



**Environmental  
Protection  
Agency**

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## **Environmental Permit (Renewed)**

**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**

<b>Reference No.:</b>	<b>20200226-ELGIM</b>
<b>Fee:</b>	<b>Large (C2) i.e., US\$ 2000 per year</b>
<b>Fee Paid:</b>	<b>US \$ 10,000 for 5 years (October, 2022 – September, 2027)</b>
<b>Addressee:</b>	<b>Mr. Elliott Lincoln President Guyana Industrial Mineral Inc. 222 Area J, Cedar Court, Lamaha Gardens Georgetown</b>
<b>Activity:</b>	<b>Operation of a Bauxite Processing Plant Marine Terminal Facility and Ancillary Support Facilities</b>

**Guyana Industrial Minerals Inc., hereinafter referred to as the “Permit Holder”, is hereby authorised in accordance with the Environmental Protection Act, No. Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000, to undertake Bauxite Processing with Conveyor Belt system, Ship Loading, Wharf, Support Camp, Fuel Storage along with Supporting Infrastructure at the Sand Hills Complex situated between the Right Bank Essequibo River and the Left Bank of the Demerara River, hereinafter referred to as the “Project”, in a manner indicated in the Variance Application submitted on November 26, 2020, subject to the terms and conditions set forth herein under the Environmental Protection Act, existing and forthcoming regulations made under the said Act and/or any other applicable laws, best practices, guidelines and standards relevant to this project.**

**This is a Renewal of the Environmental Permit, Reference #20200226-ELGIM, issued in October, 2020, and expired on February, 2022, in accordance with the Environmental Protection (Authorisations) Regulations, 2000.**

**Terms and Conditions for Operation to be adhered to by Permit Holder, His Servants, Agents and/or Sub-Contractor(s):**

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**1.0 OPERATION**

- 1.1. Comply with all components of the Agency approved Revised Environmental Management Plan, dated February 26, 2020 and addendum dated June, 2020.
- 1.2. Notify the Agency in writing and obtain its approval for **ANY** proposed changes in operation of the Bauxite Processing with conveyer belt system, Ship Loading, Wharf, Support Camp and Fuel Handling and Storage, at the Sand Hills Complex along with Supporting Infrastructure 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 construction, structure, layout of the facility;
  - ii) Installation of new and/or changes to equipment, machine, apparatus, mechanism, system or technology serving the facility or operation; and
  - iii) Any technology installed at the facility from which effluent may be discharged.
- 1.3. Ensure that boundary limits for the Sand Hills site are clearly demarcated from Waratilla and Bonasika boundaries.
- 1.4. Utilise the land in accordance with the plan submitted to the Agency. Adhere to all specifications of the location, reserve and boundary lines, unless otherwise authorised.
- 1.5. Ensure proper signage and security measures are instituted to keep unauthorised persons from accessing restricted and high-risk areas in and around the Sand Hill Complex.
- 1.6. Provide and install firefighting equipment such as fire extinguishers, sand buckets, fire pumps at visible locations on site, in accordance with guidelines established by the Guyana Fire Service.
- 1.7. Ensure all firefighting equipment are maintained and serviced regularly and provide training on the use of the equipment.
- 1.8. Ensure that the transport of mined material from the mines to the processing

facility is done in a manner that prevents adverse impacts to the environment and public safety.

- 1.9. Do not use the cemetery located behind the Lutheran Church at Sand Hills as an access path to the facility for any activity.
- 1.10. Ensure that the processing facilities at the Sand Hills Complex are located no less than 100 metres away from all residents, the school, playground and the church so as to maintain security and safety.

