



NATIONAL ENVIRONMENT & PLANNING AGENCY

10 & 11 Caledonia Avenue, Kingston 5, Jamaica W.I. Tel: (876) 754-7540/3 Fax: (876) 754-7595-6 Tollfree: 1-888-991-5005
E-mail: ceo@nepa.gov.jm, Website: http://www.nepa.gov.jm

FINAL WARNING LETTER

Ref. No.: 2012-06017-EP00109

12 February 2016

Managing Director
Jamaica North Highway Company Limited
2nd Floor
JAMPRO Building
18 Trafalgar Road
Kingston 5

Attention: Mr. Xia O Fend Wang

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

The National Environment and Planning Agency (NEPA) in letter dated 16 December 2015 outlined eight (8) conditions which had been breached and the consequences if these breaches were not addressed. Five of these conditions (SC 18,19,31,33 and 38) were in breach prior to the letter being sent and the relevant warnings issued for said breaches. At the Biweekly Project Meeting held 3 February 2016 at Treadways, the Agency reminded the meeting of the current compliance level and the impacts the development is having on the Old Fort Bay community in St. Ann. The response to the issues highlighted included, ignorance of the warning letter issued and admittance that the highway construction may have contributed to the current problem at Old Fort Bay, but was not entirely responsible.

TAKE NOTE that Permittee is legally responsible for ensuring that the conditions of the permit are complied with.

You are hereby advised to address the breaches mentioned in letter dated 16 December 2015 (attached) and provide a solution to the issues affecting Old Fort Bay within fifteen (15) days of the effective date of this letter. Your response should include but not be limited to:

- the validity of the Old Fort Bay residents complaint
- the extent to which the highway construction have contributed to the drainage issues highlighted by the residents
- Any commitment given to the residents in addressing the issues (short to long term solutions)
- All proposed drainage solution submitted to NEPA and NWA for approval prior to implementation, these should include:
 - Working drawings
 - Slope rehabilitation plan
 - Implementation/work schedule of major tasks with timeline to completion
 - Drainage maintenance plan

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.

.../2

Mr. Xia O Fend Wang
Managing Director
Jamaica North Highway Company Limited
12 February 2016
Page2

The effective date of this letter is 15 February 2016.

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

A handwritten signature in black ink, appearing to read 'Richard Nelson', with a long horizontal line extending to the right.

Richard Nelson
Manager- Enforcement Branch
for Chief Executive Officer

Rn/ra

C: Mr. Peter Knight, Chief Executive Officer National Environment & Planning Agency
Mr. Ivan Anderson – Managing Director – NROCC
Mr. Errol Mortley – Environmental Manager –NROCC
Mr. Raul Brito – Grantor Representative – NROCC
Mr. Valton Simpson – Environmental Engineer (CHEC)
Miss Morjorn Wallock – Director, Legal and Enforcement Division NEPA