



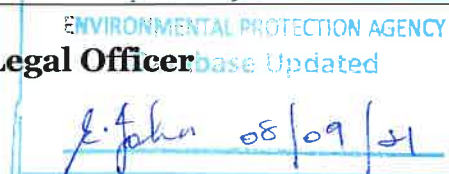
**Environmental
Protection
Agency**

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Operation Permit

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

Reference No.:	20201009- FSBDL
Fee:	Small (C2) i.e. US\$175 per year
Fee Paid:	US\$875: Five (5) years (July, 2021- June, 2026)
Addressee:	Ms. Kavorn Kyte-Williams Company Secretary/Corporate Legal Officer Banks DIH Limited Thirst Park Ruimveldt Georgetown
Activity:	Operation of a Fuel Storage Facility- Diesel ONLY



Banks DIH Limited, hereinafter referred to as the “Permit Holder”, is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to Store Fuel at Banks DIH, OMG Outlet, Sheriff Street, Campbellville, Georgetown, hereinafter referred to as the “Project”, in a manner indicated in the Application for Environmental Authorisation submitted on October 09, 2020, and 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, guidelines, best practices and standards relevant to this project.

The Permit Holder, His Servants, Agents and/or Sub-Contractor(s) shall comply with the following Terms and Conditions for Operation:

1.0 OPERATION

- 1.1 Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the Project **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:

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- i. Changes in construction, structure, or layout of the facility and all associated buildings.
 - ii. Installation of new and/or changes to equipment, machine, apparatus, mechanism, system or technology serving the facility.
 - iii. Any technology used or installed at the facility from which effluent may be discharged.
 - iv. Any other circumstance or condition prescribed by Regulation 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 An Operation and Maintenance Manual shall be developed and maintained. The Manual shall address all aspects of the on-going operation, including the required maintenance and inspection schedule, loss monitoring/investigation procedures, emergency response and requirements for review of the Manual.
- 1.3 The Operation and Maintenance Manual shall be submitted to the EPA for review and approval **by October 31, 2021.**
- 1.4 A register of the types and quantities of fuel and associated hazardous materials stored onsite shall be established and maintained. A summary of the registered information shall be submitted to the Agency as a component of the **Annual Report.**
- 1.5 Emergency spill cleanup kits shall be acquired by **August 31, 2021**, for the Project for response to potential spills. Kits should contain absorbent materials, drain seals and other appropriate tools for clean-up.
- 1.6 **The Permit Holder is required to submit to the EPA upon receipt, the requisite approvals from the Central Housing and Planning Authority (CH&PA), the relevant Municipality or any other authority with jurisdiction and oversight over the Project.**
- 1.7 Guyana Fire Service Approval shall be maintained annually and shall be submitted as a component of **the Annual Report.**
- 1.8 The Permit Holder shall adhere to the Occupational, Health and Safety (OHS) Act, Cap. 99:10, Laws of Guyana.
- 1.9 The Project shall maintain fire prevention and control equipment in accordance with the Guyana Fire Service Approval. This may include a smoke detection and alarm system, fire extinguishers, fire hydrants or sprinkler systems as appropriate.

2.0 FUEL HANDLING AND STORAGE

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 fuel storage.

- 2.1 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.

Secondary Containment

- 2.2 Existing secondary containment around the fuel tank shall be inspected monthly 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 Agency as a component of the **Annual Report**.
- 2.3 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.

Fuel Tank and Pipeline Maintenance

- 2.4 Fuel storage tanks shall be visually inspected to verify their integrity. A summarised inspection report shall be compiled and submitted to the EPA as part of the **Annual Report**.
- 2.5 Protection measures such as painting and coating shall be maintained to minimise corrosion of the fuel tanks.
- 2.6 Maintenance and/or repair of fittings, pipes and hoses shall be conducted in accordance to manufacturer's specifications. A summarised inspection report shall be compiled and submitted to the Agency as part of the **Annual Report**.

Overfill Protection & Leak Detection

- 2.7 Overfill protection shall be installed and maintained on all fuel tanks by **August 31, 2021**. This may include an automatic shut off device or an audible or visible overfill alarm.
- 2.8 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.
- 2.9 Dispensing equipment shall be designed with the Best Available Technology (BAT) to minimise spills e.g. suction, pressure or gravity systems.

Fuel Transfer

- 2.10 The Best Available Technology/ Technique (BAT) shall be employed to capture fuel lost during the unloading of fuel to storage tanks and refuelling of equipment.

- 2.11 Secondary containment, drip trays or other overflow and drip containment measures shall be installed and maintained at connection points or other possible overflow points.
- 2.12 A Standard Operating Procedure (SOP) for fuel transfer operations including a checklist of measures to follow during filling operations shall be established and maintained. A copy of this SOP shall be submitted to the EPA as a component of the **Annual Report**.
- 2.13 All employees shall be trained on the SOP outlined in **condition 2.12** An Annual training schedule shall be submitted to the EPA as a component of the **Annual Report**.

