



**Environmental
Protection
Agency**

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Construction 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.:	20190409-MICLK
Fee:	Extra Large (C3) - US\$3,100 per year
Fees Paid:	US\$12,400: Four (4) years (September 2021 to August 2025)

Addressee: Mr Vladim Persaud
Permanent Secretary
Ministry of Public Works
Wights Lane
Kingston
Georgetown



Activity: Construction of Highway with Supporting Infrastructure

The Ministry of Public Works herein 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 construct a Highway with Supporting Infrastructure from Linden to Mabura Hills, hereinafter referred to as "the Project", in the manner indicated in the Application submitted on April 9, 2019, subject to the terms and conditions set forth herein under the Environmental Protection Act, existing or forthcoming regulations made under the said Act and/or any other applicable laws, best practices, guidelines and standards relevant to this project.

Terms and Conditions for Construction to be adhered to by the Permit Holder, his servants, agents and sub-contractors:

1.0 GENERAL

- 1.1 Notify the Agency in writing of any proposed changes to the Project at least **fourteen (14) days before** making the change. The notification shall contain a **description of the proposed change in construction**. 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

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proposed change. In this condition '**change in construction**' includes but is not limited to, any change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment. **Note:** For more information, please refer to **Regulation 20** of the **Environmental Protection (Authorisations) Regulations 2000**.

- 1.2 The Project must be implemented in accordance with the plans submitted to the Agency. All specifications of location, pathways, reserve and boundary lines must be adhered to, unless otherwise authorised; evidence of which must be provided to the Agency.
- 1.3 Implement all mitigation measures/recommendations as outlined in the Environmental and Social Management Plan (ESMP) submitted on November 03, 2020.
- 1.4 Submit to the EPA, within six (6) months on the issuance of this permit, an addendum to the ESIA with the construction method statement(s); project drawings and schedule.
- 1.5 The documents required under subsection 1.4 will inform the revision and updating of applicable conditions as set forth below and inclusion of any other conditions as the Agency sees fit to ensure the protection of the environment and prevention or mitigation of pollution/contamination.
- 1.6 Consult and coordinate with contractors/subcontractors and the relevant/affected utility companies and local government organs such as, the Ministry of Amerindian Affairs, Guyana Lands And Surveys Commission (GLSC), Sea and River Defence Board, Regional Democratic Councils (RDCs), Guyana Police Force (GPF), Guyana Water Inc. (GWI), Guyana Power and Light (GPL), and Guyana Telephone and Telegraph Co Ltd (GTT) etc. to establish schedules and mechanisms for implementation of the Project. Additionally, ensure that utility providers and relevant authorities are consulted on the location of their facilities such as conduits and cables, etc. to ensure that appropriate actions are taken such as relocation of utility poles, markings, temporary shut off of utilities, etc. prior to the commencement of works.
- 1.7 Construction works must not be executed between 22:00 hrs to 06:00 hrs on any day in close proximity to communal areas.
- 1.8 Identify suitable areas for material stockpiles and equipment during construction.
- 1.9 Ensure, where possible, that construction support sites are not located in the proximity of sensitive land uses/receptors such as hospitals, geriatric homes,



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churches, schools, densely urbanized residential areas, recreational areas, etc.

- 1.10 Ensure the provision for, maintenance and removal on the completion of works, all barriers, equipment/material staging areas, and all support infrastructure, facilities and equipment associated with the Project in accordance with documents and plans submitted to the Agency.

2.0 TRAFFIC MANAGEMENT AND PUBLIC SAFETY

- 2.1 Take all necessary precautions to minimise potential adverse impacts on public health and the environment in the transport, storage and handling of construction materials for the Project.
- 2.2 Ensure that all Parties including the Client, Consultants, Contractors and Sub-Contractors or any other persons associated with the Project make suitable provisions to accommodate vehicular and pedestrian traffic safely with minimum inconvenience through and around the construction site(s).
- 2.3 Ensure that adequate traffic control devices, signage, guardrails and cautioning tape, are installed at work sites. Additionally, ensure that speed limits are strictly enforced for all vehicles that are associated with Project in an effort to minimise dust particles from becoming airborne during construction activities.
- 2.4 Notify the public of the estimated duration of the project, estimated times of works, and expected difficulties, e.g. road closures and diversions, etc. that may be encountered as a result of construction at least two weeks in advance.
- 2.5 Ensure that access is provided to all properties adjacent to the project site for the duration of the construction period.

