



**Environmental
Protection
Agency**

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Operation Permit (Interim)

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.:	20200727-PKACV
Fee:	Medium (C1) - US\$ 500 per year
Fee Paid:	US\$ 500- one (1) year – October, 2020 to September, 2021)
Addressee:	Ms. Natasha Kumar Chemical King Lot 150, No.58 Village Corentyne Berbice
Activity:	Storage of Hazardous and Non-Hazardous Materials



Chemical King, 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, for the Storage and Transportation of Hazardous and Non-hazardous Materials at Lot 150, No.58 Village, Corentyne, Berbice, hereinafter referred to as the “Project”, in a manner indicated in the Application for Environmental Authorisation submitted on July 27, 2020, and subject to the terms and conditions set forth herein under the Environmental Protection Act, existing and/or forthcoming regulations made under the said Act, 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-Contractor(s):

1.0 GENERAL

- 1.1 This Interim Operation Permit is issued pursuant to Regulation 18(3) of the Environmental Protection (Authorisations) Regulations 2000, for a period of one (1) year commencing October 2020 to September 2021.
- 1.2 The Permit Holder is required to submit to the Agency, the requisite approvals upon obtaining such approvals from the Central Housing and Planning Authority (CH&PA), the relevant Municipality or any other authority with jurisdiction and oversight over the operations.
- 1.3 The Agency may cancel, suspend or modify this Permit, in accordance

with Regulation 14 of the Environmental Protection (Authorisations) Regulations, for any reason thereunder, or as included herein.

- 1.4 Any modification, suspension or cancellation of the aforementioned approvals in Condition 1.2 relevant to the execution of the Project, may result in the modification, suspension or cancellation of this Interim Operation Permit by the Agency. Any such modification, suspension and/or cancellation of any of these approvals shall be communicated in writing to the Agency within three (3) days of receipt by the Permit Holder.**
- 1.5 Upon expiration of this Permit, or its cancellation by the Agency, activities may only commence or resume upon the issuance of a full, valid Environmental Permit by the Agency, subject to the procedures stipulated by Section 11 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana, for which the Agency provides no guarantees or assurances.**
- 1.6 The Permit Holder accepts, concedes and agrees unequivocally that under no circumstances whatsoever shall the Agency assume any liability for expenses incurred, loss of revenues, delays, or any other losses or damages whatsoever, related to the activities undertaken by the Permit Holder hereunder, and that the Agency provides no guarantees or assurances that a full valid Environmental Permit will be issued upon the expiry or cancellation of this Interim Operation Permit. The Permit Holder agrees to indemnify the Agency against any and all liabilities, including but not limited to judgements, costs and legal fees, and proceeds with this Project on this Interim Operation Permit in full acknowledgement and agreement with the foregoing.**

2.0 STORAGE OF HAZARDOUS AND NON-HAZARDOUS MATERIALS

- 2.1 Notify the Agency in writing and obtain its approval for ANY proposed changes in the Storage and Transportation of Hazardous and Non-hazardous Materials 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 operation, 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.
- 2.2 All expired materials shall be returned to source for treatment and/or disposal.
- 2.3 Employees shall be equipped with Personal Protective Equipment (PPE) relevant to their occupational tasks at the operation. PPE should include but not necessarily be limited to:
- Safety helmets;
 - Protective respiratory devices that meet requirements of U.S OSHA Respiratory Protection Standard or local equivalent;
 - Safety boots with ankle support;
 - Gloves with reinforced palms and fingers;
 - Non-snag outer clothing appropriate to the prevailing weather conditions and high-visibility clothing; and
 - Eye protections; tightly fitted safety goggles.
- 2.4 The Storage Facility shall be clearly labeled, secured and well illuminated when not in use.
- 2.5 A spill containment kit shall be installed within the Storage Facility. The kit **must** contain absorbent material to absorb spilt materials.
- 2.6 Emergency exits **shall not** be obstructed by material storage containers.
- 2.7 Materials **shall not** be stored on damaged, or inadequately secured racking or on damaged pallets.
- 2.8 Park heavy machinery on an impervious base.
- 2.9 Not park machinery on the Government Reserve.
- 2.10 A clear line of sight shall be established before moving large packaged quantities of materials.
- 2.11 Materials shall be stored in accordance to the manufacturer's directions or Safety Data Sheet (SDS) instructions.
- 2.12 Adhere to the SDS for each material with regard to incompatibility with other materials stored within the Facility.
- 2.13 Flammable material shall be stored away from ignition sources. **'No Smoking'**

signs shall be posted where such materials are handled and stored.

