



BELIZE

**ENVIRONMENTAL PROTECTION ACT
CHAPTER 328**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

ENVIRONMENTAL PROTECTION ACT CHAPTER 328

REVISED EDITION 2003

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This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

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CHAPTER 328

ENVIRONMENTAL PROTECTION ACT
(COMMENCEMENT) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Commencement of Chapter 328.

CHAPTER 328

157 of 1992.
Act 22 of 1992.

ENVIRONMENTAL PROTECTION ACT
(COMMENCEMENT) ORDER

(Section 1(2))

[26th December, 1992.]

Short title.

1. This Order may be cited as the

ENVIRONMENTAL PROTECTION ACT
(COMMENCEMENT) ORDER.

Commencement of
Chapter 328.

2. In exercise of the powers conferred upon me by section 1(2) of the Environmental Protection Act and all other powers thereto me enabling, **I, GLENN D. GODFREY**, Attorney General and Minister of Tourism and the Environment, do hereby appoint the 6th day of January, 1993 as the day on which the said Act shall come into force.

MADE this 21st day of December, 1992.

(GLENN D. GODFREY)

*Attorney General and Minister of Tourism
and the Environment*

CHAPTER 328

**ENVIRONMENTAL IMPACT
ASSESSMENT REGULATIONS**

ARRANGEMENT OF REGULATIONS

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CHAPTER 328

**ENVIRONMENTAL IMPACT
ASSESSMENT REGULATIONS**
(Section 21)

107 of 1995.
Act 22 of 1992.

[30th September, 1995.]

- 1. These Regulations may be cited as the Short title.

**ENVIRONMENTAL IMPACT
ASSESSMENT REGULATIONS.**
- 2. In these Regulations, unless the context otherwise requires - Interpretation.

 - “the Act” means the Environmental Protection Act; No. 22/1992.
 - “Department” means the Department of the Environment established under section 3 of the Act;
 - “developer” means a person who -
 - (i) carries out or proposes to carry out an undertaking; or
 - (ii) is the owner or person having charge, management or control of an undertaking;
 - “EIA” denotes environmental impact assessment;
 - “guidelines” means any procedures approved by the Minister for the preparation of environmental impact assessments;
 - “Minister” means the Minister charged with responsibility for the environment;

“undertaking” means any enterprise, activity, project, structure, work, policy, proposal, plan or program that may, in the opinion of the Department, have a significant environmental impact, and includes a modification, an extension, an abandonment, a demolition and a rehabilitation thereof.

Criteria for environmental impact.

3. (1) The criteria and procedure under these Regulations and any procedures approved by the Minister, shall be used to determine whether an activity is likely to significantly affect the environment and is therefore subject to an environmental impact assessment.

(2) All persons, agencies, institutions (whether public or private), unless exempted pursuant to these Regulations, shall, before embarking on a proposed project or activity, apply to the Department for a determination whether such project or activity would require an environmental impact assessment.

Identification etc., of significant environmental issues.

4. (1) In identifying the environmental impact assessment process under these Regulations, the relevant significant environmental issues shall be identified and examined before commencing and embarking on any such project or activity.

(2) Where appropriate, every effort shall be made to identify all environmental issues at an early stage in the environmental impact assessment process.

Minimum content of Environmental Impact Assessments.

5. An environmental impact assessment shall include at least the following minimum requirements -

- (a) a description of the proposed activities;
- (b) a description of the potentially affected environment, including specific information necessary to identify and assess the environmental effect of the proposed activities;

- (c) a description of the practical activities, as appropriate;
- (d) an assessment of the likely or potential environmental impacts of the proposed activities and the alternatives, including the direct and indirect, cumulative, short-term and long-term effects;
- (e) an identification and description of measures available to mitigate the adverse environmental impacts of proposed activity or activities and assessment of those mitigative measures;
- (f) an indication of gaps in knowledge and uncertainty which may be encountered in computing the required information.

6. Whenever the Department determines that there is a need for an environmental impact assessment on a project, the environmental impact assessment process shall include:

Environmental assessment process.

- (a) a screening of the project;
- (b) a review by the National Environmental Appraisal Committee as provided in Regulation 25 of these Regulations;
- (c) the design and implementation of a follow-up program.

Categories of Projects

- Undertakings requiring an EIA. Schedule I. 7. All undertakings, projects or activities specified in Schedule I shall require an environmental impact assessment. The scope and extent of the environmental impact assessment shall be determined by the Department.
- Undertakings where an EIA is discretionary. Schedule II. 8. The Departments shall determine or cause to be determined whether any of the undertakings, projects or activities specified in Schedule II require an environmental impact assessment.
- Excluded projects. 9. An environment impact assessment shall not be required in respect of :
- (a) educational projects (except building construction);
 - (b) computer processing projects;
 - (c) projects within a commercial Free Zone or an Export Processing Zone where:
 - (i) the commercial Free Zone or Export Processing Zone has already been the subject of an approved environmental impact assessment and the project is not within the category of projects excluded by the environmental impact assessment, and
 - (ii) the project will not result in air or water pollution or effluent discharge or otherwise adversely affect the environment provided that the Department may attach conditions to any such exemption;

- (d) projects to be carried out during national emergency for which temporary measures have been taken by the Government.

10. Where pursuant to Regulation 8 the Department decides that an environmental impact assessment is not required, the developer may proceed with the undertaking, subject to any other Act or regulation or guidelines or conditions laid down by the Department. Statement not required.

11. Every developer shall, before proceeding with the final design of an undertaking, notify the Department in writing, on a prescribed form concerning the proposed undertaking. Notification.

12. The Department shall not consider or decide upon a scheme of the types detailed in Schedule I unless an environmental impact assessment has been prepared in respect of such undertaking. Schedule I projects.

13. (1) Where, pursuant to Regulation 8, the Department decides that an environmental impact assessment is required, it shall order an environmental impact assessment. Report.

(2) The Department may at the request of the developer provide the developer with guidelines for the preparation of an environmental impact assessment for a nominal fee.

(3) The developer shall:

- (a) undertake the necessary study for the preparation of an environmental impact assessment; and
- (b) submit the environmental impact assessment to the Department by the prescribed date.

Screening of Undertakings

- Examination. 14. The Department shall, within thirty days of the receipt of the form referred to in Regulation 11, examine or cause to be examined the information contained therein to determine whether:
- (a) an environmental impact assessment is required;
 - (b) subject to regulation 9, an environmental impact assessment may be required; or
 - (c) an environmental impact assessment is not required.
- Draft terms of reference. 15. (1) The developer shall submit draft terms of reference in writing to the Department for the purposes of an environmental impact assessment.
- (2) The draft terms of reference referred to in subsection (1) shall contain such information as may be required by the Department.
- Examination of draft. 16. (1) The Department shall examine or cause to be examined the draft terms of reference submitted pursuant to Regulation 15 to determine whether they are adequate to form the terms of reference for the environmental impact assessment.
- (2) The Department shall advise the developer as to whether the draft terms of reference are satisfactory and adequate.
- (3) Where the draft terms of reference are unsatisfactory, the Department shall direct the developer to modify the draft in such manner as the Department deems necessary.
- Assessment commenced. 17. Where the terms of reference for the environmental impact assessment have been agreed between the developer and the Department, and approved

in writing by the Department, the developer shall commence the environmental impact assessment and submit the same to the Department by the specified date.

18. (1) During the course of an environmental impact assessment, the developer shall provide an opportunity for meetings between the developer and interested members of the public, especially within or immediately adjacent to the geographical area of the proposed undertaking, in order:

Public participation.

- (a) to provide information concerning the proposed undertaking to the people whose environment may be affected by the undertaking; and
- (b) to record the concerns of the local community regarding the environmental impact of the proposed undertaking.

(2) At any time during an environmental impact assessment of a proposed undertaking the Department may invite written comments from interested persons concerning the environmental impact of an undertaking.

(3) The Department may forward the written comments under subsection (1) to the developer who shall answer any pertinent questions raised in such written comments.

(4) The procedure for public contact and involvement shall be determined by the Department.

19. A report of an environmental impact assessment shall include the following:

Report of environmental impact assessment.

- (a) Cover Page. A single page listing the title of the proposed project and its location; the name, address, and telephone number of a contact

- person, a designation of the report as draft or final and a one-paragraph abstract of the EIA report;
- (b) Summary. A summary of the proposed project, preferably not exceeding 15 pages in length, accurately and adequately describing the contents of the EIA report. The summary should highlight the conclusions, areas of controversy and issues remaining to be resolved;
- (c) Table of Contents. A list and page number index of the chapters, sections and subsections in the EIA report, including a list of tables and a list of figures and appendices;
- (d) Policy, Legal and administrative Framework. Any policy, legal or administrative issues that may have an impact on the proposed development;
- (e) A description of the development proposed, comprising information about the site, the design and size and scale of the development, and its immediate surroundings;
- (f) A description of the environment (local and regional);
- (g) Significant Environmental Impacts. The data necessary to identify and assess the main effects which the proposed development is likely to have on the environment;
- (h) A description of the likely significant effects, direct and indirect, on the environment of the

development, explained by reference to its possible impact on:

human beings;
flora;
fauna;
soil;
water;
air;
climate;
material assets, including the cultural heritage and landscape;
natural resources;
the ecological balance; and
any other environmental factors which need to be taken into account;

- (i) A presentation of all reasonable alternatives in comparative form, exploring each alternative, including the no-action alternative, and the reason why certain alternatives were recommended or eliminated. The object is to identify the least environmentally damaging alternative that satisfies the basic purpose and the need for the proposed action;
- (j) Environmental consequences of the project as proposed, and the alternatives, identifying any adverse effects that cannot be avoided if the action is implemented, all mitigation measures to be employed to reduce adverse effects, the relationship between short-term uses of the environment and the enhancement of long-term productivity, and any irretrievable or irreversible commitments of resources that would occur if the action were

implemented as proposed;

- (k) A mitigation plan;
- (l) A monitoring plan;
- (m) Inter-agency and public/non-governmental organisations involvement;
- (n) Report on public hearings (if any);
- (o) A summary in non-technical terms of the language specified above.

Publication.

20. (1) A person who has submitted an environmental impact assessment shall, as soon as may be, publish in one or ore newspapers circulating in Belize a notice:

- (a) stating the name of the applicant;
- (b) the location of the land or address in respect of which the environmental impact assessment relates;
- (c) stating that application has been made and indicating the location and nature of the proposal to which the application relates;
- (d) stating that an environmental impact assessment has been prepared in respect of the proposal;
- (e) naming a place where a copy of the environmental impact assessment may be inspected free of charge;

- (f) specifying the times and the period (being the prescribed period) during which the environmental impact assessment can be so inspected;
- (g) stating that any person may during the prescribed period make objections and representations to the Department in relation to the effects of the proposed project activity on the environment;
- (h) the date on which the environmental impact assessment shall be available to the public;
- (i) the deadline and address for filing comments on the conclusions and recommendations of the environmental impact assessment.

(2) An environmental impact assessment submitted by a developer shall be accompanied by a copy of a newspaper in which there has been published a notice in accordance with sub-regulation (1).

21. (1) Upon receiving the environmental impact assessment, the Department:

Action after receipt of EIA.

- (a) may direct that copies of the environmental impact assessment be made available for inspection by interested persons;
- (b) shall examine the environmental impact assessment or cause the same to be examined to determine whether it complies with the previously-agreed terms of reference; and
- (c) shall examine the environmental impact assessment or cause it to be examined to determine whether:

- (i) further environmental assessment is required; or
- (ii) any significant harmful impact is indicated.

Advice to the Developer.

22. (1) The Department shall advise the developer of its decision within sixty days after the completed environmental impact assessment has been received by the Department.

(2) Until the developer is advised under sub-regulation (1), the developer shall not commence or proceed with the undertaking.

(3) Where a developer is required to supply further or additional information in respect of environmental impact assessment then the environmental impact assessment shall not be deemed to have been completed until the developer has supplied such further or additional information to the satisfaction of the Department.

Statement deficient.

23. Where the environmental impact assessment is deficient in any respect, the Department may on the recommendation of the National Environmental Appraisal Committee require the developer:

- (a) to conduct further work or studies;
- (a) to supply further information;
- (c) to amend the environmental impact assessment accordingly; and
- (d) to resubmit the environmental impact assessment by a later mutually agreeable date.

Public hearings.

24. (1) The Department, on the recommendation of the National Environmental Appraisal Committee, may require a public hearing in respect

of any undertaking, project or activity in respect of which an environmental impact assessment is required pursuant to these regulations.

(2) In order to determine whether an undertaking, project or activity requires a public hearing, the Department shall take into account the following factors:

- (a) the magnitude and type of the environmental impact, the amount of investment, the nature of the geographical area, and the commitment of the natural resources involved in the proposed undertaking, project or activity;
- (b) the degree of interest in the proposed undertaking, project or activity by the public, the Department and other government agencies, as evidenced by the public participation in the proposed undertaking, project or activity;
- (c) the complexity of the problem and the possibility that information presented at a public hearing may assist the developer to comply with its responsibilities regarding the proposed undertaking, project or activity.

