



Environmental Protection Agency

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Environmental Permit (Modified)

(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.:	20201204-GSBWP
Fee:	Medium (C1) – US\$500 per year
Fee paid:	US\$1000: Two (2) Years (July 2021 – June 2023)
Address:	Mr. Azruddin Intiaz Mohamed Proprietor Black Water Petroleum Inc. Lot 29, Lombard Street Georgetown Guyana.
Activity:	Construction and Operation of a Gas Station (Wholesale) and Wharf Facility

Black Water Petroleum Inc., hereinafter referred to as the “Permit Holder”, is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorizations) Regulations, 2000, for the construction and operation of a Gas Station (Wholesale) and Wharf Facility located at 11 Sub lot G & H, Friendship Village, East Bank Demerara, hereinafter referred to as the “Project”, in a manner indicated in the Application submitted on August 18, 2021, and subject to the terms and conditions set forth herein under the Environmental Protection Act, 20:05, any existing and/or Regulations made under the said Act, and/or any applicable laws, best practices, guidelines and standards relevant to this project.

Environmental Permit, Reference Number 20201204-GSBWP, which was issued on July 16, 2021, and which is slated to expire on June 30, 2023, is hereby modified and deemed Environmental Permit (Modified) Reference Number 20201204-GSBWP, and issued pursuant to the Environmental Protection (Authorisations) Regulations, 2000.

Terms and Conditions for construction and operation to be adhered to by the Permit Holder, his Servant(s), Agent(s) and/or Sub-contractor(s):

A. M.
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1.0 GENERAL

- 1.1 Make an application to the Agency to vary this Environmental 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. Affect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 Submit to the Agency **before June 30, 2022**, an **Emergency Response Plan (ERP)** for approval. This Plan must be communicated to staff and contractor of the facility and shall include:
- i. Accident Prevention Procedures;
 - ii. First Person Response;
 - iii. Notification Procedures;
 - iv. Location of clean-up equipment;
 - v. An analysis of potential accidents and response;
 - vi. Materials safety data sheet for all materials which could be spilled; and
 - vii. An Incident Clean-up Plan.
- 1.3 Establish and maintain a Standard Operating Procedure (SOP) for fuel transfer operations including a checklist of measures to follow during filling operations. A copy of this SOP shall be submitted to the EPA upon request.
- 1.3.1 All employees shall be trained on the SOP outlined in Condition 1.3. An Annual training schedule shall be maintained and submitted to the EPA upon request.
- 1.4 Adhere to the requirements of the **Occupational Safety and Health Act, Cap. 99:01, Laws of Guyana.**
- 1.5 The Permit Holder is required to submit to the EPA upon receipt, the requisite approvals from the Central Housing and Planning Authority (CH&PA), Guyana Fire Service (GFS), Guyana Energy Agency (GEA) or any other authority with jurisdiction and oversight over the Project; all of which are due no later than six (6) months before the expiration of the Modified Permit, unless otherwise directed by the EPA.
- 1.6 Make all employees, and third parties under your direction, aware of the Conditions of the Environmental Permit and provide training on good environmental practices. Prepare and maintain a training file for employees, which shall be submitted to the EPA upon request.

- 1.7 A clear sign outlining spill clean-up procedures and emergency contact numbers shall be prominently displayed at the Gas Station and Wharf at all times.
- 1.8 Utilise the land in accordance with the approved site plan, all specifications of location, pathways, reserve and boundary lines must be adhered to, unless otherwise authorized.
- 1.9 Construct and maintain a perimeter fence to deter wildlife in the area.
- 1.10 Take all necessary precautions to minimise potential adverse impacts on public health and the environment in the transport, storage and handling of construction materials and wastes, including the covering of trucks and barges containing such material which may release fugitive dust that can affect surrounding receptors.
- 1.11 Avoid construction works between 18:00 hrs. and 06:00 hrs. on any day. However, for continuous concrete pour, prior approval must be sought from the EPA.
- 1.12 Strictly adhere to the requirements from Maritime Administration Department (MARAD); Sea and River Defence; and **Drainage & Irrigation Laws of Guyana. Cap. 64:03.**
- 1.13 Construct perimeter drain which shall be adequately sloped to collect storm flow.
- 1.14 All building\construction materials stored in tiers shall be stacked, racked, blocked, interlocked, or otherwise secured to prevent sliding, falling or collapse.
- 1.15 Practice the use of caution signs to warn against potential hazards or to caution against unsafe practices.
- 1.16 Remove all construction tools, equipment and waste material from site upon completion of construction works.
- 1.17 The gas station shall be appropriately designed for its intended purpose, including, for example, but not limited to; safety, life span, corrosion resistance and maintenance, ease of access, ease of refilling and with the least number of environmental impacts possible.
- 1.18 Adopt and comply with the National Standard "*Guidance for the Design, Construction, Modification, and Maintenance of Petrol Filling Stations*" and any forthcoming code of practice/guidelines pertaining to the operation of Gas Station.
- 1.19 The gas station shall be constructed on properties that have the required minimum setback distance as follows:

