



**Environmental  
Protection  
Agency**

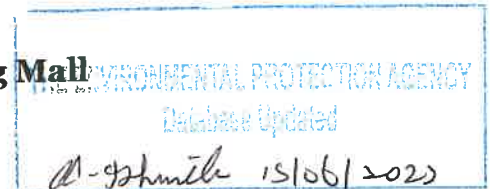
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## **Environmental Permit (Renewed)**

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.:	20170203-JWGHS
Fee:	Medium (C1) - US\$ 500 per year
Fees Paid:	US\$ 2,500 for five (5) years – May, 2022 to April, 2027

**Addressee:** Mr. Jun Wang  
Director  
Orchid Garden Hotel and Shopping Mall  
32, Robb Street, Lacytown  
Georgetown



### **Activity: Construction and Operation of a Hotel and Shopping Mall**

Orchid Garden Hotel and Shopping Mall 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 and operate a Hotel and Shopping Mall located at Tract 'J' Mandela Avenue, Durban Backlands, Georgetown, Region 4, hereinafter referred to as "the Project", in the manner indicated in the Application for Renewal submitted on February 18, 2022, 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 of Guyana, best practices, guidelines and standards relevant to this project.

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

**1.0 GENERAL**

- 1.1 Make an application to the Agency to vary this Environmental Permit (Renewed) 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. Affect any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2 Utilize 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 authorized.
- 1.3 Adhere to the requirements of the **Occupational Health and Safety Act, Cap. 99:10, Laws of Guyana.**
- 1.4 Employ or designate an employee to the role of an Occupational Health and Safety (OHS)/Environmental Officer to 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.
- 1.5 Provide a well-equipped first aid kit at the work site and ensure that communication and transportation systems are in place to respond to emergencies.
- 1.6 Make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices.
- 1.7 Obtain and maintain approval from the Guyana Fire Service and provide fire protection measures in accordance with this approval.
- 1.8 Construction works shall not be executed between 18:00 hrs to 06:00 hrs, on any day, close to communal areas unless approval is sought from the EPA. This requirement does not apply for large concrete pours or asphalt laying and earth removal where work in the early morning and late evening is required.

## **2.0 WATER QUALITY MANAGEMENT**

2.1 Strictly comply with the provisions of the **Environmental Protection (Water Quality) Regulations 2000**.

2.2 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 should not be exceeded:

- i. Total Suspended Solid (TSS) < 50 mg/L;
- ii. Oil and Grease < 10 mg/L; and
- iii. Chloride < 0.2 mg/l

**A Water Quality Monitoring Plan shall be submitted to the EPA for approval by November 30, 2022. 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.**

2.3 Maintain drainage systems capable of handling the probable maximum precipitation event.

2.4 Not discharge waste water effluent directly into receiving waters without prior treatment. Maintain an oil/water separator on site, through which all effluent must pass before final discharge. Recovered oil must be stored and disposed of in a manner approved by the EPA.

2.5 Prepare an emergency shut down and containment procedure manual to address uncontrolled discharge due to waste water plant maintenance activities and/or plant malfunctions.

2.6 Avoid soil and water contamination from fuel, grease, waste oils and other petroleum products that might be used at the facility.

2.7 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.

2.8 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) to minimize the potential discharge of chemicals in stormwater and external waterways.

- 2.9 Do not discharge chemicals/chemical wastes down the sink(s) or directly into the drainage system. Chemical waste should be stored until final disposal using an approved method.
- 2.10 Drains and screens shall be cleared of debris on a regular basis to promote free flow of water.

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

- 3.1 Strictly comply with the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations 2000**.
- 3.2 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 shall not exceed the limits below, at a distance of 15 metres (50 ft) from the source or property boundary, whichever is closer.

**During Construction: 90 dB** during the daytime (06:00 h - 18:00 h)  
**75 dB** during the night-time (18:00 h - 06:00 h)

**During Operation: 80 dB** during the daytime (06:00 h - 18:00 h)  
**65 dB** during the night-time (18:00 h - 06:00 h)

**A noise quality monitoring plan shall be submitted to the EPA for approval by November 30, 2022. Noise 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.**

- 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 these devices with silencers/mufflers to reduce the noise level and placed them on foundations adequately designed to effectively dampen vibrations.
- 3.4 Service generator and air conditioning units to ensure efficiency, and to reduce air and noise emissions into the environment. A summarised maintenance report shall be kept and provided to the Agency upon request.

- 3.5 Locate generators away from communal areas to minimise adverse fumes/soot impacts to the contiguous areas.
- 3.6 Exhaust stacks of generators shall be at least 2 metres above the tallest building.
- 3.7 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<sub>2.5</sub>**: 25 µg/m<sup>3</sup> 24-hour mean

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

**An air quality monitoring plan shall be submitted to the EPA for approval by November 30, 2022. Noise 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.**

- 3.8 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.

