



**Environmental
Protection
Agency**

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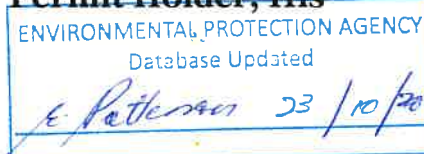
Operation Permit

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

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| Reference No.: | 20200522- DDLFS |
| Fee: | Medium (C1) i.e. US\$ 500 per year |
| Fee Paid: | US \$ 2500 for Five (5) years (September 2020- August 2025) |
| Addressee: | Demerara Distillers Limited Plantation Block "A" Diamond East Bank Demerara |
| Activity: | Operation of Fuel Storage Facility – Bunker C and Diesel, ONLY |

Demerara Distillers Limited, hereinafter referred to as the "Permit Holder", is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to Store Fuel at Plantation Block "A" Diamond, East Bank Demerara hereinafter referred to as the "Project", in a manner indicated in the Application for Environmental Authorisation submitted on May 22, 2020, and subject to the terms and conditions set forth herein under the Environmental Protection Act and in any existing or forthcoming regulations, guidelines, best practices and standards relevant to this project.

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



1.0 OPERATION

1.1 Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the Fuel Storage 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, or layout of the facility and all associated buildings.

- ii. Installation of new and/or changes to equipment, machine, apparatus, mechanism, system or technology serving the facility.
 - iii. Any technology used or installed at the facility from which effluent may be discharged.
 - iv. Any other circumstance or condition prescribed by Regulation 20(3) of the Environmental Protection (Authorisations) Regulations, 2000.
- 1.2 Adopt and comply, where applicable, with the National Standard "Guidance for the Design, Construction, Modification, and Maintenance of Petrol Filling Stations" and any forthcoming code of practice/guidelines pertaining to the operation of fuel storage.
- 1.3 An Operation and Maintenance Manual shall be developed and maintained. The Manual shall address all aspects of the on-going operation, including the required maintenance and inspection schedule, loss monitoring / investigation procedures, emergency response and requirements for review of the Manual.
- 1.4 The Operation and Maintenance Manual shall be submitted to the EPA for review and approval **within three (3) months of receipt** of Operation Permit.
- 1.5 A register of the types and quantities of fuel and associated hazardous materials stored onsite shall be established and maintained. The registered information shall be submitted to the Agency as a component of the Annual Environmental Report required in **condition 6.7**.
- 1.6 Fuel shall at all times be stored above-ground, in a cool, dry place and away from ignition sources. '**No Smoking**' signs shall be posted where fuel is handled or stored.
- 1.7 Fuel storage tanks shall be located where they can be inspected externally for corrosion or leaks and suitably protected against corrosion for the duration of their operating life. Protection measures such as painting and coating shall be employed to minimize corrosion of the fuel tanks.
- 1.8 All tanks shall be tested by competent persons to verify their integrity annually. All tests should be documented including a clear indication of the scope, type and results of the tests. The test methods and results shall be submitted to the Agency as part of the **Annual Report** referred to within **condition 6.7**.
- 1.9 Visual inspections of the fuel tanks shall be conducted in accordance with the specifications outlined below. These results shall be submitted to the Agency as part of the **Annual Report** referred to within **condition 6.7**.
- 1. Diesel Service tank
 - Quarterly inspections internally by DDL
 - 2. Diesel Storage Tank
 - Quarterly inspections internally by DDL

