



Environmental Protection Agency

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Environmental Permit (Renewed)

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.:	20100219-DSDOO
Fees:	Medium (C1 i.e., US\$ 500 per year)
Fees Paid:	US\$2,500 - Five (5) Years (May 2023 to April 2028)
Addressee:	Mr. Devanand Sawh D.S Fuel Depot, Byderabo Front Road, Bartica, Region 7
Activity:	Operation of a Fuel Storage Facility

D.S Fuel Depot, hereinafter referred to as the “Permit Holder”, is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, Laws of Guyana, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to Operate a Fuel Storage Facility, at Byderabo Front Road, Bartica Region 7, hereinafter referred to as “the Project”, in a manner indicated in the Application for Renewal of an Environmental Authorisation submitted on December 22, 2022 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, approvals, directives and standards relevant to this project.

This is a Renewal of the Environmental Permit (Renewed), Reference No. 20100219-DSDOO, issued on January 2011, and which expired on January 2016. The Environmental Permit (Renewed) is issued pursuant to the Environmental Protection (Authorisation) Regulations, 2000.

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 The Permit Holder shall comply with any lawful directives given by the Agency from time-to-time, including directives in furtherance of the implementation of any international or other obligation for the environmental protection of Guyana.
- 1.2 The Permit Holder shall notify the Agency in writing and obtain its approval for **ANY**

proposed changes to the operation at least **twenty-one (21) calendar days** prior to 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 of the facility, or an extension, or any additional installation, which may have consequences for the environment. Changes to operation may include but not be limited to the following:

- i. changes in the construction, operation, structure, or layout of the facility and all associated buildings;
 - ii. changes of equipment, machine, apparatus, mechanisms, systems or technology serving the facility;
 - iii. changes in the position and design of any outlet at the point or points of discharge of effluents; or
 - iv. any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.3 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; all of which are due no later than six (6) months after which the permit is issued, unless otherwise directed by the EPA.
- 1.4 The Permit Holder shall adopt and comply with the Guyana National Bureau of Standards "*Guidance for the Design, Construction, Modification, and Maintenance of Petrol Filling Stations*" and any forthcoming code of practice/guideline pertaining to the operation of fuel storage facilities.
- 1.5 The Permit Holder shall establish and maintain a register of the types and quantities of fuel and associated hazardous materials stored onsite. A summary of the registered information shall be submitted to the Agency as a component of the Annual Report.
- 1.6 The Permit Holder shall adhere to the requirements of the Occupational Safety and Health Act, Cap. 99:01, Laws, of Guyana.

2.0 FUEL HANDLING AND 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.
- 2.2 The Permit Holder shall obtain and maintain Guyana Fire Service Approval and submit a copy of the approval for the Agency's records.
- 2.3 Fire prevention and control equipment shall be maintained in accordance with this Guyana Fire Service Approval.

- 2.4 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 of any contained liquid when full. A summarised inspection report shall be submitted to the Agency as a component of the Annual Report.
- 2.5 The Containment bunds shall be completely sealed and all piping shall enter or exit the bund over the wall by **June 30, 2023**. Bunds shall provide total containment, and no part of the tank infrastructure (e.g., dispenser, filling hoses and valves) shall protrude outside the bund wall.
- 2.6 Fuel storage tanks shall be inspected annually, to verify their integrity, and maintained in accordance with the manufacturer's specifications. Areas to inspect include tank foundation, connections, coatings, tank walls and piping systems. A summarised inspection report shall be compiled and submitted to the Agency as a component of the Annual Report.
- 2.7 Protection measures, such as anti-corrosive paints and coatings, shall be maintained to minimise corrosion of the fuel tanks and pipelines.
- 2.8 Install leak detection mechanisms, such as by **June 30, 2023**:
- i. Alarms for safe fill levels on tanks;
 - ii. Gauging systems;
 - iii. Dipstick measurements; and
 - iv. Emergency electric shut down buttons for pumps.
- 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 The Best Available Technology/ Technique (BAT) shall be utilised and maintained 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 utilised and maintained at connection points or other possible overflow points.

