



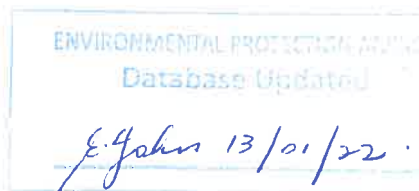
**Environmental  
Protection  
Agency**

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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.:	20210702-SBSWI
Fee:	Medium (C2) - US\$800 per year
Fees Paid:	US\$1,600 for Two (2) years (December, 2021 to November, 2023)
Addressee(s):	Mr Shivanand Brijbhukan, Proprietor SK Autoline Lot 39-40, Public Road, Friendship East Bank Demerara.
Activity:	Construction of a Wharf



Mr Shivanand Brijbhukan, 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, for the construction of a Wharf, located at Plot 'C' and 'H' being part of Lot 39 and 40, Friendship, East Bank Demerara, hereinafter referred to as the "Project", in a manner indicated in the Application dated July 02, 2021, 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 applicable laws, best practices, guidelines and standards relevant to this project.

The Permit Holder, His Servants, Agents, and/or Sub-Contractors shall comply with the following Terms and Conditions for Construction:

### 1.0 INFRASTRUCTURE

- 1.1 Make an application to the Agency to vary this Environmental Permit in instances where it becomes necessary to:
  - i. change the construction, operation, structure, or layout of the facility and all associated buildings;
  - ii. change equipment, machine, apparatus, mechanism, system or technology serving the facility;
  - iii. change the position and design of any outlet at the point or points of discharge of effluents; or

- iv. effect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 Utilise the land in accordance with the plan submitted to the Agency. All specifications of location, pathways, reserve and boundary lines shall be adhered to, unless otherwise authorised; evidence of which shall be provided to the Agency.
- 1.3 Construction works shall not occur between 22:00 hrs and 06:00 hrs on any day.
- 1.4 Implement method(s) that shall prevent erosion, siltation and sedimentation of the Demerara River in the vicinity of the project.
- 1.5 All construction activities at the project site shall be conducted in accordance with MARAD and the Sea and River Defence and Drainage & Irrigation Laws of Guyana.
- 1.6 Implement all necessary measures to reduce the release of contaminants from re-suspension of sediments in the water column and from exposure of sediments to higher oxygen levels.
- 1.7 Construction dredging shall only be conducted for this new infrastructure component (Wharf) to create or maintain safe navigation access and for construction activities. Should dredging be required for a new channel leading to the wharf, an Application for Environmental Authorisation must be submitted to the EPA.
- 1.8 Methods for excavation and dredging shall be selected to minimise the suspension of sediments and destruction of benthic habitat.
- 1.9 Ensure adequate treatment and proper final disposal of dredged materials.
- 1.10 Disposal of excavated and dredged materials into the Demerara River is **strictly prohibited**.
- 1.11 Employees shall at all times be equipped with appropriate protective gear during construction such as protective headgear, construction boots, safety vests, respirators, etc. and as applicable for operation of the facility.
- 1.12 Identify suitable areas for material stockpile and equipment during construction.
- 1.13 Avoid any road traffic hazards or unnecessary inconveniences to the general public through appropriate planning and management of the construction site.
- 1.14 All trucks/barges used to transport construction materials to the site shall be covered, as applicable; in the event that materials have to be transported to the construction site,

## **2.0 WATER AND SOIL QUALITY MANAGEMENT**

- 2.1 Adhere to the provisions of the **Environmental Protection (Water Quality) Regulations, 2000.**
- 2.2 Protect susceptible sloped surfaces with suitable revetment and appropriate cover to ensure stability of slopes and avoid erosion.
- 2.3 Maintain the integrity of the existing waterways at all times. Discharges into the environment shall be in accordance with the Guyana National Bureau of Standards (GNBS) *Interim Guidelines for Industrial Effluent Discharge into the Environment*. The following are the allowable limits for this type of project and shall not be exceeded:
- pH 5.0-9.0;
  - Temperature < 40 °C;
  - Biological Oxygen Demand (BOD) < 50 mg/L;
  - Chemical Oxygen Demand (COD) < 250 mg/L;
  - Total Suspended Solid (TSS) < 100 mg/L;
  - Oil and Grease < 20 mg/L; and
  - Total Dissolved Solid (TDS) < 40 mg/L.

A water quality monitoring plan including but not limited to sampling point/s displayed on a map and frequency of sampling shall be submitted to the EPA for approval.

Monitoring of the parameters above shall be conducted at the approved sampling point/s and the results analysed at a GNBS certified laboratory or trained personnel using calibrated equipment. Analyses shall be submitted to the Agency as part of the Annual Report.

