



**Environmental  
Protection  
Agency**

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## **Environmental Permit**

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

<b>Reference No.:</b>	<b>20210428-MSBDL</b>
<b>Fee:</b>	<b>Small (C2) i.e., US\$175 per year</b>
<b>Fee Paid:</b>	<b>US\$ 875 for Five (5) Years (August, 2022- July, 2027)</b>
<b>Addressee:</b>	<b>Kavorn Debora Kyte-Williams Company Secretary/Corporate Legal Officer Banks DIH Limited Thirst Park Ruimveldt Georgetown Guyana.</b>
<b>Activity:</b>	<b>Operation of a Fuel Storage Facility- Diesel ONLY</b>

Banks DIH Limited, operating under the name Main Street Qik Serve and Crème Select Ice Cream Lounge, 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 (Diesel ONLY) at Main and Quamina Street, Georgetown, Guyana, hereinafter referred to as the "Project", in a manner indicated in the Application for Environmental Authorisation submitted on April 28, 2021, 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 Make an application to the Agency to vary this Permit in instances where it becomes necessary to:
  - i. change the construction, operation, structure, or layout of the facility and all associated buildings;
  - ii. change equipment, machine, apparatus, mechanism, system or technology serving the facility;
  - iii. change the position and design of any outlet at the point or points of discharge of effluents; or
  - iv. effect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.

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- 1.2 Submit to the EPA the requisite approvals for the Storage of Diesel on site, by **October 31, 2022**, unless otherwise directed by the EPA:
  - i. A site plan approved by the Central Housing and Planning Authority (CH&PA) which includes the fuel storage facility;
  - ii. An updated copy of the Petroleum Licence from Guyana Fire Service (GFS);
  - iii. An updated copy of the Fire Protection Certificate from Guyana Fire Service (GFS); and
  - iv. An updated copy of the Storage of Diesel Licence from Guyana Energy Agency (GEA).
- 1.3 Develop and implement an appropriate Operation and Maintenance Standard Operation Procedure (**SOP**) for the Project. The SOP shall address all aspects of the on-going fuel storage facility and must include but not be limited to:
  - i. maintenance and inspection schedules;
  - ii. monitoring/investigation procedures;
  - iii. emergency response plan;
  - iv. management of waste oil;
  - v. fuel transfer operations; and
  - vi. training of staff on the SOPs.
  - 1.3.1 The SOP shall be submitted to the EPA upon request.
- 1.4 Emergency spill cleanup kits shall be acquired, by **August 31, 2022**, for response to potential spills. Emergency spill cleanup kits shall be readily available, accessible and maintained at the Project Site. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up of potential spills.
- 1.5 Guyana Fire Service Approval shall be maintained annually and submitted as a component of the Annual Report.
  - 1.5.1 The Project shall maintain fire prevention and control equipment in accordance with the Guyana Fire Service Approval.
- 1.6 Adhere to the **Drainage & Irrigation Laws of Guyana Cap.64:03**.
- 1.7 The aboveground storage tank shall be located in an impervious bund to reduce the risk of groundwater and land contamination.
  - 1.7.1 A bund wall shall be used to divert storm-water away from storage areas.
  - 1.7.2 The storage area shall be located at least 100 meters away from waterways and areas prone to flooding.
- 1.8 Maintain an impervious secondary containment wall around the aboveground fuel storage tank, creating a temporary holding area in the event of accidental spillage.

- 1.8.1 The containment wall shall be fully sealed to prevent spillage into the receiving drainage system.
- 1.8.2 The containment wall for areas with solitary tank shall have the capacity to provide 110% containment of the fuel tank.
- 1.9 All secondary containment shall remain sealed and all piping shall enter or exit the containment over the wall. Secondary containment shall provide total containment, and no part of the tank infrastructure (e.g., dispenser, filling hoses and valves) shall protrude outside the containment.
- 1.10 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 kept and submitted to the Agency upon request.
- 1.11 The base of the secondary containment of the fuel storage facility shall be of impervious material.
- 1.12 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.
- 1.13 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.
- 1.14 Strictly adhere to the **Occupational, Health and Safety (OHS) Act, Cap. 99:10, Laws of Guyana.**
- 1.15 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices.

