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- 1.1 Adhere to the requirements of the Occupational Safety and Health Act, Cap. 99:01, Laws, of Guyana.
- 1.2 Make an application to the Agency to vary this Permit in instances where it becomes necessary to:
  - i. change the construction, operation, structure, or layout of the facility and all associated buildings;

**1.0 GENERAL OPERATION**

The Permit Holder, His Servants, Agents and/or Sub-Contractor(s) shall comply with the following terms and Conditions:

John Fernandes 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, for Temporary Storage of Contaminated Hazardous Materials at Lots 40-55 Mandela Avenue, Greater Georgetown, hereinafter referred to as the "Project", in the manner indicated in the Application for Environmental Authorisation submitted on September 14 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.

Reference No.: 20200914-ZGOFA	Fee:	Medium (C2) i.e. US\$ 800 per year	Fee paid prior:	US\$ 800 for One (1) year (December 2020-November 2021)	Fee Paid:	US\$ 3,200 for Four (4) years (December 2021 - November 2025)	Addresssee:	Mr. Zach Gonsalves Company Secretary John Fernandes Limited Lot 24 Water Street Georgetown	Activity:	Temporary Storage of Contaminated Hazardous Materials
										

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

# Environmental Permit



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3.1 Perimeter fence and/or barriers established to restrict access to the containerized storage area shall be maintained.

**3.0 CONTAINERIZED STORAGE OF HAZARDOUS MATERIALS**

2.4 All vehicles shall be clearly labelled according to the Global Harmonized System Classification of the chemicals transported therein.

2.3 Containers with hazardous materials shall be secured to the trailers as indicated in the transportation plan when transporting hazardous materials.

2.2 All transportation of containerized hazardous materials shall be in accordance with the Transportation Plan submitted and approved by the EPA.

2.1 Adhere to the requirements of the **Motor Vehicles and Road Traffic Act, Cap. 51:02, Laws of Guyana** when transporting containerized hazardous materials.

**2.0 TRANSPORTATION OF CONTAINERIZED HAZARDOUS MATERIALS**

1.7 Fire prevention and control equipment shall be maintained in accordance with this Approval.

1.6 Obtain and maintain Guyana Fire Service Approval and submit a copy of the approval for the EPA's records.

1.5 All employees involved in the management of hazardous materials including Forklift and Crane Operators shall be trained on Hazardous Material Communication and Emergency Preparedness Response. Training reports shall be maintained on site and made available to the EPA upon request.

1.4 The Permit Holder is required to submit to the EPA upon receipt, the requisite approvals from the Central Housing and Planning Authority (CH&PA) and the relevant Municipality or any other authority with jurisdiction and oversight over the Project.

1.3 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices.

iv. effect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.

iii. change the position and design of any outlet at the point or points of discharge of effluents; or

ii. change equipment, machine, apparatus, mechanism, system or technology serving the facility;

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- 4.3 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.
- 4.2 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees and all third parties under your direction.
- 4.1 Notify the Environmental Protection Agency **within one (1) hour** of the occurrence of any environmental emergencies (e.g. oil spills, biohazardous 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 livelthood).

#### 4.0 COMPLIANCE MONITORING AND REPORTING

Monitoring shall be conducted on a regular basis **(determined by the Permit Holder and approved by the EPA)** by trained personnel using calibrated Type 2 sound Level Meters. Records of all monitoring exercises shall be maintained and submitted as part of the Annual Report.

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

- 3.9 Monitor noise emissions from the operation at the property boundary to determine compliance with the Guyana National Bureau of Standards (GNBS) Guidelines for Noise Emission into the Environment.
- 3.8 Emergency spill clean-up kits shall be maintained at the Facility for response to potential 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.
- 3.7 Storage of containers with hazardous materials shall not exceed three (3) months at the facility.
- 3.6 Hazardous Materials shall not be stored outside of the containerized unit at no time.
- 3.5 Containers shall be stacked corner post to corner post to support maximum weight. The point of contact shall be flush and not off center.
- 3.4 Stacking of containers with hazardous materials shall not exceed two (2) containers on top of each other.
- 3.3 The chemical storage area shall be clearly labeled with "Danger, Chemical Storage Area Authorized Personnel Only" signs where applicable, as a spill control measure.
- 3.2 All containers with hazardous materials shall be stored within this designated area.

