

Environmental Protection Agency



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Operation Permit

Issued under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.

Reference No.:	20210205-NSBLN
Fees:	Small (C1) US\$100 (1 year)
Fee Paid:	US\$100: One (1) year (June, 2021 to May, 2022)

Addressee(s): Mr. Nuri Shalaan Bacchus,

Proprietor,
N.S. Bacchus Sawmill
24 B Grant 1178,
Crabwood Creek
Corentyne
Berbice.

Activity: To undertake Logging operations within SFA Bce 02/09

Nuri Shalaan Bacchus, hereinafter referred to as the "Permit Holder", is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to undertake logging operations within SFA Bce 02/09, located at SFA Bce 02/09 at the Left Bank Corentyne River, Left Bank Little Timehri River hereinafter referred to as the "Project", in the manner indicated in the Application submitted on February 5, 2021, subject to the terms and conditions set forth herein and any existing or forthcoming regulations made under the said Environmental Protection Act and/or any other applicable laws, best practices, guidelines and standards relevant to this project.

Terms and Conditions for Operation to be adhered to by the Permit Holder, His Servants, Agents and/or Sub-Contractors:

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2021-12-24

1.0 OPERATION

- 1.1 Notify the Agency in writing and obtain its approval for ANY proposed changes in the operation at least **fourteen (14) days before** making the change. The notification shall contain a **description of the proposed change in operation**. It is not necessary to make such a notification if an **Application to vary** this permit has been made and the Application contains a description of the proposed change. In this condition '**change in operation**' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment, including but not limited to the following:

- i. Changes in construction, structure, layout of the facility;
- ii. Installation of new and/or changes to equipment, machine, apparatus, mechanism, system or technology serving the facility or operation;
- iii. Any technology installed at the facility from which effluent may be discharged; or
- iv. Any other variance prescribed by Condition 20(3) of the Environmental Protection (Authorisations) Regulations.

- 1.2 Submit to the Agency the renewed State Forest Authorization within the first year of the issuance of this Operation Permit; failing which, the EPA reserves the right to order the cessation of all activities at the Project site.

- 1.3 Construct camps and trail(s) in the manner specified in the Guyana Forestry Commission (GFC) Code of Practice for Timber Harvesting, 2018 (Revised).

- 1.4 Ensure that adequate provisions are in place for ingress to and egress from the Project site.

- 1.5 Where the land surface has been disturbed during/after construction, expansion, modification or repair of the operation or any portion of the operation, the Permit Holder shall reclaim/rehabilitate the surface of the land to its former state; except where it is not possible, the Permit Holder may reclaim and/or rehabilitate unused land to an equivalent standard.

- 1.6 Ensure that trucks are equipped with the necessary reflective signage to warn the public of impending danger of parked/moving trucks with logs on public thoroughfares.

- 1.7 Ensure that the transportation of logs and lumber to and from your Project site does not impede traffic on trails. Logs/lumber must be contained within the boundaries of the Project site.

- 1.8 Discharge logs and lumber safely through the use of appropriate equipment i.e. log extractor at log market/s to ensure logs/lumber do not free fall from haulers to the ground, resulting in vibration and excessive damage to soils and/or vegetation.

- 1.9 Prohibit the hunting, trapping and trading of endangered and locally protected wildlife species, in keeping with the Wildlife Conservation and Management Act, 2016. Further, prohibit the capture, trading and removal of wildlife by employees and/or all third-party contractors.

- 1.10 Undertake removal of trees and vegetation in areas only where absolutely necessary.

2.0 EMPLOYEES AND OCCUPATIONAL HEALTH AND SAFETY

- 2.1 All employees must be equipped with and trained in the use of personal protective equipment (PPE) to fit their job specification such as: chaps for chainsaw operators, high-visibility vests, respirator, hard hats, gloves, and appropriate footwear and ensure appropriate utilisation of these gears. A log for the distribution of Personal Protective Equipment to employees must be maintained. Evidence of distribution log must be presented to officers of the Agency upon request during a compliance inspection, and a summary must be included in the **Environmental Annual Report**.

- 2.2 A first aid kit equipped according to the Guyana Red Cross standards must be located on site at times. Additionally, communication and transportation systems must be in place to respond to emergencies.

- 2.3 Make all employees/third party contractors aware of the Conditions of the Operation Permit and provide training on good environmental management practices. Prepare and maintain a training file for employees which should be available upon Officers' request during a Compliance Inspection, and a summary of such training must be included in the **Environmental Annual Report**.

