



## **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 Regulations, 2000.**

<b>Reference No.:</b>	<b>2022092-ETKMP</b>
<b>Fee:</b>	<b>Large (C3) – US\$3,100 per year</b>
<b>Fee Paid:</b>	<b>US \$ 15,500 (November, 2023 to October 2028)-Five (5) years</b>
<b>Addressee:</b>	<b>Mr. Mark Humphery ETK Director, ETK Inc. Podium L406 4<sup>th</sup> Floor Pegasus Hotel and Suits, Seawall Road Kingston, Georgetown, Guyana.</b>
<b>Activity:</b>	<b>Construction and Operation of Itaballi Port and Laydown Support Facilities</b>

ETK Inc., 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 Regulations, 2000, to operate a Roll on and Roll Off Dock consisting of a wharf and a pier, Support Camps, Administrative Office, Fuel Depot, and Laydown Operations at Itaballi, Left Bank Mazaruni River, Region No. 07, hereinafter referred to as the “Project”, in the manner indicated in the Application for Environmental Authorisation submitted on September 20, 2022, the approved Environmental and Social Impact Assessment (ESIA) dated January 2012 and Construction Method Statement (CMS) dated December 27, 2022, subject to the terms and conditions set forth herein under the Environmental Protection Act, Cap. 20:05, existing and/or forthcoming regulations made under the said Act, and/or any other applicable laws, best practices, guidelines 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 the Operation:

## **1.0 CONSTRUCTION AND OPERATION**

1.1. Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the construction and operation of the Itaballi Port and Laydown Support Facilities, at least **fourteen (14) days** before making the change. The notification shall contain a **description of the proposed change(s) in construction and operation**. It is not necessary to make such a notification if **an Application** to this Permit has been made and the Application contains a description of the proposed change(s). 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.
- iv) Any other circumstance prescribed by Regulation 20(3) of the Environmental Protection (Authorisations) Regulations.

1.2. Construct and operate the Itaballi Port and Laydown support Facilities only within the description of the blocks granted by the Guyana Lands and Surveys Commission (GLSC) as described herein: Universal Transverse Mercator (UTM) \_PSAD56\_N UTMPSAD56\_E.

### **Port Facility:**

- i. **Point A-** 21N 702963.00E 702963.00N
- ii. **Point B-** 21N 311458.00E 702953.00N
- iii. **Point C-** 21N 311491.00E 703024.00N
- iv. **Point D-** 21N 311475.00E 703030.00N

### **Laydown Support Facility at 5km Itaballi- Puruni- Papishou Landing Road:**

- i. **Point A-** 21N 308516.00E 703811.00N
- ii. **Point B-** 21N 308601.00E 70347.00N
- iii. **Point C-** 21N 308484.00E 703449.00N
- iv. **Point D-** 21N 308401.00E 703771.00N

1.3. Utilise the land in accordance with the Application for Environmental Authorisation submitted to the Agency on September 20, 2022. Adhere to all

specifications of the location, reserve and boundary lines, unless otherwise authorised.

- 1.4. Ensure that all operations of the **roll on and roll off** dock are in accordance with the **River Navigation Act, Cap. 50:01** and the requirement of the Guyana Maritime Administration Department.
- 1.5 Submit to the Agency, the facility's Certificate of Registry from the Guyana Maritime Administration Department within **one month** of its renewal.
- 1.6 Ensure proper signage and security measures are instituted to keep unauthorized persons from accessing restricted and high-risk areas in and around the Itaballi Port and Laydown Support Facilities.

## **2.0 EMPLOYEES AND EMERGENCY MANAGEMENT**

- 2.1 Establish and regularly update the Company's emergency response plan which must be posted in conspicuous location(s) 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.
- 2.4 Provide and install firefighting equipment such as fire extinguishers, sand buckets, fire pumps and any other system that is fitting at visible locations on site, in accordance with guidelines established by the Guyana Fire Service.
- 2.5 Ensure all firefighting and emergency response equipment are maintained and serviced regularly and provide training on the use of these equipment to employees.
- 2.6 Ensure that fire escape routes are clearly defined and have emergency lighting in accordance with the requirements of the Guyana Fire Service and other national safety guidelines applicable to your operation.
- 2.7 Provide Employees/third party contractors with training on good environmental management practices, occupational health and safety and their obligations under this Permit on a regular basis, records of the aforementioned training should be made available to the EPA on request.
- 2.8 Prepare and maintain a training file for all employees/third party contractors, which should be available upon Officers' request during Compliance Inspection.
- 2.9 Employees shall be equipped with Personal Protective Equipment relevant to the occupational tasks during operation. These Personal Protective Equipment (PPE) must 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; and