Aboveground (Storage) Tanks (ASTs):

- i. A minimum of thirty (30) feet away from any building within the compound; and
 - ii. A minimum of three hundred (300) feet away from the property line.
- 1.20 The Permit Holder shall provide the following to the EPA at least **seven (7) days** prior to the installation of aboveground storage tanks:
 - i. Letter from fabricator confirming that he was contracted to fabricate tanks and associated works/services;
 - ii. Detailed design, drawings, and specifications of foundation where tanks are resting;
 - iii. Detailed design, drawings, specifications, methodology of tanks being fabricated, pipes used, valves and accessories;
 - iv. Mill Test certificates of all steel used for fabrication of tanks and also pipe specifications;
 - v. Non- Destructive Test certificate or other test to verify the quality and integrity of the welds;
 - vi. Pressure test certificate on tanks, pipes and valve; and
 - vii. Any other relevant information as deemed necessary by the EPA.
- 1.21 Construct an impervious secondary containment wall around the aboveground fuel storage tanks, creating a temporary holding area in the event of accidental spillage. The containment wall shall be fully sealed to prevent spillage into the receiving drainage system.
 - 1.21.1 The containment wall for areas with multiple tanks shall have the capacity to provide at least 110% containment of the largest tank.
 - 1.21.2 The containment wall for areas with solitary tank shall have the capacity to provide 110% containment of the fuel tank.
- 1.22 Aboveground tanks shall be located in impervious bunds to reduce the risk of groundwater and land contamination. Bund walls shall be used to divert storm-water away from storage areas. Storage areas shall be located at least 100 meters away from waterways and areas prone to flooding.
- 1.23 Containment bunds shall remain sealed and all piping must enter or exit the bund over the wall. Bunds shall provide total containment, and no part of the tank infrastructure (e.g., dispenser, filling hoses and valves) shall protrude outside the bund.
- 1.24 Dispensing equipment shall be designed with the Best Available Technology (BAT) to minimise spills e.g., suction, pressure or gravity systems.

- 1.25 Install a sump below the fuel dispensers to capture any spillage that may occur.
- 1.26 Pipe entries under the pump sumps shall be sealed to prevent fuel leakage into ground and surface water.
- 1.27 Route pipelines from tanks to offset filling points, dispensing equipment and vent pipes below the ground surface. Pipelines shall not be located under buildings and shall be accessible for easy maintenance.
- 1.28 Corrosion control measures shall be in place to prevent the corrosion of aboveground storage steel tanks and pipe work.
- 1.29 At least two (2) of the following leak detection mechanisms shall be installed:
 - i. An overflow alarm on tanks;
 - ii. A gauging system;
 - iii. Dipstick measurements; or
 - iv. Sensors installed on walls of tank.

1.30 Forecourt:

1.30.1 Refuelling and Fuel Delivery Area:

- i. Fuel deliveries shall be supervised and conducted within the forecourt containment area, or in an area with separate bunding;
- ii. Fuel delivery points shall be equipped with a collection trap to collect spilt fuel and divert it to a 'slop tank';
- iii. All inlets to underground storage tanks shall be located within a bunded area to contain any spills resulting from discharge of fuel from tankers; and
- iv. Monitoring well in the forecourt shall be located downslope of the underground tanks so the wells can be assessed.

1.30.2 Canopy:

- i. Cover the fuel dispensing area with a roof that has an overhang of at least 10 degrees; and
- ii. Direct uncontaminated rainwater away from the canopy and other roofed areas into storm water drains

2.0 CONSTRUCTION OF WHARF

- 2.1 Prior to initiation of dredging activities, materials shall be sampled and characterised for their physical, chemical, biological and engineering properties to inform the evaluation of dredged materials behaviour once re-suspended and to inform their reuse or final disposal. This plan shall be sent to the EPA for approval.

- 2.2 Dredging shall only be conducted for the Wharf component of the project, to create or maintain safe navigation access and for construction activities. Should Dredging be required for a new channel leading to the Wharf, an Application for Environmental Authorisation must be made to the EPA.
- 2.3 Methods for excavation and dredging shall be selected to minimise the suspension of sediments and destruction of benthic habitat.
- 2.4 All construction dredging, maintenance dredging and dredged materials for the area under construction shall be disposed and handled in such a way to not negatively impact habitats or pose a significant hazard to human health and the environment.
- 2.5 Treatment and disposal of excavated and dredged materials shall be in accordance to the approved plan requested in condition 2.1.
- 2.6 Disposal of excavated and dredged materials into the Demerara River is **strictly prohibited**.