## **2.0 EMPLOYEES AND EMERGENCY MANAGEMENT**

- 2.1 Establish and regularly update the Company's evacuation plan which must be posted in a conspicuous location for all staff to be aware of.
- 2.2 Install an alarm system and ensure that all employees and third-party contractors are aware of the emergency response protocol and their duties and responsibilities according to the Evacuation Plan.
- 2.3 Conduct regular training for employees and third-party contractors on the use and implementation of alarm systems and any other Safety System used by the Company.
- 2.4 Ensure that the fire escape routes are clearly defined and have emergency lighting in accordance with the requirements of the Guyana Fire Service and other supporting national regulations and codes.
- 2.5 Provide Employees/third party contractors with training on good environmental management practices, occupational health and safety and of their obligations under this Permit on a regular basis.
- 2.6 Prepare and maintain a training file for employees/third party contractors, which should be available upon Officers' request during Compliance Inspection.
- 2.7 Employees must, at all times, be equipped with the necessary protective equipment to their job specification such as; hi-visibility vests, hard hats, gloves, dust mask and appropriate footwear and ensure appropriate utilisation of these gears. Prepare and maintain an employee log of distribution of Personal Protective Equipment.
- 2.8 Provide well-equipped first aid and snake bite kits at all work sites and ensure that communication and transportation systems are in place to respond to emergencies.
- 2.9 Ensure that proper prophylactic or other acceptable measures are implemented to protect workers and other persons from malaria and other harmful diseases at the project site.
- 2.10 Within the legal powers of the Company, discourage the influx of people into the Mining Concession and do not allow outsiders to settle on its periphery.

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- 2.11 Maintain employment of an Environmental Officer(s) that would be responsible for coordinating Environmental Management, implementing the conditions of this Permit, ensuring employees are trained in environmental management and Emergency Response Procedures and capable of monitoring for compliance with this Permit.

**3.0 STORAGE AND HANDLING OF PETCOKE**

- 3.1 Avoid dispersal of spilt material and runoff and contact with soil and nearby waterways. Report to the EPA any incidents that may result in an accidental release of material into the environment.
- 3.2 Store all material in the original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials and food and drink. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers.
- 3.3 Store all containers with PETCOKE within a bunded area with 110 percent capacity of the total amount of material to be stored.
- 3.4 Do not store PETCOKE with oxidizing materials such as Ammonium perchlorate, Bromine, Chromic acid, Dibenzoyl peroxide, Hydrogen peroxide, Perchloric acid, Sodium perchlorate. PETCOKE should have its own storage room/area.
- 3.5 Conduct visual observations of the emissions from the chimney flue (stack) during the operation of the equipment. Emissions should not exceed No. 2 on the Ringelmann Smoke Chart.
- 3.6 Immediately respond to emissions that exceed No.2 in the Ringelmann Smoke Chart with corrective action to achieve compliance with the requisite standard.
- 3.7 Monitor ambient air quality at the property boundaries to determine compliance with the requisite Standards outlined in the Table below:

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Air Contaminant	Averaging Time	Maximum Permissible Level	Type of Monitoring	Frequency of Monitoring
Carbon Monoxide	1 h	35ppm	Ambient	Biannually
Nitrogen Dioxide	1 h	200µg/m <sup>3</sup>	Ambient	Quarterly
Sulphur Dioxide	24 h	20 µg/m <sup>3</sup>	Ambient	Quarterly

- 3.8 Avoid or minimize the generation of waste associated with PETCOKE wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of the EPA. Dispose of surplus and non-recyclable products and containers via an EPA permitted waste disposal contractor.

#### **4.0 WATER QUALITY**

- 4.1 Adhere to the provisions of the **Environmental Protection (Water Quality) Regulation, 2000.**
- 4.2 All equipment refueling shall be conducted of an impervious base or the use of drip pans shall be implemented to prevent fuel contamination of soil/water.
- 4.3 Conduct monthly monitoring of the following parameters in accordance with the approved Environmental Management Plan dated February 26, 2020 and addendum dated June, 2020. Submit reports to the Agency on a biannual basis. These reports shall be submitted to the EPA no later than one (1) month after the reporting period.:
- pH 5.0-9.0;
  - Temperature < 40 °C;
  - Total Suspended Solid (TSS) < 100 mg/L;
  - Total Petroleum Hydrocarbon (TPH) <40mg/L;
  - Conductivity (>400 µS/cm) and
  - Turbidity (<30 NTU)
- 4.4 Maintain turn out drains towards a sump area capable of handling the probable maximum precipitation storm event within the mines and ancillary facilities. Discharge should be directed into a settling pond or into vegetation before releasing into the environment.





