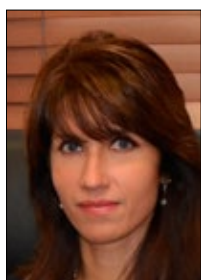


Energy and the Environment: A Profile of the EMA

Interview with Dr Allan Bachan and Gayatri Badri Maharaj



Dr Allan Bachan
Chairman, EMA



Gayatri Badri Maharaj
Ag Managing
Director, EMA

For over 25 years, the responsibility for environmental issues in Trinidad and Tobago was handled by various Ministries under successive governments. This resulted in a patchwork of approximately 40 pieces of legislation addressing various aspects of environmental management and some 28 government agencies involved in carrying out the associated functions and activities. The result was a lack of institutional and legal focus for environmental management and the continued degradation of the country's resources.

The establishment of the Environmental Management Authority (EMA) in 1995 was the Government of Trinidad and Tobago's response to addressing the country's crucial environmental problems and creating a pathway for sustainable development. With the Environmental Management (EM) Act as its guide, the EMA is mandated to write and enforce laws and regulations for environmental management, educate the public about the nation's environmental issues in an effort to control and prevent pollution, as well as conserve natural resources.

The EMA's Acting Managing Director, Ms Gayatri Badri Maharaj provides a historical account of the development of the organisation. "Since its 19 years of existence, the EMA has streamlined environmental management practices in this country. We have achieved significant legislative feats including the implementation of the Water Pollution Rules, the Certificate of Environmental Clearance Rules, and the Noise Pollution Control Rules, with the Draft Air Pollution Rules expected to be passed in Parliament in due course".

Ms Badri Maharaj further explains that "the EMA recognises the need to preserve our unique and threatened landscapes and species, and as such designated three ecosystems: the Matura National Park, the Aripo Savannas and the Nariva Swamp Managed Resource Protected Area as Environmentally Sensitive Areas (ESA). There are several species designated as Environmentally Sensitive Species (ESS) including the pawi, manatee,

white-tailed sabrewing hummingbird, golden tree frog, and ocelot. In acknowledging Trinidad and Tobago as one of the world's largest turtle nesting sites, this year the EMA designated five sea turtles, including the green, oliver ridley, leatherback, hawksbill and loggerhead, as ESS."

Ms Badri Maharaj maintains that the organisation continues to be challenged by an environmentally-conscientious society to address environmental issues across the country. "When the public has a complaint about an environmental matter within our jurisdiction, we must promptly respond. The EMA is not merely a permitting agency; we have to exercise vigilance and monitor activities to ensure that they comply with environmental legislation. To date, we have issued more than 2400 CEC's, indicating that more development activities operate with the proper guidelines and approvals".

The Ag Managing Director keenly awaits the implementation of the Air Pollution Rules to regulate industry air pollution. She cites the recent Beetham landfill fire which covered the entire capital city of Port of Spain in smoke as prime justification for the Rules. "It is difficult to test the quality of air without benchmark standards. The EMA needs the legislative power to intervene in operations emitting air pollutants, therefore bringing our industrial sector into compliance. It is not just an environmental problem but a public health issue as well."

The sector continuing to draw keen interest is the oil and gas industry. According to Ms Badri Maharaj, "within recent times, the public, particularly environmental groups have called on the EMA to vigilantly monitor developments in this sector, particularly with respect to offshore explorations. Seismic surveys is an intense topic for debate as fisher folk have reported a drastic depletion in fish stocks in our waters, particularly along the Gulf of Paria. In an effort to ensure that oil and gas explorations are conducted in accordance with strict environmental codes without devastating marine life, the EMA has launched

a seismic survey project with the objective of drafting guidelines for the conduct of offshore local seismic surveys.” Ms Badri Maharaj however explains that developing guidelines is not the only mechanism for addressing this matter. “There needs to be a dedicated public awareness initiative to present the facts of seismic surveys, and the EMA intends to achieve this through independent research and stakeholder collaborations.”

In December 2013, the country witnessed one of the worst environmental disasters in its history. 11 oil spills occurred along the southwest coastline, resulting in unprecedented environmental destruction. Chairman of the EMA, Dr Allan Bachan described this incident as one which “challenged every resource of the EMA”. Since the oil spills were initially reported, the EMA’s Compliance and Enforcement team worked tirelessly to ensure that the affected sites were cleaned up and returned to their original state. The team conducted several and ground surveys, interviews with relevant personnel, and meticulous reviewing of certificates of Environmental Clearance relating to this incident. Based on its investigations, the EMA identified the Petroleum Company of Trinidad and Tobago (Petrotrin) as the violator and initiated legal proceedings by serving two Notices of Violation (NOVs) with respect to several breaches of the EM Act.”

A Consent Agreement was entered into in which Petrotrin was fined a sum of TT\$20 million dollars, the largest fine ever issued against a violator in Trinidad and Tobago. Dr Bachan advised that “the EMA continues to assess the extent and gravity of environmental impact which will inform the method/s to be employed toward the remediation or restoration of impacted sites. The TT\$20 million fine would be directed toward any restorative works.”

Dr Bachan recalls that the most devastating sight was that of small fishing vessels paralysed by a thick layer of oil. “The plight of the fishing community was a key driving force behind all of

our efforts. Their livelihoods were severely affected and we needed to act swiftly to restore this.” To date, Dr Bachan notes that the areas have returned to normalcy and the EMA continues to work with the relevant authorities to monitor any aftermath effects from the oil spill.

Both Dr Bachan and Ms Badri Maharaj agree that the EMA still has a long journey ahead. Ms Badri Maharaj admits that “the EMA is a fairly young organisation and is yet to realise its full potential. We are working on institutional strengthening and capacity building within the organisation. The EMA has almost doubled in size since 1995, and we will continue to engage the best and brightest minds in the country in every aspect of our mandate.” ■

In December 2013, the country witnessed one of the worst environmental disasters in its history, challenging every resource of the EMA



Ms Gayatri Badri Maharaj (Ag MD) (left), Dr Allan Bachan (centre) and Ms Ria Ramoutar, Manager of Emergency Response and Investigations during a site visit to the oil spill affected areas in south west Trinidad