



**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.:	20200511- SBTPR
Fee:	Medium (C1) i.e. US\$500 per year
Fee Paid:	US\$2,500 for Five (5) years (April, 2021 – March, 2026)
Addressee:	Mr. Fenton Persaud, Production Manager Torginol Paints Incorporated Lots 9-12 Industrial Site Ruimveldt Georgetown
Activity:	Storage of Hazardous Materials



Torginol Paints Incorporated 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 Hazardous Materials at Lot 34, Industrial Site, Ruimveldt, Georgetown, hereinafter referred to as the “Project”, in a manner indicated in the Application for Environmental Authorisation submitted on May 11, 2020, and subject to the terms and conditions set forth herein under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, existing and/or forthcoming Regulations made under the said Act, and/or any applicable laws, guidelines, best practices 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 Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the Storage of 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 submitted to the EPA, 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.
- 1.2 Employees shall be equipped with Personal Protective Equipment relevant to the occupational tasks during operation. These Personal Protective Equipment may include but not be limited to:
 - i. Safety helmets
 - ii. Protective respiratory devices
 - iii. Safety boots with ankle support
 - iv. Gloves with reinforced palms and fingers
 - v. Tightly fitted safety goggles
 - vi. Chemical resistant coveralls/ overalls.

(Employees should at all times be well protected)
- 1.3 The Project shall be clearly labeled, secured and well illuminated when not in use. The following warning signs shall be clearly posted:
 - i. Danger- Chemical Storage Area "Authorized Personnel Only"
 - ii. Read and Follow all label directions
 - iii. No Smoking
 - iv. No Eating or Drinking
- 1.4 Flammable materials shall be stored away from ignition sources. 'No Smoking' signs shall be posted where these materials are handled and stored.
- 1.5 Liquid hazardous materials shall be stored within secondary containment (bunded area) to minimise the spread/ release of spillage from the storage area. Secondary containment shall be established by **August 31, 2021** and shall possess the following characteristics:
 - i. Capacity of the secondary containment facility shall be equal to 100% of the greatest volume of liquid stored within the largest storage container;
 - ii. Walls of the secondary containment facility shall be constructed of earth, steel, concrete or solid masonry. Cracks and seams shall be sealed to prevent leakage;
 - iii. Liners/flooring of secondary containment facility shall be constructed of asphalt or concrete and designed to withstand foreseeable loading

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conditions.

- 1.6 Hazardous materials shall be stored in accordance with the manufacturer's directions or Safety Data Sheet (SDS) instructions.
- 1.7 Safety Data Sheets for all hazardous materials shall be readily available and easily accessible at all times at the Project.
- 1.8 Hazardous materials shall be stored away from non-hazardous materials.
- 1.9 Hazardous materials shall be stored according to the following compatibility:
 - i. Acids separate from Caustics
 - ii. Acids separate from Bases
 - iii. Acids separate from Flammables
 - iv. Bases separate from Flammables,
 - v. Oxidizers separate from Compressed Flammable Gases
 - vi. Corrosives separate from Flammables
 - vii. Oxides separate from all other chemicals
 - viii. Organic reactives separate from inorganic reactives (metals)
 - ix. Any other stipulated standards for storage or segregation of chemicals.
- 1.10 Hazardous material containers shall be clearly labelled in accordance with the Globally Harmonized System of Classification and Labelling. The following must be evident:
 - i. Signal Word
 - ii. GHS Symbols- (Hazard Pictograms)
 - iii. Manufacturer Information
 - iv. Precautionary Statements/ First Aid
 - v. Hazard Statements
 - vi. Product Name or Identifiers
- 1.11 Emergency spill clean-up kits shall be maintained at the Project for response to spills. Kits must contain absorbent materials, drain seals and other appropriate tools for clean-up. Kits must be readily available and clearly identified at the Project.
- 1.12 A fully stocked first- aid kit shall be readily available at the Project.
- 1.13 Emergency showers and eye-wash stations shall be maintained where corrosive materials/chemicals are stored to enable immediate emergency response.
- 1.14 Hazardous materials stored in ton bags and totes shall:
 - i. Be protected from UV rays;
 - ii. Be covered to prevent exposure to dirt, dust, and moisture; and
 - iii. Not hang over the side of pallets used for stacking.

