



**Environmental  
Protection  
Agency**

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## **Environmental 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.:	20220725-THMJF
Fee:	Medium (C1), i.e., US\$ 500 per year
Fee Paid:	US \$ 2500 for Five (5) year (October, 2022 – September, 2027)
Addressee:	Jeremy Fernandes Business Development Manager John Fernandes Limited 24 Water Street Georgetown
Activity:	Transportation of Oil and Gas Production Chemicals (ONLY)

John Fernandes Limited hereinafter referred to as the “Permit Holder”, is hereby authorised in accordance with the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to Transport Oil and Gas Production Chemicals (ONLY) within Region Four (4) hereinafter referred to as the “Project”, in a manner indicated in the Application for Environmental Authorisation submitted on July 25, 2022, and subject to the terms and conditions set forth herein under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, any existing 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 GENERAL OPERATION**

- 1.1 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

- iv. of effluents; or  
effect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 Chemicals shall be transported in accordance with the **Project Summary, Road Transportation Emergency Plan and List of Chemicals submitted on September 19, 2022.**
- 1.3 Labels should be affixed to the truck used to transport Oil and Gas chemicals and shall include the following information:
  - Danger**
  - Transporting Hazardous Material**
- 1.4 **"No Smoking"** signs shall be posted on transport trucks.
- 1.5 All chemical shall be stored and transported in sealed containers appropriate for the chemicals.
  - 1.5.1 **Liquid: Sealed Intermediate Bulk Containers (IBC) totes and drums**
  - 1.5.2 **Solid: Sealed Bulk bags**
  - 1.5.3 **Flammable: Sealed ISO Containers**
- 1.6 Establish and maintain a register of the quantities of chemicals transported, and make this available to the EPA upon request.
- 1.7 Chemicals shall be transported in accordance with the **manufacturer's directions or Safety Data Sheet (SDS)** instructions.
  - 1.7.1 Safety Data Sheets for all chemicals shall be readily available and easily accessible at all times on transport trucks.
- 1.8 Establish and maintain a spill incident report which shall document **EVERY** occurrence of spills during collection and/or transportation of production chemicals. A copy of the spill report shall be made available to the EPA upon request.
- 1.9 Transport trucks shall be inspected before each transport journey to ensure that the vehicle is not compromised in any way. Record each inspection on an inspection report and submit to the EPA upon request.
- 1.10 The permit holder shall request Guyana Police Force Escort when transporting flammable and toxic chemicals that are **rated as Category 1:**
  - 1.10.1 **Category 1 Flammable: Flash Point <23 °C**
  - 1.10.2 **Category 1 Toxic: Contains 1.0% of toxicant**

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- 1.11 Damaged chemical containers **must be replaced immediately before transportation.** Inspection reports must be maintained and made available to the EPA upon request.
- 1.12 Chemicals **shall not** be transported on damaged, or inadequately secured racking or on damaged pallets to minimise the risk of spills.
- 1.13 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
  - vi. Product Name or Identifiers
- 1.14 All employees involved in the management of Oil and Gas Chemicals shall be trained on Hazardous Material Communication and Emergency Preparedness Response. Training report shall be maintained and made available to the EPA upon request.
- 1.15 Emergency spill clean-up kits shall be maintained on transport vehicles for response to spills. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up, and shall be readily available and clearly identified.
- 1.16 Transportation of multiple chemicals that are **incompatible** at any point in time is **strictly prohibited.**
- 1.17 Chemicals that are rated as **Category One (1) and Two (2)** shall **not be transported** at peak hour and during busy hours, where applicable these chemicals shall be transport during **non- peak hours.**
  - 1.17.1 **Non-peak Hours: 10:00 am to 3:00 pm & 10:00 pm to 4:00 am**
- 1.18 Chemicals being transported shall **not exceed** the maximum carrying capacity of the transport vehicles and at a height that does not exceed 15 meters.
- 1.19 There shall be no passengers on transport trucks.
- 1.20 Transport trucks shall be outfitted with appropriate fire prevention and control equipment.
- 1.21 Adhere to the requirements of the **Occupational Safety and Health Act, Cap. 99:01, Laws of Guyana.**



1.22 Adhere to the **Pesticides and Toxic Chemicals Control Act 2000.**

## **2.0 WATER QUALITY**

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

2.2 Chemical spills during collection and transportation shall **immediately** be cleaned and disposed at an EPA authorized Hazardous Waste Facility.

2.3 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products.

2.3.1 Truck maintenance activities shall **NOT** be conducted onsite, servicing shall be conducted by an EPA authorised facility.

## **3.0 COMPLIANCE MONITORING AND REPORTING**

3.1 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).

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

3.3 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.

3.4 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.

3.5 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).

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



**3.7 Report to the Agency any non-compliance(s) with the Environmental Permit:**

- 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.
- 3.8** 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.
- 3.9** 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.

**4.0 INSTITUTIONAL AUTHORITY/ LIABILITIES**

- 4.1** 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.
- 4.2** 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.
- 4.3** 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.
- 4.4** 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.

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- 4.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 4.3 and 4.4 of this Environmental Permit, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 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.
- 4.11 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.
- 4.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

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- 4.13 **This Environmental Permit is not the final consent; all relevant Permissions should be obtained from other regulatory bodies for continued operation.**
- 4.14 This Environmental Permit is effective for the period stipulated herein; **October, 2022 to September, 2027.**
- 4.15 This Environmental Permit shall remain valid until **September 30, 2027**, 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.
- 4.16 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 **March 31, 2027.**
- 4.17 Any late submission of renewal application after the specified date as stated above, 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.
- 4.18 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.

Signed by *Kemraj Parsram* on behalf of the Environmental Protection Agency.

**Kemraj Parsram**  
Executive Director

Date

2022.10.19.




*[Handwritten signature]*

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**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.**

<b>NAME:</b>	Jeremy Fernandes
<b>DATE:</b>	21 <sup>st</sup> Oct, 2022
<b>SIGNATURE:</b>	
<b>DESIGNATION:</b>	Business Development Manager