- Formal External Inspection by a certified inspector bi- annually
3. Bunker C Storage Tanks
- Quarterly inspections internally by DDL
 - Formal External Inspection by a certified inspector bi- annually
- 1.10 The secondary containment of the fuel storage facility shall be inspected monthly for cracks and breakage to ensure it is liquid tight to withstand hydrostatic pressure of any contained liquid when full. Inspection reports shall be submitted to the Agency as a component of the Annual Environmental Report required in **condition 6.7**.
- 1.11 The bund shall remain sealed and all piping must enter or exit the bund over the wall. Bunds shall provide total containment, and no part of the tank infrastructure (e.g. dispenser, filling hoses and valves) shall protrude outside the bund.
- 1.12 Tanks and pipeline layout shall minimise the need for bends, joints and underground pipelines. Where underground piping is required, double contained systems shall be installed for new pipelines. All equipment shall be made from corrosion resistant material.
- 1.13 Tanks shall be designed with overfill protection. Equipment shall be fitted with overfill protection which can consist of either an automatic shut off device or an audible or visible overfill alarm.
- 1.14 The safe fill level shall be clearly identified on the gauge and set at 90% to prevent overfilling. The tanks shall be fitted with an overflow system and any discharges shall be released into the bunded area.
- 1.15 A leak detection system shall be in place for all bulk storage fuel tanks. At least two (2) of the following measures should be implemented:
1. Overflow alarms on tanks;
 2. Gauging system;
 3. Dipstick measurements;
 4. Sensors on walls of tanks or;
 5. Electric shut down buttons.
- 1.16 Employees shall be equipped with Personal Protective Equipment relevant to the occupational tasks during operation. These Personal Protective Equipment may include but not limited to:
1. Safety helmets;
 2. Protective respiratory devices
 3. Safety boots with ankle support;
 4. Gloves with reinforced palms and fingers;
 5. Eye protections; tightly fitted safety goggles.
- (Employees should at all times be well protected)***

- 1.17 The Best Available Technology/ Technique (BAT) shall be employed to contain spills when delivery trucks are unloading fuel and containers or equipment are being filled.
- 1.18 Guyana Fire Service Approval shall be obtained and submitted to the EPA **within thirty (30) days from the date** of receipt of this Operation Permit.
- 1.19 The fuel storage facility shall be provided with fire prevention and control equipment in accordance with the Guyana Fire Service Approval. This may include a smoke detection and alarm system, fire extinguishers, fire hydrants or sprinkler systems as appropriate.

2.0 WATER QUALITY

- 2.1 Adhere to the provisions of the **Environmental Protection (Water Quality) Regulation, 2000.**
- 2.2 All equipment refuelling shall be conducted on an impervious base or the use of drip pans shall be implemented to prevent fuel contamination of soil/water.
- 2.3 The oil water separator(s) at the following final discharge points shall be maintained:
 1. **Service Building-** (GPS 6.716207, -58.189330)
 2. **Cooling Tower-** (GPS 6.715999, -58.190852)
 3. **Power Station-** (GPS 6.716143, -58.190148)
- 2.4 Discharges from the secondary containment area shall flow through the oil water separator(s) and should be in accordance with the Guyana National Bureau of Standards (GNBS) *Interim Guidelines for Industrial Effluent Discharge into the Environment*. The following are the allowable limits should not be exceeded:
 - pH 5.0-9.0;
 - Temperature < 40 °C;
 - Total Suspended Solid (TSS) < 100 mg/L;
 - Oil and Grease < 10 mg/L;
 - Total Petroleum Hydrocarbon (TPH) < 40mg/L
- 2.5 The parameters listed in **condition 2.4 shall be monitored** bi-annually at the following points of discharge from the oil/water separators:
 1. **Service Building-** (GPS 6.716207, -58.189330)
 2. **Cooling Tower-** (GPS 6.715999, -58.190852)
 3. **Power Station-** (GPS 6.716143, -58.190148)The results shall be submitted to the Agency as a component of the Annual Environmental Report required in **condition 6.7.**
- 2.6 Emergency spill cleanup kits shall be maintained at all fuel storage sites for response to potential spills. Kits should contain absorbent materials, drain seals and other appropriate tools for clean-up. Oil spills should be cleaned-up by the best practicable

means, to prevent runoff into the waterways.

- 2.7 Fuel/lubricants including waste oils shall not be drained from equipment onto the ground or into waterways.
- 2.8 Interceptor drains shall be maintained on site. These must be adequately sloped to collect storm flow.

3.0 AIR QUALITY AND NOISE MANAGEMENT

- 3.1 Adhere to the provisions of the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations, 2000**.
- 3.2 All significant noise-producing equipment, such as generators, shall be equipped with appropriate silencers or mufflers and/or be enclosed in suitable acoustic enclosures where necessary, to reduce noise levels impacting the surrounding environment to achieve compliance with Guyana National Bureau of Standards (GNBS) requirement.
- 3.3 All generators and machines/equipment shall be serviced regularly to ensure efficiency and reduce the level of noise produced. Maintenance activities of generators, machines or equipment should be scheduled on a monthly basis to avoid inefficiencies and noxious emissions.
- 3.4 Comply with the Guyana National Bureau of Standards (GNBS) Guidelines for Noise Emission into the Environment at a distance of 15 m (50 ft) from the source or at the property boundary, whichever is closer.
Commercial Limits: 80 dB (Day-time (06:00 h -18:00 h))
65 dB (Night- time (18:00 h - 06:00 h))
- 3.5 The exhaust stack of the generator shall be at a height of 2 meters above the tallest building nearby, to minimize adverse fumes/soot impacts to the contiguous areas.