25. (1) There shall be appointed a National Environmental Appraisal Committee whose function shall be to:

National Environmental Appraisal Committee.

- (a) review all environmental impact assessments;
- (b) advise the Department of the adequacy or otherwise of environmental impact assessment;
- (c) advise the Department of circumstances where a

public hearing is desirable or necessary.

(2) The National Environmental Appraisal Committee shall comprise of the following members:

- (a) the Chief Environmental Officer or his nominee;
- (b) the Commissioner of Lands or his nominee;
- (c) the Housing and Planning Officer or his nominee;
- (d) the Chief Forest Officer or his nominee;
- (e) the Fisheries Administrator or his nominee;
- (f) the Chief Hydrologist or his nominee;
- (g) the Archaeological Commissioner or his nominee;
- (h) the Director of Geology and Petroleum or his nominee;
- (i) the Chief Agricultural Officer or his nominee;
- (j) two non-governmental representatives appointed by the Minister on the recommendation of the Department.

(3) Six members shall constitute a quorum for meetings of the committee. The Chief Environmental Officer shall be Chairman of the Committee and in his absence, the members present may elect a Chairman for that meeting.

26. (1) Every screening of a project and every assessment by the National Environmental Appraisal Committee shall include a consideration of the following factors, that is:

Factors for consideration of National Environmental Appraisal Committee.

- (a) the environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project by taking into consideration other projects or proposed projects that have been or will be carried out;
- (b) the significance or the seriousness of those effects;
- (c) comments concerning those effects received from the public in accordance with the provisions of these Regulations;
- (d) measures that are technically and economically feasible and that would mitigate or prevent any significant or serious adverse environmental effects of the project.

(2) In addition to the factors set out in sub-regulation (1) of this Regulation, every environmental impact assessment of a project, program or activity and every assessment by the National Environmental Appraisal Committee shall include a consideration of the following factors, that is:

- (a) the purpose of the project;
- (b) alternative means of carrying out the projects that are technically and economically feasible and the environmental effects of any such alternative means;

- (c) the need for and the requirements of any follow up program in respect of the project;
- (d) the short-term or long-term capacity for regeneration of renewable resources that are likely to be significantly or seriously affected by the project; and
- (e) any other matter that the Committee at the request of the Department may require.

Appeal process.

27. (1) Where the Department has decided that an undertaking, project or activity shall not proceed, the developer may, within thirty days after the Department's decision, appeal to the Minister against the decision of the Department.

(2) The Minister may appoint a Tribunal to hear and determine the appeal and to report their findings to the Minister.

(3) The Minister may allow the appeal and permit the project to proceed or may dismiss the appeal.

(4) The Minister's decision shall be final.

Offences and penalties.

28. (1) Any person who willfully supplies false and misleading information on any prescribed form commits an offence.

(2) Any person who contravenes the provisions of these Regulations commits an offence, and shall be liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

(3) No prosecution for an offence under these Regulations shall be instituted except with the leave of the Department or of the Director of

Public Prosecutions, as provided in section 41 of this Act.

No. 22/1992.

MADE by the Minister responsible for the Environment this 11th day of August, 1995.

(HENRY YOUNG)

Minister of Tourism and the Environment

SCHEDULE I**[Regulation 7]**

The following shall be considered as Schedule I projects:

A full Environmental Impact Assessment shall be completed for any project, program or activity with the following purposes:

- (a) A trading port, an inland waterway which permits the passage of vessels or a port for inland waterway traffic capable of handling such vessels.
- (b) A waste-disposal installation for the incineration or chemical treatment or final disposal of waste.
- (c) An installation designed solely for the permanent storage or final disposal of any waste.
- (d) An integrated chemical installation, that is to say, an industrial installation or group of installations where two or more linked chemical or physical processes are employed.
- (e) Any airport having an airstrip of 2,500 metres or longer.
- (f) Lease of more than five hundred (500) acres of National Lands.
- (g) Major waterworks: dam, impoundments, alteration of river banks and shoreline, alteration of ground water, diversion of water courses, modification of stream flows.

Infrastructure Projects

- (a) Construction of hospitals with outfall into beach fronts used for recreational purposes.
- (b) Industrial estate developments for medium and heavy industries.
- (c) Construction of national highways and other roads of more than 10 miles in length.
- (d) Construction of new townships.

Chemical Industry

- (a) The treatment of intermediate products and production of chemicals (insecticides, fungicides, herbicides and other pesticides).
- (b) The production of pesticides or pharmaceutical products, paints, varnishes, elastomers or peroxides.
- (c) Industrial carbon.
- (d) Alkalis.
- (e) Electrochemical (metallic sodium, potassium and magnesium, chlorides, perchlorates and peroxides).
- (f) Electrothermal products (artificial abrasive, calcium carbides).
- (g) Phosphorous and its compounds.
- (h) Nitrogenous compounds (cyanide, cyanamide and other nitrogenous compounds).

- (i) Halogens and halogenated compounds (chlorine, fluorine, bromine and iodine).
- (j) Explosives (including industrial explosives, detonators and fuses).
- CAP. 328. (k) Any hazardous substances listed in Part I of the Schedule to the Act.

Petroleum

- (a) Oil exploration
- (b) Oil production
- (c) Oil refining

Cement

- (a) Production of cement
- (b) Asbestos cement products

Drugs and Pharmaceuticals

Manufacturing of drugs and pharmaceuticals including vitamins (antibiotics and indigenous systems of medicines covered)

Energy Projects

- (a) Any large installation for the production of electricity, steam or hot water
- (b) An industrial installation for carrying gas, steam or hot water, or

the transmission of electrical energy by overhead or underwater cables

Industrial Processing of Metals

- (a) An installation for the production (including smelting, electro-plating, refining, drawing or rolling) of non-ferrous metals, other than precious metals
- (b) Boiler making or manufacturing reservoirs, tanks and other sheet-metal containers
- (c) An installation for the roasting of metallic ores.

Other Projects

- (a) Establishment of mines and quarries
- (b) Installation for the disposal of solid waste or waste from mines and quarries
- (c) A site for depositing sludge
- (d) The manufacturing, packing, loading or placing in cartridges of gunpowder or other explosives

SCHEDULE II**[Regulation 8]**

The following projects may require an environmental impact assessment or environmental impact studies depending on the location and size of the project:

1. Land Reclamation

coastal reclamation involving an area of more than 10 acres

2. Fisheries

(a) construction of fishing harbours

(b) harbour expansion involving 50 percent or more in fish landing capacity per annum

(c) land based aquaculture projects accompanied by the clearing of mangrove forests

(d) all large scale aquaculture projects

3. Forestry

(a) conversion of hill forest land to other land use

(b) logging or conversion of forest land use within the catchment area of reservoirs used for municipal water supply, irrigation or hydropower generation or in areas adjacent to national parks or protected areas

(c) logging covering an area of 300 acres or more

-
- (d) conversion of mangrove forest for industrial, housing or agricultural use
 - (e) clearing of mangrove forest on islands adjacent to marine reserves
4. Housing
- large scale housing developments
5. Resort and Recreational Development
- (a) construction of coastal resort facilities or hotels
 - (b) development of tourist or recreational development in national parks
 - (c) development of tourist or recreational facilities on small islands
6. Agriculture
- (a) Poultry-rearing
 - (b) Pig-rearing
 - (c) Aquaculture activities
 - (d) The reclamation of land from the sea
7. Extractive Industry
- (a) Extracting peat

(b) Deep drilling, including in particular:

(i) drilling for water supplies

(c) Extracting minerals such as marble, sand, gravel, shale, salt, phosphates and potash

(d) Extracting ores

8. Energy Industry

(a) The surface and storage of natural gas, peat, coal or lignite

(b) The underground storage of combustible gases

(c) The surface storage of fossil fuels

(d) The industrial briquetting of coal or lignite

(e) An installation for hydro-electric energy production

(f) Any installation for the production of electricity, steam and hot water

9. Industrial Processing of Metals

The surface treatment and coating of metals

10. Glass Making

The manufacture of glass

11. Chemical Industry

The storage-of petroleum, petrochemical or chemical products

12. Fertilizers

- (a) Nitrogenous
- (b) Phosphatic
- (c) Mixed

13. Food Industry

- (a) The manufacture of vegetable or animal oils or fats
- (b) The packing or canning of animal or vegetable products
- (c) The manufacture of diary products
- (d) Brewing or malting
- (e) Confectionery or syrup manufacture
- (f) An installation for the slaughter of animals
- (g) An industrial starch manufacturing installation
- (h) Any fish processing installation
- (i) Any sugar processing installation
- (j) Any citrus processing installation

14. Textile, Leather, and Wood Industries

- (a) A wool scouring, de-greasing and bleaching factory
- (b) The manufacture of fibre board, particle board for plywood
- (c) A fibre-dyeing factory
- (d) A leather tanning or leather dressing factory

15. Paper and Pulp) (including Paper Products)

- (a) Paper for writing, printing and wrapping
- (b) Newsprint
- (c) Paper board
- (d) Paper for packaging (corrugated papers, craft paper, paper bags, paper containers and the like)
- (e) Wood pulp, mechanical, chemical, (including dissolving pulp)
- (f) Sanitary paper
- (g) Cigarette paper
- (h) Other paper products

16. Rubber Industry (natural and synthetic)

- (a) The manufacture and treatment of elastomer-based products

- (b) natural and synthetic rubber
- (c) Tyres and tubes
- (d) Surgical and medical products including prophylactics and latex products
- (e) Footwear
- (f) other rubber goods

17. Infrastructure Projects

- (a) An urban development project
- (b) The construction of a road, or a harbour, or an airport
- (c) Canalization or flood relief works
- (d) A dam or other installation designed to hold water or store it on a long term basis
- (e) An oil or gas pipeline installation
- (f) A long-distance aqueduct
- (g) A yacht marina
- (h) The establishment of Commercial Free Zones and Export Processing Zones
- (i) The lease of under 500 acres of National Land

18. Other Projects

- (a) A resort facility or hotel complex
 - (b) A permanent race track or test track for cars or motor cycles
 - (c) A waste water treatment plant
 - (d) The storage of scrap iron
 - (e) The manufacture of artificial mineral fibres
 - (f) Landfill
 - (g) Rural water supply and sanitation
 - (h) Agro industries
 - (i) Rural electrification
19. The modification of a development which has been carried out, where that development is within a description mentioned above.

Guidelines

The following points may act as **guidelines** to indicate when to refer such applications to the Department:

1. All applications for building in coastal areas.

CHAPTER 328

**ENVIRONMENTAL PROTECTION
(EFFLUENT LIMITATIONS) REGULATIONS**

ARRANGEMENT OF REGULATIONS

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CHAPTER 328

94 of 1995.
Act 22 of 1992.

ENVIRONMENTAL PROTECTION
(EFFLUENT LIMITATIONS) REGULATIONS

(Section 45)

[26th August, 1995.]

PART I
PRELIMINARY

- Short title. 1. These Regulations may be cited as the
- ENVIRONMENTAL PROTECTION
(EFFLUENT LIMITATIONS) REGULATIONS.**
- Interpretation. 2. In these Regulations, unless the context otherwise requires:
- CAP. 328. “the Act” means the Environmental Protection Act;
- “Department” means the Department of the Environment established under section 3 of the Act;
- “effluent” means sewage or industrial effluent;
- “industrial effluent” means liquid water or waste water produced by reasons of the process taking place at any industrial or commercial premises;
- “inland waters” includes any reservoir, pond, lake, river, stream, canal, drain, spring or well, any part of the sea abutting on the foreshore, and any other body of natural or artificial surface or subsurface water;
- “licence” means a licence granted to a person under these Regulations;

“licensed premises” means premises occupied by a person who is the holder of a licence issued in respect of the premises under these Regulations;

“parameter” means any of the factors shown in the first column of the First Schedule or of the Second Schedule and any other factors which may be prescribed. First Schedule.
Second Schedule.

“sewage” means any liquid waste or waste water discharge containing human, animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution;

“sewer” means any line of pipes or channel with their appurtenances designed and used to convey effluent;

“sewerage system” means a system incorporating sewers and all other structures, devices, equipment, and appurtenances intended for the collection, transportation, and pumping of effluent including a treatment plant;

“treatment plant” means any facility for the conditioning of effluent to effect reduction or partial reduction of its potential to cause pollution;

3. These Regulations shall apply to discharges of effluent into any inland waters or the marine environment, other than the effluents discharged from premises specified in the Third Schedule. Application.
Third Schedule.

4. (1) The Minister may by order require that every industry shall install antipollution equipment for the detoxification of effluent and chemical discharges emanating from the industry. Installation of
antipollution
equipment.

(2) An installation made pursuant to paragraph (1) of this Regulation shall be based on the Best Practical Technology.

Parameter.
First Schedule.
Second Schedule.

