Month 2): Data were not available and will be presented at the next opportunity.
- Total MWh produced 1st-EoM: Data were not available and will be presented at the next opportunity.
- Ash processing plant produced 216 loads of ash cement, 0 ash blocks and 23.16 tonnes of unconsolidated ash.

2.3 Tynes Bay Waste Facility September 2024: Unconsolidated Ash Update

The Authority **TOOK NOTE:**

- A letter from the EA to MPW expressing concerns over the disposal of unconsolidated ash was emailed on 5 November 2024. No response has been received to date from MPW.

3 Asbestos and Medical Waste Incinerator Ash Disposal: Presentation by Solid Waste Management, MPW and Dr Kent Simmons (Bermuda Water Consulting Ltd)

The Members were reminded that during EA Meeting #393 held on 27 April 2024, the EA gave Approval In-Principle (AiP) for the disposal of legacy asbestos waste and clinical waste

ash from the Mediwaste medical waste incineration facility in a purpose-built landfill ‘cell’ (“asbestos cell”) at the Airport Waste Management Facility (AWMF). The AiP was subject to eight conditions; these, together with the responses from SWM are shown in Table 1.

Condition	SWM Response
Seek independent and MPW internal advice and opinion on the proposed asbestos cell construction.	Cell construction proposal included input from MPW. The following review was provided by Bermuda Water Consultants Ltd (BWC): “After my review of the plan, I am pleased to offer my full support for this approach as a safe and effective solution for managing both asbestos waste and clinical ash. The approach addresses the immediate need for secure storage and aligns with long-term environmental considerations. I am confident that with careful planning, execution, and monitoring, this project will serve the best interests of public health and environmental protection. I am prepared to fulfill my role in providing independent expertise and oversight to ensure the project meets the highest standards and adheres to all EA conditions.”
Seek advice from independent asbestos experts on future monitoring, risk assessments (human health), work methodology and health permits at BLDC and Quarry sites.	SWM have received a quotation from BWC to undertake this work.
SWM to approach MPW Structures Section for professional drawings and look at GIS mapping for the cell and site in general.	A professional engineering drawing (produced by the Structures Section of MPW) showing the asbestos cell construction was provided. SWM has engaged the Estates team of MPW to map the AWMF and produce GIS layers to display the information. Mapping requirements will be added to the licence conditions to ensure this is undertaken in future. SWM will also trial drone mapping to facilitate mapping.
SWM to investigate potential container weights and transport to and from AWMF (e.g. travelling over the Causeway).	Vehicles crossing the causeway are limited to a max. weight of 10 tonnes per axle. The vehicle that commonly transports 20ft shipping containers in Bermuda is a Tractor head and trailer, consisting of a tandem axel truck and tandem axel chassis, allowing a min. weight of 40 tonnes to travel over the causeway (truck, trailer and load). The maximum load for all 20ft shipping containers on the island is restricted to 25 tonnes. Loads taken from the BLDC site will not require transport over the Causeway leaving loads from the Quarry as the only consideration. Loads leaving the quarry will be required to weigh off at the weighbridge before leaving site to ensure they within their max. loads. This action to be added to the risk assessments & working methodologies for transfers to the AWMF.
Report how the AiP conditions will be met (include cost/benefit analysis, environmental risk assessment and options appraisal).	SWM provided a report addressing the AiP conditions, which included options appraisal, cost/benefit analysis and risk assessments. The EA were given opportunities to review and ask questions to SWM and BWC.
Planting recommendations to be sought from Department of Parks once mulch placed on top of completed cell.	<p>SWM met with Parks, which after conducting an initial assessment and considering the environmental factors (e.g. sunshine and salt spray exposure) and compost quality, recommended the following groundcover plants:</p> <ul style="list-style-type: none"> • Bay Bean (Canavalia roseaq) • Ice Plant (Carpobrotus chilensis) • Wandering Jew (Tradescantia zebrina) • Canoe Plant (Tradescantia spathacea) • Wedelia (Sphagneticola trilobata) <p>These species are readily available throughout the island and will provide sufficient ground coverage while enhancing the aesthetic appeal of the site. Once EA approval has been given, discussions with Parks will be undertaken to understand their ability to manage sourcing and planting of the agreed plants as well as and their longer-term involvement in the landscaping requirements for site (e.g. the monitoring and removal of wild-seeded shrubs and trees). Should Parks not be able to provide any/all of these services then private sector landscapers will be employed by SWM.</p>
Should approval be given by the EA, then discussions can be had around amending the AWMF license conditions.	Since the conclusion of Meeting 400, DENR circulated draft updated conditions for approval by the EA by email. To date, two members have voted and, as this does not constitute a quorum, the amended conditions have not yet been approved by the EA.
EA Report Presentation	This report was provided to the EA ahead of the meetings and summarised by SWM and BWC during their presentation.

