



Environmental Protection Agency

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Environmental 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.:	20210423 - UBFR
Fees:	Small (C1) US\$200 (2years) i.e., US\$100 per year
Fee Paid:	US \$200 (January, 2022 to December, 2023)

Addressee(s):

Mr. Derick Daniels
Chairman

Upper Berbice Forest and Agricultural
Producers Association
Kwakwani Waterfront
Berbice River.



Activity:

To Undertake Logging Activities within SFA-CFMA Bce:
11/09

Upper Berbice Forest and Agricultural Producers Association, 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 activities within SFA-CFMA Bce: 11/09, located at Left Bank Berbice River, Right Bank Kuyuwini River, Left Bank Duck River, hereinafter referred to as the "Project", in the manner indicated in the Application submitted on April 23, 2021, subject to the terms and conditions set forth herein under the Environmental Protection Act Cap. 20:05, any existing or forthcoming regulations and/or any other applicable laws, best practices, guidelines and standards relevant to this project.

The Permit Holder, His Servants, Agents and/or Sub-Contractors shall comply with the following Terms and Conditions for Operation:

1.0 OPERATION

- 1.1 Make an application to the Agency to vary this Permit in instances where it becomes necessary to:

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- a. Changes in construction, structure, layout of the facility;
 - b. Installation of new and/or changes to equipment, machine, apparatus, mechanism, system or technology serving the facility or operation;
 - c. Any technology used or installed at the facility from which effluent may be emitted from; and
 - d. Any other variance prescribed by Regulation 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 Construct camps, roads, log markets, plumbed toilets/pit latrines and trail(s) in the manner specified in the Guyana Forestry Commission (GFC) Guidelines for Forest Operations, 2018.
- 1.3 Ensure that adequate provisions are in place for ingress to and egress from the Project site.
- 1.4 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.
- 1.5 Discharge logs safely through the use of appropriate equipment i.e., log extractor at log market/s to ensure logs do not free fall from haulers to the ground, resulting in vibration and excessive damage to soils and/ or vegetation.
- 1.6 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.

2.0 EMPLOYEES

- 2.1 Adhere to the requirements of the **Occupational Safety and Health Act, Cap. 99:01, Laws of Guyana.**
- 2.1.2 Provide employees with the necessary protective equipment to fit their job specification.
 - 2.1.3 Provide first aid kit/s equipped according to the Guyana Red Cross standards which shall include a snake bite kit.
- 2.3 Provide communication and transportation systems to respond to emergencies.



- 2.4 Make all employees/third party contractors aware of the Conditions of the Environmental 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 WASTE MANAGEMENT

3.1 Adhere to the provisions of the Environmental Protection (Litter Enforcement) Regulations, 2013.

- 3.2 Maintain good housekeeping, sanitary and hygienic practices, and the good aesthetic quality of your surroundings.

- 3.3 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.

- 3.3.1 Storm water should be diverted from the waste pits. Pits should be maintained and covered on a regular basis to avoid fly and rodent infestations, as well as, mal-odours from leachate.

- 3.3.2 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.

- 3.4 Promote proper solid waste management practices at Project site. Provide covered garbage receptacles at strategic locations within the work and camp sites. All solid waste collected in these receptacles must be appropriately store, until such time, for disposal in solid waste pits. Reuse, recycle and compost waste materials as far as practicable.

4.0 AIRQUALITY AND NOISE MANAGEMENT

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

- 4.2 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: 100dB** (Day-time (06:00 h - 18:00 h)

- 4.3 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.
- 4.4 Ensure that mechanical equipment and vehicles are regularly maintained and work at their optimal levels to minimise atmospheric emissions.

5.0 HAZARDOUS MATERIALS

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

- 5.2 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.
- 5.3 Take the necessary precautionary measures such as the use of leak-proof and tightly closed containers during the transport of fuel to the Project site. Appropriate measures should also be taken during the handling and use of all Hazardous Waste at the Project site.
- 5.4 Store all fuel and waste oil at least 100 m away from waterways. Fuel and waste oil should be stored in tightly covered plastic pails/drums 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, or in water ways.
- 5.5 Waste oils, used batteries, oily rags, filters and oil containers must be appropriately labelled, and stored in a designated area with an impervious surface until such time for reuse or sale to an authorised dealer.
- 5.6 Promote the reuse of waste oil, for example lubrication of equipment, where practicable.

6.0 COMPLIANCE, MONITORING AND REPORTING

- 6.1 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.
- 6.2 Monitor the implementation of the Conditions of this Environmental Permit, insofar as they involve adherence by your employees and all third parties under your direction.

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- 6.3 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.
- 6.4 Conform to all terms and conditions under which this Environmental 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.
- 6.5 Inform the Agency prior to or **within thirty (30) days** of any change of name or ownership of the operation.
- 6.6 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.
- 6.7 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.
- 6.8 Report to the Agency any non-compliance(s) with the Environmental Permit as follows:
 - 6.8.1 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.
 - 6.8.2 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.
 - 6.8.3 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.

7.0 INSTITUTIONAL AUTHORITY/LIABILITIES

- 7.1 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.
- 7.2 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.



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

7.4 The Permit Holder, His Servants, Agents and/or Sub-Contractors 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.

7.5 The Permit Holder, his Servants, Agents and/or Sub-Contractors while executing the activities attributable to the project shall be 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)) of the 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 surrounding 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.

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

7.7 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.

7.8 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.

7.9 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.

7.10 This Environmental Permit is effective for the period stipulated herein **January, 2022 to December, 2023, and shall remain valid until December 31, 2023**, 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 (Authorisations) Regulations, 2000.

7.11 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 **June 30, 2023**.

7.12 Any late submission of renewal application after the specified date as stated above, the Agency may 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.

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7.13 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 (Authorisations) Regulations, 2000, including civil penalties and injunctive relief.



Signed by Shanfah Lopez on behalf of the Environmental Protection Agency.

Date 2022.01.04

I hereby accept the above Terms and Conditions upon which this Environmental 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:	Daniel Daniels
DESIGNATION:	Chairman
SIGNATURE:	
DATE:	2022-05-10