## **2.0 FUEL HANDLING AND STORAGE**

- 2.1 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.
- 2.2 A register of the quantities of fuel stored onsite shall be established and maintained. A summary of the registered information shall be kept and submitted to the EPA upon request.

- 2.3 Fuel shall at all times be stored aboveground, in a cool, dry place and away from ignition sources.
- 2.4 **'No Smoking'** signs shall be posted where fuel is handled or stored.
- 2.5 Routinely monitor and maintain aboveground storage tanks to prevent leaks. Areas to inspect include tank foundation, connections, coatings, tanks walls, and piping systems. Inspection reports shall be kept and provided upon request by the Agency.
- 2.6 Protection measures for fuel storage tanks such as painting and coating shall be maintained to minimise corrosion of fuel tanks.
- 2.7 Maintenance and/or repair of fittings, pipes and hoses shall be conducted in accordance to manufacturer's specifications.
- 2.8 Overfill protection shall be maintained on all fuel tanks. This may include an automatic shut off device or an audible or visible overfill alarm.
- 2.9 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.
- 2.10 In an emergency, switch off the tanks using the valves attached.
- 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.

### **3.0 WATER QUALITY**

- 3.1 Strictly adhere to the provisions of the **Environmental Protection (Water Quality) Regulation, 2000**.
- 3.2 Install and maintain an **oil-water separator** on the storage facility through which all effluent must pass before the final discharge, by **September 30, 2022**. The oil-water separator shall be installed by a licensed contractor.
- 3.3 A sump with a pump for the discharge of effluent from within the secondary containment shall be installed by **September 30, 2022**. There shall be no release valve on the secondary containment.
- 3.4 Pipes from the pump shall be installed over the secondary containment and discharge directly into the oil-water separator.
- 3.5 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.
- 3.6 The results of the water quality test shall be submitted to the Agency as part of the Annual Report.
- 3.7 Fuel/lubricants including waste oils shall not be drained from equipment onto the ground or into waterways.
- 3.8 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products. Store all oils, fuel, paints and chemicals in a designated area away from watercourses.

#### **4.0 AIR QUALITY AND NOISE MANAGEMENT**

- 4.1 Strictly adhere to the provisions of the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations, 2000**.
- 4.2 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.

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

- 4.3 Handle and store liquid fuel in such a manner so as to prevent the emission of offensive odours.
- 4.4 Monitor any malfunction or breakdown leading to abnormal emissions promptly. Adjust process until normal operations can be restored.
- 4.5 All sound-making devices, such as generators, shall be suitably enclosed and constructed with materials of good insulation properties (e.g., hollow concrete blocks, insulation boards, solid clay bricks, etc.) and equipped with silencers or mufflers to reduce the noise level.
- 4.6 All generators and sound making machines/equipment shall be serviced in accordance to manufacturer's specification to ensure efficiency and reduce the level of noise produced.
- 4.7 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.

## **5.0 WASTE MANAGEMENT**

- 5.1 In accordance with the **Environmental Protection (Litter Enforcement) Regulations, 2013**, promote good sanitation and solid waste disposal practices on site; covered garbage receptacles shall be placed at strategic locations at the facility, and waste shall be collected and disposed at an approved waste disposal facility.
- 5.2 Burning of garbage is **strictly prohibited**.
- 5.3 Solid waste receptacles shall be covered when not in use.
- 5.4 Good house-keeping, sanitary, and hygienic practices shall be maintained at all times. The facility surroundings shall be kept free of vegetation and litter.

## **6.0 HAZARDOUS WASTE MANAGEMENT**

- 6.1 Strictly adhere to the provisions of the **Environmental Protection (Hazardous Waste Management) Regulation 2000**.
- 6.2 All hazardous waste containers shall be labelled with the following:
- i. The words **“Hazardous Waste”**;
  - ii. The type of waste; and
  - iii. Beginning of accumulation date.
- 6.3 All hazardous waste shall be treated by an EPA authorised Hazardous Waste Treatment Facility.
- 6.4 Ensure that appropriate clean – up equipment such as spill trays, oil spill clean – up recovery pump, oil spill dispersant spray system or absorbent pads are readily accessible during refueling exercise..