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- 4.5 Design and install drainage systems such as underground pipelines to minimize disturbances to natural drainage patterns as applicable.
- 4.6 Install silt traps where necessary to avoid siltation and sedimentation of the Demerara River and other waterways during construction and operation.
- 4.7 Interceptor drains shall be maintained on site. These must be adequately sloped to collect storm flow.
- 4.8 Clean drains and sediment traps as necessary to maintain to function effectiveness.
- 4.9 Direct all waste lines and drains carrying grease, fats, or culinary oil, or similar waste products from the kitchen area into one or more grease trap interceptors. All required grease trap interceptors shall comply with the following:
  - Be constructed of durable, corrosion-resistant materials and have water-tight covers securely fastened in place.
  - Have a flow rate sufficient to handle the maximum demand of the connected system.
  - Be installed at strategic locations to allow accessibility for convenient removal of the lid and internal contents.
  - Be designed and installed with proper venting to avoid becoming air bound.
  - Be properly cleaned and maintained according to manufacturer's recommended frequency.
- 4.10 Stockpile ore material at least 100m away from the Demerara River.

## **5.0 AIR QUALITY MANAGEMENT**

- 5.1 Adhere to the provisions of the **Environmental Protection (Air Quality) Regulations, 2000.**
- 5.2 Develop and maintain an inventory of all emission sources on site.
- 5.3 Conduct visual monitoring of dust levels at the Sandhill Location once wind speeds exceed 8m/s. If dust plumes are observed near the site boundaries, immediately cease operation and implement dust suppression mechanisms.
- 5.4 Ensure employees responsible for visual monitoring are aware of the mitigation measures to be implemented if the threshold for dust monitoring is surpassed.
- 5.5 Conduct maintenance of the dust fall jars in accordance with the manufacturer's specifications.
- 5.6 Conduct fence line monitoring at Sand Hills to determine compliance with the Maximum Permissible Levels identified in the Table below

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Air Pollutant	Averaging Time	Maximum Permissible Level	Type of Monitoring	Frequency of Monitoring
PM <sub>2.5</sub>	24 h	25 µg/m <sup>3</sup>	Ambient	Quarterly
Carbon Monoxide	1 h	35ppm	Ambient	Annual
Nitrogen Dioxide	1 h	200µg/m <sup>3</sup>	Ambient	Annual
Sulphur Dioxide	24 h	20 µg/m <sup>3</sup>	Ambient	Annual

- 5.7 Employ all practical measures along roads, at material stockpiles, and other sensitive areas to control and prevent fugitive dust impacts during the construction and operation phases. Utilise dust suppression methods such as watering on a regular basis or any other approved method throughout the facility within the Mine Site.
- 5.8 Employ all necessary measures where practical to control and prevent fugitive dust and gas pollution at the processing plant and all other areas acquired for operation at Sandhills.
- 5.9 Ensure that all mechanical equipment are operated in accordance with the manufacturer's specifications. Additionally, ensure that all mechanical equipment and vehicles are regularly maintained and operated at their optimal levels to minimize atmospheric emissions.
- 5.10 Ensure that the primary dust collection system and a secondary water dust collection system are maintained according to manufacturer's specifications.
- 5.11 Ensure that the bauxite ore stored at Sand Hills is suppressed regularly to avoid air dispersion to downwind residents and logging activities.

## **6.0 HAUL ROADS**

- 6.1 Ensure that roads are constructed at a minimum distance of 200 meters away from residences, in accordance with the approved Revised EMP dated February 26, 2020 and addendum dated June, 2020. Maintain a 15 m wide vegetative buffer between the mines, roads and residences.
- 6.2 Ensure the running surface of the haul road is crowned with a compacted layer and equipped with good drainage on both sides of the road shoulder to catch and direct stormwater to the local drainage system and to prevent erosion of roads.
- 6.3 Ensure that the haul road between the wharf and Sand Hills Complex is constructed with suitable road construction materials to minimise the possibility of dust nuisance to residents of the area.