V. Safety goggles.  
**(Employees shall at all times be well protected)**

- 2.10 Provide well-equipped first aid and snake bite kits at all work sites.
- 2.11 Ensure that communication and transportation systems are in place to respond to all kinds of emergencies (operational and Administrative).
- 2.12 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.
- 2.13 Maintain employment of an Environmental Officer that would be responsible for coordinating Environmental Management, implementing the conditions of this Environmental Permit, ensuring employees are trained in environmental management and Emergency Response Procedures and capable of monitoring compliance with this Permit and other local statutes and standards.

### 3.0 **WATER QUALITY AND DRAINAGE MANAGEMENT**

- 3.1 Comply with the **Environmental Protection (Water Quality) Regulations, 2000** and adhere to measures outlined for Water Quality Management in the Approved Environmental Management Plan dated April, 2021.
- 3.2 ETK shall establish a groundwater monitoring well at the Port Facility at an appropriate depth for the quarterly monitoring of receptor groundwater quality of Total Petroleum Hydrocarbons (TPH) and oil and grease.
- 3.3 Ensure that vessels are moored at depths that allow them to remain afloat, but prevent propellers from disturbing bottom sediments of any navigable channel.
- 3.4 Take necessary precautions to avoid erosion, siltation and sedimentation of the Mazaruni River during the operation life of the facility, e.g. sediment traps, screens and revetments.
- 3.5 Install a water treatment system at the domestic waste water discharge points before discharge into the environment. Wastewater shall not be discharged directly into watercourses.
- 3.6 Construct and maintain a good drainage system capable of handling the probable maximum precipitation storm event at this facility.
- 3.7 Provide practical containment of water-suspended solids originating from facilities to allow for the removal of suspended solids prior to being discharged into the environment.
- 3.8 Design and install drainage systems such as underground pipelines to minimize disturbances to natural drainage patterns as applicable.

- 3.9 Given the proximity of this project to the Mazaruni River Install silt traps where necessary to avoid siltation and sedimentation of same, and other surface water body during construction and operation of these facilities.
- 3.10 Clean drains and sediment traps as necessary to maintain the effectiveness of all surrounding drains.
- 3.11 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:
- i. Be constructed of durable, corrosion-resistant materials and have water-tight covers securely fastened in place.
  - ii. Have a flow rate sufficient to handle the maximum demand of the connected system.
  - iii. Be installed at strategic locations to allow accessibility for convenient removal of the lid and internal contents.
  - iv. Be designed and installed with proper venting to avoid becoming air bound.
  - v. Be properly cleaned and maintained according to manufacturer's recommended frequency.
- 4.0 **Port and Laydown Support Facilities' Access**
- 4.1 Ensure the running surface of the road approach to and within the Port and Laydown Support Facilities are crowned with a compacted layer and equipped with good drainage on both sides of the road shoulder to catch and direct storm water to the local drainage system and to prevent erosion of roads.
- 4.2 Where necessary, ensure culverts are installed at points of low elevation within the facility and or at the confluence of the access road drain adjoining the Port and Laydown Support Facilities to maintain local drainage patterns and sized to handle wet season flood flows.
- 4.3 Ensure all reasonable and practical measures such as the provision of turnout drains at regular intervals are implemented to prevent erosion of the road approach to the Port and Laydown Support Facilities.
- 4.4 Ensure adequate safety signs and markings are erected at the confluence of the adjoining access road and the Port and Laydown Support Facilities informing users truck turning points, speed limits, etc.
- 4.5 Ensure all of ETK's transshipment operations from the Port and Laydown Support Facilities to the ETK Toroparu Project Site are done in a manner that prevents adverse impacts to the environment and public safety.
- 4.6 Conduct Visual Monitoring of ETK's transshipment operations from the Port and Laydown Support Facilities to the ETK Toroparu Project Site in high traffic areas and areas along the Itaballi- Puruni- Papishou Landing Road corridor where the



settlement of persons is established. All practical precautions shall be taken to minimize fugitive dust impacts where the settlement of persons is established.