5. No person shall cause or permit any effluent to be discharged from any industry specified in the First or the Second Schedule in respect of which he is the owner or operator in quantities or concentration higher than those specified in the said Schedules.

Treatment of effluent.

6. (1) Every industry which discharges effluent shall ensure that such effluent can be assimilated by the receiving water into which the effluent is discharged.

(2) The Department shall be furnished from time to time with the composition of any effluent treated as specified in paragraph (1) of this Regulation.

Operation and maintenance of sewerage systems.

7. (1) All sewers and sewerage systems shall be maintained in a good working order and sanitary manner to the satisfaction of the Department.

(2) The owner of any sewerage system shall keep daily, weekly, and additional records in such forms as may be specified by the Chief Environmental Officer, of the operation and maintenance of the sewage purification plant and all such records shall be open for inspection by the officers of the Department.

PART II

NEW SOURCES OF DISCHARGE

Prohibition against new and altered sources of effluent discharge.

8. Notwithstanding any other provisions of these Regulations, no person shall without prior written permission of the Department carry out any work on any premises that may result in a new source of effluent discharge or cause a material change in the quantity or quality of the discharge from an existing source.

Requirement and approval of plans.

9. (1) An application to carry out any work, building, erection or alteration specified in Regulation 8 shall be submitted to the Chief Environmental Officer in the prescribed form and shall be accompanied by the fee prescribed

under Regulation 24.

(2) The Chief Environmental Officer may grant such application either subject to conditions or unconditionally and may require the applicant:

- (a) to repair, alter, replace or install control equipment;
- (b) to conduct a monitoring programme at his own expense or bear the cost of such programme within such period or at such time and in such manner as the Chief Environmental Officer may specify.

PART III
ACCEPTABLE CONDITIONS OF DISCHARGE

10. No person shall discharge or cause or permit the discharge of any of the following substances into any inland waters or into the marine environment:

Prohibition of discharge of effluent containing certain substances.

- (a) any inflammable liquid;
- (b) any tar or other related liquids;

11. For the purposes of these Regulations, the effluent discharged into any inland waters shall be analysed in accordance with the latest edition of the methods specified in the Fourth Schedule, as amended from time to time, or in accordance with such other methods of analysis as may be prescribed.

Standard methods of analysis of effluents. Fourth Schedule.

PART IV
DISCHARGE OF EFFLUENT AND SLUDGE ONTO LAND

12. No person shall discharge or cause or permit the discharge of any effluent in or on any soil or surface of any land without the prior written permission of the Department.

Restrictions on the discharge of effluent.

Restrictions on the disposal of sludge.

13. No person shall discharge or cause or permit the discharge of any solid waste or sludge that is generated from any production or manufacturing processes or from any effluent treatment plant in or on any soil or surface of any land without the prior written permission of the Department.

PART V

LICENCE TO DISCHARGE EFFLUENTS

Licence for the discharge of effluents, etc.

14. (1) Subject to Regulation 5, no person shall:
- (a) discharge on or cause or permit the entry into waters, on the ground or into the ground, of any effluent or any poisonous, noxious or polluting matter; or
 - (b) construct, reconstruct or alter any works for the discharge of any effluent or any poisonous, noxious or polluting matter,

except under and in accordance with a licence for the purpose granted by the Department under these Regulations.

(2) Every application to discharge effluents shall be in the form set out in the Fifth Schedule and an applicant for a licence shall pay to the Department the fee prescribed by Regulation 25. The licence shall be in the form specified in the Fifth Schedule and shall be valid for a period of twelve months from the date of issue.

(3) A licence shall not be required if the discharge results from domestic waste effected by means of absorption or soak-away pits or other prescribed waste disposal system and is in accordance with such provisions as may be prescribed by or under these Regulations or any other law in force pertaining to such disposal.

(4) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

15. (1) The Department may by notice in writing require the owner or operator of any sewage treatment plant, industrial waste treatment facility or any facility for the disposal of solid waste or any other facility for controlling pollution, to submit to the Department at such intervals as the Chief Environmental Officer may specify in the notice, information relating to all or any of the following:

Notice to supply information.

- (a) the performance of the facility;
- (b) the quality of the effluent discharged;
- (c) the area affected by the discharge of effluents;
- (d) the steps being taken to abate or control pollution;

and such owner or operator as aforesaid shall comply with the requirements of the notice.

(2) Any person who refuses or fails to comply with the requirements of a notice under sub-regulation (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

16. Where due to accident or any unforeseen event in any industry, any poisonous, noxious or polluting matter is discharged or likely to be discharged into any inland waters the owner or operator of any such industry shall promptly notify the Department of any such occurrence.

Furnishing information in certain cases.

- Reporting changes in information furnished for purposes of application. 17. An applicant for a licence or for the renewal or transfer of a licence shall, within seven days of the occurrence of any material change in any information furnished in his application or furnished in writing pursuant to a request by the Chief Environmental Officer, give the Department a report in writing of the change.
- Making changes that alter quality of effluent. 18. (1) The holder of a licence shall not make, or cause or permit to be made, any material change to the premises or in the matter of running, using, maintaining or operating the premises or in any operation or process carried on at the premises, which change causes, or is intended or is likely to cause, a material increase in the quantity or quality of effluent or both discharged from the premises, unless prior written approval of the Department has been obtained for the change.
- (2) For the purposes of paragraph (1), material changes to licensed premises include:
- (a) any change in the construction, structure, or arrangement of the premises or any building serving the premises;
 - (b) any change in the construction, structure, arrangement, alignment, direction, or condition of any sewer or sewerage system;
 - (c) any change of, to, or in any plant, machine, or equipment used or installed at the premises; and
 - (d) any changes in the use of raw materials.
- Display of licence. 19. The holder of a licence shall display his licence in a conspicuous position in the principal building of the premises.

20. Where a person becomes the occupier of licensed premises in succession to another person who holds an unexpired licence in respect of the premises, then the conditions and restrictions of the licence shall be binding on the new occupier and shall be observed by him, notwithstanding that he is not yet the holder of the licence.

Continuance of existing conditions and restrictions in case of change of occupancy.

PART VI
MISCELLANEOUS

21. (1) The point or points of discharge of effluent shall be approved by the Department.

Point of discharge.

(2) The position and design of the outlet at the point or points of discharge of effluent into any inland waters or onto any land as determined in sub-regulation (1) shall not be altered or changed without the prior written approval of the Department.

(3) Wherever the concentration of any parameter of effluent discharged or to be discharged is mentioned in these Regulations, the reference, unless the context otherwise requires, is to the concentration as at the point of discharge approved in paragraph (1).

22. A person who discharges effluent into any inland waters, the marine environment or onto any land shall, in connection with such discharge, install such sampling test point or points inspection chambers, flowmeters, and recording and other apparatus as may, from time to time, be prescribed.

Provisions for inspection.

23. An occupier of any premises shall provide the Chief Environmental Officer or any other officer duly authorized in writing by him every reasonable assistance or facility available at the premises that he may require for the purpose of taking action that he is empowered by the Act or these Regulations to take in respect of the premises.

Occupier to render assistance during inspections.

PART VII**FEES**

- Fee for written permission. 24. The fee for a written permission under Regulation 8 is ten dollars.
- Fee for licence including renewal of licence. 25. (1) The annual fee for a licence issued under Regulation 14 is three hundred dollars.
- (2) The fee of three hundred dollars shall accompany the application under Regulation 14 (2) and shall not be refundable.
- Fee for transfer of licence. 26. The fee for a transfer of licence is three hundred dollars.

PART VIII
PENALTIES

- Offences and penalties. 27. (1) Any person who contravenes the provisions of these Regulations, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or both such fine and imprisonment.
- (2) No prosecution for an offence under these Regulations shall be instituted except with the leave of the Department or of the Director of Public Prosecutions, as provided in section 41 of the Act.

MADE by the Minister responsible for the Environment this 11th day of August, 1995.

(HENRY YOUNG)

Minister of Tourism and the Environment

FIRST SCHEDULE**[Regulations 2 and 5]****EFFLUENT LIMITATIONS
FOR PLASTIC AND SYNTHETICS**

<u>Effluent</u>	<u>Effluent Standards</u>
BOD ₅	10
Total Suspended Solids (TSS)	30
COD	40
Phenolics Less Than	0.50
Zinc Less Than	1.0
Chromium Less Than	0.10
Oil and Grease	10.0
Fluoride (F-) Less Than	1.0
Copper (CU ²⁺) Less Than	0.05

FOOD PROCESSING

<u>Effluent</u>	<u>Effluent Standards</u>
BOD ₅	15
Oil and Grease	15
Suspended Solids	15
Particulate	100

SERVICE INDUSTRIES

<u>Effluent</u>	<u>Effluent Standards</u>
BOD ₅	15
Oil and Grease	10

COD	40
Lead Less Than	1
Total Chromium Less Than	0.3
Zinc (ZN) Less Than	0.1

GARMENT INDUSTRY

Effluent

Effluent Standards

Waste Water VOL (mgd)	.035
W.W. CONCN. (mgl BOD)	50
W.W. LOAD (lb BOD/day)	39
BOD Reduction	303:1
TSS CONCN (mg/l)	100 ¹
TSS Reduction	
Temp (°C)	40
pH	6-9
NO ₃ (mgl)	10
PO ₄ (mgl)	5
SO ₄	200
COD	100

CITRUS INDUSTRY

Effluent

Effluent Standards

Waste Water Vol (mgd)	0.04
W.W. Concn. (mgl BOD)	50
W.W. Load (lb BOD/day)	26.7
BOD Reduction	2300:1
TSS Concn. (mgl/l)	50
TSS Reduction	1176:1

Temp (°C)	40
pH	6-9
NO ₃ (mg/l)	10
PO ₄ (mg/l)	5
SO ₄ (mg/l)	200
COD	100

BATTERY MANUFACTURING

Effluent

Effluent Standards

BOD Concn. (mg/l)	30
TSS Concn. (mg/l)	30
Temp. (°C)	40
pH	7.6-10
NO ₃ (mg/l)	10
PO ₄ (mg/l)	5
SO ₄ (mg/l)	400
Pb (mg/l)	0.1
Fe (mg/l)	20
Cu (mg/l)	0.1
Pb Reduction	10.1
COD	100

FISH PROCESSING

Effluent

Effluent Standards

Waste Water Vol (mgd)	
W.W. Concn. (mg/l BOD)	100
W.W. Load (lb BOD/day)	
BOD Reduction	
TSS Concn. (mg/l)	100
TSS Reduction	

TEMP (°C)	40
pH	6-9
NO ₃ (mg/l)	10
PO ₄ (mg/l)	30
SO ₄ (mg/l)	200
COD	100

POULTRY INDUSTRY

Effluent

Effluent Standards

Waste Water Vol (mgd)	0.4
W.W. Conc. (mg/l BOD)	50
W.W. Load (lb BOD/DAY)	18.75
BOD Reduction	2000:1
TSS Conc. (mg/l)	50
TSS Load (tons)	1500:1
Temp (°C)	40
pH	6-9
NO ₃ (mg/l)	10.0
PO ₄ (mg/l)	5.0
SO ₄ (mg/l)	200
COD	100

DIARY INDUSTRY

Effluent

Effluent Standards

Waste Water Vol (mgd)	.0005
W.W. Conc. (mg/l BOD)	50
W.W. Load (lb BOD/day)	1.3
BOD Reduction	500:1
TSS Conc. (mg/1)	
TSS Reduction	

Temp (°C)	40
pH	6-9
NO ₃ (mg/l)	30
PO ₄ (mg/l)	5
SO ₄ (mg/l)	200
COD	100

RUM REFINERY INDUSTRY

Effluent

Effluent Standards

Waste Water Vol (mgd)	0.03
W.W. Conc. (mg/l BOD)	50
W.W. Load (lb BOD/day)	
BOD Reduction	
TSS Conc. (mg/l)	60
TSS Reduction	
Temp (°C)	40
pH	6-9
NO ₃ (mg/l)	10
PO ₄ (mg/l)	1
SO ₄ (mg/l)	500
COD	200

BREWERY INDUSTRY

Effluent

Effluent Standards

Waste Water Vol (mgd)	.015
W.W. Conc. (mg/l BOD)	35
W.W. Load (lb BOD/day)	35
BOD Reduction	175.1
TSS Conc. (mg/l)	50
Temp (°C)	40

pH	6-9
NO ₃ (mgl)	10.0
PO ₄ (mgl)	5.0
SO ₄ (mgl)	200
COD	200

SUGAR PROCESSING

Effluent

Effluent Standards

Waste Water Vol (mgd)	25.97
W.W. Conc. (mgl BOD)	50
W.W. Load (lb BOD/day)	7840
BOD Reduction	1000:1
TSS Corcn. (mg/1)	50
TSS Reduction	1500:1
Temp (°C)	40
pH	6-9
NO ₄ (mgl)	10
PO ₄ (mgl)	5
SO ₄ (mgl)	200
COD	200

