



**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.:	20200825-PSCCP
Fees:	Extra Large (XL) – US\$3,100 per year
Fees Paid:	US\$3,100: One (1) Year ( April, 2021 to March, 2022)

Addressee(s): Mr. Robert Badal,  
Chief Executive Officer  
Pegasus Hotel of Guyana Limited  
Seawall Road  
Kingston  
Georgetown.



Activity: To undertake construction of Pegasus Suites and Corporate Centre

Pegasus Hotel of Guyana Limited, hereinafter referred to as the "Permit Holder", is hereby authorised in accordance with the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, to undertake the construction of Pegasus Suites and Corporate Centre, located at Lot A & B Seawall Road, Kingston, Georgetown, hereinafter referred to as the "Project", in a manner indicated in the Application submitted on August 25, 2020, subject to the terms and conditions set forth herein under the Environmental Protection Act Cap. 20:05, existing and/or forth coming regulations made under the said Act, and/or any other applicable regulations, 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/or Sub-Contractors:**

**1.0 INFRASTRUCTURE**

- 1.1 Notify the Agency in writing of any proposed changes in the construction of the Pegasus Suites and Corporate Centre 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 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 see **Regulation 20** of the **Environmental Protection (Authorisations) Regulations 2000**.

- 1.2 The Permit Holder shall submit an addendum to the Environmental Management Plan (EMP) addressing the Agency's comments in the letter dated November 31, 2019, **within three (3) months** from the date of issuance of this Construction Permit.
- 1.3 Submit within three (3) weeks of issuance of the Construction Permit approval by the Guyana Fire Service for Pegasus Suites and Corporate Centre.
- 1.4 Ensure that adequate fire protection measures are provided during the construction phase in accordance with the requirements of the Guyana Fire Service.
- 1.5 Ensure that construction activities are carried out in such a manner that will result in minimal impact on public health and the environment.
- 1.6 There should be no construction works between 22:00 hrs and 06:00 hrs on any day unless approval is sought and granted from the Agency prior. This requirement does not apply for large concrete pours where work in the early morning and late evening is required.
- 1.7 Ensure that trucks are equipped with the necessary reflecting signage to warn the public of impending danger of parked/moving trucks with construction materials on the public thoroughfare.
- 1.8 Ensure that adequate provisions are in place for ingress to and egress from the site.
- 1.9 Minimise any road traffic hazards or unnecessary inconveniences to the general public through appropriate planning and management of the construction site.

- 1.10 Utilise the land in accordance with the plan submitted to the Agency. All specifications of location, pathways, reserve and boundary lines must be adhered to, unless otherwise authorised.
- 1.11 Take all practicable precautions to avoid erosion, siltation and sedimentation of existing water bodies/drains within the vicinity of the project site during the construction phase of the office.
- 1.12 Ensure that all excavated materials are handled in such a way to not negatively impact habitats or pose a significant hazard to human health and the environment.
- 1.13 Remove all construction tools, equipment, machinery, and waste material from site on the completion of construction works.

## **2.0 HEALTH AND SAFETY MANAGEMENT**

- 2.1 Adhere to the requirements of the Occupational Health and Safety Act, No. 32 of 1997, to ensure that employees' health and safety are protected.
- 2.2 Provide employees with the necessary protective equipment to fit their job specification such as: high-visibility vests, respirators, hard hats, gloves, and appropriate footwear and ensure appropriate utilisation of these gears. Prepare and maintain an employee log of distribution of Personal Protective Equipment, which shall remain readily available to the EPA upon request.
- 2.3 Provide first aid kit(s) at the work site and ensure that communication and transportation systems are in place to respond to emergencies.
- 2.4 Ensure all employees/third party contractors are aware of the conditions of the Permit and provide training on good environmental management practices.
- 2.5 Prepare and maintain a training file for employees which should be available upon Officers' request during compliance inspections. Training Programmes should include, but not be limited to:
  - i. Training on the use of the fire extinguisher and first response firefighting protocols.
  - ii. Training to handle corrosive agents such as liquid or gaseous chlorine, concentrated acids or alkalis, etc.
  - iii. Steps necessary to minimise emissions into the environment.
  - iv. Actions to take when there are abnormal conditions or accidents that could, if not be controlled result in emissions.