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- 6.4 Minimise the clearing of vegetation during road construction and maintenance by restricting the width of road corridors as much as possible.
- 6.5 Ensure that culverts are installed at points of low elevation along new roadways to maintain local drainage patterns and sized to handle wet season flood flows.
- 6.6 Ensure all reasonable and practical measures such as the provision of turnout drains at regular intervals are implemented to prevent erosion of roads.
- 6.7 Ensure adequate safety signs are erected along all roads informing users of dangerous bends, crossing of haul trucks, speed limits, etc.

## **7.0 NOISE MANAGEMENT**

- 7.1 Adhere to the **Environmental Protection (Noise Management) Regulations, 2000.**
- 7.2 Implement all possible measures to mitigate adverse noise impacts from heavy machinery and generators on the environment. Ensure all significant noise producing equipment, e.g., generators etc. are equipped with appropriate silencers or mufflers or are enclosed in suitable acoustic enclosures where necessary to reduce noise levels to achieve compliance with the GNBS requirements.
- 7.3 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.
  - Construction Limits: **90 dB** (Day-time (06:00 h – 18:00 h))  
**75 dB** (Night-time (18:00 h – 06:00h))
  - Industrial Limits: **100 dB** (Day-time (06:00 h -18:00 h))  
**80 dB** (Night –time (18:00-06:00 h))

## **8.0 HAZARDOUS WASTE MANAGEMENT**

- 8.1 Adhere to the provisions of the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**, and the stipulations within the **Pesticides and Toxic Chemicals Act, No. 13 of 2000**, the **Pesticides and Toxic Chemicals Regulations, No. 8 of 2004**, the **Pesticides and Toxic Chemicals (Amendment) Regulations, No. 8 of 2007**.
- 8.2 Ensure that all Hazardous Material Storage areas are clearly labelled, secured and well illuminated when not in use. The following warning signs shall be clearly posted:

(a) Danger- Chemical Storage Area “Authorized Personnel Only”



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- (b) Read and Follow all label directions
- (c) No Smoking
- (d) No Eating or Drinking

8.3 Ensure that a register of hazardous materials or chemicals used or generated by the operation is established and maintained by the Company. Submit to the Agency, twice yearly (June and December), a report on hazardous waste generation and management for the previous six months including (please see attached form):

- The name, location and type of facility.
- Types and quantities (in metric units) of hazardous waste generated.
- Manner of storage, use, any applied treatment standards/methods and disposal of these substances.
- Data concerning off-site shipments of waste, i.e., local disposal facility utilized, country to which hazardous waste is shipped, purpose of shipment and amount of waste shipped.
- A summary of any accidents that may have occurred and any action taken.
- Any waste minimization efforts undertaken by your facility for hazardous material/waste.
- Any other matter the Agency may require.

The Agency considers all materials listed in Schedule I and II of the **Environmental Protection (Hazardous Wastes Management) Regulations, 2000**, to be hazardous. (Please see attached list.)

8.4 (a) Collect and store waste oils, used batteries, and any other hazardous waste on site until ready for disposal in a manner approved by the EPA.

(b) Refrain from draining fuel/ lubricants, including waste oils of any quantity from equipment on to the ground and waterways.

8.5 Contain all chemicals securely and conform to the safety conditions as outlined in the Material Safety Data Sheet for each chemical. Keep all chemicals in well-sealed and individually labeled containers and properly store in an impervious and well-ventilated room/bond.

8.6 Safety Data Sheets for all hazardous materials shall be readily available and easily accessible at all times at the Facility.

8.7 Take the necessary precautionary measures during the transport, transfer, use and handling of all hazardous material.

8.8 Implement a programme to ensure regular and preventative maintenance of machinery and equipment to prevent leaks and minimize air emissions and hydrocarbon releases.

8.9 All hazardous waste shall be stored in a covered, bunded area. This area shall include

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the following:

- a) Signage- "Hazardous Waste Storage Area";
- b) Low traffic;
- c) No floor drains; and
- d) Secondary containment capable of containing 110% of the largest volume therein.