SHRIMP PROCESSING

Effluent

Effluent Standards

Waste Water Vol (mgd)	
W.W. Conc. (mgl BOD)	30
W.W. Load (lb. BOD/day)	
BOD Reduction	
TSS Conc. (mg/1)	
Temp (°C)	40
pH	6-9

NO ₃ (mg/l)	10.0
PO ₄ (mg/l)	1.0
SO ₄ (mg/l)	200
COD	200

SECOND SCHEDULE**[Regulations 2 and 5]****EFFLUENT LIMITATIONS FOR OTHER INDUSTRIES
OR COMMERCIAL ACTIVITIES****Parameter**

Temperature °C	33
Colour (LU)	7
pH	6-9
Do	5
BOD ₅ at 20 °C	50
COD	100
TSS	50
TDS	2000
Chloride (as Cl ⁻)	600
Sulphate (as SO ⁻⁴)	500
Sulphide (as S)	0.2
Cyanide (as CN ⁻)	0.1
Detergent (LAS as Methyl Blue active substances)	15
Oil and Grease	10
Arsenic	1
Barium	5
Tin	10
Iron	20
Beryllium	0.5
Boron	5
Manganese	5
Phenolic Compounds (as Phenol)	0.2
Cadmium**	0.1
Chromium**(Trivalent & Hexavalent)	1
Copper**	1

Parameter

Lead**	0.1
Mercury**	0.05
Nickel**	1
Selenium**	0.5
Silver*	0.1
Zinc**	1
Total Metals**	2.0
Chlorine	1
Phosphate as (PO ₄ ⁻)	5
Calcium	200
Magnesium	200
Nitrate as (NO ₃ ⁻)	3
Total Coliform	0 - 10 MPN/100 ml
Faecal Coliform	0 MPN/100 ml
Fluoride	5
Ammonia (NH ₄ ⁺)	1
Total Organic Carbon	200

** The concentration of toxic metal should not exceed these limits, individually or in total.

THIRD SCHEDULE**[Regulation 3]****LIST OF DISCHARGES TO WHICH THESE REGULATIONS
DO NOT APPLY**

Subject to the provisions of Regulation 6, these Regulations shall not apply to discharges of effluent into any inland waters from any housing development of less than 5 units.

FOURTH SCHEDULE**[Regulation 11]****STANDARDS METHODS OF ANALYSIS OF EFFLUENT**

1. “Standard Methods of the Examination of Water and Waste water” published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation of the United States.

FIFTH SCHEDULE

[Regulation 14 (2)]

FORM A

ENVIRONMENTAL PROTECTION ACT

Application to Discharge Effluents

1. Name of Applicant
-
2. Year of Incorporation and Registration Number of Business Name
-
3. Location of Business Premises
-
4. Description of plant facilities, out-fall location(s), Effluent Characteristic(s)
-
-
-
-
-
-

5. A listing of all toxic substances used or manufactured on the site

.....
.....
.....

6. Does the establishment have any other permit issued to the facility? (State type):

.....
.....

7. Description of pollution abatement/monitoring facilities on site (including details of year of installation, capacity, etc., and also copies of design plans and sewerage and/or drainage plans

.....
.....
.....

8. A listing of all chemicals in use at the facility (trade names not acceptable):

.....
.....
.....

9. Present discharge (youthful) locations (illustrate) and position of inspection tap for

compliance monitoring

.....

.....

.....

.....

10. Volume of raw water consumption

11. Source of energy at facility and quantitative estimate of consumption on a monthly basis

.....

.....

.....

12. Production capacity:

(a) current production capacity

(b) estimated production capacity as a result of any proposed expansion

.....

(c) estimated waste load (lbs., BOB, metals, etc., per year)

.....

Date

Applicant

FORM B

ENVIRONMENTAL PROTECTION ACT

LICENCE TO DISCHARGE EFFLUENT

The Department of the Environment hereby grants a licence to discharge effluents pursuant to an application for registration dated day of 2..... in respect of the following:

Full Name and Address of Licence Holder
.....
.....

Location of site to which Licence relates
.....
.....

Mode of Discharge of Disposal to which this Permit relates

Type/Volume/Quality of Waste/Wastes/Waste stream of which discharge or disposal is authorized
.....
.....

This Permit is granted subject to the following conditions:
.....
.....

Date

Chief Environmental Officer

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FIRST SCHEDULE**SECOND SCHEDULE****THIRD SCHEDULE****FOURTH SCHEDULE****FIFTH SCHEDULE****SIXTH SCHEDULE****SEVENTH SCHEDULE****EIGHT SCHEDULE****NINTH SCHEDULE****TENTH SCHEDULE**

CHAPTER 328

POLLUTION REGULATIONS

(Section 45)

56 of 1996.
60 of 2002.
Act 22 of 1992.

[20th April, 1996.]

PART I
PRELIMINARY

1. These Regulations may be cited as the Short title.

POLLUTION REGULATIONS.

2. (1) In these Regulations, unless the context otherwise requires- Definitions.

“Act” means the Environmental Protection Act; No. 22/1992.

“authorised officer” means a designated officer as defined in section 2 of the Act;

“air” means the unconfined portion of the atmosphere excluding any structure or underground space;

“air contaminants” include smoke, vapours, charred paper, dust, soot, grime, carbon, fumes, gases, sulfuric acid, mist, aerosols, aerosol droplets, odours, particulate matter, windborne matter, radioactive materials, noxious chemicals or any other like materials in the outdoor atmosphere;

“air pollution” means the presence in the outdoor atmosphere of one or more air contaminants or a combination thereof in sufficient quantities which either alone or in connection with other substances, by reason of their concentration and duration, are or tend to be injurious to human, plant or animal life or cause damage to property, or unreasonably interferes with the comfortable enjoyment

of life or property of a substantial part of a community or obscures visibility or which in any way reduces the quality of the ambient air below the standards as determined by the Department;

“air pollution control equipment” means equipment used to eliminate, reduce or control the discharge of air contaminants into the ambient air;

“air pollution source” means any physical facility, arrangement, device, contrivance, condition or structure which may emit contaminants;

“ambient air” means that portion of the atmosphere, external to buildings, to which the public has access;

“atmosphere” means the layer of air surrounding the earth;

“BTU” means British Thermal Unit, which is the quantity of heat required to raise the temperature of 1 pound of water to 1 degree Fahrenheit;

“Chief Environmental Officer” means the Chief Environmental Officer appointed under section 3 (1) of the Act;

60 of 2002.

“CFC” means any chlorofluorocarbons specified in Part II of the Sixth Schedule or any mixture of such chlorofluorocarbons;

“combustion” means the burning of matter;

“contaminant” means a solid, liquid or gaseous matter, microorganism, odour, radiation or a combination of any of the foregoing that is likely to alter the quality of the environment in any way;

“Department” means the Department of the Environment, established under the Act;

“discharge” means the release, escape or emission of a contaminant into the

ambient air;

“dust” means finely divided solid particulate matter occurring naturally or created by mechanical processing, handling or storage of materials in the solid state;

“emission” means any act of passing into the atmosphere an air contaminant or a gas stream, visible or invisible;

“end user” means any technician working in the refrigeration and air conditioning sector; 60 of 2002.

“equivalent opacity scale” means a measurement index for ranking plumes in terms of opacities equivalent to opacities on the Ringelmann Scale using per cent opacity as the unit of measurement;

“existing source” means any source of pollution which is not a new source;

“fuel” means any material which is burned for the purpose of producing energy;

“fugitive dust” means uncontrolled dust;

“fume” means solid particulate matter resulting from the condensation and subsequent solidification of vapours of melted solid materials;

“heat input” means the quantity of heat in terms of BTUs generated by fuels fed into fuel burning equipment under conditions of complete combustion;

“importer” includes any individual or company who or which imports, exports, trans-ships or transits any scheduled substance through Belize; 60 of 2002.

“motor vehicle” means any self-propelled vehicle designed for transporting persons or property on roads and public highways;

“new source” means any source of air pollution or potential source of air pollution,

the construction or modification of which was commenced after the effective date of these Regulations; and in the context of the foregoing definition “commenced” means that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into an agreement that is binding in law to undertake or complete within a reasonable time, a continuous program of construction or modification, construction” means fabrication, erection or installation of an affected facility, and “modification” means any physical change in, or change in the method of, operation of an effected facility which increases the amount of any air pollutant (to which a standard applies) emitted by such facility which results in the emission of any air pollutant (to which a standard applies) not previously emitted but routine maintenance, and “repair and replacement” shall not be considered physical change;

“opacity” means the degree of obscuration of transmitted light;

“operation” means any physical or chemical action resulting in the change in location, form, physical properties or chemical character of a material;

“particulate matter” means any finely divided liquid or solid material, other than uncombined water;

“per cent opacity” means a unit of measurement shown on the equivalent opacity scale;

“permanent production curtailment” means the reduction of sulfur input on a continuing basis;

“person” includes an individual, any public or private corporation, company, partnership, firm, association or society of persons, the Government of Belize, and any of its departments or agencies;

“plume” means visible effluent;

“pollutant” means a contaminant or a mixture of several contaminants present in the environment in a concentration or quantity greater than the permissible level prescribed by these Regulations;

“positive control” means permanent production curtailment or the operation of emission control equipment of sulfur removal techniques or any combination thereof;

“PPM” means parts per million by volume;

“process” means one operation or more, including equipment and technology, used in the production of foods or services or the control of by-products or waste;

“process source” means the last operation or process which produces an air contaminant resulting from the separation of the air contaminant from the process material or the conversion of constituents of the process materials into air contaminants and which is not an air pollution abatement operation;

“process weight rate” means a rate established as follows:

- (a) for continuous or long-run, steady-state process source, the total weight for the entire period of continuous operation or for a typical portion thereof, divided by the number of hours of such period or portion thereof;
- (b) for cyclical or batch process sources, the total process weight for a period which covers a complete operation or an integral number of cycles divided by the hours or actual process operation during such period;

“quota year” means the period specified in Part IV of the Sixth Schedule; Sixth Schedule.

“Ringlemann chart” means a standardised device employing a graduated series

of opacities according to the Ringlemann scale;

“Ringlemann scale” means a standardised rank of opacities using the Ringlemann number as the unit of measurement employed when determining the opacity of a plume;

“smoke” means particulate matter resulting from incomplete combustion;

“source of contamination” means any activity or condition causing the emission of a contaminant into the environment;

“soot” means the carbonaceous particulate product of incomplete combustion which may be a component of smoke;

“standard conditions” means the gas temperature of 60 degrees F and gas pressure of 14.7 pounds per square inch absolute;

“vapour” means the gaseous form of a substance normally occurring in a liquid or solid state;

“vapour pressure” means the pressure exerted by the gaseous form of a substance in equilibrium with its liquid or solid form;

“volatility” means the capability of a substance to vaporize or change to vapour form;

“water” means surface water, ground water and storm water wherever located including natural and artificial drainage courses.

(2) A word or phrase not specifically defined in these Regulations shall have the meaning assigned to it in the Act.

PART II
EMISSION OF CONTAMINANTS INTO THE
ENVIRONMENT

3. (1) No person shall emit, deposit, issue or cause the emission, deposit, issuance or discharge into the environment of-

Emission of contaminants generally. 60 of 2002.

(a) a contaminant from a domestic, commercial, agricultural, recreational, industrial, or any other source; or

(b) a contaminant, the presence of which in the environment is prohibited by these Regulations or is likely to affect the life, health, safety, welfare or comfort of human beings or cause damage to or otherwise impair the quality of the environment,

unless a prior permit to do so has been granted by the Department upon such terms and conditions as it may determine.

(2) Where the discharge of any pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the premises, vessel, vehicle or container shall be bound to prevent or mitigate the pollution caused as a result of such discharge and shall also forthwith inform the Department of the fact of such occurrence or apprehension of such occurrence and provide the Department with –

60 of 2002.

(a) a brief description of the emission;

(b) an assessment of any damage or potential damage to the public health or the environment associated with the emission;

- (c) a description of the emergency response plan and resources to address the discharge;
- (d) evidence that he has taken or is taking steps to mitigate damage or contamination resulting from the emission;

60 of 2002.

(3) Every person who fails to comply with sub-regulation (1) commits an offence and is liable on conviction to a fine of five thousand dollars or to imprisonment for one year.

Emission of
contaminant from
industry.

4. (1) No person shall undertake to operate an industry, carry on an activity, use an industrial process or increase the production of any goods or services if it appears likely that this will result in an emission, deposit, issuance or discharge of contaminants into the environment resulting in a change in the quality of the environment unless a permit to do so has been granted by the Department upon such terms and conditions as the Department may determine.

(2) The Department may, in considering an application from a major industry for permission to emit a contaminant into the atmosphere, cause a study to be made, or request the applicant to carry out a study, on the impact which such emission is likely to have on the environment, and the Department may also require the applicant to carry out certain research experiments in respect of that industry,

(3) For the purposes of sub-regulation (2), “major industries” include:-

- (a) mining industries;
- (b) sugar manufacturing and rum distilling industries;
- (c) oil refineries;

- (d) cement factories;
- (e) power generating industries;
- (f) chemical factories;
- (g) salt factories;
- (h) food processing industries or plants; and
- (i) such other industries as may be designed by the Minister.