Table 1. The conditions of the Approval in Principle and the actions taken by SWM to address them.

The Authority AGREED:

That SWM-MPW had met the conditions of the AiP and that DENR would draft an updated version the operating licence including proposed new conditions for the asbestos cell. It was proposed that the new draft conditions would be circulated in an email EA meeting, providing the EA an opportunity to review and approve the new licence conditions [the proposed operating licence conditions have yet to be approved].

4 Applications for Construction Permits and Operating Licences (New)

4.1 CP-835, OL-1282 D Evans, 77 North Shore Rd, Devonshire.

The Authority **DEFERRED:**

the application for a 295 kW LPG-fired generator pending submission of a sound model and other supporting information.

4.2 CP-836, OL-1283 J.B & A.M Balfour, 3 Long Lane, Hamilton.

The Authority **APPROVED:**

the application for a 22 kW LPG-fired generator, generator subject to standard conditions.

5 Applications for Construction Permits and Operating Licences (Reissues)

5.1 The Authority APPROVED:

the applications for reissue of operating licences listed on the single-page printout, subject to standard conditions.

6 Applications for Import Permit

There were no import permit applications.

7 Applications for Water Rights (New)

7.1 The Authority again DEFERRED:

WR 5830 Meyer Properties Ltd commercial water right for supply to boat power washer at 19 Wellington Slip Road, St. Georges, pending a site visit by the Government Hydrogeologist to assess current power washing practices and environmental stewardship.

7.2 The Authority APPROVED:

WR-5836 Michelle Raynor, 15 Cedar and Spice Lane, Warwick for a domestic abstraction well supplying 2 toilets, subject to standard conditions.

7.3 The Authority APPROVED:

WR-5837 The Beach Cove Trust, 13 Long Lane, Hamilton. Domestic rainwater disposal outfall, subject to the following additional conditions for outfalls: 1) the outfall being fully obscured such that it cannot be seen from the sea or from neighbouring properties; 2) The outfall will not result in deleterious visual effects (e.g. rock staining); 3) The outfall being used only for disposing of rainwater from the roof of the property.

8 Applications for Water Rights (Reissues)

8.1 The Authority APPROVED:

the reissuance of Water Rights on the three-page printout, subject to standard conditions.

9 Any Other Business

9.1 The Authority TOOK NOTE:

That DENR has been working with a US company called GovPilot to create an online Water Right application system, which should significantly improve DENR's efficiency in processing applications. Once the water right application system has been successfully implemented, DENR will work with GovPilot on the online construction permit and operating licence application system.

9.2 The Authority TOOK NOTE:

That to facilitate the transition to an online water right application system, DENR proposes to change the fee structure, such that:

- All applications will be charged at \$90.
- Generally, those applications that the EA considers "Domestic" will renew every 5 years.

- Generally, those applications that the EA considers “Commercial” will renew every year.
- This will result in a \$100 loss of fees per commercial application over a 5 yr period.

10 Date of the Next Meeting

It was agreed that an email meeting would be held to consider the conditions for the proposed asbestos cell.



CHAIRMAN

20 Feb 2025

DATE