3.0 WHARF OPERATION

- 3.1 Operation of activities at the project site shall be in accordance with Maritime, Sea and River Defence and Drainage & Irrigation, Laws of Guyana and any applicable guidelines.
- 3.2 All access to the sea dam and reserve shall be kept clear and maintained in accordance with the Sea and River Defence, Laws of Guyana.

- 3.3 Removal of Mangroves is strictly prohibited. If there is need to remove Mangroves, permission shall be sought from the Agency and other relevant Agencies where applicable.
- 3.4 A vegetated buffer zone shall be maintained along the edge of the river in order to provide bank stability.
- 3.5 The Best Available Practices shall be implemented and maintained to prevent pollution of the river from erosion, siltation, fuel/lubricants, solid waste, etc.
- 3.6 Vessels shall be moored in depths that allow them to remain afloat, but prevent propellers from disturbing bottom sediments.
- 3.7 Periodic maintenance of the wharf, such as painting, resurfacing, clearing of debris, or minor repairs, shall be conducted without causing any physical disruption of the watercourse. However major maintenance work to the wharf shall require permission from the Agency in written at least fourteen (14) days prior to the commencement of work.

4.0 SHIP TO SHORE/SHORE TO SHIP BUNKERING ACTIVITIES

- 4.1 Bunkering activities, ship to shore or shore to ship, shall be conducted in accordance with the most recent edition of the International Safety Guide for Oil Tankers and Terminals (ISGOTT).
- 4.2 The Permit Holder shall submit to the Agency an approved Bunkering Plan (Ship to Shore/Shore to Ship) **by June 30, 2023**. Bunkering activities shall be in accordance with this Plan.
- 4.3 The Permit Holder shall verify that environmental conditions (weather, tide action, etc.) for bunkering are acceptable prior to the commencement of activities.
- 4.4 The Permit Holder shall inspect all hoses, valves and pipeline (where accessible) prior to all bunkering activities to reduce the possibility of spillage.
- 4.5 When a tanker is alongside the berth, fire-fighting equipment must be on the tanker and the terminal and ready for immediate use.
- 4.6 Bunker hoses shall not be connected over the water ways.
- 4.7 The Permit Holder shall ensure that the filling of tanks is properly supervised to reduce the risk of spillage.
- 4.8 The Permit Holder shall have sufficient and appropriate drip containment and spill response equipment at the location of the bunkering operations which shall be readily available for deployment.

- 4.9 The Permit Holder shall ensure that only employees who are trained to use spill equipment in the event of an emergency, are involved with the bunkering process.
- 4.10 The Permit Holder shall utilize leak detection devices during bunkering (e.g., overflow alarms, instrumentation/procedures to perform volumetric checks, etc.).
- 4.11 Upon completion of all bunkering operations, hoses shall be fully drained before disconnection takes place.
- 4.12 Upon completion of bunkering operations, hoses shall be disconnected above a drip pan of an appropriate size within a bunded area.

5.0 WATER QUALITY

- 5.1 Strictly adhere to the provisions of the **Environmental Protection (Water Quality) Regulation, 2000.**
- 5.2 The Permit Holder shall install an oil-water separators at strategic locations on the storage facility through which all effluents shall pass before the final discharge by **June 30, 2023.**
- 5.3 Perimeter drains shall be installed on site and shall be adequately sloped to collect storm flow by **June 30, 2023.**
- 5.4 The Permit Holder shall 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) *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.
- 5.5 A water quality monitoring plan shall be submitted to the Agency for approval. Monitoring shall be conducted in accordance to the approved plan and the results shall be submitted to the Agency as part of the Annual Report.
- 5.6 Discharge of fuel from ships/vessels to the fuel storage tanks shall be conducted under the strict guidance of the Bunkering Supervisor and the shut-off mechanism shall be activated in the event of a spill.
- 5.7 The Permit Holder shall avoid soil and water contamination from fuel, grease, waste oils and other petroleum products.
- 5.8 The Permit Holder shall store all oils, fuel, paints and chemicals in a designated area away from watercourses.