3.0 WATER QUALITY

Adhere to the provisions of the **Environmental Protection (Water Quality) Regulation, 2000**.

- 3.1 An oil- water separator shall be installed at the point of final discharge from the secondary containment for the Project by **August 31, 2021**.
- 3.2 A sump with a pump for the discharge of effluent from within the containment shall be installed by **December 31, 2021**. There shall be no release valve on the secondary containment.
- 3.3 Pipes from the pump shall be installed over the secondary containment and discharge directly into the oil- water separator.
- 3.4 Effluent from the secondary containment for the Project shall flow through the oil- water separator and should be in accordance with the Guyana National Bureau of Standards (GNBS) *Interim Guidelines for Industrial Effluent Discharge into the Environment*. The following allowable limits should not be exceeded:

Parameter	Maximum Concentration	Units	Sample type	Frequency of Analysis
Oil and Grease	Total Petroleum Hydrocarbon (TPH) < 40	mg/L	Grab	Annual

- 3.5 GPS coordinates for this final discharge point shall be submitted to the EPA by **August 31, 2021**.
- 3.6 Grab samples of effluent shall be collected annually at the final discharge point from the oil- water separator. The following information shall be recorded and submitted to the EPA in the **Annual Report** for each sampling done in accordance with this Permit:
- The exact place, date and time of sampling;

- ii. The person(s) who performed the sampling;
 - iii. The results of all the analyses;
 - iv. Copies of original laboratory analytical reports
- 3.7 The results from the analysis shall be submitted within **thirty (30) days** after the analysis was completed.
- 3.8 Fuel/lubricants including waste oils shall not be drained from equipment onto the ground or into waterways.
- 3.9 Interceptor drains shall be maintained on site. These must be adequately sloped to collect storm flow.

4.0 AIR QUALITY AND NOISE MANAGEMENT

Adhere to the provisions of the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations, 2000**.

- 4.1 All significant noise-producing equipment, such as generators, shall be equipped with silencers or mufflers and/or be enclosed in suitable acoustic enclosures where necessary, to reduce noise levels impacting the surrounding environment to achieve compliance with Guyana National Bureau of Standards (GNBS) requirement.
- 4.2 All generators and machines/equipment shall be serviced in accordance to manufacturer's specification to ensure efficiency and reduce the level of noise produced. A summarised maintenance report shall be submitted as a component of the **Annual Report**.
- 4.3 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

Commercial Limits: 80 dB (Day-time (06:00 h -18:00 h))

65 dB (Night- time (18:00 h - 06:00 h))

- 4.4 Stack heights and configurations of generators shall be determined using the Good Engineering Practice Stack Height (H_{GEP}) Formula to avoid excessive ground level concentrations of contaminants:

$$H_{GEP} = H + 1.5 L$$

H_{GEP} = good engineering practice stack height, measured from the ground-level elevation at the base of the stack

H =height of nearby structure(s) measured from ground-level elevation at the base of the stack

L =lesser dimension, height (H) or projected width, of nearby structure(s)

Proposed stack height as determined by the H_{GEP} (inclusive of calculations and Google map image showing the buildings under consideration) shall be submitted to the EPA for approval.

5.0 WASTE MANAGEMENT

- 5.1 In accordance with the **Environmental Protection (Litter Enforcement) Regulation, 2013**, promote good sanitation and solid waste disposal practices on site; covered garbage receptacles must be placed at strategic locations at the facility.
- 5.2 Waste materials shall not be burnt on site. All solid waste shall be disposed of, at an approved Solid Waste Disposal Site, by an EPA Authorised Waste Disposal Company.
- 5.3 Good house-keeping, sanitary, and hygienic practices shall be maintained at all times. The facility surroundings shall be kept free of vegetation and litter.
- 5.4 Solid waste receptacles shall be secured when not in use.

6.0 HAZARDOUS WASTE MANAGEMENT

Adhere to the provisions of the **Environmental Protection (Hazardous Waste Management) Regulation 2000**.

- 6.1 All hazardous waste shall be stored in containers appropriate for the waste stream.
That is:

a) Sealed Plastic Containers

- i. Water- based wastes
- ii. Fountain Solutions, Pre- Press

b) Sealed Metal Containers

- i. Solvents and Petroleum- based products
- ii. Waste ink, Presswash, Oil and Oily Absorbents

- 6.2 All hazardous waste containers shall be labelled with the following:

- i. The words "**Hazardous Waste**"
- ii. The type of waste
- iii. Beginning accumulation date- Date when the container was first placed in the Hazardous Waste Storage Area. Should the hazardous waste container be reused, the date hazardous waste was first placed in the container shall be recorded on the container.

- 6.3 All waste oil containers shall be labelled with the following:

- i. The words "**Waste Oil** or "**Used oil**"
- ii. Beginning accumulation date

6.4 All hazardous waste shall be stored in a covered, bunded area. This area shall include the following:

- i. Signage- **"Hazardous Waste Storage Area"**
- ii. Low traffic
- iii. No floor drains
- iv. Secondary containment capable of containing 110% of the largest volume therein.

