



**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.

Reference No.:	20231102-AOCLB
Fee:	Extra Large (C1) – USD 3,100
Permit Valid:	For Crude Lift No. 23DNY044 at Liza Destiny FPSO and on dates determined in accordance with FPSO's Lifting Schedule (estimated as November 3rd, 2023, to November 5th, 2023)

Addressee(s): Attn: Mr. Roy Jagrup / Clint Nelson,
Inchcape Shipping Services Guyana Inc.
2nd Floor Gizmos and Gadgets Building,
13 North Road & Wellington Streets,
Georgetown.

MT: Bordeira

Owner:
Arabella Owning Company Limited
Monrovia, Liberia

Operator:
TMS Tankers Ltd

Activity: Transportation of Crude Oil from the Liza Destiny Floating Production Storage and Offloading Vessel (FPSO)

MT: Front Cascade Owned by Arabella Owning Company Limited and operated by TMS Tankers Ltd hereinafter referred to as the "Permit Holder", is hereby authorised by the Environmental Protection Agency (EPA), in accordance with the Environmental Protection Act, Cap 20:05, Laws of Guyana (hereinafter referred to as "the Environmental Protection Act"), the Environmental Protection (Amendment) Act, 2005, the Environmental Protection (Authorisations) Regulations, 2000, and the Maritime Zones Act, Cap 63:01, Laws of Guyana (hereinafter referred to as "the Maritime Zones Act"), to transport crude oil from the Liza Destiny FPSO, subject to the terms and conditions set forth herein and the provisions of the Environmental Protection Act, the Maritime Zones Act and any applicable regulations made thereunder,

ENVIRONMENTAL Permit Ref. No. 20231102-AOCLB

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taking into account the international rules and standards, international treaties and conventions to which Guyana is a party.

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

1.0 GENERAL

- 1.1. The Permit Holder, his Servants, Agents and/or Sub-Contractor(s) shall comply with the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Maritime Zones Act, Cap. 63:01, Laws of Guyana and any applicable regulations issued thereunder, taking into account the international rules and standards, international treaties and conventions to which Guyana is a party.
- 1.2. The Permit Holder shall comply with the Cartagena Convention, the UN Convention on the Conservation of Migratory Species of Wild Animals, and other applicable International/Conventions, insofar as they apply to the activity authorised herein.
- 1.3. The Permit Holder shall comply with any directions of the Agency, where compliance with such directions is necessary for the implementation of any obligations of Guyana under any international treaty and/or convention related to environmental protection.
- 1.4. This Permit extends only to the transport of crude oil, and explicitly and definitively prohibits the collection, and/or utilisation of marine genetic resources, whether intentionally or unintentionally, particularly, for the objective of conducting marine scientific research.

2.0 NOISE AND AIR QUALITY MANAGEMENT

- 2.1 The Permit Holder shall comply with MARPOL 73/78 Annex VI: ozone-depleting substances (ODS) shall not be discharged.
- 2.2 The Permit Holder shall employ measures to minimise the instances, and impacts of noise pollution on the marine environment, while within the Exclusive Economic Zone (EEZ) of Coastal State Guyana.

ENVIRONMENTAL Permit Ref. No. 20231102-AOCLB

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3.0 WATER QUALITY MANAGEMENT

- 3.1 The Permit Holder shall discharge ballast water in accordance with established International Maritime Organisation's Guidelines and Legal requirements, including but not limited to, the International Convention for the Prevention of Pollution from Ships (MARPOL) and the International Convention for the Control and Management of Ship's Ballast Water Sediments (2004).
- 3.2 The Permit Holder shall treat bilge water in accordance with MARPOL 73/78 Requirements and not exceed an oil in water content of <15 ppm.
- 3.3 The Permit Holder shall ensure that wastewater that is released from the onboard Sewage and Wastewater Treatment Facility must meet the aquatic discharge standards in accordance with MARPOL 73/78 regulations.

4.0 WASTE MANAGMENT

- 4.1 There shall be no unauthorised dumping of waste in the marine environment of Coastal State Guyana, inclusive of the Exclusive Economic Zone (EEZ), except in the form and manner as prescribed herein under 4.2.
- 4.2 All wastes should be managed and disposed of in accordance with the Vessel's Garbage Management Plan, except where the disposal of the type or composition of waste would be a breach of MARPOL 73/78, the BASEL Convention, or any other international law.
- 4.3 The Permit Holder shall handle, store, and dispose sewage and sullage in accordance with Annex IV of MARPOL 73/78 Regulations, for the Prevention of Pollution by Sewage from Ships.
- 4.4 The Permit Holder shall implement lifting and transfer procedures to cater for retrieval of any waste accidentally released overboard.
- 4.5 The Permit Holder shall manage and dispose putrescible waste in accordance with MARPOL 73/78 Annex V-Regulations for the Prevention of Pollution by Garbage from Ships.

5.0 EMERGENCY RESPONSE

- 5.1 The Permit Holder shall **immediately** notify the EPA of any accidental release of contaminants or incidence of pollution to the environment.

ENVIRONMENTAL Permit Ref. No. 20231102-AOCLB

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- 5.2 The Permit Holder shall record any accidental release of waste to the marine environment and corrective actions implemented, and submit a copy of the Report to the EPA within **twenty-four (24) hours** of the incident.
- 5.3 The Permit Holder shall adhere to the Vessel's Shipboard Oil Pollution Emergency Plan (SOPEP), as required under MARPOL 73/78 Annex I, Regulations for the Prevention of Pollution by Oil.
- 5.4 The Permit Holder shall maintain emergency spill response equipment on the Vessel for response to potential spills.
- 5.5 In the event of an oil spill pollution incident, the Permit Holder shall provide immediate notification alert to nearby vessels or installations with the capacity to assist with oil spill response, as well as national authorities, including the Environmental Protection Agency.

