



**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.:	20191015-EBFMO
Fee:	Large (C2) – US\$10,000 (5 years), i.e. US\$2,000 per year
Total Fee	US \$10,000 Five (5) years (November 2020 to October 2025)
Addressee:	Mr. Edward Anand Beharry Edward B. Beharry and Company Limited 191 Charlotte Street Lacytown Georgetown.
Activity:	Operation of Food Manufacturing Plant

ENVIRONMENTAL PROTECTION AGENCY
Database Updated

Asaudia 10 Dec 2020

Edward B. Beharry & Co Ltd, 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 operate a Food Manufacturing Plant at 4056/7 Area Y, Mandela Avenue, Ruimveldt Industrial Site, Greater Georgetown, hereinafter referred to as the “Project”, in a manner indicated in the Application for Environmental Authorisation submitted on October 15, 2019, and subject to the terms and conditions set forth herein and any 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 Permit Holder, His Servants and/or Agents:

1.0 OPERATION OF FOOD MANUFACTURING FACILITY

- 1.1 Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the *Food Manufacturing Plant* **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

Operation Permit -Ref. No. 20191015-EBFMO

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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.
- 1.2 Inspection, maintenance and repairs, including fittings, pipes and hoses of all equipment used at the facility shall be conducted according to a schedule. A copy of the inspection schedule shall be submitted as a component of the Company's **Annual Report**.
- 1.3 All transport corridors and working areas shall be demarcated.
- 1.4 The Permit Holder shall operate and maintain all equipment within the factory in accordance with the manufacturer's specifications and safety standards. These shall include the maintenance of the correct spacing around all machineries to facilitate safe movement between the equipment during operation.
- 1.5 Handrails, platforms, ladders, and stairs shall be installed in appropriate locations within the factory and maintained accordingly.
- 1.6 Signage and security measures shall be maintained to prevent unauthorised access and to promote adherence to best practices within high risk areas of the plants.
- 1.7 All employees including third parties shall be equipped with the necessary Personal Protective Equipment (PPE) such as protective eye and head wear, respirators, safety vests, chemically resistant gloves, protective boots, coveralls etc., which are necessary and relevant to their occupational role and recommended in the Safety Data Sheet (SDS) for the chemicals/materials handled onsite.

2.0 HAZARDOUS MATERIAL MANAGEMENT

- 2.1 All chemicals shall be managed, including handling, storage and disposal in accordance with the associated Safety Data Sheet (SDS). Copies of the SDS shall be posted in areas accessible to all staff handling the chemicals.



Operation Permit -Ref. No. 20191015-EBFMO

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.

- 2.2 Emergency eye-wash stations and showers shall be provided and maintained on site.
- 2.3 Chemicals received shall be moved from the central receiving areas DAILY.
- 2.4 Chemicals shall be immediately unpacked and placed in approved storage cabinets/locations and packing boxes shall be removed from the work area for recycling or disposal.
- 2.5 Storage areas shall be well-illuminated. Storage of hazardous materials should be below eye level. Large bottles should be stored on lower shelves close to ground level.
- 2.6 Incompatible chemicals shall not be stored in close proximity to each other. Hazard groups to segregate are as follows:
 - I. Acids and Bases,
 - II. Acids and Flammables,
 - III. Bases and Flammables,
 - IV. Oxidizers and Compressed Flammable Gas
- 2.7 The area used for chemical storage shall be marked by appropriate signs that clearly indicate the nature of their contents.
 - I. Flammable and combustible liquid storage cabinets shall be labeled **"FLAMMABLE-KEEP FIRE AWAY"** in conspicuous red lettering.
 - II. Cabinets used to store other hazardous materials shall be labeled **"HAZARDOUS-KEEP FIRE AWAY"** in conspicuous red lettering.
- 2.8 All containers of hazardous materials shall be labeled.
 - I. The label shall be informative and durable, and at a minimum, identify contents and hazards, including target organ effects. Dating of incoming containers is highly recommended for inventory control and shelf life determination.
 - II. Portable containers shall be labeled by the individual using the container.
 - III. Exemptions for labeling requirements shall be made for chemical transfers.
- 2.9 Transportation of chemicals through corridors shall comply with local fire department requirements. At a minimum, these are as follows:
 - I. Hazardous materials in a solid or granular form may be transported through corridors if they have tight covers and normal care is exercised.
 - II. Hazardous materials in liquid form should be transported through corridors only in their original unopened shipping containers, in safety bottle carriers, or in approved safety carts. Exception: safety coated glass bottles may be transported without a safety bottle carrier.

2.10 Carts and trucks used to transport hazardous materials shall:

- i. be designed to provide a stable base for the commodities being transported;
- ii. have a means of restraining containers to prevent accidental dislodgment;
- iii. be provided with a device which will enable the operator to safely control the movement by providing stops or speed reduction devices;
- iv. be constructed of materials compatible with those being transported;
- v. be of substantial construction; and
- vi. Have adequate secondary containment to contain the content of the largest container of liquids to be transported.