OPERATION

3.0 OPERATION OF GAS STATION

- 3.1 A register of the quantities of fuel stored onsite shall be established and maintained. A summary of the registered information shall be submitted to the EPA as a component of the Annual Report.
- 3.2 Fuel shall at all times be stored aboveground, in a cool, dry place and away from ignition sources. 'No Smoking' signs shall be posted where fuel is handled or stored.
- 3.3 Fire prevention and control equipment shall be maintained in accordance with the Guyana Fire Service approval.
- 3.4 All fuels and waste oils shall be managed to ensure safety in handling and the prevention of spills at the storage and operating site(s).
- 3.5 Emergency spill clean-up kits shall be maintained by the Permit Holder. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up of potential spills, and shall be readily available and easily accessible.
- 3.6 Existing secondary containment around the fuel tanks shall be inspected for cracks and breakage to ensure they are liquid tight to withstand hydrostatic pressure of any contained liquid when full. A summarised inspection report shall be submitted to the EPA upon request.
- 3.7 Routinely monitor and maintain aboveground tanks to prevent leaks. Areas to inspect include tank foundation, connections, coatings, tanks walls, and piping systems.

- 3.8 Maintenance and/or repair of fittings, pipes and hoses shall be in accordance with manufacturer's specifications.
- 3.9 Overfill protection shall be maintained on all fuel tanks.
- 3.10 The safe fill level shall be clearly identified on the gauge and set at 90% to prevent overfilling. In the event of overfilling, all discharges shall be released into the containment bund.
- 3.11 In an emergency, switch off all pumps using the automatic pump cut-off. Switches shall be readily accessible to the console attendant and be clearly marked "Emergency Shut-off Switch".
- 3.12 Secondary containment, drip trays or other overflow and drip containment measures shall be maintained at connection points or other possible overflow points.

4.0 WATER QUALITY MANAGEMENT

- 4.1 Strictly adhere to the provisions of the **Environmental Protection (Water Quality) Regulations, 2000**.
- 4.2 Install and maintain an oil-water separator on the storage facility, **before June 30, 2022**, through which all effluent must pass before the final discharge. The oil-water separator shall be installed by a licensed contractor.
- 4.3 Maintain the integrity of the existing waterways at all times. Discharges into the environment shall be in accordance with the Guyana National Bureau of Standards (GNBS) *Interim Guidelines for Industrial Effluent Discharge into the Environment*. The following are the allowable limits for this type of project and shall not exceed:
 - i. Total Suspended Solid (TSS) < 100 mg/L;
 - ii. Oil and Grease < 10 mg/L; and
 - iii. Total Petroleum Hydrocarbon (TPH) < 40 mg/L.**Monitor the parameters above on an annual basis and submit the results to the Agency in the Annual Report.** The Agency also reserves the right to request independent analysis from a certified laboratory approved by the EPA.
- 4.4 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products that might be used at the Wharf, storage facility and gas station.
 - 4.4.1 Store all oils, fuel, paints and chemicals in a designated area, at least 100 meters away from the Demerara River.
- 4.5 Dredging and construction of the Wharf shall be done when there are low flow periods of the Demerara River.
- 4.6 Avoid and/or mitigate erosion, siltation and sedimentation of the Demerara River during all phases of the project.

5.0 AIR QUALITY AND NOISE MANAGEMENT

- 5.1 Strictly adhere to the provisions of the **Environmental Protection (Air Quality) Regulations 2000** and the **Environmental Protection (Noise Management) Regulations, 2000**.
- 5.2 Handle and store liquid fuel in such a manner so as to prevent the emission of offensive odors.
- 5.3 Monitor any malfunction or breakdown leading to abnormal emissions promptly. Adjust process until normal operations can be restored.
- 5.4 Comply with the Guyana National Bureau of Standards (GNBS) *Guidelines for Noise Emissions into the Environment*. Sound levels from noise-making devices shall not exceed the limits below, at a distance of 15 metres (50ft) from the source or property boundary, whichever is closer:

Construction Limits: **90 dB** during the daytime (06:00 h - 18:00 h)
75B during the night-time (18:00 h - 06:00 h)

Limit the time of driving piles to daylight hours, when persons are less likely to be affected by vibration and noise nuisance.

Commercial Limits: **80 dB** during the daytime (06:00 h - 18:00 h)
65 B during the night-time (18:00 h - 06:00 h)

- 5.5 Enclose all sound-making devices, such as generators, within structures made with materials of good insulation properties (e.g., hollow concrete blocks, insulation boards, solid clay bricks, etc.), and equip them with silencers or mufflers to reduce the noise level.
- 5.6 Exhaust stacks of the generator(s) shall be **at least 2 meters above** the generator house or the tallest building nearby, to minimise adverse fumes/soot impacts to the contiguous areas.
- 5.7 Place all equipment on foundations properly designed to ensure effective damping of vibration.
- 5.8 Implement a vapor recovery system for the off-loading of bulk fuel on site. Measures to reduce loading/offloading emissions include selection of alternate loading methods and application of vapor recovery equipment.