- 2.4 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 Demerara River.
- 2.5 The riverbank shall be cleared of debris on a regular basis to promote free flow of water.
- 2.6 Conduct refueling, maintenance and placement of equipment on an impervious base to prevent any fuel spills/leaks from contaminating the soil and surface/ground water. Oil spills should be cleaned-up by the best practicable means, to prevent any runoff into the Demerara River or surrounding drains.
- 2.7 Adequately store and/or cover temporary stockpiles of construction materials, excavated waste and fuel in a secured designated area to prevent accidental release into the Demerara River, especially in rainy conditions. The designated area should



not be placed within 10 m of the Demerara River or other water bodies.

- 2.8 Ensure the construction of the Wharf and dredging is done to coincide with low flow periods of the Demerara River.
- 2.9 Establish a well-maintained septic tank system on site. Septic tanks shall not be located within 1.5 m of any building or property boundary and shall be accessible for cleaning and de-sludging. Septic tanks shall be installed and fitted with a sand and charcoal filter bed or an acceptable treatment design technology in accordance with the Guyana National Bureau of Standards Code of Practice for Design and Construction of Septic Tanks and Associated Secondary Treatment and Disposal Systems.

### **3.0 NOISE ABATEMENT AND AIR QUALITY MANAGEMENT**

- 3.1 Comply with the **Environmental Protection (Air Quality) Regulations, 2000 and the Environmental Protection (Noise Management) Regulations 2000.**
- 3.2 Comply 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)
- 3.3 Enclose all sound-making devices, such as generators, in structures constructed with materials of good insulation properties (e.g. hollow concrete blocks, insulation boards, solid clay bricks, etc.), equip with silencers/mufflers to reduce the noise level; and placed on foundations properly designed to ensure effective damping of vibrations.
- 3.4 Ensure that the exhaust stack of each generator is at least 2 metres above the tallest building nearby, to minimise adverse fumes/soot impacts to the contiguous areas.
- 3.5 Employ dust suppression methods such as wetting, erecting dust screens/fences to control dust emissions from material stockpiles and other components of the development that would generate dust.
- 3.6 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

3.7 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

3.10 Conduct Air Quality Monitoring for the parameters listed in subsections 3.6 and 3.7 during construction and should be submitted to the Agency as part submission of the required Annual Report.

#### **4.0 HAZARDOUS WASTE MATERIAL / WASTE MANAGEMENT**

4.1 Comply with the **Environmental Protection (Litter Enforcement) Regulations, 2013** and the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**.

4.2 At all times utilise the best practicable means of handling, storing and disposing of all waste materials.

4.3 Promote proper solid waste management and disposal practices at the facility.

- Place covered garbage receptacles at strategic locations around the project site.
- Reuse waste material where practical as land-filling material for the revetment of the general compound surroundings.
- Burning waste materials is strictly prohibited. Waste materials that cannot be reused during operation shall be taken for disposal at an approved disposal facility.

4.4 In particular, dispose of waste at the nearest designated waste management site or contract a Disposal Service that services the area to dispose of waste at a legal designated site. This shall be done in an aesthetic and controlled manner.

4.5 The Demerara Foreshore should not be littered with any form of wood, concrete, paper, plastic, glass and metallic waste or any form of waste that will affect humans, flora and fauna and related biodiversity.

4.6 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.
- 4.7 Maintain an impervious secondary containment bund which shall have at least 110% containment capacity around all fuel storage tanks, creating a temporary holding area in the event of spillage.
- 4.8 Domestic waste should be placed in covered receptacles and disposed by a competent disposal company.
- 4.9 Well-maintained sanitary facilities shall be provided for employees.
- 4.10 Dumping of waste (Domestic and Construction) into the Demerara River is **strictly prohibited**. Waste, inclusive of waste oil and/or fuel, should not be stored within 100 meters of the river.
- 4.11 Ensure that there is provision of adequate means of receiving and managing effluents and wastes to meet the needs of the Wharf and visiting ships that will use the wharf's facilities.
- 5.0 EMERGENCY MANAGEMENT**
- 5.1 Maintain approval from the Guyana Fire Service and provide fire protection measures such as fire extinguishers and sand buckets in accordance with this approval.
- 5.2 Ensure the Fire Safety Certificate is renewed annually and all firefighting equipment are maintained and serviced regularly. Updated Fire Safety Certificate should be submitted to officers upon request during compliance inspection and in the Annual Report (subsection 6.4).
- 5.3 Ensure all employees are trained in the use of firefighting equipment, such as, fire extinguishers and understand the firefighting protocol.
- 5.4 Ensure an updated Evacuation Plan is maintained and posted at strategic locations.
- 5.5 Ensure all employees are aware of the Emergency Response Plan when it is prepared and submitted to the Agency and their duties and responsibilities according to these plans.
- 5.6 Ensure at all times the working environment is monitored for occupational hazards relevant to the specific construction activities of the Wharf.