### **3.0 FUEL AND WASTE MANAGEMENT**

3.1 Adhere to the provisions of **the Environmental Protection (Hazardous Waste Management) Regulations, 2000.**

3.2 Prepare and submit to the Agency no later than **forty-five (45) days** after the end of the operating year, a report relating to the activities for the previous year. The report shall include:

- the name, location and type of facility;
- types and quantities (in metric units) of hazardous waste generated;
- manner of storage, use, any applied treatment standards/methods and disposal of these substances;
- 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;
- 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.

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

3.3 Designate an area for the storage of the following:

- Fuel;
- First Aid Kit(s); and
- Washing detergents and Sanitizers (J's Fluid, Pine Sol, etc.) for the facility.

3.4 Limit access to hazardous waste storage areas to employees who are authorised and have received proper training.

3.5 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).

3.6 Treat and contain spills of even minor in nature with absorbent materials.



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- 3.7 Store all fuel away from ignition sources and have 'No Smoking' signs posted where fuel is handled or stored.
- 3.8 Construct and maintain an impervious secondary containment bund that must have at least 110% containment capacity around all fuel storage tanks, creating a temporary holding area in the event of spillage.
- 3.9 In the event that waste oil (recovered from the oil-water separator or from servicing of generators) is stored, it should be stored in a covered, bunded area to minimise adverse impacts to the environment in the event of spillage.
- 3.10 Treat and contain spills of even a minor nature with absorbent materials.
- 3.11 Ensure that oil/fuel containment absorbent materials are appropriately stored in a concrete-based structure and away from water ways and disposed by double wrapping in heavy duty garbage bags and disposed of at an approved solid waste disposal site.
- 3.12 Hazardous contaminated absorbent pads can be disposed of at an incineration operation approved by the EPA.
- 3.13 All waste oil shall be disposed of in accordance with the Environmental Guidelines, 2011 for the 'Removal, Treatment and Disposal of Oily Sludge' or reuse waste oil as lubricant for other equipment/machinery.
- 3.14 Limit access to hazardous waste storage areas to employees who are authorised and have received proper training.
- 3.15 Adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations, 2013**.
- 3.16 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 waterways.
- 3.17 Domestic waste should be placed in covered receptacles and disposed by a competent Disposal Company.
- 3.18 Promote proper solid waste management practices in the construction phase. Provide covered garbage receptacles at strategic locations, both within and outside the construction site and ensure that all solid waste materials are appropriately stored until such time of disposal at the Haags Bosch Landfill Site. Adequately reuse, recycle and compost waste materials when practical.
- 3.19 Promote waste minimisation and the reuse of waste materials and other suitable materials where practical.

- 3.20 Identify designated areas for stockpiling of construction waste and clearly mark them with signage. Do not allow construction waste heaps to exceed 2 meters in height.
- 3.21 Construct and maintain a septic tank on site. The septic tank should not be located within 1.5 metres of a building or property boundary and should be accessible for cleaning and de-sludging. Any modification to the septic tank must be in accordance with the Guyana National Bureau of Standards (GNBS) Code of Practice for the Design and Construction of Septic Tanks and Associated Secondary Treatment and Disposal Systems.
- 3.22 Ensure that well-maintained sanitary facilities are provided for employees on site.
- 3.23 At all times utilise the best practicable means of handling, storing and disposing of all waste materials.
- 3.24 Maintain good house-keeping, sanitary and hygienic practices and the aesthetic quality of the surroundings at all times.

