



ENVIRONMENTAL AUTHORIZATION PART 2

Last week, we took a brief look at Environmental Authorizations (EA) granted by the EPA in Guyana. It was noted that EAs are necessary for the protection of human health and the environment, as they identify potential pollution sources and mitigation measures before development activities occur. Additionally, having an EA is also beneficial to the developer as it is a legal requirement, and saves time and money in the long term as conflicts with other stakeholders are addressed before significant financial investments are made.

After the receipt of an application, it is 'screened' to determine whether or not an Environmental Impact Assessment (EIA) is required or not.

EIA not required

Once it is determined that an EIA is not required, the EPA will publish a notice to the public, in at least one daily newspaper informing them of the EPA's position, thereby allowing public input into the decision making process. Appeals against the Agency's decision may be made to the Environmental Assessment Board (EAB) within 30 days of the publication of the notice. Once there are no objections, an Environmental Permit is issued with conditions for environmental management, against which developers are to report when submitting an annual return to the EPA. Additionally, for some projects, an Environmental Management Plan (EMP) may be required detailing measures to mitigate known/potential environmental impacts.

EIA required

If an EIA is required, the developer will be requested to select qualified persons to undertake the study. Once the team of consultants has been approved, and a draft Terms of Reference (TOR) prepared, the Agency will publish in at least one daily newspaper, a notice of the project, inviting public submissions on issues or areas of concern that should be addressed in the EIA. The TOR for the EIA scope of work will determine the nature and extent to which the consultants will examine issues of importance which emerge during the scoping exercises. The consultants will conduct scoping of the project during the active public consultations, facilitated by the EPA. The scoping exercises will identify what possible impacts there may be from the project, and from alternatives considered. It is during the scoping process that important environmental components likely to be affected (air quality, water quality, biodiversity etc.) are identified, along with potential issues of conflict between stakeholders.

The EIA has three (3) components: an environmental baseline study; an environmental assessment and an Environmental Impact Statement (EIS). Once the EIA study has been completed and the report prepared, the developer will submit as a minimum eight (8) hard copies and one (1) electronic copy of the EIA which must include the EIS. The EPA will publish a notice in at least one daily newspaper notifying the public of the submission of the EIA. The public will have sixty (60) days from the publication date of the notice to make submission to the EPA and / or EAB. The EPA, along with the sector agency, will review the EIA. Whilst reviewing the EIA, the sectoral agencies will also ensure that the EIA is consistent with any plans, guidelines, regulations or codes of practice developed by them. Copies of the EIA and the findings of the review by the EPA and sectoral agency will be passed to the EAB for review and recommendation.

The Environmental Assessment Board (EAB) will recommend to the EPA whether the EIA is acceptable and the conditions to be attached to the Environmental Permit, should it be granted. Should there be a need for additional information before a decision is made, the developer will be requested to submit such information. A new draft of the EIA or an addendum if the comments are not significant should then be prepared by the consultant, and must address the comments of the EPA, the sectoral agency, the public and the EAB. It is essential that the consultants clearly indicate how each comment has to be addressed.

The EPA will take into account the EAB's recommendations, the sectoral agency's recommendations, the public's comments and the EPA's own review, and decide whether or not the project should be approved. For the approval project the EPA will issue an Environmental Permit with the terms and conditions necessary to effectively manage the environment and, in accordance with the prescribe fee. Should an Environmental Permit not be granted not be granted, the developer may file an appeal within fourteen (14) days with the Environmental Appeals Tribunal (EAT).

Ensure that you submit your applications for Environmental Authorization, and remember, the environment is everybody's business!

You can share your ideas and questions by sending letters to: "Our Earth, Our Environment", C/O Communications Department, Environmental Protection Agency, Ganges Street, Sophia, GEORGETOWN, or email us at: eit.epaguyana@gmail.com, follow us on Facebook and Instagram, and subscribe to our YouTube channel.