3.0 WATER AND SOIL QUALITY MANAGEMENT

- 3.1 Strictly comply with the provisions of the **Environmental Protection (Water Quality) Regulations 2000**.
- 3.2 Maintain the integrity of the existing waterways at all times. Discharges into the environment must 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 should not be exceeded:

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pH 5.0-9.0;
Temperature < 40 oC;
Biological Oxygen Demand (BOD) < 50 mg/L;
Chemical Oxygen Demand (COD) < 250 mg/L;
Total Suspended Solid (TSS) < 100 mg/L;
Total Dissolved Solid (TDS) < 40 mg/L;
Oil and Grease < 20 mg/L.

Monitor the parameters listed above in accordance with Table 40 of the submitted Environmental and Social Management Plan (ESMP) and submit the monitoring report to the Agency as part of the submission of the required Annual Report. Nevertheless, the Agency reserves the right to request independent analysis from a certified laboratory.

- 3.2 Take all practicable measures to avoid erosion, siltation and sedimentation of existing water bodies/drains within the vicinity of the project site. Ensure that wastewater from washout and/or cleanout of bitumen, concrete, paint, and other construction materials are not discharged into waterways unless managed by an appropriate treatment control.
- 3.3 Install sediment controls along any perimeter areas of the site that will receive effluent discharges and remove sediment before it has accumulated to half of the above-ground height of any perimeter control.
- 3.4 Construct and maintain drainage systems capable of handling the probable maximum precipitation event. Ensure that all stormwater drains are maintained and remain in effective operating condition during the life of the permit. Also, ensure they are protected from activities that would reduce their effectiveness. As such, the drainage must be kept free-flowing and free of debris.
- 3.5 Protect susceptible sloped surfaces with suitable revetment and appropriate cover to ensure the stability of slopes and avoid erosion. Install down gradient sediment control systems (e.g., buffers, perimeter controls, exit point controls, storm drain inlet protection) that manage discharges from the initial site clearing, grading, excavating, and other earth-disturbing activities.
- 3.6 Limit the removal of vegetation to the minimum extent necessary for works to proceed. In areas where soils are not to be removed, the grassed vegetation layer shall be maintained, where possible, to protect the soil from erosion.
- 3.7 Stabilize exposed portions of the soil. Implement and maintain stabilization measures (e.g., seeding protected by erosion controls until vegetation is established, sodding, mulching, erosion control blankets, hydromulch, gravel) that minimize erosion from exposed portions of the site.

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- 3.8 Manage stockpiles or land clearing debris piles composed, in whole or in part, of sediment and/or soil. Locate the piles outside of any natural buffers and away from any stormwater conveyances, drain inlets, and areas where stormwater flow is concentrated.
- 3.9 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products that might be used at the construction site.
- 3.10 Store fuel in a secured designated area to prevent accidental release into the surrounding environment, especially in rainy conditions. The designated area should not be within 100 m of surrounding water bodies.
- 3.11 Store all chemicals in leak-proof containers that are kept under water-resistant cover and surrounded by secondary containment structures (e.g., spill berms, decks, spill containment pallets), OR provide equivalent measures designed and maintained to minimize the potential discharge of treatment chemicals in stormwater and external waterways.
- 3.12 Do not discharge or dump liquid or solid wastes and/or trade effluent directly into receiving waters.

4.0 AIR QUALITY MANAGEMENT AND NOISE ABATEMENT

- 4.1 Strictly comply with the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations 2000**.
- 4.2 Monitor noise emissions to determine compliance with the **Guyana National Bureau of Standards (GNBS) Guidelines for Noise Emissions into the Environment**. Sound levels from noise-making devices should not exceed the limits below, at a distance of 15 metres (50 ft) from the source or property boundary, whichever is closer.