- 2.14 All material containers and storage racks shall be clearly labeled. These labels shall include the material name, material manufacturer, major hazard(s), and date received and/or prepared.
- 2.15 Packaged material labels shall depict details inclusive of information on health hazards flammability, instability, and handling.
- 2.16 Material storage containers shall be inspected daily for signs of leakage or corrosion. Damaged containers must be replaced **immediately**.
- 2.17 Materials **shall not** be stored in passageways including forklift truck routes, other vehicle routes and pedestrian walkways on site.
- 2.18 The Storage Facility's roof shall provide adequate rain protection and ventilation for heat and smoke in the event of fire.
- 2.19 The storage facility shall possess a natural ventilation system, for example ventilation through the openings between the double roofing operations.
- 2.20 Incompatible materials **shall not** be stored in close proximity to each other. Establish a system for storage of agro chemicals according to the following segregation guidelines:
1. Herbicides
 2. Pesticides
 3. Fungicides
- 2.21 Materials stored in ton bags and Totes must:
- a) Be protected from UV rays;
 - b) Be covered to prevent exposure to dirt, dust, and moisture;
 - c) Not hang over the side of pallets used for stacking;
 - d) Not be repaired if damaged without removing all bags stacked on top of it;
 - e) Utilise the "pyramid" or "supported" stacking method where shelving/pallets are not in use.
- **Pyramid Stacking** – each bag/tote above the first layer must sit on at least four (4) lower bags. Each layer is subsequently tiered inwards forming a pyramid structure.
 - **Supported Stacking** – stacked bags/ totes formed against two (2) retaining walls of sufficient strength.
- 2.22 Liquid materials stored within containers shall:
- a) Be placed within bunded storage to ensure any leaks or spills are immediately

- contained;
- b) Be clearly marked with their contents, and any appropriate warning symbols;
 - c) Be regularly inspected to detect rust, leaks or other damage; and
 - d) Remain covered to protect the integrity of your materials.
- 2.23 Materials stored within containers shall be tightly sealed and kept off the floor on pallets.
- 2.24 Secondary containment (bund area) shall be established and maintained to minimise the spread/release of liquid material spillage occurring within the storage area. The secondary containment wall shall possess the following characteristics:
- i. Capacity equal to 110% of the volume of liquid stored within the largest storage container;
 - ii. Walls constructed of earth, steel, concrete or solid masonry. Cracks and seams shall be sealed to prevent leakage; and
 - iii. Liners/flooring constructed of asphalt or concrete and designed to withstand foreseeable loading conditions.
- 2.25 Approval for the use and management of toxic materials shall be obtained from the Pesticide and Toxic Materials Control Board. A copy of the Approval shall be submitted to the Agency upon receipt.
- 2.26 Establish and maintain a register of the quantities of materials stored onsite. The registered information shall be submitted to the Agency as part of the required **Annual Report** referred to within condition 8.7.
- 2.27 All employees and sub-contractors involved in the storage of hazardous materials, including Forklift Operators, shall be trained annually in the Management and Communication of Hazardous Materials according to the Globally Harmonized System (GHS).
- 2.28 Training Records shall be submitted with the Annual Report referred to within condition 8.7.
- 2.29 An **Emergency Spill Response Procedure/Plan (ERP)** shall be established and maintained. The Procedure shall include, but not be limited to local emergency response authorities, notification of national and local authorities, coordination of clean-up activities and assessment of health hazards to humans and the environment.
- 2.30 The ERP shall be submitted to the EPA for approval **within three (3) months of receipt** of this Operation Permit.
- 2.31 Third party contractor(s) utilised by the facility for transport of hazardous and

non-hazardous materials shall be authorised by the EPA.