**5.0 HAZARDOUS MATERIALS/WASTE MANAGEMENT**

5.1 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**.

5.2 The Hazardous Material Storage areas shall be clearly labelled, secured. It should also be well illuminated when not in use. The following warning signs shall be clearly posted:

- (a) Danger- Chemical Storage Area “Authorized Personnel Only”
- (b) Read and Follow all label directions
- (c) No Smoking
- (d) No Eating or Drinking

5.3 Establish and maintain a register of hazardous materials or chemicals transported via the Port and Laydown Support Facilities. Submit to the Agency, twice yearly (June and December), a report on hazardous waste transported 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 transported.
- 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.)

5.4 **(a)** Collect and store all lubricants, coolant, acid-generating materials, waste oil and any material contaminated with hydrocarbons such as used filters and oily rags in an approved manner, such as in drums or surface tanks surrounded by impervious bunds to contain spillage. Ensure that the areas assigned for storage of the

aforementioned materials are located away from main operating areas, drainage lines and major waterways.

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

- 5.5 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.
- 5.6 Ensure that the storage of any chemical reagent is done on an impervious base with a shed, the area must also be surrounded by perimeter drains to channel and contain any runoff in the event of an accident.
- 5.7 Safety Data Sheets for all hazardous materials shall be readily available and easily accessible at all times at the Facility.
- 5.8 Take the necessary precautionary measures during the transport, storage, transfer, use and handling of all hazardous material.
- 5.9 Implement a programme to ensure regular and preventative maintenance of machinery and equipment to prevent leaks and minimize air emissions and hydrocarbon releases.
- 5.10 All hazardous waste shall be stored in a covered, bunded area. This area shall include 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.
- 5.11 All servicing and refueling of Machinery shall be done on an impervious base, within a designated area.
- 5.12 Maintain emergency spill cleanup kits on site for response to spills.
- 5.13 Implement corrective actions in the event of an oil/ fuel spill to clean up and contain the spill. Any material used to adsorb hydrocarbons should be collected and stored with other hazardous waste and any contaminated waters passed through an oil water separator before being released into the natural environment.
- 5.14 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.

5.15 Elevate all waste oil/ chemical tanks and containers so that leaks are easily identifiable.

5.16 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.

## **6.0 FUEL HANDLING AND STORAGE**

6.1 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.

6.2 Construct and 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.

6.3 Existing secondary containment around the fuel tanks shall be inspected monthly for cracks and breakage to ensure they are liquid tight to withstand hydrostatic pressure.

6.4 All piping must enter or exit the containment over the wall and no part of the tank infrastructure (e.g., dispenser, filling hoses and valves) shall protrude outside the containment.

6.5 Ensure that adequate signage is installed in fuel storage areas, such as No Smoking, Flammable Materials, etc.

6.6 Protection measures for fuel storage tanks such as painting and coating shall be maintained to minimize corrosion of fuel tanks.

6.7 Maintenance and/or repair of fittings, pipes and hoses shall be conducted monthly and in accordance to manufacturer's specifications. A summarised inspection report shall be compiled and submitted to the Agency as part of the Annual Report required in condition 12.3.

6.8 Secondary containment, drip trays or other overflow and drip containment measures shall be installed and maintained at connection points or other possible overflow points.

6.9 Leak detection systems shall be installed on all fuel tanks. At least two (2) of the following measures should be implemented:

- (a) Overflow alarms on tanks;
- (b) Gauging system;
- (c) Dipstick measurements;
- (d) Sensors on walls of tanks; or



(e) Electric shut down buttons

**7.0 WASTE MANAGEMENT**

- 7.1 Adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations, 2013.**
- 7.2 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.
- 7.3 Ensure waste disposal sites are properly managed to prevent contamination of ground water resources.
- 7.4 Ensure that proper solid waste management and disposal are employed at the Port and Laydown Facilities. Waste shall not be disposed of in or near waterways.
- 7.5 The open burning of non-hazardous waste should be avoided as much as possible however, in instances where this must occur it should be done in a controlled environment and monitored so as to avoid being a nuisance to the public.
- 7.6 Promote the reduction and reuse of waste generated from your facility.
- 7.7 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.
- 7.8 Where possible and practical, compost organic matter and reuse organic materials as fertilizer for re-vegetation of reclaimed areas.
- 7.9 Maintain a septic system on site at all times. The septic tank 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.***