2.11 At no time shall any container of hazardous chemicals be left in corridors.

3.0 WATER QUALITY

- 3.1 Comply with the provisions of the **Environmental Protection (Water Quality) Regulations, 2000.**
- 3.2 Adopt and maintain the Best Available Technique (BAT) to clean the facility, so as to reduce or eliminate effluent discharges. A copy of the BAT shall be submitted as a component of the Company's **Annual Report.**
- 3.3 All drainage networks shall be maintained and kept free-flowing and free of debris and vegetation.
- 3.4 All interceptor drains shall be adequately sloped to collect storm flow.
- 3.5 Drainage networks shall be maintained and must be capable of handling the maximum precipitation storm event.

4.0 AIR QUALITY 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 All significant noise-producing equipment, such as generators, shall be equipped with 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) requirements.

Operation Permit -Ref. No. 20191015-EBFMO

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.

- 4.3 Record, investigate and address complaints of excessive noise, dust and vibrations reported by residents. A copy of the report and outcomes shall be submitted to the Agency as a component of the Company's **Annual Report**.
- 4.4 Implement and maintain Best Available Technique (BAT) to reduce particulate matter (pm) emissions into the environment especially from:
- 4.4.1 Raw material receiving and handling;
 - 4.4.2 Preliminary cleaning;
 - 4.4.3 Cleaning House;
 - 4.4.4 Packaging;
 - 4.4.5 Storage; and
 - 4.4.6 Bulk loading;
- 4.5 All generators and machines/equipment shall be serviced in accordance with manufacturer's specifications and operated during specified operating hours to ensure efficiency and to reduce the level of noise produced.
- 4.6 Comply with the *World Health Organisation (WHO) Air Quality Guidelines for emissions in the Environment*, not exceeding the limits below:

PM_{2.5}: 10 µg/m³ annual mean
25 µg/m³ 24-hour mean

PM₁₀: 20 µg/m³ annual mean
50 µg/m³ 24-hour mean

NO₂: 40 µg/m³ annual mean
200µg/m³ 1-hour mean

SO₂: 500 µg/m³ 10-minute mean

- 4.7 Comply with the United States (US) Environmental Protection Agency (EPA)'s National Ambient Air Quality Standards (NAAQS) for emissions on the environment, not exceeding the limit below:

CO: 10 mg/m³ 8-hour mean
30 g/m³ 1-hour mean

- 4.8 Conduct Air quality monitoring for particulate matters (PM_{2.5}), nitrogen dioxide (NO₂) and sulphur dioxide (SO₂) upwind and downwind of the Food Manufacturing Facility, on an annual *basis* in keeping with the **World Health Organization (WHO)** Air Quality Guidelines. All data shall be submitted to the Agency as component of the Company's **Annual Report**. Additionally, the Agency reserves the right to request additional monitoring upon receipt of the presented report at the expense of the Permit Holder.

- 4.9 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.

Industrial Limits: 100 dB (Day-time (06:00 h -18:00 h))
80dB (Night- time (18:00 h - 06:00 h))

- 4.10 The exhaust stack of the generator shall be at a height of 2 meters above the tallest building nearby, to minimise adverse fumes/soot impacts to the contiguous areas.
- 4.11 Monitor and respond to any malfunction or breakdown leading to abnormal emissions promptly and the process of operations shall be adjusted until normal operations can be restored.

5.0 WASTE MANAGEMENT

- 5.1 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.
- 5.2 Waste materials shall not be burnt on site. All solid waste shall be collected and disposed at an approved Solid Waste Disposal Site by an EPA Authorised Waste Disposal Company.
- 5.3 Good house-keeping, sanitary, and hygienic practices shall be maintained at all times. The facility surroundings shall be kept free of vegetation and litter.
- 5.4 Solid waste receptacles shall be secured when not in use.
- 5.5 Segregate wastes by type, label and date wastes:
- I. Do not mix wastes; this can cause chemical reactions, makes recycling impossible, and complicates disposal.
 - II. Only solid wastes shall be added to solid waste containers.
 - III. Wastes such as hazardous wastes, e-waste (appliances, circuits, etc.) fluorescent lamps, pesticides, etc. should not be disposed of in solid waste containers.
- 5.6 Promote waste minimization and the reuse and/or recycling of waste materials and other suitable materials where practical.
- 5.7 Maintain septic tank system(s) on site. Septic tanks shall be installed and fitted with a sand and charcoal filter bed or an acceptable treatment design technology in accordance with the *Guyana National Bureau of Standards Code of Practice for Design and Construction of Septic Tanks and Associated Secondary Treatment and Disposal Systems*.