#### **4.0 WATER QUALITY MANAGEMENT**

- 4.1 Adhere to the provisions of the **Environmental Protection (Water Quality) Regulations, 2000.**
- 4.2 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:
  - 4.2.1 Temperature < 40 °C;
  - 4.2.2 Biological Oxygen Demand (BOD) < 50 mg/L;
  - 4.2.3 Chemical Oxygen Demand (COD) < 250 mg/L;
  - 4.2.4 Total Suspended Solid (TSS) < 100 mg/L;
  - 4.2.5 Oil and Grease < 20 mg/L; and
  - 4.2.6 Total Dissolved Solid (TDS) < 40 mg/L.
  - 4.2.7 pH 5.0-9.0;
  - 4.2.8 Chloride < 0.2 mg/L

**Monitor the parameters above on a biannual basis (once in wet season and once in dry season) and submit the results to the Agency.** The Agency also reserves the right to request independent analysis from a certified laboratory approved by the EPA.

- 4.3 Sample points should include the final discharge point(s) from the facility, as well as an upstream and downstream sample from the receiving body of water.





- 4.4 Take all necessary precautions to prevent pollution and sedimentation of surrounding waterways during construction.
- 4.5 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products that might be used at the construction site. Ensure to store all oils, fuel, paints and chemicals in a designated area, at least 100 meters away from the closest waterway.
- 4.6 Adequately store and/or cover temporary stockpiles of construction materials, excavated waste and fuel in a secured designated area to prevent accidental release into any nearby waterway, especially in rainy conditions. The designated area should not be placed within 10 m of any water body.
- 4.7 Promote water conservation by implementing measures that will restrict wastage and encourage recycling or re-use of wastewater emanating from project activities.
- 4.8 Construct and maintain drainage systems capable of handling the probable maximum precipitation storm event.
- 4.9 Ensure that all the drainage is kept flowing and free of construction materials and vegetation. Regular cleaning of the drainage network and the immediate environment must be maintained.
- 4.10 Conduct equipment refueling and maintenance on an impervious base to prevent fuel spills/leaks. Oil spills should be cleaned-up by the best practicable means, to prevent runoff into the waterways.
- 4.11 Do not discharge or dump solid waste and/or effluent directly into receiving waters without prior treatment. Install and maintain an oil-water separator(s) at the final discharge point of drains through which all effluent must pass before final discharge.
- 4.12 Disposal of excavated materials into surrounding drains is strictly prohibited.

## **5.0 AIR QUALITY AND NOISE MANAGEMENT**

- 5.1 Adhere to the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management), Regulations, 2000**.
- 5.2 Comply with the Guyana National Bureau of Standards (GNBS) Guidelines for noise emission into the environment, by not exceeding the limits below at a distance of 15 m (50 ft) from the source or property boundary, whichever is closer.

**Commercial Limits**    **80 dB** during the day-time (06:00 h - 18:00 h)  
                                  **65 dB** during the night-time (18:00 h - 06:00 h)



- 5.3 Ensure that all sound-making devices, such as generators, are housed in enclosures constructed with materials of good insulation properties (e.g. hollow concrete blocks, insulation boards, solid clay bricks, etc.), equipped with silencers/mufflers to reduce the noise level; and placed on foundations properly designed to ensure effective damping of vibrations. Adequate equipment maintenance must be done and any obsolete tools and equipment replaced.
- 5.4 Ensure that the exhaust stack of the generator is of an appropriate height, preferably at least two (2) metres above the tallest building nearby, to minimize adverse fumes/soot impacts to the contiguous areas.
- 5.5 Operate and service all mechanical equipment in accordance with manufacturer's specifications at all times. Additionally, ensure that mechanical equipment and vehicles are regularly maintained and work at their optimal levels to minimise atmospheric emissions.
- 5.6 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.
- 5.7 Ensure that appropriate measures are in place to minimise the impacts of airborne emissions from vehicles offloading and/or loading building materials.
- 5.8 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.
- 5.9 Plan construction activities so that a minimum amount of soil is disturbed and becomes air borne.
- 5.10 Ensure stockpiles of construction materials are stored downwind to avoid being transported by wind to sensitive areas (residences, schools etc.). Loading and offloading activities should, as far as possible, also be confined to this location.
- 5.11 Ensure that appropriate measures are in place to minimise the impacts of air borne emissions from vehicles offloading and/or loading building materials.
- 5.12 Comply with the *World Health Organisation (WHO) Air Quality Guidelines for Particulate Matter in the Environment*, not exceeding the limits below:

