



NATIONAL ENVIRONMENT & PLANNING AGENCY

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WARNING LETTER

Ref. No.: 2012-06017-EP00109

16 December 2015

Mr. Ivan Anderson
Managing Director
Jamaica North Highway Company Limited
2nd Floor - JAMPRO Building
18 Trafalgar Road
Kingston 5

Dear Mr. Anderson

Re: Non-Compliance with the Environmental Permit for Construction of New Highway

The National Environment and Planning Agency (NEPA) conducted a post permit monitoring visit of the highway construction on 27 November 2015. The following breaches to the *Specific Conditions* of the permit were highlighted during the visit:

- **SC46.** The storm water drainage plan shall be implemented based on a design approved by the National Works Agency.
- **SC 49.** The Permittee and/or its agents shall pursuant to Specific Condition 48 install appropriate permanent measures for the prevention of the erosion of any cut faces and drainage features during construction and operation.
- **SC 50.** The Permittee and/or its agents shall ensure that the storm water drainage plan to be implemented is approved by the National Works Agency prior to implementation and a copy of the relevant approval is submitted to the Agency.

You are hereby required to acknowledge the above stated breaches and address them within fifteen (15) days from the effective date of this letter. Failure to comply will result in further enforcement action being taken without reference to you.

The effective date of this letter is 21 December 2015.

Additionally a review of the conditions revealed breaches which were committed prior to the above mentioned inspection for which warnings were issued, yet to date Jamaica North South Highway has not complied. They are as follows:

- **SC 18.** The Permittee and/or its agents shall, within 3 months of the date of issue herein, submit for the approval of the Water Resources Authority and the Agency, a detailed Operation and Maintenance Manual for the protection, maintenance and cleaning of the engineering solutions for water quality control to sinkholes and wells. The Manual must include but not be limited to the following:
 - Specific pollutants being treated for
 - Proposed standards for the pollutant discharge to the sinkholes and wells
 - Proposed frequency for monitoring of ambient water quality
 - Proposed method and frequency for monitoring of runoff to be discharged to the sinkholes and wells.

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- **SC 19.** The Permittee and/or its agents shall, within 3 months of the date of issue herein, submit a copy of the contract for the protection, maintenance and cleaning of the engineering solutions for water quality control.
- **SC 31.** Works during the construction phase shall only be conducted between the hours of 7a.m. to 7p.m. on Mondays to Saturdays, save and except with written permission from the Authority/Agency.
- **SC 33.** The Permittee shall notify and obtain the written approval of the Agency/Authority prior to any Works during the construction phase on Sundays and public holidays .
- **SC 38.** The Permittee and/or its agents shall not remove or caused to be removed/damaged any vegetation not located within the approved road alignment.

This letter represents an official warning and failure to comply will result in the issuing of a **Suspension Notice** as per Section 11 of the NRCA Act, 1991 without further reference to you.

Please do not hesitate to contact the undersigned at enforcementmanager@nepa.gov.jm or 754-7540 ext. 2403 or 580-8081 for any necessary clarification.

Yours sincerely

National Environment & Planning Agency



Richard Nelson
Manager- Enforcement Branch
for Chief Executive Officer

C: Ms. Morjorn Wallock – Director Legal and Enforcement Division, NEPA
Mr. Errol Mortley – Environmental Manager – NROCC
Mr. Valton Simpson – Environmental Engineer (CHEC)