6.0 HAZARDOUS WASTE MANAGEMENT

- 6.1 Adhere to the provisions of the Environmental Protection (**Hazardous Waste Management**) Regulation 2000.
- 6.2 All hazardous waste shall be stored in containers appropriate for the waste stream. That is:
- a) **Sealed Plastic Containers**
 - 1. Water-based wastes
 - 2. Fountain Solutions, Pre-Press
 - b) **Sealed Metal Containers**
 - 1. Solvents and Petroleum- based products
 - 2. Waste ink, Presswash, Oil and Oily Absorbents
- 6.3 All hazardous waste containers shall be labelled with the following:
- 1. The term: **“Hazardous Waste”**;
 - 2. The type of waste; and
 - 3. Beginning accumulation date.
- 6.4 All hazardous waste shall be stored in a covered, bunded area. This area shall include the following:
- 1. Signage- “Hazardous Waste Storage Area”
 - 2. Low traffic
 - 3. No floor drains
- 6.5 All hazardous waste shall be treated and/or disposed by an EPA authorised Hazardous Waste Disposal Facility. All hazardous waste treatment and disposal shall be documented on a Waste Manifest Form which must be submitted to the EPA as a component of **Annual Report** in accordance with **Condition 8.5**.

7.0 EMERGENCY MANAGEMENT

- 7.1 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).
- 7.2 A Health and Safety or Environmental Officer shall be designated to oversee the implementation, monitoring and reporting on the conditions of this Permit
- 7.3 The Company shall respond to all environmental emergencies (e.g. fuel spills, fires, etc.)

Operation Permit -Ref. No. 20191015-EBFMO

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in accordance with the Environmental Response Plan (ERP) submitted to the EPA. That includes:

- I. The accident prevention procedures.
- II. First person response.
- III. Notification procedures.
- IV. Location of clean-up equipment.
- V. An analysis of potential accident and responses.
- VI. Safety Data Sheets (SDS) for all materials which could be spilled.

7.4 All employees shall be trained in emergency procedures and protocol.

7.5 Maintain the Guyana Fire Service approval for the operation of the facility. Further,

- I. Maintain adequate fire protection measures such as the placement of fighting equipment e.g. fire extinguishers and sand buckets, at visible location on site, in accordance with the guidelines established by the Guyana Fire Service.
- II. All firefighting equipment **MUST** be regularly maintained and/or serviced and training, on the use of all equipment, **MUST** be provided to all employees.

7.6 Workers shall be trained to use firefighting equipment and firefighting protocols.

7.7 A well-equipped first aid kit shall be provided at work site and ensure that communication and transportation systems are in place to respond to emergencies.

8.0 COMPLIANCE MONITORING AND REPORTING

8.1 All employees, and third parties under your direction shall be made aware of the conditions of the Environmental Authorisation and provide training on good environmental practices. Annual training schedules shall be submitted as a component of the **Annual Report** required by **Condition 8.5**.

8.2 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.

8.3 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.

8.4 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).

8.5 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

Operation Permit -Ref. No. 20191015-EBFMO

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year.

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

- I. Within **twenty-four (24) hours** of the time the Permit Holder becomes aware of the non-compliance, submit 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.
- 8.7 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.
- 8.8 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.

9.0 INSTITUTIONAL AUTHORITY/ LIABILITIES

- 9.1 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, and the Environmental Protection Regulations.
- 9.2 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 the fee schedule as determined by the Agency for projects of this nature.
- 9.3 The Permit Holder 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.
- 9.4 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

Operation Permit -Ref. No. 20191015-EBFMO

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9.5 The Permit Holder, his Servants, Agents and/or Sub-Contractors 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 the person takes all reasonable and practicable measures 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 hydraulic fluids, lubricants, fuel, or other industrial fluids relative to the Project, which are not stipulated herein, or by Regulations under the Environmental Protection Act, are strictly prohibited. Any such discharge or release shall be a violation of 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 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 to the activity for which this Permit has been issued.

9.6 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.

9.7 Should the Permit Holder contravene or is likely to contravene any condition of this

Operation Permit -Ref. No. 20191015-EBFMO

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Permit, the Agency (EPA) may serve him an Enforcement Notice in accordance with Section 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

- 9.8 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 Agency may issue to the Permit Holder a Prohibition Notice, which may include an order to immediately cease the offending activity, pursuant to Section 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 9.9 This Operation Permit is effective for the period stipulated herein; **November 2020 to October, 2025.**
- 9.10 This Operation Permit shall remain valid until **October 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, and the Environmental Protection (Authorisations) Regulations, 2000.
- 9.11 This Permit must be renewed by submitting a completed Application Form for Renewal of Environmental Authorisation (Operation Permit) to the Agency at least six months before this Permit expires, that is, no later than **April 31, 2025.**
- 9.12 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 day late, until such renewal application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.
- 9.13 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.

Signed by  on behalf of the Environmental Protection Agency


Executive Director
Ms. Sharifah Razack
Executive Director (A.g)

Date

2020.11.18

Operation Permit -Ref. No. 20191015-EBFMO

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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.

NAME	Edward Anand Beharry
DESIGNATION	Vice Chairman
SIGNATURE	Ianuja Manoham Gull for Edward Anand Beharry
DATE	8 th December 2020