3.0 WATER QUALITY

- 3.1 Adhere to the provisions of the **Environmental Protection (Water Quality) Regulations, 2000.**
- 3.2 Any material spill that occurs during handling or loading operations shall be immediately cleaned up, as guided by the respective Material Safety Data Sheet and appropriately disposed to prevent discharges into surface or groundwater.
- 3.3 All point-source discharges from the material storage facility is **strictly prohibited.**
- 3.4 Storm water shall be directed away from material storage area.
- 3.5 If spillage of hazardous material occurs and the storage area is subject to washing, all wash water shall be directed into a sump/sample box on site.
- 3.6 Wash water from hazardous material storage facility directed to the sample box/sump shall be removed and treated by an authorised hazardous waste facility.
- 3.7 A spill report shall be developed for documentation of the occurrence of all material spills on site. A copy of the spill report shall be submitted to the EPA within the Annual Report.
- 3.8 Flooring, and drains shall be constructed or sealed with protective coatings to prevent seepage, damage or deterioration resulting from contact with the stored or spilt fluids.
- 3.9 A trained operator or carrier shall at all times supervise, monitor and control the transfer of liquid materials to prevent overflow and spill during the entire period of transfer.
- 3.10 Materials **shall not** be stored in an area where it could potentially enter any waterways as a result of heavy rainfall or high winds.
- 3.11 Drainage system shall be kept flowing and free of debris and vegetation. Scheduled cleaning of the drainage network and the immediate environment shall be conducted.
- 3.12 Drainage systems shall be maintained and capable of handling the probable 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 Best Available Technologies (BATs) shall be implemented to mitigate adverse noise impacts from heavy machinery and generators on the environment e.g. use of silencers, mufflers, enclosures or other appropriate devices.
- 4.3 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.

Residential Limits: 75 dB (Day-time (06:00 h -18:00 h))
60 dB (Night- time (18:00 h - 06:00 h))

- 4.4 All equipment and machinery shall be placed upon foundations properly designed to ensure effective damping of vibrations.
- 4.5 Visual and odor assessments of emissions shall be done frequently during the working day. Remedial actions shall be taken **immediately** in the case of abnormal emissions.
- 4.6 All equipment capable of causing, or preventing, emissions shall be maintained in accordance with the manufacturer's instructions.
- 4.7 Idling of equipment or vehicles shall be limited, as far as practical and all equipment or vehicles switched off when not in use.
- 4.8 In the event of equipment malfunction or **inefficiencies** which may result in visible emissions to air or, in the event of malfunction leads to abnormal emissions, the operator shall:
- investigate and undertake remedial action **immediately**;
 - adjust the process or activity to minimize those emissions; and
 - record the events and actions taken.

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. Place covered garbage receptacles, each on an impervious base and at a strategic location, within and outside the storage facility.
- 5.2 Waste material **shall not** be burnt on site. Dispose of solid waste at an EPA authorised Solid Waste Disposal Site.

- 5.3 Good house-keeping, sanitary, and hygienic practices shall be maintained at all times. The Facility's surroundings shall be kept free of vegetation and litter.
- 5.4 Promote waste minimisation and the reuse and/or recycling of waste and other materials where practical.
- 5.5 Solid waste receptacles shall be secured when not in use.
- 5.6 Waste containers shall not be filled with washout water or any other liquid.
- 5.7 Waste storage containers shall be regularly inspected, repaired, and/or replaced.
- 5.8 Wastes such as hazardous wastes, appliances, fluorescent lamps, pesticides, etc. should not be disposed of in solid waste containers
- 5.9 Use all of a product/ material before disposing of the container.
- 5.10 Waste collection areas shall be kept clean. Dry methods shall be used when cleaning around waste handling and disposal areas (e.g. sweeping, use of absorbents).

6.0 HAZARDOUS WASTE MANAGEMENT

- 6.1 Adhere to the provisions of the **Environmental Protection (Hazardous Waste Management) Regulations, 2000.**
- 6.2 Prepare and submit to the Agency as a component of the **Annual Environmental Report** required in condition 8.7, a report relating to the activities for the previous year. The report must be submitted in electronic format acceptable to the Agency along with a hard copy which should be signed by the Permit Holder, and shall include:
 - i. The identification information of the facility.
 - ii. Type and quantities of hazardous waste generated.
 - iii. Data concerning off-site shipments of waste.
 - iv. Any applied treatment standards.
 - v. A summary of any accidents that may have occurred and any action taken.
 - vi. Any waste minimisation efforts undertaken by the generator.
 - vii. A pollution prevention plan for the facility.
 - viii. Any other matter the Agency may require.
- 6.3 All hazardous waste shall be stored in containers appropriate for the waste stream i.e.:

a) Plastic Containers

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

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

- i. The words "hazardous waste"
- ii. The type of waste
- iii. Beginning accumulation date- Date when the drum was first placed in Hazardous Waste Storage Area.