**PM<sub>2.5</sub>:** 10 µg/m<sup>3</sup> annual mean  
25 µg/m<sup>3</sup> 24-hour mean

**PM<sub>10</sub>:** 20 µg/m<sup>3</sup> annual mean  
50 µg/m<sup>3</sup> 24-hour mean



5.13 Comply with the *World Health Organisation (WHO) Air Quality Guidelines for Air pollutants in the Environment*, not exceeding the limits below, and not limited to the list of pollutants:

- CO – 9 ppm (8h)
- NO<sub>2</sub> – 0.1 ppm
- VOC – 100 ppm

5.14 Conduct Air Quality Monitoring for the parameters listed in conditions 5.12 and 5.13 annually. The proposed sample points should be submitted to the EPA for approval prior to monitoring and a monitoring report should be submitted to the Agency as part submission of the required Annual Report.

5.15 Monitor emissions to the air and respond to emergencies in a timely manner.

5.16 Implement measures as far as practical to reduce the emission of greenhouse gases (carbon dioxide, methane, nitrous oxide) into the environment.

5.17 Minimise the level of dust pollution during the construction phase, especially in dry conditions by covering sand piles or applying wet suppression methods or other appropriate measures.

5.18 Implement good housekeeping practices to avoid or minimise the accumulation of dusty materials that have the potential to become airborne and odours which may be a nuisance to surrounding residents.

5.19 Ensure that engine idling during on- and off-loading activities is minimum during construction.

5.20 In the event that materials have to be transported to the construction site, ensure that all trucks used to transport construction materials to the site are covered.

## **6.0 EMERGENCY MANAGEMENT**

6.1 Ensure the Fire Safety Certificate is renewed annually and all firefighting equipment are maintained and serviced regularly. Fire Safety Certificate should be submitted to Officers upon request during compliance inspection and in the Annual Report.

6.2 Ensure all employees are trained in the use of firefighting equipment, such as, fire extinguishers and understand the firefighting protocol.

6.3 Ensure an updated Evacuation Plan is maintained and posted at strategic locations.

6.4 Ensure all employees are aware of the Environmental Management Plan (EMP) that was approved by the Agency, and their duties and responsibilities according to these plans.

- 6.5 Ensure at all times the working environment is monitored for occupational hazards relevant to the specific construction activities of the facility.

**7.0 COMPLIANCE MONITORING AND REPORTING**

- 7.1 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.
- 7.2 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.
- 7.3 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).
- 7.4 Report to the Agency any non-compliance(s) with the Construction Permit as follows:
- I. Within **twenty-four (24) hours** of the time the Holder of the Construction Permit becomes aware of the non-compliance, 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, 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.
- 7.5 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by your employees and all third parties under your direction.
- 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** of each year.
- 7.7 Inform the Agency prior to or within thirty (30) days of any change of name or ownership of the project.
- 7.8 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.

## **8.0 INSTITUTIONAL AUTHORITY/LIABILITIES**

- 8.1 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 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.
- 8.2 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.
- 8.3 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.)
- 8.4 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.
- 8.5 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.
- 8.6 The 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 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 on 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 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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- 8.9 The EPA 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.
- 8.10 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 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.
- 8.11 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.12 This Construction Permit is effective for the period stipulated herein, **April, 2021 to March, 2022**.
- 8.13 This **Construction Permit** shall remain valid until **March 31, 2022**, 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.
- 8.14 Failure to comply with the requirements of this **Construction Permit** shall render the Permit Holder liable to prosecution and to civil penalties and/or injunctive reliefs prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, including under any existing and forthcoming regulations made under the said Act or any other applicable Laws of Guyana.

Signed by  
Agency.

  
**Ms. Sharifah Razack**  
**Executive Director (A.g)**

on behalf of the Environmental Protection

Date

2021.04.07

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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:	Jyone Singh
DESIGNATION:	Front Desk Agent - (Regasus Hotel)
DATE:	9-04-21
SIGNATURE:	J. Singh