6.0 WASTE MANAGEMENT

- 6.1 In accordance with the **Environmental Protection (Litter Enforcement) Regulations, 2013**, promote good sanitation and solid waste disposal practices on site.

6.1.1 Covered garbage receptacles shall be placed at strategic locations at the facility.

6.2 Waste shall be collected and disposed at an approved waste disposal facility.

6.3 Provide adequate sanitary facilities to employees.

6.4 Reuse waste material, where practical, as land-filling material for the revetment of the general compound surroundings. However, this shall be done in an aesthetic and controlled manner.

6.5 Burning of garbage is **strictly prohibited**.

6.6 Establish and maintain a waste disposal manifest; details must include:

- i. Type of waste produced;
- ii. Quantity of waste;
- iii. Storage method; etc.

7.0 HAZARDOUS WASTE MANAGEMENT

7.1 Strictly adhere to the provisions of the **Environmental Protection (Hazardous Wastes Management) Regulations 2000**.

7.2 Waste oil recovered from oil-water separator or from servicing of generators shall be stored in a covered, bunded area to minimize adverse impacts to the environment in the event of a spillage. The bunded area shall be clearly labelled and have the capacity to provide 110% containment of the total volume of waste oils stored.

7.3 Store any contaminated fuel in closed leak proof containers and label "slop tanks" or 'waste fuel'.

7.4 Store all fuel waste above ground level in a bunded area to allow easy maintenance and leak detection.

7.5 Oil/fuel contaminated absorbent materials shall be appropriately stored and disposed of by double wrapping in heavy duty garbage bags. All contaminated absorbent materials shall be treated at an authorized Hazardous Waste Treatment Facility prior to disposal at an EPA approved location.

7.6 Refrain from draining fuel/lubricants including waste oils of any quantity from equipment onto the ground or into waterways.

7.7 Regularly inspect all pumps and underground tanks for leaks.

7.8 Submit an Incident Report to the Agency within **seven (7) days** of an unplanned release or spill of fuel and/or chemicals, detailing the root cause of the spill, volume

spilled, immediate action(s) taken, recommendation(s) to be implemented to avoid a similar event, location of all materials stored on site and notification and clean-up measure for each site of operation.

8.0 COMPLIANCE, MONITORING AND REPORTING

- 8.1 Notify the Environmental Protection Agency within **one (1) hour** of the occurrence of any environmental emergencies (e.g., oil spills, hazardous materials/wastes spills, 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).
- 8.2 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.
- 8.3 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.
- 8.4 Submit **Annual Reports** to the EPA on your compliance with this Permit on or before **March 31**, each year.
- 8.5 Report to the Agency any non-compliance(s) with the Environmental Permit (Modified):
 - i. Within **twenty-four (24) hours** of the time the Holder of the Environmental Authorisation for operation 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 Authorisation 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.
- 8.6 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.

9.0 INSTITUTIONAL RESPONSIBILITY \ LIABILITIES

- 9.1 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.


- 9.2 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.
- 9.3 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.
- 9.4 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 excess of that prescribed by the regulations or stipulated by this Environmental Permit (Modified), pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 9.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 9.3 and 9.4 of this Environmental Permit (Modified), pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 9.6 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.
- 9.7 The Permit Holder shall be liable of any gross negligence or wilful 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.
- 9.8 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.
- 9.9 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.
- 9.10 This 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.

- 9.11 This 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.
- 9.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 9.13 **This Environmental Permit (Modified) is not the final consent; all relevant Permissions shall be obtained from other regulatory bodies for continued operation.**
- 9.14 This Environmental Permit (Modified) is effective for the period stipulated herein **July, 2021 to June, 2023.**
- 9.15 This Environmental Permit (Modified) shall remain valid until, **June 30, 2023**, unless otherwise cancelled, suspended, 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.
- 9.16 This Permit shall 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 **December 31, 2022.**
- 9.17 Any late submission of renewal application(s) after the specified date as stated above, may require the Permit Holder to pay, in addition to 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.
- 9.18 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.


Environmental Permit (Modified) Ref. No. 20201204-GSBWP

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

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

Date 3.16.2022

I hereby accept the above terms and conditions upon which this Environmental Permit (Modified) is granted and agree to abide by the Environmental Protection Act, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, and any forthcoming regulations, best practices and standards made under this Act.

NAME	^{INTIAZ} AZRUDDIN A MOHAMED
DESIGNATION	PROPRIETOR
SIGNATURE	
DATE	17 th March, 2022



b.m.
17/03/22