6.5 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

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

7.0 NOTIFICATION OF AUTHORITIES

7.1 The Environmental Protection Agency, Pesticides and Toxic Materials Control Board, Guyana Revenue Authority, Guyana Fire Service, and Maritime Administration Department shall be notified at **least thirty (30) days** prior to the shipment of hazardous materials.

7.2 The following information shall be provided to the Agencies/Organizations outlined in condition 7.1:

- The type, hazardous class, and quantity of materials to be imported.
- The Safety Data Sheet (SDS) for each hazardous materials.
- The name and location of the Port/Wharf Facility that will facilitate storage of the materials imported. **The Port/Wharf Facility receiving imported hazardous materials shall be authorized by the EPA.**
- The name and location of the facility that will provide permanent storage of the materials. **Prior to the importation of the materials, Environmental Authorisation is required for the transportation and storage of hazardous materials at the permanent location.**

7.3 Pesticide and Toxic Materials Control Board approval/license to import hazardous materials shall be acquired prior to the importation of hazardous materials.

8.0 COMPLIANCE MONITORING AND REPORTING

8.1 Notify the Environmental Protection Agency **within one (1) hour** of the occurrence of any environmental emergencies (e.g. oil spills, hazardous materials /wastes, materials 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).

- 8.2 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices.
- 8.3 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees.
- 8.4 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.
- 8.5 Notify the Agency **within twenty (21) days** in event of death, bankruptcy, liquidation or receivership of the Permit Holder or if the Company becomes a party to an amalgamation.
- 8.6 Maintain and submit to the Agency records of the type, composition and quantity of contaminant released (i.e. any solid, liquid, gas, odour, sound, vibration, radiation, heat or combination of any of them).
- 8.7 Submit Environmental **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.
- 8.8 Report to the Agency any 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.
- 8.9 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.
- 8.10 Obtain approval from the Guyana Fire Service and provide fire protection measures such as fire extinguishers and sand buckets in accordance with this approval.
- 8.11 Ensure all firefighting equipment are maintained and serviced regularly.

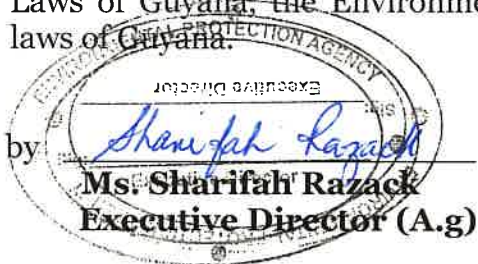
- 8.12 It is the responsibility of the Permit Holder to ensure the permitted activity and premises are secured and that all practicable steps necessary to prevent fires, explosions, leaks or suspected leaks and spills at the permitted premises are taken.

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, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.
- 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 fee schedule as determined by the Agency for projects of this nature.
- 9.3 The Permit Holder, his Servants, Agents and/or Sub-contractor(s) 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 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.
- 9.5 The Permit Holder, his Servants, Agents and/or Sub-contractor(s) 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 authorisation 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.
- 9.6 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.”
- 9.7 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.

- 9.8 The Permit Holder shall compensate any Party who suffers any loss or damage as a result of the attributed project. (s. 19(3)(e) of the Environmental Protection Act Cap. 20:05, Laws of Guyana.
- 9.9 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).
- 9.10 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.
- 9.11 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.
- 9.12 Where it appears to the Agency (EPA) 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, 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.]
- 9.13 The Permit Holder is obligated to ensure that the Material Storage Facility is permitted by other relevant authorities.
- 9.14 The Permit is effective for the period stipulated herein **October 2020 to September 2021.**
- 9.15 This Operation Permit (Interim) shall remain valid until **September 31, 2021**, 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.
- 9.16 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.

Signed by Ms. Sharifali Razack on behalf of the Environmental Protection Agency.



Date

2020. 10. 07

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Operation Permit (Interim)-Ref. 20200727-PKACV
(Issued under the Environmental Protection Act, Cap. 20:05, Environmental Protection
(Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000)

I hereby accept the above terms and conditions upon which this Operational 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 forthcoming regulations, guidelines, best practices and standards made under this Act.

NAME	KATASHA KUMAR
DATE	13/10/2020
SIGNATURE	Katasha Kumar
DESIGNATION	Director

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