- 8.10 Do not service vehicles in mining pits except in instances of emergency repairs.
- 8.11 Maintain emergency spill cleanup kits on site for response to spills.
- 8.12 A fully stocked first- aid kit shall be readily available at the hazardous storage Facility.
- 8.13 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.
- 8.14 Elevate all Waste Oil/ chemical tanks and containers so that leaks are easily identifiable.
- 8.15 Collect and store waste oils on site, until ready for disposal or reuse. It is an offence to drain fuel/lubricants including waste oils of any quantity from equipment onto the ground or water way.

## **9.0 FUEL HANDLING AND STORAGE**

- 9.1 Fuel shall at all times be stored above-ground, in a cool, dry place and away from ignition sources. 'No Smoking' signs shall be posted where fuel is handled or stored.
- 9.2 Maintain an impervious secondary Containment Wall around fuel storage tanks, creating a temporary holding area in the event of accidental spillage. The containment wall for areas with multiple tanks must have the capacity to provide at least 110% containment of the largest tank. The Containment Wall for areas with solitary tanks must have the capacity to provide 110% containment of each fuel tank. The containment wall MUST be fully sealed to prevent spillage into the receiving drainage system.
- 9.3 Secondary containment, drip trays or other overflow and drip containment measures shall be installed and maintained at connection points or other possible overflow points.
- 9.4 Secondary containment around the fuel tanks shall be inspected monthly for cracks and breakage to ensure they are liquid tight to withstand hydrostatic pressure.
- 9.5 All piping must enter or exit the containment over the Wall and no part of the tank

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infrastructure (e.g., dispenser, filling hoses and valves) shall protrude outside the containment.

- 9.6 Ensure that adequate and appropriate signage are installed in fuel storage areas, such as No Smoking, Flammable Materials, etc.
- 9.7 Protection measures for fuel storage tanks such as painting and coating shall be maintained and utilised to minimize corrosion of fuel tanks.
- 9.8 Maintenance and/ or repair of fittings, pipes and hoses shall be conducted monthly and in accordance to manufacturer's specifications. A summarized inspection report shall be compiled and submitted to the Agency as part of the Annual Report required in condition 14.3.
- 9.9 Continue to utilise Leak detection systems on all fuel tanks. At least two (2) of the following measures should be utilised:
- (a) Overflow alarms on tanks;
  - (b) Gauging system;
  - (c) Dipstick measurements;
  - (d) Sensors on walls of tanks; or
  - (e) Electric shut down buttons

**10.0 WASTE MANAGEMENT**

- 10.1 Adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations, 2013.**
- 10.2 Ensure that solid waste pits are located at least one hundred (100) meters away from watercourses, or habitation. The waste sites should be constructed above the ground water table and lined to the floor with an impervious, earthen or other material to prevent leaching to ground water.
- 10.3 Ensure that the leachate collection pond is lined with the impermeable material used in the waste disposal cells. The pond must be able to hold the maximum volume of leachate potentially generated from the waste disposal facility and maximum precipitation events. The pond should have a large surface area to enhance evaporation of the leachate.
- 10.4 Ensure waste disposal sites are properly managed to prevent contamination of ground water resources.

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- 10.5 Ensure that proper Solid Waste Management and disposal are employed at your facility. Waste shall not be disposed of in or near waterways etc. Burning is prohibited unless otherwise pre – approved by relevant Regulatory Agencies.
- 10.6 Ensure ash/residue from incineration of contaminated soil and waste is disposed in an environmentally sound manner.
- 10.7 Promote the reduction and reuse of waste generated from your facility.
- 10.8 Excavate and replace with clean soils, where identified, accessible and practical, all contaminated soils within the Project site and haul roads. Additionally, ensure that removed soils are treated preferably by means of bioremediation in an area pre-determined by the Company and approved by the EPA and or disposed in a manner approved by the EPA.
- 10.9 Where possible and practical, compost organic matter and reuse organic materials as fertilizer for re-vegetation of reclaimed areas.
- 10.10 Maintain a septic system on site at all times. In the event that additional septic tanks need to be constructed, they should not be located within 1.5 m of a building or property boundary and should be accessible for cleaning and de-sludging. Any modification to the Septic tanks must be in accordance with the Guyana National Bureau of Standards (GNBS) ***Code of Practice for the Design and Construction of Septic Tanks and Associated Secondary Treatment and Disposal Systems.***