6.0 LIABILITIES FOR POLLUTION DAMAGE

- 6.1 The Permit Holder shall have and maintain insurance of such type and in such amount as is customary in the international petroleum industry for the transportation of crude oil in the offshore marine environment, the minimum requirements of which must be consistent with the requirements prescribed by Article VII of the International Convention on Civil Liability for Oil Pollution Damage, 1992.
- 6.2 The Permit Holder, His Servants, Agents and/or Sub-Contractors shall not engage in any act or omission which would prejudice any claim(s) by Coastal State Guyana, pursuant to the International Convention on Civil Liability for Oil Pollution Damage, 1992, and/or the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992.
- 6.3 The foregoing shall not prejudice any legal rights of Coastal State Guyana to institute claim(s) (including claims for remedial measures) for pollution of the marine environment, inclusive of damage to the marine environment, biodiversity, protected species and natural habitat with respect to any release or discharge, spill, or contamination which is attributable to the Permit Holder and his agents or contractors, pursuant to the Environmental Protection Act, the Maritime Zones Act, and any applicable regulations issued thereunder, taking into account the international rules and standards, international treaties and conventions to which Guyana is a party.



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- 6.4 The Permit Holder is liable for all costs associated with clean up, restoration and compensation for any damages caused by any discharge of any contaminant, including the cost of all investigations into pollution incidents or discharge of contaminants, conducted at the instance of Agency.
- 6.5 The Permit Holder shall compensate any person who suffers any loss or damage as a result of any contravention of section 19(1), in accordance with section 19(3)(e) of the Environmental Protection Act Cap. 20:05, Laws of Guyana.
- 6.6 The Permit Holder, his Servants and/or Agents shall be liable for any material or serious environmental harm caused by their pollution of the environment in accordance with section 39 (2) and (4) of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 6.7 The Permit Holder, his Servants and/or Agents shall be jointly and severally liable for any negligence or wilful misconduct which causes harm to the environment, biodiversity, protected species and natural habitat.
- 6.8 The terms and conditions of this Permit are binding upon the Permit Holder and the Permit Holder is responsible for any violations hereunder. The Permit Holder shall make such agent(s) or contractors (and their sub-contractors) aware of the Conditions of this Permit.
- 6.9 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 a risk of serious pollution of the environment or any damage to public health, the Agency shall issue to the Permit Holder a Prohibition Notice in accordance with section 27 of the Environmental Protection Act Cap. 20:05, Laws of Guyana.
- 6.10 Should the Permit Holder contravene or be likely to contravene any condition of this Permit, the Agency may issue an Enforcement Notice in accordance with section 26 of the Environmental Protection Act Cap. 20:05, Laws of Guyana.
- 6.11 The Permit Holder, his Servants and/or Agents shall be liable jointly and/or severally for any gross negligence or willful misconduct to the marine environment, biodiversity, protected species and natural habitat with respect to any release or discharge, spill, contaminant fluids, oil or lubricants any facilities permitted under this project.

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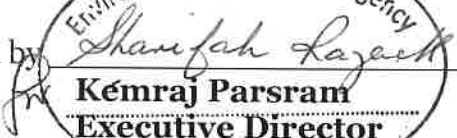

6.12 The Permit Holder, his Servants and/or Agents shall be liable jointly and/or severally for environmental damage due to pollution from its activities within Guyana, its territorial waters, contiguous zones, continental margins continental shelf, and Exclusive Economic Zone, inclusive of damage to the marine environment, biodiversity, protected species and natural habitat with respect to any release or discharge, spill, or contamination which is attributable to the Permit Holder and his agents or contractors. This is in accordance with Section 49 (1) of the Maritime Zones Act 2010 and is subject to any other existing or forthcoming laws, regulations and standards governing the protection of the marine environment.

7.0 INSTITUTIONAL AUTHORITY

- 7.1 The EPA reserves the right to conduct inspections of the Permit Holder's vessel as may be required, pursuant to the Environmental Protection Act and any applicable regulations. Pursuant to Section 38 of the Environmental Protection Act, 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 so doing.
- 7.2 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein. Any breach of terms and conditions herein may affect the issuance of any subsequent Environmental Authorisations by the Agency to the Permit Holder.
- 7.3 This Permit shall be governed by, interpreted and construed in accordance with the Laws of Guyana, including but not limited to the Environmental Protection Act, the Maritime Zones Act, and/or any other applicable regulations issued thereunder, and consistent with such rules of international law as may be applicable or appropriate, including the generally accepted customs and usages of the crude oil transport industry.
- 7.4 This Permit is effective for the Lifting Number stipulated herein unless otherwise suspended, cancelled, modified or varied in accordance with Regulation 14 of the Environmental Protection (Authorisation) Regulations, 2000.
- 7.5 This Permit shall not be transferred or assigned to another person or entity, without the approval of the Agency.
- 7.6 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 prescribed under the Environmental Protection Act, the Maritime Zones Act, and any applicable regulations issued thereunder, and other applicable laws of Guyana, taking into account the international rules and standards, international treaties and conventions to which Guyana is a party.

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Signed by  on behalf of the Environmental Protection Agency.

Kémraj Parsram
Executive Director

Date 2023-11-03

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 Maritime Zones Act, Cap. 63:01, Laws of Guyana, and/or any other applicable regulations issued thereunder and any other applicable laws of Guyana, taking into account the international rules and standards, international treaties and conventions to which Guyana is a party.

NAME	<i>Clint Nelson</i>
DESIGNATION	<i>Senior Operations Representative</i>
DATE	<i>03/10/2023</i>
SIGNATURE	<i>Clint Nelson</i>