## **7.0 COMPLIANCE MONITORING AND REPORTING**

- 7.1 Notify the EPA **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 All near misses, spills and unwanted/accidental discharges, **amounting to less than imperial five (5) gallons**, must be recorded and reported to the Agency as a component of the Annual Report as required in Condition 7.7.
- 7.3 Discharges of contaminants amounting to **five (5) imperial gallons or more** must be reported to the Agency by submitting an *“Incident Notification Form for Spills in Onshore Operations”* using the most recent template provided by the Agency, **within forty-eight (48) hours** of the incident. A follow-up incident notification form shall be submitted **within seventy-two (72) hours** of the

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submission of the initial notification form (a total of five days after the discharge of contaminants).

- 7.4 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.
- 7.5 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.
- 7.6 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, heat or combination of any of them).
- 7.7 Submit **Annual Reports** to the EPA on your compliance with this Permit on or before **March 31**, each year.
- 7.8 Report to the Agency any non-compliance(s) with the Environmental Permit:
  - I. **Within twenty-four (24) hours** of the time the Holder of the Environmental Permit 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 Permit becomes aware of the non-compliance, submit to the Agency a written report containing a description of the non-compliance, its cause, the period of non-compliance including exact dates and time and the anticipated time it is expected to continue if the non-compliance(s) has not been corrected.
- 7.9 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.

## **8.0 INSTITUTIONAL AUTHORITY/ LIABILITIES**

- 8.1 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.
- 8.2 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.
- 8.3 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.

- 8.4 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, pursuant to S. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 8.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 8.3 and 8.4 of this Environmental Permit, pursuant to S. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 8.6 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.
- 8.7 The Permit Holder shall be liable of any gross negligence or willful misconduct caused by the Permit Holder, his Servants and/or Agents, to the environment, biodiversity, protected species and natural habitat with respect to any release, discharge, or spill, of contaminant fluids, oil or lubricants.
- 8.8 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.
- 8.9 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.
- 8.10 The 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.
- 8.11 The Permit Holder, His Servants and/or Agents shall at all times, allow entry to the permitted facility to any Officer designated by the EPA for the purposes of conducting inspections or any other legitimate business of the Agency. Pursuant to Section 38 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana, it is an offence to assault, obstruct or hinder an authorised person in the execution of his/her duty under the said Act or its Regulations and the Permit Holder shall be



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liable to penalties prescribed under paragraph (c) of the Fifth Schedule for doing so.

- 8.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.13 **This Environmental Permit is not the final consent, all relevant Permissions shall be obtained from other regulatory bodies for continued operation.**
- 8.14 This Environmental Permit is effective for the period stipulated herein, **August, 2022 to July, 2027.**
- 8.15 This Environmental Permit shall remain valid until **July 30, 2027**, unless otherwise suspended, cancelled, modified or varied, in accordance with the provisions of this Permit or the Environmental Protection Act, Cap. 20:05, Laws of Guyana, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.
- 8.16 This Permit shall be renewed by submitting a completed Application form for Renewal of Environmental Authorisation to the Agency at least six (6) months before this Permit expires, that is, no later than **February 28, 2027**
- 8.17 Any late submission of renewal application (s) after the specified date as stated above, may require the Permit Holder to pay, in addition to 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 day late, until such renewal application is submitted to the Agency**, without prejudice to any other rights of the Permit Holder in connection therewith.
- 8.18 Failure to comply with the requirements of this Permit or with applicable laws and regulations, whether existing or forthcoming, shall render the Permit Holder liable to prosecution and to penalties, inclusive of civil penalties, injunctive relief and imprisonment, as prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection Regulations and other applicable Laws of Guyana.

Signed by

  
**Kemraj Parsram**  
**Executive Director**

on behalf of the Environmental Protection Agency.


Date

2022.08.04

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I hereby accept the above terms and conditions upon which this Environmental Permit is granted and agree to abide by the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, and any existing or forthcoming regulations, guidelines, best practices and standards made under this Act.

NAME	AFESHA BURKE
DATE	04-08-2022
SIGNATURE	
DESIGNATION	ENVIRONMENT & SAFETY EXECUTIVE