Construction Limits: 90 dB during the daytime (06:00 h - 18:00 h)

75 dB during the night-time (18:00 h - 06:00 h)

- 4.3 Ensure that all construction activities are done in such a manner so as to prevent, minimise, control and or avoid adverse noise nuisance to the surrounding environment.
- 4.4 Locate generators away from sensitive receptors. Ensure that the exhaust stacks of generators are at a sufficient distance from communal areas to minimise adverse fumes/soot impacts to the contiguous areas.

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- 4.5 Employ dust suppression methods such as watering, erecting dust screens/fences to control dust emissions from material stockpiles and other components of the development that would generate dust.
- 4.6 Ensure stockpiles are stored downwind to avoid being transported by wind to sensitive areas (e.g. residences, schools etc.). Stockpiles should be relatively flat on top, and shall not exceed a height of eight (8) feet. Remove material from the stock pile on the leeward side, avoid the removal of material on the windward side. Loading and offloading activities should, as far as possible, also be confined to this location.
- 4.7 Ensure that materials susceptible to wind erosion e.g. sand are covered at all times during storage and transport to and from the construction site, to prevent material loss and reduce emission of particulate matter into the environment.
- 4.8 Ensure that appropriate measures are in place to minimise the impacts of air borne emissions from vehicles offloading and/or loading activities. Keep drop heights at a minimum when loading and/or offloading materials e.g. sand, aggregates, etc. to reduce particles from becoming airborne.
- 4.9 Monitor ambient air quality to determine compliance with the World Health Organisation (WHO) Air Quality Guidelines for Particulate Matter in the Environment, not exceeding the limits below:
 - PM_{2.5}: 25 µg/m₃ 24-hour mean**
 - PM₁₀: 50 µg/m₃ 24-hour mean**
- 4.10 Conduct Air Quality monitoring in accordance with Table 40 of the submitted Environmental and Social Management Plan (ESMP) and submit the monitoring Report to the Agency as part of the submission of the required Annual Report.
- 4.11 Ensure that engine idling during on/off-loading activities is minimised.
- 4.12 Record, investigate and address complaints of excessive noise, dust and vibrations from the public promptly upon receipt. Maintain a record of all complaints received and the action taken.

5.0 FUEL AND HAZARDOUS/ WASTE MANAGEMENT

- 5.1 Strictly adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations 2013** and the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**.

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- 5.2 Maintain good housekeeping, sanitary and hygienic practices and the aesthetic quality of the surroundings at all times.
- 5.3 Promote proper solid waste management and disposal practices at the project site. Waste management should be executed in accordance with the submitted Environmental Impact Assessment. Place covered garbage receptacles at strategic locations around the project site.
- 5.4 Reuse waste material where practical such as land-filling material for the project site. However, this must be done in an aesthetic and controlled manner. The surrounding environment should not be littered with any form of wood, concrete, plastic, glass and metallic waste or any form of waste that will affect humans, flora and fauna and related biodiversity.
- 5.5 Dumping of waste (Domestic and Construction) into the surrounding environment is strictly prohibited. Waste, inclusive of waste oil and/or fuel, should not be stored within 10 meters of any waterways.
- 5.6 Prepare and submit to the Agency in the Annual Report, a report relating to construction activities. The report shall include:
 - a) the name, location and type of facility(ies);
 - b) types and quantities (in metric units) of hazardous waste generated;
 - c) manner of storage, use, any applied treatment standards/methods and disposal of these substances;
 - d) data concerning off-site shipments of waste, i.e., local disposal facility utilised, country to which hazardous waste is shipped, purpose of shipment and amount of waste shipped;
 - e) a summary of any accidents that may have occurred and any action taken; any waste minimisation efforts undertaken by your facility for hazardous material/waste; and any other matter the Agency may require;
 - f) any waste minimisation efforts undertaken by your facility for hazardous material/waste; and
 - g) any other matter the Agency may require.

The Agency considers all materials listed in Schedules I and II of the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**, to be hazardous.

- 5.7 As far as practicable, conduct refuelling, oil changes and maintenance of vehicles machinery and other equipment on an impervious base. Oil spills should be cleaned up by the best practicable means.