5. (1) The Department may, if it considers it necessary for ensuring the protection or sanitary condition of the environment, order the person responsible for a source of contamination to use any class or type of apparatus, or method as specified by the Department, to abate or eliminate the emission, deposit, issuance or discharge of a contaminant.

Abatement of contamination.

(2) Without prejudice to sub-regulation (1), the Department may, if it considers it necessary for ensuring the supervision of the quality of the environment, order the person responsible for a source of contamination to install, within the time and at the place specified by the Department, any class or type of equipment or apparatus or method for measuring the concentration, quantity or quality of any contaminant; and the Department may further order such person to submit to the Department, in the form specified, any data collected from such equipment, apparatus or method.

PART III
AIR POLLUTION GENERALLY

6. (1) No person shall cause, allow or permit contaminants to be emitted or discharged either directly or indirectly, into the ambient air from any source.

Emission of contaminants into the air.

(2) Nothing in sub-regulation (1) shall be interpreted as prohibiting the discharge or emission of -

- (a) uncontaminated aqueous steam into the open air unless such discharge constitutes a safety hazard; or
- (b) contaminant emissions inside of buildings except as this may be related to the ultimate release of contaminants into the ambient air.

(3) Control methods utilized to comply with the requirements of these Regulations shall not create air contaminants in concentrations in excess of emission standards specified in the First Schedule.

First Schedule.

(4) Notwithstanding the emission standards specified in these Regulations, no person shall cause the ground level concentration outside the boundaries of his operation to exceed the limits so specified.

Temporary emission of contaminants.

7. (1) Subject to sub-regulation (2), emissions in excess of the prescribed limits which are temporary and due to unavoidable breakdown of equipment or disruption of operations shall not be considered a violation of these Regulations if-

- (a) the Department is immediately notified of any such occurrence and a time period for correction of the breakdown or disruption is proposed;
- (b) the Department considers the proposed time-period for repair reasonable;
- (c) the breakdown or disruption is considered by the Department to be unavoidable and not the result of negligence; and

- (d) the Department is provided with daily and weekly reports and is immediately notified when corrective measures have been accomplished; and
- (e) the Department is provided with an assessment of damages or potential risks to human health associated with the breakdown or disruption.

(2) The person responsible for the emission of contaminants into the ambient air in the circumstances described in sub-regulation (1) shall submit a written report to the Department which shall include the cause and nature of the emission, the estimated quantity of contaminants emitted, the time of the emission and steps taken to control the emission and to prevent a recurrence.

(3) The Department may, subject to such conditions as may be imposed by the Department, grant an exemption to a person responsible for a source of contamination in the circumstances of start-up, shut-down or scheduled maintenance if the person responsible for the source of contamination notifies the Department, within twenty-one days prior to such occurrence, of the nature, duration and unavoidability of the emissions and such other information as may be requested by the Department.

(4) Where start-up or shut-down of equipment is a normal operating condition, the Department may grant a continuing specified period of time within which there must be compliance with these Regulations.

PART IV
PARTICULATE EMISSIONS FROM
STATIONARY SOURCES

8. (1) Power generating installations: Power generating installations.
- (a) which are new sources, shall not emit more than 0.80 pounds of sulfur dioxide, maximum two-hour

average, per million BTU when the oil is fired;

- (b) which are existing sources, shall not emit more than 1.0 pound of sulfur dioxide, maximum two-hour average, per million BTU when low sulfur oil is fired;
- (c) which are existing sources, shall not emit more than 2.2 pounds of sulfur dioxide, maximum two-hour average, per million BTU when high sulfur oil is fired;
- (d) which are new sources, shall not-emit more than 0.80 pounds of sulfur dioxide, maximum two-hour average, per million BTU heat input when coal is fired;
- (e) which are existing sources, shall not emit more than 1.0 pound of sulfur dioxide, maximum two-hour average, when coal is fired.

(2) Any permit issued for the operation of an existing source or any renewal or modification of such permit shall include a clause indicating that when the conditions justifying the use of high sulfur oil no longer exists the permit shall be modified accordingly.

(3) This Regulation applies to an installation operated for the purpose of producing electrical power with a resulting discharge of sulfur dioxide in the installation effluent gases.

(4) For the purposes of this Regulation

- (a) “low sulfur oil” means fuel oil containing less than 0.90 per cent by weight of sulfur; and

(b) “High sulfur oil” means fuel oil containing 0.90 per cent or more by weight of sulfur.

9. Except as otherwise provided in these Regulations relating to specific types of sources, the opacity of any plume or effluent shall not be as great as, or greater than, that designated as No. 2 on the Ringlemann Scale or per cent opacity equivalent to No. 2 on the Ringlemann Scale. Opacity of plume or effluent.

10. (1) No person shall cause or permit a building or its appurtenances, open area, or road or alley to be used, constituted, repaired, altered or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Escape of plume or effluent.

(2) Dust and other types of particulates shall be kept to a minimum by such measures as wetting-down, covering, landscaping, paving, treating, detouring or by other reasonable means.

11. No person shall cause or permit the extracting, crushing, screening, handling or conveyance of materials or other operations likely to give rise to airborne dust without taking reasonable precautions, by means of spray bars or wetting agents, to prevent particulate matter from becoming airborne. Airborne dust.

12. No person shall within any urban area cause or permit - Illicit burning.

(a) the burning of refuse or other combustible material so as to cause a nuisance to any other person; or

(b) the burning of refuse in a commercial area instead of making provision for adequate cleaning.

13. (1) The Department may permit the use of disposal sites where burning may be carried out for the purpose of disposing of solid waste and combustible material at such times and under such conditions as it determines. Establishment of disposal sites.

(2) The site, for the purpose of sub-regulation (1), shall be authorized on the basis of the environmental and atmospheric conditions of the area.

Fuel burning
equipment.

14. (1) No person shall cause or permit the emission of particulate matter into the atmosphere, caused by the combustion of fuel, from any fuel burning operation in excess of the quantity established by the standards of the Department.

(2) The maximum allowable emission of particulate matter in pounds per hour per BTU of heat input shall be based upon a 24 hour arithmetic average and calculated directly from the heat input according to established procedures adopted by the Department.

(3) For the purposes of these Regulations:

- (a) the heat input shall be the aggregate heat content of all fuels whose products of combustion pass through a stack or other outlet;
- (b) the heat input value shall be the equipment manufacturer's or designer's guaranteed maximum input, whichever is greater;
- (c) the total heat input of all fuel-burning units on a plant or premises shall be used for determining the maximum allowable amount of particulate matter which may be emitted.

Process industries. 15. (1) No person shall cause or permit the discharge of particulate matter into the atmosphere, in any one hour from an existing process source, except from incineration and fuel-burning equipment, the total quantity of which is in excess of the amount specified by the Department.

(2) The rate of emission shall be determined on the basis of the process weight rate.

16. (1) No person shall cause or permit the acid discharge into the atmosphere of :. Sulfur plants.

(a) more than 4.0 pounds of sulfur dioxide per ton of sulfur acid produced (calculated as 100 per cent H₂SO₄); maximum two-hour average; or

(b) more than 0.15 pounds of sulfuric acid mist per ton of sulfur acid produced (calculated as 100 per cent H₂SO₄), maximum two-hour average, expressed as H₂SO₄, from facilities that produce sulfuric acid by the contact process by burning elemental sulfur, alkylation's acid, hydrogen sulfide, organic sulfides and mercaptans or acid sludge.

(2) This Regulation shall not apply to existing sources such as metallurgical plants or other facilities when conversion to sulfuric acid is utilized as a means of controlling emission to the atmosphere of sulfur dioxide or other sulfur compounds.

17. No person shall cause or permit the discharge of reduced sulfur into the atmosphere from any other industry, other than those referred to in Regulations 8 to 17, which includes sulfur equivalent from all sulfur emissions, including but not limited to sulfur dioxide, sulfur trioxide and sulfuric acid, in excess of 10 per cent of the sulfur entering the process as feed. Other industries.

PART V
EMISSION OF ORGANIC COMPOUNDS FROM
STATIONARY SOURCES

Reservoir, tanks,
etc.

18. (1) No person shall place, store or hold in any reservoir, stationary tank or other container, having a capacity of 50.000 or more gallons, any gasoline or any petroleum product that has a rebate pressure higher than 5.0 pounds per square inch absolute or greater under actual storage conditions, unless such reservoir, tank or other container is a pressure tank that maintains working pressure sufficient at all times to prevent hydrocarbon vapour or gas loss to the atmosphere, or is equipped with one of the following vapour loss control devices, properly installed in good working order and in operation:

- (a) a floating roof consisting of a pontoon type or double-deck type roof resting on the surface of the liquid contents and equipped with a closure seal to close the space between the roof-ease and tank-well and a vapour balloon or vapour dome, designed in accordance with standards approved by the Department;
- (b) other equipment approved by the Department to be of equal efficiency for preventing discharge of hydrocarbon gases and vapours into the atmosphere.

(2) Any other petroleum storage tank which is constructed or extensively remodeled on or after the commencement of these Regulations shall be equipped with a submerged filling device or acceptable equivalent for the control of hydrocarbon emissions.

(3) Sub-regulation (2) above shall only apply to new sources.

Loading of volatile
organic compounds.

19. All facilities for dock loading or unloading of petroleum products, with

a vapour pressure of 5.0 pounds per square inch absolute or greater at loading pressure shall provide for submerged filling or acceptable equivalent for the control of hydrocarbon emissions.

20. All pumps and compressors which handle volatile organic compounds shall be equipped with mechanical seals or other equipment of equal efficiency to prevent the release of organic contaminants into the atmosphere. Pumps and compressors.

21. Materials such as solvents and other volatile compounds, including but not limited to paints, acids, alkalies, pesticides, fertilizer and manure, stored in commercial quantities, shall be processed, stored, used and transported in such a manner and by such means that they will not unreasonably evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution; and where means are available to effectively reduce the contribution to air pollution from evaporation, leakage or discharge, the installation and use of control methods, devices or equipment shall be required. Organic solvents and other volatile compounds.

PART VI
EMISSIONS OF CARBON MONOXIDE FROM
STATIONARY SOURCES

22. No person shall cause or permit the emission from any industrial plant or factory, carbon monoxide emissions above the prescribed level without the use of complete secondary combustion of waste gases generated by any process source. Industrial sources.

PART VII
EMISSIONS OF NITROGEN OXIDES

23. No person shall cause or permit the discharge from, a nitric acid plant producing weak nitric acid, which is 30 to 70 per cent in strength, either by increased pressure or atmospheric pressure process, of more than 3.0 pounds of total oxides of nitrogen per ton of acid produced, maximum two-hour average, expressed as nitrogen dioxide. Nitric acid plants.

Sources of air pollution.

24. (1) The owner or operator of any major stationary source of air pollution may be requested by the Department, in writing, to maintain adequate monitoring of the amount of pollutants emitted from such source as may be deemed necessary to determine whether such sources are in compliance with the relevant emission standards.

(2) Where the Department is satisfied that the levels of air pollution exceed any relevant emission standards, then the owner or operator of any source of air pollution may be requested by the Department in writing, to carry out performance tests on the efficiency of its process and emission control in order to determine whether or not the emissions from the process are in excess of the standards established by the Department or such other standard that is acceptable in that industry.

(3) The owner or operator of any source of air pollution-

(a) shall permit the Department to conduct performance tests and provide the necessary access to sampling points; or

(b) shall provide the Department with a written report of the results of performance tests carried out by him; or

(c) shall provide in a timely manner complete and accurate information in respect of any request for information from the Department or in response to any inspection by the Department of the nature and sources of air pollution.

(4) Performance tests shall be conducted and reported according to procedures established by the Department.

PART VIII
EMISSION FROM COMBUSTION ENGINES

25. (1) No person shall cause a vehicle to discharge into the atmosphere contaminants in excess of the quantity specified by the Department. Exhaust emission standard.

(2) The quantity of emission from motor vehicle engines shall be set according to the type of vehicle engine and the model year of the vehicle.

(3) Motor vehicles shall be subject to testing of carbon monoxide, hydrocarbon and crankcase pressure which shall be carried out in accordance with levels and procedures to be prescribed by the Minister.

(4) The testing of a motor vehicle shall be carried out at the time of inspection; but any vehicle with visible emission may be subjected to such testing.

(5) Where a motor vehicle has been tested in accordance with subregulations (3) and (4) and defects have been discovered in the exhaust emission, the owner of the vehicle shall be so notified and requested to correct the defects within 15 days of such notification at which time the vehicle shall be returned for retesting.

26. (1) No person shall cause or permit the discharge into the atmosphere of any contaminant from a gasoline or diesel engine in excess of the quantity specified by the Minister for a motor vehicle operating under normal conditions. Visible contaminants.