**11.0 WHARF FACILITY**

- 11.1 Continue to take necessary precautions to avoid erosion, siltation and sedimentation of the Demerara River in the vicinity of the Wharf.
- 11.2 Avoid storage of fuel, grease, waste oils and other petroleum products within 150 meters of the Demerara River.
- 11.3 Ensure that all construction, operation and maintenance works are conducted in accordance with the Sea Defense and Drainage, Maritime Administration & Irrigation Laws of Guyana.
- 11.4 Avoid storage of fuel, grease, waste oils and other petroleum products on the wharf.
- 11.5 Ensure that the River's Bank is cleared of debris on a regular basis.
- 11.6 Ensure the construction and maintenance of the Wharf, dredging is done to coincide



with low flow periods of the Demerara River.

- 11.7 Ensure erosion protection measures (revetment, re-vegetation, etc.) is provided to protect susceptible sloped surfaces or any disturbed shoreline.

## **12.0 PROGRESSIVE RECLAMATION AND CLOSURE**

- 12.1 Adhere to the Conceptual Closure Plan as outlined in the approved Revised EMP dated February 26, 2020 and addendum dated June, 2020.
- 12.2 Restore all waterways temporarily diverted during mining operations to their original channels, if possible.
- 12.3 Species used in the re-vegetation of the site as part of the progressive reclamation process, should, as far as possible, be native to the area.

## **13.0 BIODIVERSITY PROTECTION**

- 13.1 Maintain vegetation around production facilities and along access roads to mitigate the impact on terrestrial resources.
- 13.2 Prohibit employees from the capturing, killing and trading of all Wildlife from the project area in accordance with the Wildlife Conservation and Management Act, 2016.
- 13.3 Record observances of aquatic and terrestrial biodiversity and submit quarterly reports to the EPA.
- 13.4 Maintain all water crossings (culvert or bridges) to enable the passage of migratory aquatic species.
- 13.5 Report any occurrences of illegal wildlife trapping and trading in the project area to the EPA and Wildlife Conservation and Management Commission.

## **14.0 COMPLIANCE MONITORING AND REPORTING**

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



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- 14.2 Keep all records of environmental monitoring, malfunctions, pollution of the environment, and any failure to comply with requirements as stated in this Permit in an acceptable format, which should be made available to the EPA upon request.
- 14.3 Submit **Annual Environmental Reports** to the EPA on or before **March 31** every year of environmental management activities; status of the project, progress of the implementation of the EMP, monitoring activities, as well as compliance with the conditions of this Permit.
- 14.4 Ensure the reports and records of monitoring include the following:
- The names of the individuals and designations, who conducted sampling, prepared and compiled the reports;
  - The date, place/location, time, weather conditions, techniques and methods used in sampling;
  - The date the measurements were compiled or analysed and the names of the individuals who compiled the information;
  - Observations, readings, calculations, benchmarks, bench data, the results of analyses;
  - Limitations of the sampling process and all other occurrence at the time of study, which may affect the results;
  - Possible sources of error during monitoring activities;
  - Photographs and drawings of all relevant aspects of the operation; and
  - The state of operation of facilities at the time of measurement, including planned and unplanned shutdowns, production levels and achievement of design capacity, identification of release point, source of release and substances being released.
- 14.5 Notify the EPA within twenty-four (24) hours of the occurrence of any environmental emergencies.
- 14.6 Immediately notify the EPA of any accidental release of contaminants or incidence of pollution into the environment. The Permit Holder shall provide the financial, equipment and technical capacity to adequately respond to any emergency that may occur on site and emergency response shall be immediate.
- 14.7 Comply with any lawful directions given by the EPA from time-to-time in furtherance of the implementation of any international or other obligations for the environmental protection.
- 14.8 Inform the National Trust and Walter Roth Museum if any artifacts of archaeological and anthropological significance are unearthed during operations.