- 1.15 Hazardous materials stored within drums shall:
- i. Be placed within banded storage to ensure any leaks or spills are immediately contained;
 - ii. Be clearly marked with their contents, and any appropriate warning symbols;
 - iii. Have scheduled inspection to detect rust, leaks or other damage; and
 - iv. Remain covered to protect the integrity of your chemicals.
- 1.16 Hazardous materials stored within cans shall be tightly sealed and kept off the floor on pallets.
- 1.17 Material storage containers shall be inspected weekly for signs of leakage or corrosion and damaged containers **must be replaced immediately**. Inspection reports must be maintained and signed by the appropriately qualified inspecting officer and his/her supervisor.
- 1.18 Material Container Inspection reports shall be summarised and submitted to the Agency as part of the **Annual Report**.
- 1.19 Hazardous materials **shall not** be stored on damaged, or inadequately secured racking or on damaged pallets.
- 1.20 Hazardous materials **shall not** be stored in passageways including forklift truck routes, other vehicle routes and pedestrian walkways on site.
- 1.21 The Project shall maintained adequate rain protection and ventilation for heat and smoke in the event of fire.
- 1.22 The Project shall maintained ventilation in accordance with one of the following:
- i. Gravity ventilation to the outside with a capacity of one cubic foot per minute per square foot or floor space.
 - ii. Mechanical ventilation with on/ off switches at points of ingress that are capable of exhausting to the outside.
- 1.23 All exit routes and emergency doors **shall** be free from obstruction at **all times**.
- 1.24 Fork lifts utilised to lift and transport packaged hazardous materials shall have rated capacity to support the full weight of packages.
- 1.25 Fork lift tines used for lifting packaged dry chemicals shall be free of sharp edges and protrusions.
- 1.26 A register of the quantities of hazardous materials stored at the Project shall be established and maintained. A summary of the registered information shall be submitted to the Agency as part of the **Annual Report**.

- 1.27 All employees involved in the management of hazardous materials shall be trained on Hazardous Material Communication and Emergency Preparedness Response. The annual training schedule shall be submitted to the Agency as part of the **Annual Report**.
- 1.28 Approval for the use and management of toxic chemicals shall be obtained from the Pesticide and Toxic Chemical Control Board. A copy of the Approval shall be submitted to the Agency upon receipt.
- 1.29 Guyana Fire Service Approval shall be maintained annually and shall be submitted as a component of the **Annual Report**.
- 1.30 The Project shall maintain 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.
- 1.31 Third party contractor(s) utilised by the facility for transport of hazardous and non-hazardous materials shall be authorised by the EPA.
- 1.32 Standard Operating Procedures (SOPs) for safe transfer operations (from one container to the next), maintenance of containers and filling of storage containers shall be established and maintained. Copies of these SOPs shall be submitted to the Agency as a component of the **Annual Report**.
- 1.33 All employees shall be trained on these SOPs outlined in **condition 1.32**. An Annual training schedule shall be submitted to the Agency as a component of the **Annual Report**.

2.0 WATER QUALITY

Adhere to the provisions of the **Environmental Protection (Water Quality) Regulations, 2000**.

- 2.1 Point source discharge of effluent from the hazardous material storage facility into the surrounding environment is **strictly prohibited**.
- 2.2 Storm water discharge shall be directed away from hazardous material storage areas.
- 2.3 Any chemical spills occurring during handling and loading of hazardous materials, **shall be** immediately cleaned and disposed as guided by the respective Safety Data Sheet, at an EPA authorised disposal facility.
- 2.4 Hazardous materials shall not be stored in an area where it could potentially enter any waterways as a result of heavy rainfall or high winds. All hazardous materials shall be stored at least **5m** away from any drains on site.

2.5 All equipment re-fuelling shall be conducted on an impervious base to prevent leakage into the soil and surrounding waterways.