(2) The intensity of the emission shall be measured in terms of its density when compared to the Ringlemann Chart.

PART IX
WATER POLLUTION

27. The Department may for the purpose of ensuring the control and Control of water pollution.

abatement of water pollution classify receiving bodies of water according to present and projected future use.

Haulage of waste water.

28. (1) The Department may designate disposal areas for the receipt of waste water from cesspool emptiers.

(2) The Department may give directions as to the times during which the hauling of waste water is permitted.

Notice to abstain from pollution practices.
60 of 2002.

28:01 (1) Where it appears to the Department that any waters have been or are likely to be polluted, the Department may serve on the owner or occupier of the land where the act or omission took place, or on the pollutant a notice requiring him to stop or prevent the acts or omissions causing the pollution.

60 of 2002.

(2) Any person who refuses or fails to comply with a notice served under this Regulation commits an offence and shall be liable on summary conviction to a fine not exceeding twenty thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment, and where the offence is a continuing offence, he shall be liable to a further fine not exceeding one thousand dollars for each day on which the offence continues after conviction.

Operations by Department regarding pollution of water.
60 of 2002.

28:02 (1) Without prejudice to Regulation 28A, where it appears to the Department that any poisonous, noxious or polluting matter is likely to enter, or is, or was present in any waters, the Department may, after consultation with any agency or department of Government having functions in relation to water and water resources, carry out such operations as it considers appropriate to prevent entry or remedying or mitigating any pollution caused, or restoring the waters, so far as is reasonably practical to do so, to the state in which the water were prior to contamination.

60 of 2002.

(2) Any expenditure reasonably incurred by the Department in carrying out operations in accordance with subregulation (1) are, subject to subregulation (3), recoverable by the Department as a debt against the person

who caused or permitted the poisonous, noxious or polluting matter, as the case may be, to be present at the place from which it was likely in the opinion of the Department to enter waters or, as the case may be, to be present in such waters; and accordingly, without prejudice to any penalty imposable on such person or persons, such sums may be recoverable in a District Court, without limit of amount, as a civil debt.

(3) A person shall not be liable to pay for any sums expended by the Department pursuant to this Regulation if he satisfies the court that such sums were incurred unnecessarily. 60 of 2002.

(4) Any person who willfully obstructs the Department or any person authorized in that behalf in the exercise of its powers under this Regulation commits an offence under this Act and shall be liable on summary conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding one year. 60 of 2002.

28:03 No person shall dump or discharge or cause or permit the dumping or discharge of any waste in any inland waters or in the marine environment. Dumping waste. 60 of 2002.

MARINE CRAFTS

29. (1) No person shall dump, deposit, place, throw or leave rubbish, refuse, debris, bidge, filthy or odouriferous objects, substances or other trash, from a marine craft on any waters or the shorelines of any waters of Belize. Dumping of refuse etc. on waters.

(2) No person, whether or not he is the owner, operator, guest or occupant of a boat, shall remove, place, leave or discharge or cause to be removed, placed, left or discharged any container of inadequately treated waste water in any waters of Belize.

30. (1) No marine toilet on any vessel operated upon the waters of Belize shall be constructed and operated so as to permit the discharge of any inadequately treated waste water into the waters of Belize, whether directly or Toilet on marine craft.

indirectly.

(2) Any marine toilet located on or within any vessel operated in the waters of Belize shall have securely affixed to the interior discharge opening of such toilet a suitable treatment device, or some other treatment device or method approved by the Department, in operating condition and properly constructed and fastened.

(3) No person shall discharge or cause to be discharged into the waters of Belize any waste water from a boat unless such waste water is passed through a treatment device, described in subregulation (2) that is affixed to the interior discharge opening of the marine toilet.

PART X
POLLUTION OF LAND

Pollution of land generally.

31. (1) A person shall not pollute land so that the condition of the land is so changed as to make or be reasonably expected to make the land or the produce of the land -

- (a) noxious or poisonous;
- (b) harmful or potentially harmful to the health or welfare of human beings;
- (c) poisonous, harmful or potentially harmful to animals, birds or wildlife;
- (d) poisonous, harmful or potentially harmful to plants or vegetation;
- (e) obnoxious or unduly offensive to the senses of human beings; or

(f) detrimental to any beneficial use made of the land.

(2) Without in any way limiting the generality of subregulation (1) a person shall be deemed to have polluted land in contravention of that subregulation if -

(a) that person causes or permits to be placed in or on any land or in any place where it may gain access to any land any matter whether solid, liquid or gaseous which -

(i) is prohibited by or under these Regulations;
or

(ii) does not comply with any standard prescribed for that matter; or

(b) that person establishes on any land-

(i) a refuse dump;

(ii) a garbage tip;

(iii) a soil and rock disposal site;

(iv) any other site for the disposal of or as a repository for solid or liquid waste:

without the written permission of the Department.

60 of 2002.

(3) A person who contravenes any of the provisions of this Regulation shall be guilty of an offence and liable to a penalty of not more than five thousand dollars.

60 of 2002.

- Leaching contamination. 32. No person shall cause any seepage or leaching contamination of the adjacent soil, ground water or surface water.
- Directions by the Department. 33. (1) The Department may issue, in respect of a person operating a site for elimination or storage of waste or a solid waste treatment plant and disposal system directions it considers appropriate respecting -
- (a) the quality of the service;
 - (b) the reports to be submitted;
 - (c) the terms and conditions upon which the operation shall be carried on; and
 - (d) the standards to be attained and the code of practice to be followed.
- (2) Where an operator fails to comply with a direction under subregulation (1) the Department may -
- (a) cancel or suspend the permit issued in respect of that operator; or
 - (b) execute any work, at the expense of the operator, that may be necessary to cause the operator to comply with the established standards.
- No building or sites used for elimination of waste. 34. (1) No person shall, without the written permission of the Department, construct any building on a site that was formerly used for the elimination of waste.
- (2) No person shall, without the prior written permission of the Department, sell or offer for sale any building on a site that was formerly used for the elimination of waste.

35. No person shall deposit waste in a place other than on a site approved by the Department for the elimination or storage of waste or for the operation of a waste treatment plant or a waste management system. Deposit of waste.

36. For the purposes of Regulations 32 to 35: Interpretation.

(a) “waste” includes solid or liquid residue from industrial, commercial or agricultural activities, rubbish, household garbage, used lubricants, demolition debris, pathological waste material, bodies of animals, motor vehicle wrecks, chemical and radioactive material, and empty containers;

(b) “waste management system” means a combination of technical and administrative operations for the removal, collection, transport, storage, treatment and final disposal of waste.

PART XI
NOISE ABATEMENT

37. (1) A person who on any premises uses or causes or allows to be used any equipment in such a way as to cause or allow it to emit unreasonable noise from those premises commits an offence. Unreasonable noise emissions on premises.

(2) A prosecution for an alleged offence under subregulation (1) may be instituted only by -

(a) any three or more persons, each of whom is the occupier of the premises and claims to be directly affected by that alleged offence;

(b) an authorized person; or

(c) a police officer.

Installation of
equipment emitting
unreasonable noise.

38. A person who installs on or in any premises any equipment which he knows or would have known had he exercised reasonable care, that when so installed and operated emits an unreasonable noise, commits an offence and is liable on summary conviction to a fine of not less than one thousand dollars or to imprisonment for a term of not less than three months.

Noise abatement
directions.

39. (1) If an authorized person considers that an unreasonable noise has been or is being emitted from any premises, the authorized person may -

(a) direct, either orally or in writing, as he considers appropriate,

(i) the person whom he believes to be the occupier of those premises to cause the emission of that unreasonable noise to cease; or

(ii) any person whom he believes to be making or contributing to the making of that unreasonable noise to cease making or contributing to the making of that unreasonable noise; or

(b) take such measures or cause such measures to be taken as the authorized person or police officer considers necessary to abate the emission of that unreasonable noise or to remove the likelihood of any unreasonable noise being emitted.

(2) A person who does not without reasonable excuse comply with a direction given by an authorized person under subregulation (1) commits an offence.

(3) A direction given under subregulation (1) shall have effect for such period not exceeding 7 days as is specified in that direction, but may within that period be revoked by the authorized person who gave it or by any other person authorized by the Department for that purpose.

40. (1) An authorized person may, for the purpose of enabling him to give direction, or to take or cause to be taken any measures, in respect of noise emitted from any premises or to ascertain whether or not an offence under Regulation 37 (2) has been committed on any premises -

Powers of entry in respect of noise abatement directions.

(a) enter such premises, with the aid of such other authorized persons as he considers necessary; and

(b) whether or not he enters such premises, require any person

(i) whom he considers on reasonable grounds was or to have been present in or on such premises at any time when the noise was being emitted; and

(ii) to whom he has given an oral or written warning of his obligation to furnish him with his name and address and with the name and address of the occupier of those premises,

to furnish him with the names and addresses so requested by him.

(2) A person who does not comply with a requirement made under subregulation (1) (b) commits an offence.

(3) An authorized person shall not, if he exercises the power

referred to in subregulation (l)(a), use force in so doing unless he is accompanied by a police officer.

Excessive noise emissions from vehicles or vessels.

41. (1) A person who is the owner or driver of a vehicle or vessel which does not comply with any noise emission standard prescribed for the purposes of this subregulation commits an offence.

(2) For the purposes of subregulation (1) above, evidence that a vehicle or vessel was found, upon inspection, measurement or test, made by an authorized person, not more than six weeks after the commission of the alleged offence, not to comply with the noise emission standard as set in that subregulation shall be sufficient evidence to prove that the vessel or vehicle exceeded the prescribed noise limit.

Noise levels.
Second Schedule.

42. Noise levels in excess of the levels contained in the Second Schedule to these Regulations in respect of the various structures as indicated in that Schedule are prohibited.

Offences
60 of 2002.

43. Every person who contravenes or fails to comply with any of the provisions of this Part, commits an offence and shall be liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

PART XII
PROHIBITION OF THE MANUFACTURE OF
OZONE LAYER DAMAGING SUBSTANCES

Scheduled substance defined.

44. For the purposes of this Part, “scheduled substance”

Third Schedule.

(a) means a substance listed in the Third Schedule to these Regulations;

(b) in Regulations 44 and 45, does not include a substance listed in the Third Schedule that is a

manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the manufactured product or the mere dispensing of the contents of the product that constitutes the intended use of the substance, or that is part of a manufactured product solely because the substance was used in the process of manufacturing the product.

45. For the purpose of protecting the ozone layer, the manufacture of all scheduled substances is prohibited except where a licence is obtained for the purpose of research or academic instruction and in quantities not exceeding one kilogram of the substance in a 12 month period.

Manufacture of scheduled substance prohibited.

46. (1) The importation into Belize of equipment, using or containing any scheduled substances or mixtures of such substances, listed in the first column of the Fifth Schedule shall be prohibited with effect from the dates specified in the second column of that Schedule.

Importation of equipment containing scheduled substances (especially CFCs). Fifth Schedule. 60 of 2002.

(2) This Regulation shall not apply to the importation of CFC-based propellants in metered dose inhalers for medical use.

60 of 2002.

(3) Owners or Importers of any vehicle whose air conditioning system is using CFC-12 or a mixture of CFC-12 shall before any such vehicle is allowed to enter into Belize, be required to retrofit any such vehicle with a non Ozone Depleting Substance, or permanently disable the air conditioning system, at any of Belize's border points before the Customs Department releases the vehicle for entry into Belize.

60 of 2002.

(4) Where any retrofit is done pursuant to subregulation (3), a certificate shall be issued by the retrofitter, in accordance with the Ninth Schedule.

60 of 2002. Ninth Schedule.

- (8) Any individual or company operating in any free zone in Belize, who or which has intention of exporting any scheduled substance, must first apply to the Chief Environmental Officer for a permit authorizing the trans-shipment or transit through Belize of the scheduled substance. 60 of 2002.
- (9) Applicants under subregulation 8 shall comply with Regulation 47:01. 60 of 2002.
- 47:01 (1) Subject to subregulation (2), the labeling of retail containers containing any scheduled substance, especially CFC's or mixtures of CFC's, shall conform to the requirements of the Belize National Standard Specifications for Labeling (Part 2: Labeling of Pre-packaged Goods-BZSI: 1998.) Labeling. 60 of 2002.
- (2) Notwithstanding the provisions of subregulation (1), the labeling shall provide the following:- 60 of 2002.
- (a) name or registered number of the ODS content;
- (b) net weight of the ODS content (including mixtures).
- 47:02 (1) Importers and end users of scheduled substances, especially CFC's, are required to keep a record of their purchases and report annually to the Department the total quantity of scheduled substances (especially CFC gases) purchased and used. Reporting of data on purchases and use of CFCs. 60 of 2002.
- (2) The Department may inspect any record of a purchase of a scheduled substance (especially CFC gases) kept by any importer or end user. 60 of 2002.
- (3) Any accidental discharge of CFCs into the environment shall be reported immediately to the Department. 60 of 2002.
- (4) End users are required to submit to the Department quarterly reports, in the format prescribed in the Tenth Schedule. 60 of 2002. Tenth Schedule.