## **6.0 COMPLIANCE MONITORING AND REPORTING**

- 6.1 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.
- 6.2 Monitor the implementation of the conditions of this Environmental Permit, insofar as they involve adherence by employees and all third parties under your direction.
- 6.3 Report to the Agency any non-compliance(s) with this **Environmental Permit**:
- 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.
- 6.4 Submit an **Annual Report** to the EPA on your compliance with this Environmental Permit on or before **March 31**, each year.
- 6.5 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.
- 6.6 Inform the Agency prior to or within **thirty (30) days** of any change of name or ownership of the operation.
- 6.7 Notify the Agency within **twenty-one (21) days** in event of death, bankruptcy, liquidation or receivership of the Permit Holder or if the Company becomes a party to an amalgamation.

## **7.0 INSTITUTIONAL AUTHORITY/LIABILITIES**

- 7.1 The Permit Holder shall be liable for any material environmental harm caused by polluting the environment, pursuant to s. 39 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.

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(Authorisations) Regulations, 2000.

- 7.2 The Permit Holder shall be liable for any serious environmental harm caused by polluting the environment, pursuant to s. 39 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.3 The Permit Holder shall be liable for any activity that causes or is likely to cause pollution of the environment unless all reasonable and practicable measures are taken to prevent or minimize any resulting adverse effect, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.4 The Permit Holder shall be liable for discharging, causing or permitting the entry into the environment, of any contaminant in any amount, concentration or level excess of that prescribed by the regulations or stipulated by this Environmental Permit, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 7.3 and 7.4 of this Environmental Permit, pursuant to s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.6 The Permit Holder shall not be indemnified by the Agency for any activity that causes or is likely to cause pollution to the environment, resulting from adverse effects through the discharge, any contaminant in any amount, concentration, ultra hazardous substances, chemicals or otherwise, and shall be rendered liable to prosecution and to penalties prescribed under the Environmental Protection Act and Regulations.
- 7.7 The Permit Holder shall be liable of any gross negligence or willful misconduct caused by the Permit Holder, his Servants and/or Agents, to the environment, biodiversity, protected species and natural habitat with respect to any release, discharge, or spill, of contaminant fluids, oil or lubricants.
- 7.8 Should the Permit Holder contravene or be likely to contravene any condition of this Permit, the Agency (EPA) may serve on him an Enforcement Notice in accordance with Section 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.9 Where it appears to the Agency that the Permit Holder is engaged in any activity that may pose a serious threat to natural resources or the environment, or a risk of serious pollution of the environment or any damage to public health, the EPA may issue to the Permit Holder a Prohibition Notice, which may order him to immediately cease the offending activity, in accordance with Section 27 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 7.10 The EPA reserves the right to conduct regular inspections of the Permit Holder's activities as part of its monitoring and enforcement requirements under the Environmental Protection Act, Cap 20:05, the Environmental Protection



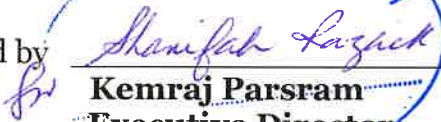

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- 7.11 The Permit Holder, His Servants and/or Agents shall at all times, allow entry to the permitted facility to any Officer designated by the EPA for the purposes of conducting inspections or any other legitimate business of the Agency. Pursuant to Section 38 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana, it is an offence to assault, obstruct or hinder an authorised person in the execution of his/her duty under the said Act or its Regulations and the Permit Holder shall be liable to penalties prescribed under paragraph (c) of the Fifth Schedule for doing so.
- 7.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 7.13 **This Environmental Permit is not the final consent; all relevant Permissions should be obtained from other regulatory bodies for continued operation.**
- 7.14 This Environmental Permit is effective for the period stipulated herein, **December, 2021 to November, 2023.**
- 7.15 This **Environmental Permit** shall remain valid until **November 30, 2023**, 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.
- 7.16 This Permit shall 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 **May 31, 2021.**
- 7.17 Any late submission of renewal application (s) after the specified date as stated above, shall require the Permit Holder to pay, in addition to renewal fee, a late penalty fee (accruing at the time such obligation was first owed for renewal) at a rate of **two thousand dollars (GY\$2000.00) per 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.
- 7.18 Failure to comply with the requirements of this Permit or with applicable laws and regulations, whether existing or forthcoming, shall render the Permit Holder liable to prosecution and to penalties, inclusive of civil penalties, injunctive relief and imprisonment, as prescribed under the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection Regulations and other applicable Laws of Guyana.

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

Date 2021.12.14

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 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:	SHIVANAND BRIJBUKAN.
SIGNATURE:	Shivanand Brijukan.
DESIGNATION:	DIRECTOR.
DATE:	21/12/2021.