4.0 WASTE MANAGEMENT

- 4.1 In accordance with the Environmental Protection (Litter Enforcement) Regulations, 2013, promote good sanitation and solid waste disposal practices on site; covered garbage receptacles must be placed at strategic locations at the facility. Waste must be collected and disposed of at an approved waste disposal facility.
- 4.2 Waste materials shall not be burnt on site. All solid waste shall be disposed at an approved Solid Waste Disposal Site by an EPA Authorised Waste Disposal Company.
- 4.3 Good house-keeping, sanitary, and hygienic practices shall be maintained at all times. The facility surroundings shall be kept free of vegetation and litter.

4.4 Solid waste receptacles shall be secured when not in use.

5.0 HAZARDOUS WASTE MANAGEMENT

5.1 Adhere to the provisions of the Environmental Protection (**Hazardous Waste Management**) Regulation 2000.

5.2 In the event that waste oil (recovered from servicing machinery) is stored on site, it should be stored in a covered, bunded area to minimise adverse impacts to the environment in the event of spillage. The bunded area should be extended to provide 110 per cent containment of the largest container/volume of fuel/waste oil stored on site.

5.3 All hazardous waste shall be stored in containers appropriate for the waste stream.
That is:

a) Plastic Containers

- i. Water- based wastes
- ii. Fountain Solutions, Pre- Press

b) Metal Containers

- i. Solvents and Petroleum- based products
- ii. Waste ink, Presswash, Oil and Oily Absorbents

5.4 All hazardous waste containers shall be labelled with the following:

- i. The words "**Hazardous Waste**"
- ii. The type of waste
- iii. Beginning accumulation date-

5.5 All waste oil containers shall be labelled with the following:

- i. The words "**Waste Oil or "Used oil"**"
- ii. Beginning accumulation date

5.6 All hazardous waste shall be stored in a covered, bunded area. This area shall include the following:

- i. Signage- "Hazardous Waste Storage Area"
- ii. Low traffic
- iii. No floor drains

5.7 All hazardous waste shall be disposed of by an EPA authorised Hazardous Waste Disposal Facility.

6.0 COMPLIANCE MONITORING AND REPORTING

6.1 Notify the Environmental Protection Agency **within one (1) hour** of the occurrence of any environmental emergencies (e.g. oil spills, hazardous materials/wastes, chemicals sudden onset disaster, natural, technological or human- induced factors that cause or threaten to cause severe environmental damage as well as harm to human health or livelihood).


- 6.2 The Company shall respond to all environmental emergencies (e.g. fuel spills, fires, etc.) in accordance with the Environmental Response Plan (ERP) submitted to the EPA.
- 6.3 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices. Annual training schedule shall be submitted in the **Annual Report** referred to within condition **6.7**.
- 6.4 Notify the Agency in writing of any change of name or ownership of the Permit Holder's facility within **thirty (30) days** after the change occurs.
- 6.5 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.
- 6.6 Maintain and submit to the Agency records of the type, composition and quantity of contaminant released (i.e. any solid, liquid, gas, odor, sound, vibration, radiation, heat or combination of any of them).
- 6.7 Submit **Annual Reports** to the EPA on the progress of the operation and compliance with the conditions under which this Permit was granted on or before **March 31** each year.
- 6.8 Report to the Agency of non-compliance with the Operation Permit:
- I. Within **twenty-four (24) hours** of the time the Holder of the Environmental Authorisation for Operation becomes aware of the non-compliance, the anticipated manner in which it may endanger human health or the environment.
 - II. 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.
 - III. 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.
- 6.9 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.
- 6.10 It is the responsibility of the Permit Holder to ensure the permitted activity and premises are secured and that all practicable steps necessary to prevent fires, explosions, leaks or suspected leaks and spills at the permitted premises are taken.