#### **4.0 FUEL AND HAZARDOUS/ WASTE MANAGEMENT**

- 4.1 Strictly adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations 2013** and the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**.
- 4.2 Maintain good housekeeping, sanitary and hygienic practices and the aesthetic quality of the surroundings at all times.
- 4.3 Promote proper solid waste management and disposal practices at the site, place covered garbage receptacles at strategic locations around the site.
- 4.4 Dumping of waste into the surrounding environment is **strictly prohibited**. Waste, inclusive of waste oil and/or fuel, shall not be stored within 10 meters of any waterways.
- 4.5 Hazardous waste shall be treated and/or disposed by an EPA 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 EPA as a component of the **Annual Report**.



- 4.6 Conduct refuelling, oil changes and maintenance of equipment on an impervious base.
- 4.7 Spill equipment shall be available and utilised for containing and mitigating spills from fuel, bitumen, waste oils, lubricants, curing compounds, concrete admixtures, paints etc.
- 4.8 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:
- i. "Hazardous Waste Storage Area"
  - ii. Danger - "Authorised Personnel Only"
  - iii. No eating, drinking or smoking
- 4.9 Hazardous waste shall be contained in bunded/kerbed storage areas. These areas shall adhere to the following requirements:
- i. Be situated in low traffic areas;
  - ii. No interceptor drains shall be constructed; and
  - iii. Be bunded to provide 110% containment of the largest volume of hazardous materials stored therein.
- 4.10 Hazardous waste shall be stored in containers appropriate for the waste stream; that is:
- i. Sealed Plastic Containers
    - a. Water-based waste
  - ii. Sealed Metal Containers
    - a. Solvents and petroleum-based products
    - b. Oil and oily absorbents
- 4.11 Hazardous waste/materials storage containers shall be inspected weekly for signs of leakage, deterioration or corrosion. Damaged containers must be replaced immediately. Inspection reports must be maintained and signed by the appropriately qualified inspecting Officer and his/her supervisor.
- 4.12 Construct and maintain a septic system on site; the septic tank shall not be located within 1.5 m of a building or property boundary and should be accessible for cleaning and de-sludging. Any modification to the septic tank shall 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.

## **5.0 COMPLIANCE MONITORING AND REPORTING**

- 5.1 Strictly comply with any lawful directions given by the Agency from time-to-time in furtherance of the implementation of any international or other obligation for the environmental protection of Guyana.
- 5.2 Monitor the implementation of the conditions of this Environmental Permit (Renewed), insofar as they involve adherence by employees and all third parties under your direction.
- 5.3 Report to the Agency any non-compliance(s) with this Environmental Permit (Renewed).
- i. Within **twenty-four (24) hours** of the time the Holder of this Environmental Permit (Renewed) becomes aware of the non-compliance, with the anticipated manner in which it may endanger human health or the environment may be impacted.
  - ii. Within **seventy-two (72) hours** of the time the Holder of the Environmental Permit (Renewed) 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.
- 5.4 Notify the EPA within **twenty-four (24) hours** of the occurrence of any environmental emergencies (e.g., oil spills, hazardous materials/wastes spill, 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).
- 5.5 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.
- 5.6 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.

- 5.7 Submit a consolidated **Annual Report** for the reporting period 2017 to 2021, to the EPA on your compliance with this Environmental Permit (Renewed) on or before **March 31, each year.**
- 5.8 Submit **Annual Report** to the EPA on your compliance with this Environmental Permit (Renewed) on or before **March 31, each year.**
- 5.9 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.
- 5.10 It is the responsibility of the Permit Holder to ensure that the permitted activity and premises are secured and that all practicable steps necessary to prevent fires, explosions, leaks or suspected leaks and spills at the permitted premises are taken.
- 6.0 INSTITUTIONAL AUTHORITY/LIABILITIES**
- 6.1 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.**
- 6.2 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.**
- 6.3 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.**
- 6.4 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.**
- 6.5 The Permit Holder shall be liable to compensate any person who suffers any loss or damage as a result of contravening conditions 6.3 and 6.4 of this Environmental Permit, pursuant to **s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.**



- 6.6 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.
- 6.7 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.
- 6.8 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**.
- 6.9 Where it appears to the Agency that the Permit Holder is engaged in any activity that may pose a serious threat to natural resources or 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**.
- 6.10 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 (Amendment) Act, 2005**, and **Environmental Protection (Authorisations) Regulations, 2000**.
- 6.11 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.
- 6.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.

**Environmental Permit (Renewed) - Ref. No.: 20170203-JWGHS**  
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.

- 6.13 **This Environmental Permit (Renewed) is not the final consent; all relevant permissions shall be obtained from other Regulatory Bodies for the operation of the facility.**
- 6.14 This Environmental Permit (Renewed) is effective for the period stipulated herein, **May, 2022 to April, 2027.**
- 6.15 This Environmental Permit (Renewed) shall remain valid until **April 30, 2027**, 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.**
- 6.16 This Environmental 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 **October 31, 2026.**
- 6.17 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.
- 6.18 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.

Signed by  on behalf of the Environmental Protection Agency.


**Kemraj Parsram**  
Executive Director

Date 2022.05.19

**Environmental Permit (Renewed) - Ref. No.: 20170203-JWGHS**

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.

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, 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:	CHARLES WALLERSON
SIGNATURE:	
DESIGNATION:	MANAGER
DATE:	3 / JUNE, 2022