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- 14.9 Report any occurrences of illegal wildlife trapping and trading in the project area to the EPA and Wildlife Management Authority.
- 14.10 Be responsible for payment for all environmental audits and compliance monitoring associated with this Permit.
- 14.11 Conform to all terms and conditions under which this Permit is granted and be liable for any loss or damage which arises from the project as a result of the Permit Holder's activities or breach of any term or condition of this Permit.
- 14.12 Commission an independent environmental audit of the operation every two (2) years using a Terms of Reference agreed upon by the EPA and the Company and submit the report to the Agency within three (3) months of completion of the audit.

**15.0 LIABILITY AND INDEMNIFICATION FOR POLLUTION DAMAGE**

- 15.1 The Permit Holder, His Servants, Agents and/or Sub-Contractor(s) shall be strictly liable for any loss and/or damage to the environment through any act caused intentionally or recklessly, through 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 those prescribed by the regulations or stipulated by any environmental authorisation, which are attributed to the Project. (s.19(1) EP Act).
- 15.2 Where the Permit Holder in accordance with s. 19(3) is found liable for the contaminant or for the process involving the contaminant or who causes or permits a discharge as aforementioned in relation to above, shall:
  - a) immediately notify the Agency of –
    - i. the discharge;
    - ii. the concentration and amount contaminant
    - iii. the circumstances of the discharge;
    - iv. what action the person has taken or intends to take to restore the natural environment;
  - b) be liable to pay for the cost of an independent investigation into the discharge.
- 15.3 The Permit Holder, His Servants, Agents and/or Sub-Contractors shall be guilty of any offence in accordance with s. 39 (1), (2), (3), (4) of the EP Act, Laws of Guyana, which states 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 said Act.
- 15.4 The Permit Holder shall compensate any party who suffers any loss or damage as a result of the attributed project. (PART V s. 19 (3) (e)).

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**Environmental Permit (Renewed) Ref. No. 20200226-ELGIM**

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.

15.5 To the extent permitted by Law, the Permit Holder shall indemnify, defend and hold harmless the Agency (EPA) from liability including all claims and losses, and all related costs, and expenses (including reasonable attorney's fees and costs of investigation, litigation, settlement, judgments, interest and penalties) resulting to any person, firm or corporation that may be injured or damaged as a result of the Permit Holder in the performance of the said project, that are attributed to the negligence or tortuous acts of the Permit Holder or any of its sub – contractors and / or by anyone else for whose acts any of them may be liable.

15.6 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.

**16.0 INSTITUTIONAL AUTHORITY/ LIABILITIES**

16.1 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, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.

16.2 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 authorized 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.

16.3 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

16.4 The Permit Holder 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

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of Guyana.

- 16.5 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.”
- 16.6 The Permit Holder shall be liable to any gross negligence or willful misconduct caused by the Permit Holder, his Servants, Agents and/or Sub-Contractor(s), 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.
- 16.7 The Permit Holder shall compensate any Party who suffers any loss or damage as a result of the attributed project. (S. 19(3) (e) Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 16.8 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).
- 16.9 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.
- 16.10 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.
- 16.11 Where it appears to the Agency (EPA) that the Permit Holder is engage 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.
- 16.12 The Permit Holder is obligated to ensure that the Fuel Storage Sites are permitted by other relevant authorities.
- 16.13 The Permit is effective for the period stipulated herein **October, 2022 to September, 2027.**

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16.14 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, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.

16.15 This Permit must be renewed by submitting a completed *Application Form for Environmental Authorisation* (Operation Permit) to the Agency at least six (6) months before this Permit expires, that is, no later than **March 31, 2027**.

16.16 Any late submission of renewal application(s) after the specified date as stated above, shall 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\$2,000.00) per day for every day late**, until such renewal application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.

16.17 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  on behalf of the Environmental Protection Agency

  
for **Mr. Kemraj Parsaram**  
Executive Director

**Environmental Protection Agency**


Date 2022.10.19



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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.

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 existing or forthcoming regulations, guidelines, best practices and standards made under this Act.

NAME	ELLIOTT LINCOLN
DESIGNATION	CEO
SIGNATURE	
DATE	26/10/22