- 5.9 The Permit Holder shall adequately store, cover and protect raw materials and waste, especially in rainy conditions to avoid runoff into the Demerara River.

6.0 AIR QUALITY AND NOISE MANAGEMENT

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

- 6.2 The Permit Holder shall handle and store liquid fuel in such a manner so as to prevent the emission of offensive odours.

- 6.3 The Permit Holder shall 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.

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)

- 6.4 All significant noise-producing equipment, such as generators, shall be equipped with silencers or mufflers and/or be enclosed in suitable acoustic enclosures to reduce noise levels impacting the surrounding environment and to achieve compliance with Guyana National Bureau of Standards (GNBS) requirement.

- 6.5 All generators and machines/equipment shall be serviced in accordance with manufacturers' specifications to ensure efficiency and reduce the level of noise produced. A summarised maintenance report shall be submitted as a component of the Annual Report.

- 6.6 The Permit Holder shall ensure that exhaust stacks are at least **two (2) meters above** the tallest nearby building to minimise adverse fumes/soot impacts to the contiguous areas.

7.0 WASTE MANAGEMENT

- 7.1 In accordance with the **Environmental Protection (Litter Enforcement) Regulations, 2013**, the Permit Holder shall 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.

- 7.2 Burning of garbage is **strictly prohibited**.

- 7.3 Solid waste receptacles shall be secured when not in use.

8.0 HAZARDOUS WASTE MANAGEMENT

- 8.1 The Permit Holder shall strictly adhere to the provisions of the **Environmental Protection (Hazardous Waste Management) Regulation 2000**.
- 8.2 Waste oils recovered from oil-water separator or from the servicing of generators shall be stored in a covered bunded area to minimize adverse impacts to the environment in the event of a spillage.
- 8.3 The bunded area shall be clearly labelled and have the capacity to provide 110% containment of the total volume of waste oils stored.
- 8.4 Oil/fuel contaminated absorbent materials shall be appropriately stored and disposed by double wrapping in heavy duty garbage bags. All contaminated absorbent materials shall be disposed of at an authorized Hazardous Waste Disposal Facility.
- 8.5 Fuel/lubricants including waste oils shall not be drained from equipment onto the ground or into waterways.
- 8.6 All hazardous waste shall be treated and/ or disposed by an Agency authorised Hazardous Waste Disposal Facility. All hazardous waste treatment and disposal shall be documented on a Waste Manifest Form which shall be submitted to the Agency as a component of the Annual Report.

9.0 SPILLS AND EMERGENCY MANAGEMENT

- 9.1 The Permit Holder shall employ and maintain appropriate procedures in keeping with good international industry practice (GIIP) to minimize spill risks, detect leaks, capture spills and minimize the release of hydrocarbons during transport/transfer, resale and other Project related activities.
- 9.2 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).
- 9.3 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.
- 9.4 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 submission of the initial notification form (a total of five days after the discharge of the contaminants).

- 9.5 The Permit Holder shall establish procedures for analysing accidents and failures for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence. This information shall be made available to the Agency upon request.
- 9.6 Submit an Emergency Response Plan (ERP) for the entire facility, inclusive of the pipeline system. The ERP shall contain, but may not be restricted to the following:
- i. Spill detection and mitigation procedures;
 - ii. Escape, evacuation and rescue plan and assessment;
 - iii. A list of responsible parties and duties;
 - iv. A list of regulatory agencies to be notified;
 - v. Names and addresses of response organizations;
 - vi. Training procedures;
 - vii. A list of equipment to be utilized;
 - viii. Testing procedures to ensure that equipment to be used remain in working condition; and
 - ix. Clean up and hazardous waste disposal procedures.
- 9.7 An Emergency spill clean-up kits shall be placed onsite by **June 30, 2023**, at the fuel storage areas for response to potential spills. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up.
- 9.8 Appropriate clean-up equipment such as spill trays, oil spill clean-up recover pump, oil spill dispersant spray system or sorbent pads shall be readily accessible to respond to any spills that may occur onsite.
- 9.9 The Permit Holder shall install an emergency shut-off switch for the bunkering operations. The switch must be inspected and tested before every operation or as required by the manufacturer.
- 9.10 The Permit Holder shall Schedule training on simulated spill incident and response exercises for response personnel. Spill alert and reporting procedures, deployment of spill control equipment, and the emergency care/treatment of people and animals impacted by the spill.
- 9.11 The Permit Holder shall annually simulate the entire ERP with relevant stakeholders as directed and/or approved by the Agency. The Agency reserves the right to attend any exercise organised in accordance with this Condition.