**8.0 AIR QUALITY MANAGEMENT**

- 8.1 Adhere to the provisions of the **Environmental Protection (Air Quality) Regulations, 2000.**
- 8.2 Develop and maintain an inventory of all emission sources on site.
- 8.3 Conduct visual monitoring of fugitive dust emissions at the Itaballi Port Facility. If there are visual exceedances, immediately implement dust suppression mechanisms.
- 8.4 Ensure employees responsible for visual monitoring are aware of the mitigation measures to be implemented if the threshold for dust monitoring is surpassed.

- 8.5 Employ all practical measures to control and prevent fugitive dust impacts to sensitive receptors during the construction and operation of the Port and Laydown Support Facilities.
- 8.6 Operate all mechanical equipment 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.
- 8.7 Maintenance activities of generators, machines, vehicles or equipment shall be scheduled based on manufacturer's specifications to avoid inefficiencies and noxious emissions.
- 8.8 Ensure that the exhaust stack of the generator is of an appropriate height, preferably at least two (2) meters above the tallest building nearby, to minimize adverse fumes/soot impacts to contiguous areas.
- 8.9 Respond and investigate any complaint of air pollution and maintain a record of incidents and actions taken to resolve same.

#### **9.0 NOISE MANAGEMENT**

- 9.1 Adhere to the **Environmental Protection (Noise Management) Regulations, 2000.**
- 9.2 Implement reasonable and practical measures to mitigate adverse noise impacts from heavy machinery, vehicles and generators on the environment. Ensure that the generators and machines/equipment are regularly serviced to ensure efficiency and reduce the level of noise produced.
- 9.3 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.

**Industrial Limits:** 100 dB during the daytime (06:00 h - 18:00 h)  
80 dB during the night-time (18:00 h - 06:00 h)

- 9.4 Develop and maintain an inventory of noise producing equipment on site and the associated occupational exposure noise level reading within **one (1) month** after operation commences.

#### **10.0 PORT FACILITY**

- 10.1 Take necessary precautions to avoid erosion, siltation and sedimentation of the Mazaruni River at the Wharf.
- 10.2 Ensure that the bank of the Mazaruni River at the Port Facility is cleared of debris on a regular basis.

- 10.3 Ensure dredging is done to coincide with low flow periods of the Mazaruni River during the construction and maintenance of the Wharf.
- 10.4 Ensure erosion protection measures (revetment, re-vegetation, etc.) are provided to protect susceptible sloped surfaces or any disturbed shoreline of the Port Facility.

#### **11.0 BIODIVERSITY PROTECTION**

- 11.1 As much as practical, maintain vegetation around Wharf facility to mitigate the impact on terrestrial resources.
- 11.2 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.
- 11.3 Record observances of aquatic and terrestrial biodiversity and submit quarterly reports to the EPA. These reports shall be submitted **two (2) months** after the reporting quarter.
- 11.4 Report any occurrences of illegal wildlife trapping and trading in the project area to the EPA and Wildlife Conservation and Management Commission.

#### **12.0 COMPLIANCE MONITORING AND REPORTING**

- 12.1 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by employees and all other third parties under your direction.
- 12.2 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.
- 12.3 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.
- 12.4 The Permit Holder shall ensure the reports and records of monitoring include the following:
  - i. The names of the individuals and designations, who conducted sampling, prepared and compiled the reports;
  - ii. The date, place/location, time, weather conditions, techniques and methods used in sampling;
  - iii. The date the measurements were compiled or analysed and the names of the individuals who compiled the information;
  - iv. Observations, readings, calculations, benchmarks, bench data, the results of analyses;
  - v. Limitations of the sampling process and all other occurrence at the time of study, which may affect the results;
  - vi. Possible sources of error during monitoring activities;

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- vii. Photographs and drawings of all relevant aspects of the operation; and
- viii. 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.