- 60 of 2002. (5) Any trans-shipment or transit through Belize of any scheduled substance shall not be recorded as “imports” into Belize.
- Cancellation of Licence.
60 of 2002. 48. (1) The Minister may, after consultation with the Department, by Order published in the *Gazette* amend Part I of the Sixth Schedule to remove the name of a registered importer if:-
- (a) the company or person ceases to import or export any scheduled substance; or
 - (b) the importer’s license is revoked in accordance with Regulation 48(2)(b).
- 60 of 2002. (2) Any Importer who imports or exports any scheduled substance in breach of the quota allocation for CFCs in any quota year shall be liable, in addition to any penalty, to a reduction of his quota allocation in the following quota year as follows –
- (a) 50% reduction of the allocation in respect of a first breach; and
 - (b) in the event of a second breach, the licence shall be revoked.
- Prohibitions.
60 of 2002. 48:01 (1) The refilling and or re-charging of equipment (such as refrigerators and freezers) originally charged with refrigerant 134a, with CFC-12 is prohibited with effect from 1st January, 2003.
- 60 of 2002. (2) The recharging of air conditioning units of vehicles, originally charged with 134a, with CFC-12 is prohibited with effect from 1st January, 2003.
- 60 of 2002. (3) The importation of cans of less than sixteen ounces (16oz) containing CFCs is prohibited with effect from 1st January 2003.

(4) The importation of CFC-11 is prohibited with effect from 1st July, 2002. 60 of 2002.

49. (1) Any person who contravenes the provisions of this Part commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to six months imprisonment or to both such fine and imprisonment. Offences. 60 of 2002.

(2) Where an offence under these Regulations is committed or continued on more than one day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued, and liable to a fine of not less than one hundred dollars for each day on which the offence is committed or continued. 60 of 2002.

(3) Any person who willfully discharges CFCs into the atmosphere shall be liable to prosecution pursuant to these Regulations. 60 of 2002.

(4) Any scheduled substance imported without a license or permit from the Chief Environmental Officer shall be liable to seizure by the Department. 60 of 2002.

PART XIII
MISCELLANEOUS

50. (1) Notwithstanding anything to the contrary in these Regulations, the Department may by notice in writing direct - Notice to clean up pollution. 60 of 2002.

(a) the owner, occupier, or agent of any premises upon or from which pollution has occurred or been permitted to occur;

(b) the person who has caused or permitted the pollution to occur;

(c) any person who appears to have abandoned or dumped any industrial waste or potentially

hazardous substance; or

- (d) any person who is handling industrial waste or potentially hazardous substances in a manner which is likely to cause an environmental hazard;

to take the clean-up measures as specified in the notice.

(2) The Department may specify in the notice any condition, requirement, restriction, performance, standard or level that it thinks fit, including -

- (a) a condition or requirement that things specified in the notice are to be done to the satisfaction of the Department; and
- (b) a condition or requirement that things specified in the notice are to be done forthwith or by any day or date or within or over any period as specified in the notice; and
- (c) a condition or requirement that clean-up measures are to be carried in stages by any day or date within or over any period as specified in the notice; and
- (d) a condition or requirement that any measurement, recording, sample, report, plan, drawing, document, calculation, test, analysis, or thing be lodged with the Department or be approved by the Department before any clean-up measures or things specified in the notice are carried out.

Abatement of
pollution in certain
areas.

51. (1) where -

Notwithstanding anything to the contrary in these Regulations,

- (a) pollutants have been or are being discharged;
- (b) a condition of pollution is likely to arise;
- (c) any industrial waste or potentially hazardous substance appears to have been abandoned or dumped; or
- (d) any industrial wastes or potentially hazardous substances are being handled in a manner which is likely to cause an environmental hazard,

the Department may conduct a clean-up or cause a clean-up to be conducted as the Department considers necessary.

(2) The Department may recover any reasonable costs incurred by the Department in taking any action under subregulation (1) from the person who caused the action to be taken or the occupier of the premises on which anything referred to in subregulation (1)(a) to (d) has occurred, in any court of competent jurisdiction as a debt due to the Department.

(3) If the Department cannot recover costs under subregulation (2) from the occupier of the premises on which anything referred to in subregulation (1)(a) to (d) has occurred because the occupier cannot be found the costs shall become a charge on the property of the occupier after an advertisement has been published three times in a newspaper, circulating in the area where the property is situated.

(4) The advertisement shall specify -

- (a) the purpose of the advertisement and the provision of these Regulations under which it is made; and
- (b) the amount in respect of which the charge is to be

imposed; and

(c) the land on which the charge is to be imposed.

Pollution abatement notice. 52. (1) If the Department is satisfied that a process or activity which is being carried on or is proposed to be carried on at any premises or the use or proposed use of any premises -

(a) has caused or is likely to cause pollution;

(b) has caused or is likely to cause a failure to comply with -

(i) any standard prescribed by these Regulations;

(ii) any condition in a licence or permit; or

(c) has created or is likely to create an environmental hazard;

the Department may serve a pollution abatement notice on the occupier of those premises specifying the reason for which the pollution abatement notice is served.

(2) A pollution abatement notice may require the owner, the occupier, or agent of any premises on whom it is served to do any one or more of the following:

(a) to cease carrying on or not commence the process, activity or use;

(b) to carry on, modify or control the process, activity or use in the manner specified in the pollution

abatement notice;

- (c) to supply to the Department plans, specifications and other information as is specified in the pollution abatement notice showing how the process, activity or use will be carried on, modified or controlled;
- (d) to take the measures including the installation, alteration, maintenance or operation of any apparatus, plant or structures as maybe specified in the pollution abatement notice;
- (e) to comply with -
 - (i) any standard prescribed by these Regulations;
 - (ii) any condition in a licence or permit;
- (f) to provide monitoring equipment and carry out a monitoring program as specified in the pollution abatement notice.

(3) If premises are premises on which more than the prescribed quantity or the prescribed concentration of a notifiable chemical are stored, processed or used, the pollution abatement notice may require the occupier of any premises on whom it is served to provide the Department with financial security satisfactory to the Department.

(4) A requirement contained in a pollution abatement notice may be expressed to be general or limited in operation as to particular times, places or circumstances.

(5) A pollution abatement notice may specify a period of time within

which any requirement specified in the pollution abatement notice is to be complied with.

(6) The Department may by notice of amendment in writing served on the occupier of any premises on whom a pollution abatement notice has been served -

- (a) extend the period, if any, for compliance with a requirement specified in the pollution abatement notice if the Department is satisfied that the circumstances of the case justify an extension of that period; and
- (b) revoke or amend any requirement specified in the pollution abatement notice.

(7) A pollution abatement notice and any notice of amendment of a pollution abatement notice shall not take effect until a day specified in the pollution abatement notice or notice of amendment being a day not less than 30 days after the day on which the pollution abatement notice or notice of amendment is served.

60 of 2002.

(8) An owner, occupier, or agent of any premises on whom a pollution abatement notice or a notice of amendment has been served under this Regulation who contravenes a requirement specified in the notice shall be guilty of an offence and liable to a penalty of not more than ten thousand dollars and in the case of a continuing offence to an additional penalty of not more than one hundred dollars for each day during which the offence continues.

Site abandonment.

53. (1) Unless otherwise directed by the Department, any contractor, owner or operator who carries on quarry or mining, manufacturing, power generating or related activities shall, prior to closing down operations on any site -

- (a) remove all equipment and installations, structures, plants, appliances from the relinquished area or site in a manner agreed with the Department pursuant to an abandonment plan; and
- (b) perform all necessary site restoration activities in accordance with the directives of the Department, and shall take all other action necessary to prevent hazards to human life, property or to the environment.

(2) In order to ensure compliance with the requirements of subregulation (1) the Department may require the contractor, etc., to post a bond or guarantee acceptable to the Department, or in the alternative, to fund a reserve for future estimated abandonment and site restoration costs.

54. (1) Notwithstanding anything to the contrary in these Regulations –

Special powers of authorized officers where imminent danger to life or limb or to the environment.

- (a) if-
 - (i) pollutants have been or are being discharged;
 - (ii) a condition of pollution is likely to arise;
 - (iii) any industrial waste or potentially hazardous substance appears to have been abandoned or dumped; or
 - (iv) any industrial waste or potentially hazardous substance is being handled; and

- (b) an authorized officer is of the opinion that there is or is likely to be imminent danger to life or limb or to the environment -

the authorized officer may give such directions either orally or in writing as the authorized officer considers appropriate to remove, disperse, destroy or, dispose of, abate, neutralize or treat any pollutant, waste substance, environmental hazard or noise.

(2) Any costs incurred in complying with subregulation (1) by any person who is not the person who caused or permitted the situation described in subregulation (1)(a) are to be reimbursed to that person by the Department.

(3) Where the Department has reimbursed any costs under subregulation (2) the Department may recover the costs from any person proved to have been the person who caused or permitted the situation described in subregulation (1)(a) in any court of competent jurisdiction as a debt due to the Department and when recovered must be paid into the Consolidated Revenue Fund.

(4) No matter or thing done by an authorized officer or by any person under a direction given by an authorized officer shall, if the matter or thing was done in good faith in the exercise of the power conferred by these Regulations on an authorized officer, subject the authorized officer or that person personally to any action, liability, claim or demand whatsoever.

(5) Any person who contravenes without reasonable cause a direction given by an authorized officer under subregulation (1) shall be guilty of an offence.

Presumption that occupier caused discharge etc.

55. If any segment or element of the environment is polluted as a result of a discharge, emission or deposit of any substance from or on any premises on which there is conducted any commercial or industrial undertaking, the occupier of the premises is deemed to have polluted that segment or element of the

environment unless the occupier adduces evidence that the discharge, emission or deposit was unrelated to the commercial or industrial undertaking.

56. If an offence is committed against these Regulations with respect to the discharge or emission of wastes or pollutants or noise from any ship, the owner and the master of the ship are each guilty of the offence.

Owner and master of ship each guilty of pollution from ship.

57. (1) The Department may by notice in writing served on the occupier of any premises or any previous occupier of the premises require that occupier to furnish to the Department within fourteen days or such longer period as is specified in the notice such information as to any manufacturing, industrial, or trade process carried on in or on the premises or as to any waste which has been, is being or is likely to be discharged from, or any noise which has been, is being or is likely to be emitted from, or any waste which is being or is likely to be stored on, those premises as is specified in the notice.

Furnishing of information.

(2) Any person who contravenes any requirement made under this Regulation shall be guilty of an offence.

(3) Any information furnished or statement made to the Department pursuant to any requirement made under subregulation (1) shall not, if the person furnishing the information or making the statement objects, at the time of furnishing the information or statement, to doing so on the ground that it might tend to incriminate him, be admissible in evidence in any proceedings against that person for an offence except the offence of refusing or failing to comply with the requirements of a notice given under this Regulation.

57:01 The Department may by notice require the owner or operator of any factory, industrial plant or similar facility to undertake an environmental audit on the processes utilized in such factory, industrial plant, or similar facility, the type of pollution effluent discharged by such factory, industrial plant, or similar facility, as well as the steps being taken to control or reduce pollution, and to submit the environmental audit to the Department within such time as may be specified by the Department.

Environmental audits.
60 of 2002.

Environmental
incentive
programmes.

58. (1) The Department shall develop, promote and implement appropriate incentive programmes which encourage the voluntary use of effective environmental management systems and the achievement of improvements in environmental quality, including-

- (a) the establishment of a voluntary facility environmental audit programme which allows for the exercise of enforcement discretion by the Department with respect to liability which might otherwise arise, if an offence or violation is detected as a result of such an audit programme and voluntary disclosure to the Department-,
- (b) the establishment of environmental certification or labeling programmes which allow the Department to distinguish or designate specific persons, activities or products which the Department certifies as demonstrating or representing significant environmental management qualities;
- (c) the operation of deposit-refund systems for specified materials to increase the level of recycling, reuse or other authorised disposition; and
- (d) any other programmes or mechanisms which may further the objectives of the Act.

(2) With the approval of the Minister the Department may impose pollution charges or user fees to encourage the protection and conservation of the environment.

(3) For purposes of this Regulation, “facility environmental audit programme” means a comprehensive investigation and evaluation system

designed and implemented at a facility for the purpose of -

- (a) detecting and preventing violations of environmental requirements or the commission of offences under these Regulations; and
- (b) identifying opportunities for achieving improvements in environmental programmes at the facility.

59. No person shall wash any motor vehicle or any other type of vehicle in any river or stream. Washing of motor vehicles.

60. (1) Where no penalty is specifically provided in the Act, a person who contravenes these Regulations is guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty thousand dollars or to imprisonment for a term not exceeding two years and in the case of a continuing offence, to a further fine not exceeding one hundred dollars for each day or part thereof during which the offence continues after a conviction is first obtained. Offence.
60 of 2002.