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/amend the conditions attached to this Permit which also includes the review and/or amendment of permit fees in consideration of any changes in fee schedule as determined by the Agency for projects of this nature.
- 7.3 The Permit Holder, His Servant, 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 s.38 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana, it is an offence to assault, obstruct or hinder an authorized 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.
- 7.4 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 7.5 The Permit Holder shall be strictly liable for the adverse effect of any discharge or release, or cause or permit the entry of pollution, contaminant in any amount, concentration or level in excess of that prescribed by the regulations or stipulated by any environmental authorization which are attributed to any Project. In accordance with section 19(1), (2), and (3) of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.6 The Permit Holder shall be guilty of any offence in accordance with s. 39(1), (2), (3), (4) of the EP Act, Cap. 20:05, which states respectively –“every person who causes material or serious environmental harm by polluting the environment intentionally or recklessly and with the knowledge that material and/or serious environmental harm will or might result is guilty of an offence, and shall be liable to the penalties prescribed under the Act.”
- 7.7 The Permit Holder shall be liable to any gross negligence or willful misconduct caused by the Permit Holder, his Servants and/ or Agents, to the marine or terrestrial environment, biodiversity, protected species and natural habitat with respect to any release or discharge, spill, contaminant fluids, oil or lubricants from the fuel storage facility.
- 7.8 The Permit Holder shall compensate any Party who suffers any loss or damage as a result of the attributed project. (S. 19(3) (e) Environmental Protection Act, Cap. 20:05, Laws of Guyana.

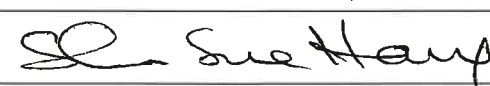
- 7.9 The Permit Holder shall be responsible for the payment of all costs related to the assessment of damage and costs for the independent assessor (s).
- 7.10 The Agency (EPA) shall notify the Permit Holder immediately of any written claim or notice sent by any Complainant seeking loss or damage for negligence as a result of the Permit Holder lack of due care and diligence.
- 7.11 Should the Permit Holder contravene or is likely to contravene any condition of this Permit, the Agency (EPA) may serve him an enforcement notice in accordance with s. 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.12 Where it appears to the Agency (EPA) that the Permit Holder is engage in any activity that may pose serious threat to natural resources or serious pollution of the Environment or any damage to public health, issue to the Permit Holder a Prohibition Notice, which may include an order to immediately cease the offending activity. S. 27 Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.13 The Permit Holder is obligated to ensure that the Fuel Storage Sites are permitted by other relevant authorities.
- 7.14 The Permit is effective for the period stipulated herein **October 2020 to September 2025.**
- 7.15 This Operation Permit shall remain valid until **September 31, 2025**, unless otherwise suspended, cancelled, modified or varied in accordance with the provisions of this Permit or the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.
- 7.16 This Permit must be renewed by submitting a completed *Application Form for Environmental Authorization* (Operation Permit) to the Agency at least six months before this Permit expires, that is, no later than **February 28, 2025.**
- 7.17 Any late submission of renewal application(s) after the specified date as stated above, shall require the Permit Holder to pay, in addition to the 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\$2,000.00) per day for every day late**, until such renewal application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.
- 7.18 Failure to comply with the requirements of this Permit or with applicable laws and regulations, whether existing or forthcoming, shall render the Permit Holder liable to prosecution and to penalties, inclusive of civil penalties, injunctive relief and imprisonment, as prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection Regulations and other applicable laws of Guyana.

Operation Permit Ref. No. **20200522- DDLFS**
Issued under of the Environmental Protection Act, Cap 20:05, Laws of
Guyana, the Environmental Protection (Amendment) Act, 2005, and the
Environmental Protection (Authorisations) Regulations, 2000.

Signed by  on behalf of the Environmental Protection Agency.
Ms. Sharifah Razack
Executive Director (Ag.)

Date 2020.10.07

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, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, and any existing or forthcoming regulations, guidelines, best practices and standards made under this Act.

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| NAME | SHARON SUE-HANG |
| DATE | 2020 - 10 - 16 |
| SIGNATURE |  |
| DESIGNATION | DIRECTOR - TECHNICAL SERVICES. |