- 12.5 Notify the EPA within **one (1) hour** of the occurrence of any environmental emergencies.
- 12.6 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.
- 12.7 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.
- 12.8 Inform the National Trust and Walter Roth Museum if any artifacts of archaeological and anthropological significance are unearthed during operations.
- 12.9 Be responsible for payment for all environmental audits and compliance monitoring associated with this Permit.
- 12.10 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.
- 12.11 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.

**13.0 LIABILITY AND INDEMNIFICATION FOR POLLUTION DAMAGE**

- 13.1 The Permit Holder, his Servants, Agents and/or Sub-Contractors while executing the activities attributable to the project 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 all reasonable and practicable measures were taken to prevent or minimise any resulting adverse effect - Section 19(1)(a) of the Act.
  - 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 - Section 19(1)(b) of the Act.
  - c. The discharge or release of contaminants, such as sludge, wastewater, hydraulic fluids, lubricants, fuel, chemicals, hazardous materials or other

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wastes relative to the Project, which are not regulated herein, or permitted to be discharged herein, are strictly prohibited. Any such discharge or release shall be deemed a violation of Section 19(1)(a) and/or Section 19(1)(b) of the Act.

- d. For the compensation of any Party who suffers any loss or damage as a result of the project- Section 19(3)(e) of the Act.
- e. For any material or serious environmental harm caused by pollution of the environment intentionally or recklessly - Section 39 (1), (2), (3) and (4) of the Act.
- f. Any gross negligence or wilful misconduct resulting in serious risk, or adverse effects to the 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 or likely to be attributable to the activity for which this Permit has been issued.

13.2 Regarding any pollution incidents, unauthorised discharges of contaminants or other environmental harm, the Permit Holder shall:

(a) Immediately notify the Agency of –

- (i) The discharge;
- (ii) The concentration and amount of contaminant;
- (iii) The circumstances of the discharge;
- (iv) What action was taken to restore the natural environment;

(b) Be liable to pay for the cost of an independent investigation into the discharge.

13.3 Foster good corporate relations involving the Regional Democratic Council (RDC), residents, Village Councils, and other stakeholders, where general information can be shared and major concerns or complaints resolved.

13.4 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.

13.5 The Permit Holder shall not be indemnified by the Agency for any activity that causes or is likely to cause pollution to the environment, or other adverse effects



through the discharge of any contaminant in any amount or concentration, including ultra-hazardous substances, chemicals etc.

#### 14.0 INSTITUTIONAL AUTHORITY

- 14.1 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 (Authorisations) Regulations, 2000.
- 14.2 The EPA reserves the right to review and/or amend the permit conditions and fees attached to this Permit, which also includes the review and/or amendment of Permit fees in consideration of any changes in fee structure as determined by the Agency for projects of this nature.
- 14.3 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 14.4 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 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.

This Environmental Permit is not the final consent; all relevant permissions must be obtained and maintained for continued operation.

- 14.5 Where it appears to the Agency (EPA) 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, the EPA shall issue to the Permit Holder a Prohibition Notice Order to immediately cease the offending activity.
- 14.6 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 Section 26 of the EP Act Cap. 20:05, Laws of Guyana.
- 14.7 This Environmental Permit is effective for the period stipulated herein **November, 2023 to October, 2028.**
- 14.8 This Permit shall remain valid until **October 31, 2028**, unless otherwise suspended or revoked in accordance with the provisions of this Permit or the Environmental Protection Act, Cap. 20:05, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.

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- 14.9 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 31, 2028**.
- 14.10 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 (\$2,000.00) 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.
- 14.11 Failure to comply with the requirements of this Permit shall render the Permit Holder liable to prosecution and to civil penalties and/or injunctive reliefs prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, including under any existing and forthcoming regulations made under the said Act or any other applicable Laws of Guyana.

Signed by  on behalf of the Environmental Protection Agency.

**Mr. Kemraj Parsram**  
**Executive Director**


Date

13.12.2023

**Environmental Permit Ref. No. 2022092-ETKMP**

Issued under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.

**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, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000, and any forthcoming regulations and standards made under this Act.**

<b>NAME:</b>	Mark Humphery
<b>DESIGNATION:</b>	Director
<b>SIGNATURE:</b>	
<b>DATE:</b>	04-12-23

