

Environmental Permit (Renewed)

Issued under the Environmental Protection Act, No. 11 of 1996, the
Environmental Protection (Amendment) Act, 2005, and the Environmental
Protection Regulations, 2000

Reference No.:	20191220-MILFF
Fee:	Medium (C1), i.e. US\$500 per year
Fee Paid:	US\$2500 for Five (5) years (February 2022- January 2026)
Addressee:	Mr. Hemraj Kisson Chief Executive Officer Modern Industries Limited, Lot 3-6 Industrial Site, Ruimveldt Georgetown.
Activity:	Operation of a Foam Factory and Storage of Industrial Chemicals.



Modern Industries 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 operate the Foam Factory with Storage of Industrial Chemicals outlined in the List of Chemicals attached to the Project Summary, at Lot 3-6 Industrial Site, Ruimveldt, Georgetown, hereinafter referred to as the "Project", in a manner indicated in the Application for Environmental Authorisation (Renewal) submitted on July 23, 2021 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, and/or any applicable guidelines, best practices and standards relevant to this project.

This is a Renewal of Operation Permit, Reference No. 20191220-MILFF issued in February, 2021 and expired in January, 2022.

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

1.0 OPERATIONS

1.1 Adhere to the requirements of the Pesticide and Toxic Chemical Control Act, Cap. 68:09, 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;
- II. Change equipment, machine, apparatus, mechanism, system or technology serving the facility;
- III. Change the position and design of any outlet at the point or points of discharge of effluents; or
- IV. Effect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.

1.3 Operation, inspection, maintenance and repair of foam manufacturing equipment, shall be in accordance with manufacturer's specification. A copy of the inspection reports shall be kept and provided upon request by the Agency.

1.4 Adhere to the requirements of the Occupational Safety and Health Act, Cap. 99:01, Laws of Guyana.

1.5 All employees involved in the management of industrial chemicals shall be trained in Hazardous Material Communication and Emergency Preparedness Response. An annual training schedule shall be maintained and submitted to the agency upon request.

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

1.6.1 Fire prevention and control equipment shall be maintained in accordance with the Guyana Fire Service Approval.

INDUSTRIAL CHEMICAL HANDLING AND STORAGE

1.7 Emergency spill clean-up kits shall be maintained at the Project site for response to spills. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up, be readily available and clearly identified.

1.8 The Chemical Storage Area shall be clearly labeled: "Danger, Hazardous Storage Area-Authorized Personnel Only" where applicable as a spill control measure.

1.9 Flammable materials shall be stored away from ignition sources. 'No Smoking' signs shall be posted where these materials are handled and stored.

1.10 Secondary containment (bunded area) shall be established and maintained around storage areas of all liquid chemicals. The secondary containment (bunded area) shall possess 110% of the volume of liquid stored within the largest storage container and walls shall be constructed of impermeable materials.

1.11 Chemicals shall be stored in accordance with the manufacturer's directions or Safety Data Sheet (SDS) instructions.

1.12 Safety Data Sheets for all chemicals shall be readily available and easily accessible at



all times at the Project.

1.13 Chemicals shall be stored away from non-hazardous materials.

1.14 Chemicals shall be segregated according to the following compatibility to reduce the risk from mixed spillages or fire:

- 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 reactive separate from inorganic reactive (metals)
- ix. Any other stipulated standards for storage or segregation of chemicals.

1.15 Chemical 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; and
- vi. Product Name or Identifiers.

1.16 Storage containers shall be inspected for signs of leakage or corrosion and damaged containers shall be replaced **immediately**. Inspection reports shall be maintained and signed by the appropriately qualified inspecting officer and his/her supervisor and be made available to the EPA upon request.

1.17 Chemicals **shall not** be stored on damaged, or inadequately secured racking or on damaged pallets to minimise the risk of spills.

1.18 A register of the quantities of chemicals stored at the Project shall be established and maintained. The registered information shall be made available to the EPA upon request.

1.19 Any chemical spills occurring during handling and loading of industrial chemicals, shall be immediately cleaned and disposed as guided by the respective Safety Data Sheet, at an EPA authorised disposal facility.

3.0 WATER QUALITY

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

3.2 Discharge of untreated effluent from the manufacturing process into the surrounding

environment is strictly prohibited.

- 3.3 Maintain site drainage systems capable of handling the probable environmental maximum perception of storm events.

4.0 NOISE MANAGEMENT

- 4.1 Adhere to the provisions of the Environmental Protection (Noise Management) Regulations, 2000.

- 4.2 Comply with the Guyana National Bureau of Standards (GNBS) Guidelines for Noise Emission into the Environment at a distance of 15m (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))

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.

- 4.3 Equip all significant noise-producing equipment, such as generators, with silencers or mufflers and/or enclose in suitable acoustic enclosures to reduce noise levels impacting the surrounding environment and to achieve compliance with Guyana National Bureau of Standards (GNBS) requirement.

- 4.4 All generators and machines/equipment shall be serviced in accordance with manufacturer's specification to ensure efficiency and reduce the level of noise produced. The summarised maintenance report shall be provided upon request by the agency.

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 shall be placed upon impervious base at strategic locations both within and outside the facility. Waste minimisation and the reuse and/or recycling of waste materials shall be promoted where practical.

- 5.2 Burning solid waste is strictly prohibited. All solid waste shall be disposed of by an EPA Authorised Waste Disposal Company.

- 5.3 Good house-keeping, sanitary and hygienic practices shall be maintained at all times.

- 5.4 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 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, 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 livelihood).

6.2 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees and all third parties under your direction.

6.3 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.

6.4 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.

6.5 Submit an **Annual Report** to the EPA on your compliance with this Permit on or before **March 31, each year**

6.6 Report to the Agency any non-compliance(s) with the Environmental Permit (Renewed):

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.

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.

6.7 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.

6.8 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.

7.0 INSTITUTIONAL AUTHORITY/ LIABILITIES

7.1 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.

7.2 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.

7.3 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.

7.4 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 (Renewed), pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

7.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 7.3 and 7.4 of this Environmental Permit (Renewed), pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

7.6 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.

7.7 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.

7.8 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.

7.9 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.

7.10 The EPA reserves the right to conduct regular inspections of the Permit Holder's 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.

7.11 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.

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

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

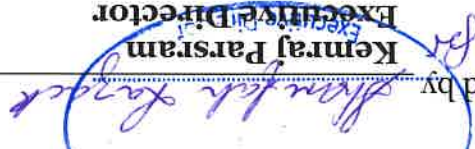
7.14 This Environmental Permit (Renewed) is effective for the period stipulated herein; **February 2022 to January, 2026.**

7.15 This Environmental Permit (Renewed) shall remain valid until **January 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.

7.16 This Permit must be renewed by submitting a completed *Application Form for Renewal of Environmental Authorisation* to the Agency at least six months before this Permit expires, that is, no later than **April 30, 2026.**

7.17 Any late submission of renewal application (s) after the specified date as stated above, may 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 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.

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


Signed by  **Kenraj Parsaram**
Executive Director
Environmental Protection Agency
Guyana

on behalf of the Environmental Protection Agency

Date: 2021.12.14



I hereby accept the above Terms and Conditions upon which this Environmental Permit (Renewed) is granted and agree to abide by the Environmental Protection Act, Cap, 20:05, Laws of Guyana, Environmental Protection (Amendment) Act, 2005, the Environmental Protection (Authorisations) Regulations, 2000, and any existing or forthcoming regulations, guidelines, best practices and standards made under this Act.

NAME	Kyrol Soobhaleo
DESIGNATION	Hssl.
SIGNATURE	
DATE	16/12/2021