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- 5.8 Ensure appropriate spill equipment is available and utilised for containing and mitigating any spills (e.g. fuel, bitumen, waste oils, lubricants, curing compounds, concrete admixtures, paints etc.).
- 5.9 Hazardous contaminated absorbent pads and materials (e.g. fuel, bitumen, waste oils, lubricants, curing compounds, concrete admixtures, paints etc.) may be disposed of at an incineration operation approved by the Agency.
- 5.10 Record and include in a summary table the following information:
- a) Name and description (e.g., composition of a mixture) of the hazardous materials;
 - b) Classification (e.g., code, class or division) of the hazardous materials;
 - c) Quantity of hazardous materials used per month; and
 - d) Characteristic(s) that make(s) the materials hazardous (e.g., flammability, toxicity).
- 5.11 Designate an area for the storage of fuel, used oil, washing detergents, sanitisers and other hazardous materials. Hazardous materials/ waste storage areas shall be clearly labelled and secured. The following warning signs shall be clearly posted:
- a) "Hazardous Waste Storage Area"
 - b) Danger - "Authorised Personnel Only"
 - c) No eating, drinking or smoking
- 5.12 Hazardous waste (e.g. fuel, bitumen, waste oils, lubricants, curing compounds, concrete admixtures, paints etc.) shall be contained in bunded /kerbed storage areas. These areas shall adhere to the following requirements:
- a) Be situated in low traffic areas.
 - b) No interceptor drains shall be constructed.
 - c) Be bunded to provide 110% containment of the largest volume of hazardous materials stored therein.
- 5.13 Hazardous waste (e.g. fuel, bitumen, waste oils, lubricants, curing compounds, concrete admixtures, paints etc.) shall be stored in containers appropriate for the waste stream; that is:
- a) Sealed Plastic Containers
 - i. Water-based waste
 - b) Sealed Metal Containers
 - i. Solvents and petroleum-based products
 - ii. Oil and oily absorbents
- 5.14 Hazardous waste/materials storage containers shall be inspected weekly for signs of leakage, deterioration or corrosion. Damaged containers must be



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replaced immediately. Inspection reports must be maintained and signed by the appropriately qualified inspecting officer and his/her supervisor.

6.0 EMPLOYEES HEALTH AND SAFETY

- 6.1 Requirements of the Occupational Health and Safety Act, Cap 99:10, **Laws of Guyana** must be strictly adhered to so as to ensure that employees' safety and health are protected at all times.
- 6.2 Personal Protective Equipment (PPE) must be worn at all times by workers on the project site(s). Adequate lighting must be provided for the execution of works between the hours of 6 pm - 6 am.
- 6.3 Adequate toilets, waste disposal and sanitary facilities must be provided at all site(s).
- 6.4 Portable toilets must be installed in accordance with the Public Health Ordinance 1953; and
- 6.5 Ensure all portable toilet systems are emptied by the contracted Waste Disposal Services on a regular basis. Waste collected from the portable toilet should be treated before disposal and at no time should the waste be disposed of in the surrounding environment.
- 6.6 All workers directly or indirectly involved in the Project must be trained on the requirements of the Construction Method Statement and Environmental Impact Assessment.

7.0 EMERGENCY MANAGEMENT

- 7.1 Employ or designate an employee to the role of an *Occupational Health and Safety (OHS)/Environmental Officer* who would be responsible for the implementation and coordination of all safety requirements and terms and conditions stipulated in this Permit, as well as compliance monitoring with the preparation of all required reports to the EPA.
- 7.2 Ensure that the working environment is monitored, at all times, for occupational hazards relevant to the specific activity being conducted.
- 7.3 Prepare and implement an Emergency Response Plan/Evacuation Plan and ensure that it is posted at strategic locations.

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- 7.4 Ensure all employees are aware of the Emergency Response Plan, and their respective duties and responsibilities.