6.5 All hazardous waste shall be treated and/ or disposed by an EPA authorised Hazardous Waste Disposal Facility. All hazardous waste treatment and disposal shall be documented on a Waste Manifest Form which must be submitted to the EPA as a component of the **Annual Report**.

7.0 COMPLIANCE MONITORING AND REPORTING

7.1 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).

7.2 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices. Annual training schedule shall be submitted in the **Annual Report**.

7.3 Notify the Agency in writing of any change of name or ownership of the Permit Holder's facility within **thirty (30) days** after the change occurs.

7.4 Notify the Agency **within twenty-one (21) days** in event of death, bankruptcy, liquidation or receivership of the Permit Holder or if the Company becomes a party to an amalgamation.

7.5 Maintain and submit to the Agency records of the type, composition and quantity of contaminant released (i.e. any solid, liquid, gas, odor, sound, vibration, radiation, heat or combination of any of them).

7.6 Submit **Annual Reports** to the EPA on the progress of the operation and compliance with the conditions under which this Permit was granted on or before **March 31**, each year.

7.7 Report to the Agency any non-compliance(s) with the Operation Permit:

- I. Within **twenty-four (24) hours** of the time the Holder of the Environmental Authorisation for Operation becomes aware of the non-compliance(s), the anticipated manner in which it may endanger human health or the environment.

- II. Within **seventy-two (72) hours**, submit to the Agency a written report containing a description of the non-compliance(s), its cause and the period of non-compliance including exact dates and time.
 - III. Submit a report to the Agency indicating the reasons and the anticipated time it is expected to continue if the non-compliance has not been corrected.
- 7.8 Comply with any lawful directions given by the EPA from time-to-time in furtherance of the implementation of any international or other obligation for the environmental protection of Guyana.
- 7.9 It is the responsibility of the Permit Holder to ensure the permitted activity and premises are secured and that all practicable steps necessary to prevent fires, explosions, leaks or suspected leaks and spills at the permitted premises are taken.

8.0 INSTITUTIONAL AUTHORITY/ LIABILITIES

- 8.1 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, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.
- 8.2 The EPA reserves the right to review/amend the conditions attached to this Permit which also includes the review and/or amendment of permit fees in consideration of any changes in fee schedule as determined by the Agency for projects of this nature.
- 8.3 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 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.
- 8.4 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.5 The Permit Holder, his Servants, Agents and/or Sub-Contractors 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 the person takes all reasonable and practicable measures to prevent or minimise any resulting adverse effect, in accordance with Section 19(1)(a) of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
 - 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, in accordance

with Section 19(1)(b) of the Environmental Protection Act, Cap. 20:05 Laws of Guyana.

- c. The discharge or release of contaminants, such as hydraulic fluids, lubricants, fuel, or other industrial fluids relative to the Project, which are not stipulated herein, or by Regulations under the Environmental Protection Act, are strictly prohibited. Any such discharge or release shall be a violation of Section 19(1)(b) of the Environmental Protection Act.
 - d. For the compensation of any Party who suffers any loss or damage as a result of the project. (s.19(3)(e)) Environmental Protection Act, Cap. 20:05, Laws of Guyana.
 - e. For any material or serious environmental harm caused by pollution of the environment, whether intentionally or recklessly, in accordance with section 39 (1), (2), (3) and (4) of the Environmental Protection Act, 20:05, Laws of Guyana.
 - f. Any gross negligence or wilful misconduct resulting in serious risk, or adverse effects to the marine 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 to the activity for which this Permit has been issued.
- 8.6 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's lack of due care and diligence.
- 8.7 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.
- 8.8 Where it appears to the Agency 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, issue to the Permit Holder a Prohibition Notice, which may include an order to immediately cease the offending activity. See: s. 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 8.9 This Operation Permit is effective for the period stipulated herein; **July, 2021 to June, 2026.**
- 8.10 This Operation Permit shall remain valid until **June 30, 2026**, unless otherwise suspended, cancelled, modified or varied, in accordance with the provisions of this

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

- 8.11 This Permit must be renewed by submitting a completed Renewed Application Form for Environmental Authorisation (Operation Permit) to the Agency at least six months before this Permit expires, that is, no later than **December 31, 2025**.
- 8.12 Any late submission of renewal application (s) after the specified date as stated above, the Agency may require the Permit Holder to pay, in addition to renewal fee, a late penalty fee (accruing at the time such obligation was first owed for renewal) at a rate of **two thousand dollars (GY\$2000.00) per day for every business day late, until such renewal application is submitted to the Agency**, without prejudice to any other rights of the Permit Holder in connection therewith.
- 8.13 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.

Signed by



on behalf of the Environmental Protection Agency.


Date

20 July, 2021

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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 Operation 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	KAVORN KYTE-WILLIAMS
DATE	AUGUST 16, 2021
SIGNATURE	
DESIGNATION	COMPANY SECRETARY / CORPORATE LEGAL OFFICER.

BANKS DIH LIMITED

Kavorn Debra Kyte-Williams
Company Secretary / Corporate Legal Of: s