(2) In imposing any fine, the magistrate may order that the fine imposed, or a portion of such fine, be paid into an environmental fund established by the Department. 60 of 2002.

61. Where an act or omission constitutes an offence under these Regulations and is also an offence under any other law, nothing in these Regulations shall affect the operation of such other law and the accused person may be charged and tried under such other law, notwithstanding the provisions of these Regulations. Savings in respect of other offences.

62. The fees set out in the Fourth Schedule shall be paid in respect of the permits specified in the Fourth Schedule. Fees.
Fourth Schedule.
60 of 2002.

63. (1) The Department may, in performing any of its functions under these Regulations, from time to time, require any person, officer or other authority Department may collect information.
60 of 2002.

to furnish to it or to any prescribed authority or officer any reports, returns, statistics, accounts and other information that may be required for the purposes of these Regulations and such person, officer, or other authority shall be bound to do so.

60 of 2002. (2) A person who fails to comply with subregulation (1) on being required by the Department to do so, commits an offence and is liable on conviction to a fine not exceeding five thousand dollars.

Additional offences. 64. (1) Any person who –
60 of 2002.

- (a) fails to manage any pollutants, hazardous materials, processes or wastes in accordance with any permit, licence or lawful instruction of the Department or contrary to these Regulations;
- (b) knowingly or fraudulently mislabels wastes, pesticides or chemicals;
- (c) aids or abets the illegal trafficking in wastes, chemicals, pesticides or hazardous processes, wastes or substances

commits an offence and shall upon conviction be liable to a fine of not less than five thousand dollars and not more than twenty thousand dollars or to imprisonment for two years.

60 of 2002. (2) Any person who discharges or emits any pollutant into the environment otherwise than in accordance with these Regulations commits an offence and shall be liable, upon conviction, to a fine of not less than ten thousand dollars or to imprisonment for ten years or to both such fine and imprisonment.

MADE by the Minister of Tourism and the Environment this 10th day of April, 1996.

(HENRY YOUNG)

*Minister of Tourism and the Environment,
Minister responsible for the Environment.*

FIRST SCHEDULE**[Regulation 6]****CONCENTRATION OF AIR CONTAMINANTS**

	Concentration in micrograms per meter cube			
	SPM	SO ₂	CO	NO _x
A. Industrial and mixed use	500	120	5000	120
B. Residential & Rural	200	80	2000	80
C. Sensitive	100	30	1000	30

1. **Cement****Standard for particulate matter emission.**

Capacity	Other area
200 tpd and less	400 mg/Nm ³
Greater than 200 tpd	250 mg/Nm ³

2. **THERMAL POWER****(a) Standard for particulate matter emission.**

Boiler size	Other area
Less than 200 MW	350 mg/Nm ³
200 MW & above	150 mg/Nm ³

**(b) Standard for Sulphur dioxide control
(through stack height)**

Boiler size	Stack height
Less than 200 MW	H=14 (Q) 0.3
200 MW to less than 500 MW	220 meters
500 MW & more	275 meters

Q=Sulphur Dioxide emission in kg/hr

H=Stack height in meters

3. IRON & STEEL**Standard for particulate matter**

Process	Emission Limits
Sintering plant	150 mg/Nm ³
Coke oven	-
Blast furnace	-
Steel making during normal operation	150mg/Nm ³
Steel making during oxygen lancing	400 mg/Nm ³

4. FERTILIZER (UREA)**Standard for particulate matter emission**

Process	Emission Limit
Drilling Tower	50mg/Nm ³

5. FERTILIZER (PHOSPHATIC)**Standard for fluoride and particulate matter.**

Process	Emission Limit
Acidification of rock phosphate	25 mg/Nm ³ as total fluoride (F ⁻)
Granulation, Mixing, Rock Grinding	150 mg/Nm ³ of particulate matter from each process.

6. SULPHURIC ACID**Standard for sulphur dioxide and acid mist emission**

Process	Sulphur dioxide emission	Acid mist emission
Single conversion Single absorption	10 Kg /tonne of concentrated (100%) acid produced	50mg/Nm ³
Double conversion Double absorption	4 Kg/tonne of concentrated (100%) acid produced	50mg/Nm ³

7. CALCIUM CARBIDE**Standard for particulate matter emission.**

Source	Emission Limit
Kiln	250mg/Nm ³
Arc Furnace	150 mg/Nm ³

8. COPPER, LEAD AND ZINC SMELTING**Standards for particulate matter and oxides of sulphur.**

Concentrator Smelter & Converter	150 mg/Nm ³ for particulate matter Off-gases must go for H ₂ SO ₄ manufacture. No release of SO ₂ , SO ₃ shall be permitted from the smelter or converter.
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9. CARBON BLACK**Standard for particulate matter emission.**

Year of commissioning	Emission Limit
All plants	150 mg/Nm ³

10. NITRIC ACID**Standards for oxides of nitrogen, NO_x**3Kg of NO_x per tonne of weak acid (before concentration) produced.

SECOND SCHEDULE**[Regulation 42]****NOISE LEVELS**

Noise Level According to the dB (A) Scale (as defined by the International Electronics Commission)

Duration of the Noise	Structure A		Structure B		Structure C		Structure D		Structure E	
	D	N	D	N	D	N	D	N	D	N
1. More than 9 hrs	60		60		70		70		85	
2. More than 3 hrs, less than 9 hrs	70		70		75		75		90	
3. More than 30 mins	75		75		80		80		100	
4. More than 30 mins		45		45		45		45		90
5. More than 15 mins and less than 1 hr	70		70		90		90		105	
6. More than 10 mins and less than 30 mins		45		50		50		50		90
7. More than 5 mins and less than 15 mins	70		85		100		90		90	
8. More than 2 mins and less than 5 mins	90		95		100		100		95	
9. Less than 10 mins		50		70		70		70		80
10. Less than 2 mins	100		100		105		100		110	
Noise from infrequent (less than 4 times per week) explosions	109		109		114		114		114	

D = Day N = Night

- Structure A: any building used as a hospital, convalescent home, old age home, or school.
- Structure B: any residential building.
- Structure C: any building in an area that is used for residential and one or more of the following purposes: commerce, small scale production, entertainment.
- Structure D: any residential apartment in an area that is used for the purposes of industry, commerce or small scale production.
- Structure E: any building used for the purposes of industry, commerce, or small scale production in an area used for the purposes of industry, commerce, or small scale production.

THIRD SCHEDULE**[Regulations 44 and 45]****SCHEDULED SUBSTANCES****PART I**

Chlorofluorocarbons (CFC)

Chemical Name	Common Name
CFC ₁ ₃ - Trichlorofluoromethane	CFC11
CF ₂ Cl - Dichlorodifluoromethane	CFC12
C ₂ F ₃ Cl ₃ - Trichlorotrifluoroethane	CFC113
C ₂ F ₄ Cl ₂ - Dichlorotetrafluoroethane	CFC114
C ₂ F ₅ Cl - Chloropentafluoroethane	CFC115

PART 2

Halons

Chemical Name	Common Name
CF ₂ BrCl - Bromochlorodifluoromethane	halon 1211
CF ₃ Br - Bromotrifluoromethane	halon 1301
C ₂ F ₄ Br - Dibromotetrafluoroethane	halon 2402

PART 3

Other Fully Halogenated Chlorofluorocarbons

Chemical Name	Common Name
CF ₃ Cl - Chlorotrifluoromethane	CFC13
C ₂ FC ₁ - Pentachlorofluoroethane	CFC111
C ₂ F ₂ Cl ₄ - Tetrachlorodifluoroethane	CFC112
C ₃ FC ₁ ₇ - Heptachlorofluoropropane	CFC211
C ₃ F ₂ Cl ₆ - Hexchlorodifluoropropane	CFC212
C ₃ F ₃ Cl ₅ - Pentachlorotrifluoropropane	CFC213

$C_3F_4Cl_4$ - Tetrachlorotetrafluoropropane	CFC214
$C_3F_5Cl_3$ - Trichloropentafluoropropane	CFC215
$C_3F_6Cl_2$ - Dichlorohexafluoropropane	CFC216
C_3F_7Cl - Chloroheptafluoropropane	CFC217

PART 4

Carbon Tetrachloride

Chemical Name CCl_4 - Tetrachloromethane**Common Name**

Carbon Tetrachloride

PART 5

Methyl Chloroform

Chemical Name $C_2H_3Cl_3$ - 1,1,1 - Trichloroethane**Common Name**

Methyl Chloroform

FOURTH SCHEDULE

[Regulation 62]

FEES

Permit to emit contaminants into the environment under Regulation 3 or Regulation 4.	\$500
Permit to construct building on site formerly used for the elimination of waste under Regulation 4.	\$1000

FIFTH SCHEDULE**[Regulation 46]**

<u>Equipment</u>	<u>Effective Date</u>
Domestic refrigerators and freezers	1/1/03
Industrial refrigeration units	1/1/03
Commercial refrigeration units, including Display Cabinets, bottle coolers and Soda fountains	1/1/03
Aerosols, foams and solvents which use or are made up of the following ozone depleting substances 1/1/03	1/1/03
CFC-11	
CFC-12	
CFC-113	
CFC-114	
CFC-115	
Vehicular air conditioning units	1/1/03
Halon-based fire fighting equipment	1/7/02

SIXTH SCHEDULE

[Regulations 2 and 47(1)]

Part I – List of Licensed Refrigerant Importers

LICENSED IMPORTERS

Midway Convenience Store
Enrique Martinez & Sons

Part II – CFC to be imported under the Quota System

Chlorofluorocarbons

CFC-11 (CFC-13) -	Until 2002
CFC-12 (CFC2CL2) -	Until 2010
CFC-113 (C2F3CL3) -	“ “
CFC-114 (C2F4CL2) -	“ “
CFC-115 (C2F5CL) –	“ “
R502 (51.2% CFC-115 and 48.8% HCFC 22)	“ “

Part III – Annual Quota Allocations for Imports of CFCs

Importers

Quota Allocations

Enrique Martinez & Sons	50%
Midway Convenience Store	50%

Part IV – CFC Imported Quotas 2001 - 2008

Jan 2002 to Dec 2002	25 metric tonnes
Jan 2003 to Dec 2003	20 metric tonnes
Jan 2004 to Dec 2004	15 metric tonnes
Jan 2005 to Dec 2005	10 metric tonnes

SEVENTH SCHEDULE

[Regulation 47(1)]

APPLICATION FORM

**APPLICATION FOR LICENSE TO
IMPORT/EXPORT SCHEDULED SUBSTANCES
(OZONE DEPLETING SUBSTANCES)**

- 1. Name of Importer:
-
- 2. Address of Importer:
-
- 3. Description and Quantity/Volume of Substances to be Imported/Exported:
-
-
- 5. Country of Origin of Substance:
-
- 6. Supplier's Name and Address:
-

7. Port of Entry:

.....

8. Has any previous application been made? Yes No

If Yes, please state When and Quantity Imported:

.....

.....

Date

.....

Applicant's Signature

For Official Use Only

Approved/Not Approved

Note:

Chief Environmental Officer

EIGHT SCHEDULE**[Regulation 47(1) and (3)]****ENVIRONMENTAL PROTECTION ACT (CAP. 328)****LICENCE TO IMPORT/EXPORT SCHEDULED SUBSTANCE**

THE DEPARTMENT OF THE ENVIRONMENT HEREBY GRANTS A LICENCE TO:

To Import/Export scheduled substances pursuant to an applicant for importation/exportation dated the _____ day of _____ .

Location of the Importing/Exporting company or person: _____

Type, Quota of scheduled substance for which this license is being authorised:

Type: _____

Quota: _____

This LICENSE is granted subject to the following conditions:

1. Only a maximum volume/quantity of scheduled substances will be permitted to be imported/exported as per the annual quota stated above.
2. A maximum of 50% of the above quota will be permitted for transfer to another scheduled importer/exporter.
3. This licence is valid for one year only.
4. This licence can be revoked by the Chief Environmental Officer at anytime, pursuant to Regulation 48.

This Licence expires:

31st December, 2__.

Date

Chief Environmental Officer

NINTH SCHEDULE

[Regulation 45(4)]

RETROFIT CERTIFICATE

Name of Importer: _____

Address: _____

Item: _____

Nature of Retrofit: _____

Type of Gas removed from system: _____

Type of Gas System Retrofitted to: _____

Name of Retrofitter: _____

Remarks: _____

TENTH SCHEDULE**[Regulation 47B (4)]****QUARTERLY REPORT FORM
ODS RETROFITTING**

Reporting Period: _____

Type of Equipment	Number retrofitted	Previous total	Year to date
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Refrigerator
 Deep Freezer
 A/C Unit (window)
 A/C Unit (heavy duty vehicle)
 A/C Unit (motor vehicle)
 A/C Unit (other)
 Refrigerated Truck
 Other

TOTAL

Comments:

Port of Entry:

Signed _____

Signature of Supervisor _____

Date _____

Date _____