3.0 ROADS AND LOG MARKET

- 3.1 All activities with regard to, the construction, operation and maintenance of primary and secondary roads within Concession **must** be done in a manner specified in the GFC Code of Practice for Timber Harvesting (revised), 2018.

- 3.2 The construction, operation and maintenance of bridges, culverts, skid trails, log-markets, burrow pits and camp sites **must** be done in a manner specified in the GFC Code of Practice for Timber Harvesting (Revised), 2018.

- 3.3 Ensure that all reasonable and practical measures such as the provision of turnout drains at regular intervals are implemented to prevent erosion of roads. Further, ensure that runoff from turnout drains along roads and log ponds do not discharge directly to natural water ways.

- 3.4 Construct turnout drains at specified spacing recommended by the Code of Practice for Timber Harvesting for roads or trails of varying gradients to maintain road stability.
- 3.5 Maintain all active roads/trail(s) leading to and within the concession. Fill in ruts and holes that develop during roads/trails use. Use a suitable material (such as compacted fill), to fill as soon as possible to reduce the potential for erosion.
- 3.6 Ensure that vegetative debris from harvesting does not result in blocked waterways. Remove all debris and conduct regular maintenance to allow for free flow of water ways.
- 3.7 Ensure that no harvesting of logs takes place nearby waterways, which may result in erosion and disruption of biodiversity corridor for the movement of wildlife along waterways.
- 3.8 Blading of trails on steep slopes should be avoided to reduce erosion that may lead to sedimentation of waterways below.
- 3.9 Skidder blade shall be raised when opening trails to: avoid removing top soil and seeds within, reduce erosion, and encourage fast regeneration on the trail. Blades should only be lowered to restore rutted trails (when returning empty) or to serve as an anchor when winching.
- 3.10 As far as is practical, retain the vegetative debris from the opening of trails to cushion the effects of the skidder or other machinery wheels/tracks on soil surface to reduce compaction, rutting, and encourage natural regeneration.

4.0 WASTE MANAGEMENT

- 4.1 Adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations, 2013.**
- 4.2 Maintain all camps in the manner specific in the GFC Code of Practice for Timber Harvesting, 2018 (revised). At all times, maintain good housekeeping, sanitary and hygienic practices, and the good aesthetic quality of your surroundings at all times.
- 4.3 A Solid Waste Pit should be constructed at least 100 metres away from waterways, above the water table and lined with at least 1.5 metres of clay/loam material to avoid leachate entering the ground water.
- 4.3.1 Storm water should be diverted from the waste pit. Pits should be maintained and covered on a regular basis to avoid fly and rodent infestations as well as mal-odour from leachate.
- 4.3.2 When the maximum capacity is reached, the solid waste pit should be covered with at least 0.3 metres of soil and a suitable site determined for another.

4.4 Promote proper solid waste management practices in the operation. Provide covered garbage receptacles at strategic locations of the concession and ensure that all solid waste materials are appropriately stored until the time of disposal in the solid waste disposal pit. Reuse, recycle and compost waste materials as far as practical.

4.5 At all times, the environs for receptacles should be cleaned and maintained on a regular basis, to prevent the fall or flow of garbage in the surrounding environment and/or attraction of rodents and other vermin.

4.6 The environs of the latrine should be kept clean, in a hygienic manner and maintained both internally and externally. Ensure the construction and maintenance of new or existing Ventilated Improved Pit (VIP) latrines comply with the following:

- i. Built with suitable materials such as hardwood or concrete materials and soil should be lined with at least 1.5 metres of clay/loam material to avoid leachate entering the ground water;
- ii. Properly vented with a tall ventilation pipe located on the windward side;
- iii. Fitted with a fly screen on top of the vent to prevent the passage of flies and mosquitoes (the meshed apertures (holes) of the fly screen must not exceed 1.5 millimeters, made with corrosion resistant material to withstand intense rainfall, high temperatures and strong sunlight);
- iv. Positioned at least thirty (30) metres away from surface and ground water sources, creeks, wells or springs;
- v. Dug at least 0.6 metres above the average ground water table and at least four (4) metres away from any dwelling (such as camps, and any sleeping and living quarters, etc.);
- vi. Easily reached during bad weather and maintained to prevent odour; and
- vii. Covered with at least 0.3 metres of soil when the maximum capacity is reached and a suitable site determined for another latrine.