3.0 AIR AND NOISE QUALITY MANAGEMENT

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

3.1 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))
80 dB (Night- time (18:00 h - 06:00 h))

3.2 All machines and equipment shall be serviced in accordance to manufacturer's specification to ensure efficiency and reduce the level of noise produced. A summarised maintenance report shall be submitted to the Agency as a component of the **Annual Report**.

3.3 Implement and maintain **Best Available Technique (BAT)** to reduce particulate matter (PM) emissions into the environment from the handling and storage of dry materials.

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 shall be placed upon impervious base at strategic locations, both within and outside facility.

4.2 Non-hazardous solid waste 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's drains and surroundings shall be kept free of vegetation and litter.

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

4.5 Hazardous wastes including appliances, fluorescent lamps, pesticides, etc. shall not be disposed of in non-hazardous waste containers.

4.6 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).

5.0 HAZARDOUS WASTES MANAGEMENT

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

- 5.1 Empty chemical/material containers or drums shall be managed as outline below and are subjected to the Safety Data Sheets (SDSs) for each material:
- 5.1.1 Empty containers contaminated with hazardous material shall be destroyed prior to disposal at a landfill authorised by the EPA or reused, provided that the empty containers is not a hazard to human health or the environment.
 - 5.1.2 Empty containers may be reused to store the same hazardous material and/or waste.
 - 5.1.3 Containers may be reused to store non-hazardous material and/or waste, if all hazardous waste residuals have been removed and the container thoroughly cleaned.
- 5.2 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 container was first placed in the Hazardous Waste Storage Area. Should the hazardous waste container be reused, the date hazardous waste was first placed in the container shall be recorded on the container.
- 5.3 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
 - iv. Secondary containment capable of containing 110% of the largest volume therein.
- 5.4 All obsolete and expired materials shall be returned to source for treatment and/or disposal.
- 5.5 All hazardous waste shall be recorded, collected, treated and disposed of by an EPA authorised hazardous waste disposal facility. All hazardous waste treatment and disposal shall be documented on a **Waste Manifest Form** which must submitted to the EPA as a component of the **Annual Report**.

6.0 NOTIFICATION OF AUTHORITIES

- 6.1 The Environmental Protection Agency, Pesticides and Toxic Chemicals 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.

6.2 The following information shall be provided to the Agencies/Organizations outlined in condition 6.1:

- The type, hazardous class, and quantity of materials to be imported.
- The Safety Data Sheet (SDS) for each hazardous material.
- 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.**

6.3 Pesticides and Toxic Chemicals Control Board approval/license to import hazardous materials shall be acquired prior to the importation of hazardous materials.

7.0 COMPLIANCE MONITORING AND REPORTING

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 spill, 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 The Company shall respond to all chemical spills in accordance with the **Chemical Spill Contingency Plan** submitted to the EPA.

7.3 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**.

7.4 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees.

7.5 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.

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 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).

7.8 Submit an **Annual Report** 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**.

- 7.9 Report to the Agency any non-compliance(s) 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.
- 7.10 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.
- 7.11 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.


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, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.
- 8.2 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.
- 8.3 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 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.
- 8.4 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.5 The Permit Holder, his Servants and/or Agents 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, whether 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 wilful 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 to the activity for which this Permit has been issued.
- 8.6 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.
- 8.7 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.
- 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, issue to the Permit Holder a Prohibition Notice, which may include an order to immediately cease the offending activity. See: s. 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

- 8.9 This Operation Permit is effective for the period stipulated herein; **April 2021 to March 2026.**
- 8.10 This Operation Permit shall remain valid until **March 31, 2026**, unless otherwise suspended, cancelled, modified or varied, 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.
- 8.11 This Permit must be renewed by submitting a completed Renewed Application Form for Environmental Authorisation (Operation Permit) to the Agency at least six months before this Permit expires, that is, no later than **September 30, 2025.**
- 8.12 Any late submission of renewal application (s) 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\$2,000.00) per 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 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.

Ms. Sharifah Razack
Executive Director (Ag.)

Date

2021.04.22

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:	Sharwan George
DATE:	7th May
SIGNATURE:	<i>Sharwan George</i>
DESIGNATION:	Office Administrator