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Handwritten initials/signature in the top left corner.

- 5.3 The Permit Holder shall be liable for any activity that causes or is likely to cause pollution of the environment unless all reasonable and practicable measures are taken to prevent or minimize any resulting adverse effect, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 5.2 The Permit Holder shall be liable for any serious environmental harm caused by polluting the environment, pursuant to s. 39 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 5.1 The Permit Holder shall be liable for any material environmental harm caused by polluting the environment, pursuant to s. 39 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

**5.0 INSTITUTIONAL AUTHORITY/ LIABILITIES**

- 4.9 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.
- 4.8 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.

- ii. Within **seventy-two (72) hours** of the time the Holder of the Environmental Permit becomes aware of the non-compliance, submit to the Agency a written report containing a description of the non-compliance, its cause, the period of non-compliance including exact dates and time and the anticipated time it is expected to continue if the non-compliance(s) has not been corrected.
- i. Within **twenty-four (24) hours** of the time the Holder of the Environmental Permit becomes aware of the non-compliance outlining the anticipated manner in which human health or the environment may be impacted.
- 4.7 Report to the Agency any non-compliance(s) with the Environmental Permit:

- 4.6 Submit an **Annual Report** to the EPA on your compliance with this Permit on or before **March 31, each year.**
- 4.5 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).
- 4.4 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.

5.4 The Permit Holder shall be liable for discharging, causing or permitting the 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 Environmental Permit, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

5.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 5.3 and 5.4 of this Environmental Permit, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

5.6 The Permit Holder shall not be indemnified by the Agency for any activity that causes or is likely to cause pollution to the environment, resulting from adverse effects through the discharge, any contaminant in any amount, concentration, ultra hazardous substances, chemicals or otherwise, and shall be rendered liable to prosecution and to penalties prescribed under the Environmental Protection Act and Regulations.

5.7 The Permit Holder shall be liable of any gross negligence or willful misconduct caused by the Permit Holder, his Servants and/or Agents, to the environment, biodiversity, protected species and natural habitat with respect to any release, discharge, or spill, of contaminant fluids, oil or lubricants.

5.8 Should the Permit Holder contravene or be likely to contravene any condition of this Permit, the Agency (EPA) may serve on him an Enforcement Notice in accordance with Section 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

5.9 Where it appears to the Agency that the Permit Holder is engaged in any activity that may pose a serious threat to natural resources or the environment, or a risk of serious pollution of the environment or any damage to public health, the EPA may issue to the Permit Holder a Prohibition Notice, which may order him to immediately cease the offending activity, in accordance with Section 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

5.10 The EPA reserves the right to conduct regular inspections of the Permit Holder's construction activities as part of its monitoring and enforcement requirements under the Environmental Protection Act, Cap 20:05, and the Environmental Protection (Amendment) Act, 2005, and Environmental Protection (Authorisations) Regulations, 2000.

5.11 The Permit Holder, His Servants and/or Agents 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.

5.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

5.13 This Environmental Permit is not the final consent; all relevant Permissions should be obtained from other regulatory bodies for continued operation.

5.14 This Environmental Permit is effective for the period stipulated herein; **December 2021 to November, 2025.**

5.15 This Environmental Permit shall remain valid until **November 30, 2025**, 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.

5.16 This Permit must be renewed by submitting a completed *Application Form for Renewal of Environmental Authorization* to the Agency at least six months before this Permit expires, that is, no later than **May 31, 2025.**

5.17 Any late submission of renewal application after the specified date as stated above, the Agency may require the Permit Holder to pay, in addition to 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\$2000.00) per day for every business day late**, until such renewal application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.

5.18 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.

on behalf of the Environmental Protection Agency.



Signed by

2021. 12. 14

Date



FERNANDES LIMITED

FERNANDES LIMITED

DESIGNATION:	Company Secretary
SIGNATURE:	<i>[Handwritten Signature]</i>
DATE:	January 10, 2022
NAME:	Zach Gonzales

I hereby accept the above terms and conditions upon which this Environmental Permit is granted and agree to abide by the Environmental Protection Act, Cap. 20:05, 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.

**Environmental Permit Ref. No. 20200914-ZGOF**  
 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.