5.0 AIR QUALITY AND NOISE MANAGEMENT

5.1 Adhere to the provisions of the Environmental Protection (Air Quality) Regulations, 2000, and the Environmental Protection (Noise Management) Regulations, 2000.

5.2 Comply with the Guyana National Bureau of Standards (GNBS) Guidelines for noise emission into the environment, not exceeding the limits below at a distance of 15m (50 ft) from the source or property boundary, whichever is closer.

- **Industrial Limits 100 dB** (Day-time (06:00 h - 18:00 h))

- 5.3 Implement all possible measures such as, ensuring equipment is serviced and operated according to manufacturer's recommendations to minimise the impact of sound levels on the environment.
- 5.4 Ensure that mechanical equipment and vehicles are regularly maintained and work at their optimal levels to minimise atmospheric emissions.

6.0 HAZARDOUS MATERIALS/WASTES MANAGEMENT

- 6.1 Adhere to the provisions of the Environmental Protection (Hazardous Wastes Management) Regulations 2000.

- 6.2 There shall be no release of any pollutants (i.e. fuel, waste oil, wood preservatives) to ground water or soil from permitted installation. Accidental release of pollutants to soil and ground water must be recorded and reported within twenty-four (24) hours to the Agency for further investigation.

- 6.3 Take the necessary precautionary measures such as the use of leak-proof and tightly closed containers during the transport of fuel to the concession. Appropriate measures should also be taken during the handling and use of all Hazardous Waste at the concession.

- 6.4 Store waste oil in tightly covered plastic pails to avoid spillage. Where possible, ensure it is stored on an impervious surface. It is an offence to drain fuel/lubricants including waste oils of any quantity from equipment onto the ground, drains or water ways.

- 6.5 Promote the reuse of waste oil, for example lubrication of equipment, where practical.

- 6.6 Label and store before being reused or sold to an authorised dealer; waste oil, used batteries, oily rags, filters and oil containers, in a designated area with an impervious surface.

7.0 COMPLIANCE MONITORING AND REPORTING

- 7.1 Comply with any lawful directions given by the EPA from time-to-time in furtherance of the implementation of any international or other obligation for the environmental protection of Guyana.

- 7.2 Monitor the implementation of the conditions of this Operation Permit, insofar as they involve adherence by your employees and all third parties under your direction.

- 7.3 Submit to the EPA, the Environmental Annual Reports on the status of the project, progress of the implementation of the monitoring activities and compliance with the conditions contained herein by March 31 every year.

7.4 Conform to all terms and conditions under which this Operation Permit is granted and the Permit Holder shall be liable for any loss or damage which arises from the project as a result of the Permit Holder's activities or breach of any term or condition of this Permit.

7.5 Inform the Agency prior to or **within thirty (30) days** of any change of name or ownership of the operation.

7.6 Notify the Agency **within twenty-one (21) days** in event of death, bankruptcy, liquidation or receivership of the Permit Holder or if the Company becomes a party to an amalgamation.

7.7 Notify the EPA **within one (1) hour** of the occurrence of any environmental emergencies such as a sudden onset disaster, accident, natural, technological or human induced factors that cause or threaten to cause severe environmental damage as well as harm to human health or livelihood.

7.8 Report to the Agency any non-compliance with the Operation Permit as follows:

7.8.1 Within **twenty-four (24) hours** of the time the Permit Holder becomes aware of the non-compliance, the anticipated manner in which it may endanger human health or the environment.
7.8.2 Within **seventy-two (72) hours**, submit to the Agency a written report containing a description of the non-compliance, its cause and the period of non-compliance including exact dates and time.
7.8.3 Submit a report to the Agency indicating the reasons and the anticipated time it is expected to continue if the non-compliance has not been corrected.

8.0 INSTITUTIONAL AUTHORITY/LIABILITIES

8.1 The EPA reserves the right to conduct regular inspections of the Permit Holder's operation as part of its monitoring and enforcement requirements under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.

8.2 The EPA reserves the right to review and/or amend the conditions and fees attached to this Permit, which also includes the review and/or amendment of Permit Fees in consideration of any changes in fee structure as determined by the Agency for projects of this nature.