10.0 COMPLIANCE MONITORING AND REPORTING

- 10.1 The Permit Holder shall monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees and all third parties under your direction.
- 10.2 The Permit Holder shall 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.

- 10.3 The Permit Holder shall 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.
- 10.4 The Permit Holder shall maintain and submit to the Agency records of the type, composition and quantity of contaminant released (i.e., any solid, liquid, gas, odour, sound, vibration, radiation, heat or combination of any of them).
- 10.5 The Permit Holder shall submit an **Annual Report** to the Agency containing the information required under this Environmental Permit on or before **March 31, each year**.
- 10.6 Report to the Agency any non-compliance with the Environmental Permit (Renewed & Varied):
 - i. Within **twenty-four (24) hours** of the time the Holder of the Environmental Permit 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.

11.0 INSTITUTIONAL AUTHORITY AND LIABILITIES

- 11.1 The Permit Holder shall bear the cost of all investigations into pollution incidents, conducted at the insistence of the Agency.
- 11.2 The Permit Holder shall within **six (6) months** of the issuance of this Permit, procure insurance of such type and in such amount as is customary in the international petroleum industry for petroleum operations of this type, in respect of:
 - i. Loss or damage to all assets used in Project;
 - ii. Pollution caused in the course of the Project;
 - iii. Loss or damage to property or bodily injury suffered by any third party in the course of the Project;
 - iv. D.S Fuel Depot's liability to its employees engaged in the Project.
 - v. Any other requirement(s) made by the Agency.
- 11.3 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.

- 11.4 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.
- 11.5 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.
- 11.6 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 (Renewed) pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 11.7 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 14.8 and 14.9 of this Environmental Permit (Renewed), pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 11.8 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.
- 11.9 The Permit Holder shall be liable to 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.
- 11.10 Should the Permit Holder contravene or be likely to contravene any condition of this Permit, the Agency may serve on him an Enforcement Notice in accordance with Section 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 11.11 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 Agency 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.
- 11.12 The Agency reserves the right to conduct regular inspections of the Permit Holder's construction activities as part of its monitoring and enforcement requirements under the Environmental Protection Act, Cap 20:05, and the Environmental Protection

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- (Amendment) Act, 2005, and Environmental Protection (Authorisations) Regulations, 2000.
- 11.13 This Permit Holder, His Servants and/or Agents shall at all times, allow entry to the permitted facility to any Officer designated by the Agency 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.
- 11.14 The Agency has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 11.15 **The Environmental Permit (Renewed) is not the final consent; all relevant Permissions should be obtained from other regulatory bodies for continued operation.**
- 11.16 This Environmental Permit (Renewed) is effective for the period stipulated herein **May, 2023 to April, 2028.**
- 11.17 This Environmental Permit (Renewed)) shall remain valid until **April 30, 2028**, unless otherwise suspended or revoked in accordance with the provisions of this Permit or the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.
- 11.18 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 **October 31, 2027.**
- 11.19 Any late submission of the application required by Condition 10.18, may render the Permit Holder liable to pay, in addition to the application fee, a late penalty fee (accruing at the time such obligation was first owed for renewal) at a rate of **two thousand dollars (GY\$2,000.00) per day for every business day late**, until such application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.
- 11.20 Failure to comply with the requirements of this Permit shall render the Permit Holder liable to prosecution and to penalties prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, and the Environmental Regulations including civil penalties and 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.


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

Date 2023.05.15

I hereby accept the above terms and conditions upon which this Environmental Permit (Renewed) 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	SHAQUAIN SAWH
DATE	10 th , Oct. 2023
SIGNATURE	
DESIGNATION	

