

The National Environment & Planning Agency

Final Public Consultation on Trade Effluent & Sludge Regulations

Tuesday, February 17, 2004 at The Jamaica Conference Centre

Mr. Dillard Knight, Chairman (Technical Secretary, Water Quality Standard Subcommittee) gave Welcome & Opening Remarks at 9:45am.

Dr. Claude Davis, Consultant Claude Davis & Associates hosted the presentation and discussions. The main highlights of this segment were as follows:

NEPA & MLE plan to combine the Sewage Effluent and the Trade Effluent Regulations.

Jurisdiction of the influent standards.

- The Ministry of Water and Housing are developing regulations that will incorporate influent standards however these standards are to remain in the drafting instructions for information or as a reference guide.

Transportation Issues.

- Provisions for transportation are to be placed in the NSWMA regulations. Reports that are submitted should be shared among the NSWMA, NEPA & the wastewater treatment plant operator.
- NEPA will be going after the generators of the load and not the hauler.
- Licensed haulers should be used at all times and chain of custody should be kept for easy tracking.

Overlap with the Permits & Licences (P&L) Regulation.

- The P&L Regulations are being revised and all three regulations will be harmonized (e.g. similar or identical owner information).
- Existing Licences under the NRCA Permit & Licences Regulation will run its course but for renewal, a Licence will be granted under the Trade Effluent Regulations.
- Under circumstances, where there is a direct agreement with NWC the fees are to be paid to NWC as in the agreement but reports will need to be submitted to NEPA.
- Upon expiration of an existing licence under the P&L Regulations, any new licences granted will take into account the conditions of the Trade Effluent Regulations.

Definitions.

- There were additions and deletions made as found to be necessary. Some deletions were made to terms defined but not used in the body of the drafting instructions.

Responses to specific comments made on:

Licensing System (Regulation 6)

- Under these regulations ALL dischargers will require a licence.

- Dischargers to a treatment facility will be required to have a licence and submit monitoring reports.
- Dischargers to the environment will be required to have a licence, submit monitoring reports and pay discharge fees.
- These new regulations will capture the larger facilities (classification arrived at from water usage information obtained from questionnaires, etc. as well as information from NWC and on wells).
- Other facilities, such as dry cleaners, will be captured under the P&L Regulations. The P&L Regulations will therefore need to be modified to capture these smaller dischargers.

Conditions of Licences (Regulation 8)

- When intake water exceeds trade effluent standards – this section needs clarification to reflect that it will be addressed on a sector by sector basis
- Special consideration has been added for cooling water with respect to the location of discharge point and meeting temperature limit at the boundary of the mixing zone
- The need for a haulage licence and to meet pre-treatment standards are retained even though such a licence would not be issued by NEPA. The relevant regulation or agency would instead be cited.

Transferability of Trade Effluent Discharge Licences (Regulation 10)

- The wording has been changed for clarification... *“Licences are not transferable across facilities. Applications for transfer of the licence for a facility from one owner to another are to be made at least 90 days before change of ownership. Transfers apply when there are no process and discharge changes. An amendment or a new licence is required when there are process changes.”*

Monitoring Requirements (Regulation 11)

- All sectors – flow from each discharge point added as a parameter to be measured
- Bauxite mining – TSS and pH added as parameters
- Petroleum refining – conductivity added
- Leather tanning and finishing added as sector
- Electric Power Generation – nitrates and coliform removed as parameters
- Note that additional parameters may be added based on the review of each individual facility and would be an additional condition of the licence
- It was suggested that Ammonium NH_4^+ be removed from the sugar sector
- It was suggested that Bauxite mining be removed from the list of sectors required for monitoring trade effluent
- It was suggested that a new section be introduced – Ship Generated Waste. The ships bring in oily waste and so the question arises as to whether we can receive oily waste from shipping and deal with it on shore.

Fees (Regulation 12)

- Fees for Leather Tanning & Finishing added
- Transfer fee – 20% of application fee
- Amendment – 33% of application fee

- Bases for fees are provided in the RIAS and not in the Regulations
- Fee calculation method is added for cases where the intake exceeds the Trade Effluent Standards

Part 2 (Regulations 17,18 & 19)

- These sections will be deleted and NEPA will request NSWMA to include similar provisions in their Regulations (*same recommendation for Schedule 2*)

Other comments/ recommendations.

- Include a new category in regulation 11 called ***Waste treatment facility with liquid waste being sewage and oily waste***. This section could deal with the ship generated wastes.
- Hazardous liquid wastes needs to be examined and provisions made to deal with it.
- Is the sewage effluent that is pumped off from ships required to meet the Jamaican sewage effluent standards.
- NEPA should make available guidelines or personnel to assist the concerns of stakeholders with these regulations
- NEPA could provide for the use of the fines as soft loans or for hiring consultants to assist the industries in attaining compliance with the standards.
- It was suggested that the separation of the sludge regulations will allow for capacity building
- Not many comments were received on the industrial sludge part of the regulations
- The NWC has a mandate to meet domestic sewage standards hence pretreatment from commercial facilities is necessary; the NWC does not have a trade effluent treatment plant.
- Plants that do not have the capacity to meet the standards will have to get the capability.
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