8.3 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

8.4 The Permit Holder, His Servants, Agents and/or Sub-Contractor shall at all times, allow entry to the Permitted facility to any Officer designated by the EPA for the purposes of conducting inspections or any other legitimate business of the Agency. Pursuant to Section 38 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana, it is an offence to assault, obstruct or hinder an authorised person in the execution of his/her duty under the said Act or its Regulations and the Permit Holder shall be liable to penalties prescribed under paragraph (c) of the Fifth Schedule for doing so.

8.5 The Permit Holder, his Servants, Agents and/or Sub-Contractors while executing the activities attributable to the project shall be strictly jointly and severally liable as follows:

a. For any activity that causes, or is likely to cause pollution of the environment, unless all reasonable and practicable measures were taken to prevent or minimise any resulting adverse effect, in accordance with Section 19(1)(a) of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

b. For any activity which results in the discharge, release or entry into the environment of any contaminant in any amount, concentration or level in excess of that prescribed by the regulations or stipulated by this Permit, in accordance with Section 19(1)(b) of the Environmental Protection Act, Cap. 20:05 Laws of Guyana.

c. The discharge or release of contaminants, such as wood waste, industrial chemicals, lubricants, fuel, chemicals, hazardous materials or other wastes relative to the Project, which are not regulated herein, or permitted to be discharged herein, are strictly prohibited. Any such discharge or release shall be deemed a violation of Section 19(1)(a) and/or Section 19(1)(b) of the Environmental Protection Act.

d. For the compensation of any Party who suffers any loss or damage as a result of the project. (s.19(3)(e)) Environmental Protection Act, Cap. 20:05, Laws of Guyana.

e. For any material or serious environmental harm caused by pollution of the environment intentionally or recklessly in accordance with section 39 (1), (2), (3) and (4) of the Environmental Protection Act, 20:05, Laws of Guyana.

f. Any gross negligence or willful misconduct resulting in serious risk, or adverse effects to the marine environment, biodiversity, protected species and natural habitat with respect to any release or discharge, spill,

contaminant fluids, oil, or lubricants from any facilities permitted under this project.

g. For the payment of all costs and expenses related to the assessment of damage and investigations required, as result of any pollution incidents attributable or likely to be attributable to the activity for which this Permit has been issued.

8.6 This Operation Permit is not the final consent; all relevant permissions, approvals and supporting documents must be obtained from other regulatory bodies for continued operation, and subsequently maintained.

8.7 The Agency (EPA) shall notify the Permit Holder immediately of any written claim or notice sent by any complainant seeking loss or damage for negligence as a result of the Permit Holder's lack of due care and diligence.

8.8 Where it appears to the Agency that the Permit Holder is engaged in any activity that may pose serious threat to natural resources or serious pollution of the environment or any damage to public health, the EPA may issue to the Permit Holder a Prohibition Notice to immediately cease the offending activity, in accordance with Section 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

8.9 Should the Permit Holder contravene or is likely to contravene any condition of this Permit, the Agency (EPA) may serve on him an Enforcement Notice in accordance with Section 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

8.10 This Operation Permit is effective for the period stipulated herein **June, 2021 to May, 2022**. This Operation Permit shall remain valid until **May 31, 2022**, unless otherwise modified, cancelled, suspended or revoked in accordance with the provisions of this Permit or the Environmental Protection Act, Cap. 20:05, Laws of Guyana, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.

8.11 This Permit must be renewed by submitting a completed *Application Form for Renewal of Environmental Authorisation* to the Agency at least six months before this Permit expires, that is, no later than **December 31, 2021**.

8.12 Any late submission of renewal application after the specified date as stated above, shall require the Permit Holder to pay, in addition to renewal fee, a late penalty fee (accruing at the time such obligation was first owed for renewal) at a rate of **two thousand dollars (GY\$2000.00) per day for every business day late**, until such renewal application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.

8.13 Failure to comply with the requirements of this Permit shall render the Permit Holder liable to prosecution and to penalties prescribed under the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000, including civil penalties and injunctive relief.

Signed by *Sharif Razack*
 Ms. Sharifah Razack
 Executive Director (a.g.)
 Environmental Protection Agency

Date 2021.06.23

I hereby accept the above Terms and Conditions upon which this Operation Permit is granted and agree to abide by the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, the Environmental Protection Regulations, 2000, and any forthcoming regulations and standards made under this Act.

NAME:	AMEER Niron Beghaus
DESIGNATION:	owner
SIGNATURE:	<i>Amier Niron Beghaus</i>
DATE:	2021-12-24