8.0 COMPLIANCE MONITORING AND REPORTING

- 8.1 Strictly comply with any lawful directions given by the Agency from time-to-time in furtherance of the implementation of any obligations of Guyana under any treaty or international law relating to the environmental protection of Guyana.
- 8.2 Monitor the implementation of the conditions of this Construction Permit, insofar as they involve adherence by employees and all third parties under your direction.
- 8.3 Report to the Agency any non-compliance(s) with this Construction Permit.
- 8.3.1 Within **twenty-four (24) hours** of the time the Holder of this Construction Permit becomes aware of the non-compliance, with the anticipated manner in which it may endanger human health or the environment.
- 8.3.2 Within **seventy-two (72) hours**, submit to the Agency a written report containing a description of the non-compliance, its cause(s) and the period of non-compliance including exact dates and time.
- 8.4 Submit a report to the Agency indicating the reasons and the anticipated time it is expected to continue if the non-compliance(s) has/have not been corrected.
- 8.5 Submit an **Annual Report** to the EPA at the end of the construction year (March ~ February) on your compliance with this Permit.
- 8.6 Notify the EPA within **twenty-four (24) hours** of the occurrence of any environmental emergencies such as a sudden onset of disaster, accident, natural, technological or human-induced factors that cause or threaten to cause severe environmental damage as well as harm to human health or livelihood.
- 8.7 Inform the Agency prior to or within **thirty (30) days** of any change of name or ownership of the project.

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9.0 INSTITUTIONAL AUTHORITY/LIABILITIES

- 9.1 The Permit Holder shall be strictly liable for any loss or damage to the environment through any act caused intentionally or recklessly, through the adverse effect of any discharge or release, or cause or permit the entry of pollution, contaminant(s) in any amount, concentration or level in excess of that prescribed by the regulations or stipulated by this Construction Permit, which are attributed to the Project, pursuant to **s. 39** and **s. 19 (1) and (2)** of the **Environmental Protection Act, Cap. 20:05, Laws of Guyana**.
- 9.2 The Permit holder shall be guilty of an offence in accordance with s. 39 (1), (2), (3) and (4) of the **Environmental Protection Act, Cap. 20:05, Laws of Guyana**, which attribute liability for causing material or serious environmental harm by polluting the environment intentionally or recklessly and with the knowledge that material and/or serious environmental harm will or might result. If found guilty of an offence, the Permit Holder shall be liable to the penalties prescribed under the said Act.
- 9.3 The Permit Holder shall compensate any Party who suffers any loss or damage as a result of the attributed Project (See: **s. 19 (3)(e)** of the **Environmental Protection Act, Cap. 20:05, Laws of Guyana**.)
- 9.4 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**.
- 9.5 The Permit Holder shall be liable for 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.
- 9.6 Should the Permit Holder contravene or is likely to contravene any condition of this Permit, the Agency (EPA) may serve on him an enforcement notice in accordance with **s. 26** of the **Environmental Protection Act, Cap. 20:05, Laws of Guyana**.
- 9.7 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 order him to immediately cease the offending activity, in accordance with **s. 27** of the **Environmental Protection Act, Cap. 20:05, Laws of Guyana**.

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- 9.8 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 (Amendment) Act, 2005**, and **Environmental Protection (Authorisations) Regulations, 2000**.
- 9.9 The 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.
- 9.10 The Agency shall have the right to cancel or suspend this Construction Permit for breach of any of the terms and conditions contained herein.
- 9.11 The Permit Holder is obligated to ensure that the project activities are permitted by **all other relevant authorities**.
- 9.12 This **Construction Permit** is effective for the period stipulated herein, **September 2021 to August 2025**.
- 9.13 This Construction Permit shall remain valid until **August 31, 2025**, unless otherwise suspended, cancelled, modified or varied, 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.
- 9.14 This Construction Permit may be renewed by submitting "an Application for Renewal of Environmental Authorisation to the Agency at least six (6) months before this Permit expires, that is, no later than **August 31, 2025**."
- 9.15 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 fees, 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.
- 9.16 Failure to comply with the requirements of this Construction Permit shall render the Permit Holder liable to prosecution and to penalties prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the

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Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000, including civil penalties and injunctive relief.

Signed by
Agency.



Kemraj Parsram
Executive Director

on behalf of the Environmental Protection

Date

24-9-2021

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

NAME:	VLADIM ROMELLO PERANI
SIGNATURE:	
DESIGNATION:	PERMANENT SECRETARY
DATE:	30-9-2021

