



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.:	20200924-DPMBJ
Fee:	Large- C2 US\$ 2000 per year
Fees Paid:	US\$10,000 Five (5) years – July 2023 to June 2028

Addressee(s): Diamond Property Management
Friendship Port Development
36 Barima Avenue Bel Air Park
Georgetown Guyana

Activity: Construction and Operation of a Wharf/Port Facility

Diamond Property Management, 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 and operation of a Wharf/Port facility, located at Block 'O' and 'N' Part of Lot 1 to 5 West Side of the Public Road, Plantation Friendship, East Bank Demerara, hereinafter referred to as the “Project”, in a manner indicated in the Application dated August 9th 2022, subject to the terms and conditions set forth herein and any existing or forthcoming regulations made under the said Environmental Protection Act and/or any applicable laws, 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 CONSTRUCTION AND OPERATION

- 1.1 Notify the Agency in writing of any proposed changes in the construction and operation of the Shore Base and Wharf or dredging plan 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 or operation**’ 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.

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Note: For more details on the application for a variance of an environmental authorisation, please see **Regulation 20** of the **Environmental Protection (Authorisations) Regulations 2000**.

- 1.2 Adhere to requirements of the **Occupational Health and Safety Act, Cap 99:10, Laws of Guyana**
- 1.3 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
- 1.4 Take all appropriate and necessary precautions to ensure, avoid and/or mitigate erosion, siltation and sedimentation of the Demerara River in the vicinity of the project site during the construction and operation of the project.
- 1.5 Ensure that employees are always equipped with appropriate protective gear during construction and operation such as protective headgear, respirators, safety vests, construction boots, etc.
- 1.6 Avoid construction works between 20:00 hrs and 06:00 hrs on any day. However, for a continuous concrete pour, prior approval must be sought from the EPA.
- 1.7 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; evidence of which must be provided to the Agency.
- 1.8 Ensure that all construction and operation activities at the project site are conducted in accordance with the Maritime; Sea and River Defence and Drainage & Irrigation Laws of Guyana.
- 1.9 In the event that materials have to be transported to the construction site, ensure that all trucks/barges used to transport construction materials to the site are covered.
- 1.10 Identify suitable areas for material stockpiles and equipment during construction and operation.
- 1.11 All plans, specifications of location, pathways, reserve and boundary lines shall be adhered to, unless otherwise authorised; evidence of which must be provided to the Agency.
- 1.12 Avoid any road traffic hazards or unnecessary inconveniences to the general public through appropriate planning and management of the construction site.

2.0 DREDGING MANAGEMENT

- 2.1 Ensure that all dredging works at the project site are conducted in accordance with MARAD and the Sea and River Defence Guideline.
- 2.2
- 2.3 Dredging management as set out below will be further informed by the EAMP approved by the Agency.
- 2.4 Dredging must only be conducted for this shore base infrastructure to create or maintain safe navigation access, channels, turning basins and berth/docks, or for environmental reasons.
- 2.5 Ensure that dredged material disposal is handled in such a way as to prevent negative impacts on habitats or pose a significant hazard to human health and the environment.
- 2.6 Methods for excavation and dredging must be selected to minimise the suspension of sediments and/or destruction of benthic habitat.
- 2.7 Implement all necessary measures to reduce turbidity and the release of contaminants from the re-suspension of sediments in the water column and from exposure of sediments to higher oxygen levels.
- 2.8 Monitor siltation within a 500 meters radius both upstream and downstream of the banks of the Demerara River. Qualitative and Quantitative data should be recorded and stored.

3.0 WATER AND SOIL QUALITY MANAGEMENT

- 3.1 Strictly comply with the provisions of the **Environmental Protection (Water Quality) Regulations 2000.**
- 3.2 Protect susceptible sloped surfaces with suitable revetment and appropriate cover to ensure the stability of slopes and avoid erosion.
- 3.3 Ensure that the riverbank is cleared of debris on a regular basis to promote the free flow of water.
- 3.4 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:

- 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.
- 3.5 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 Demerara River or other water bodies.
- 3.6 As far as practicable, conduct refuelling, oil changes and maintenance of vehicles, machinery and other equipment on an impervious base. Spills should be cleaned up by the best practicable means.
- 3.7 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.
- 3.8 Ensure construction and dredging are done to coincide with low flow periods of the Demerara River.
- 3.9 Construct a septic tank system on-site or in proximity to the site. The septic tank should 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 tanks 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*.
- 3.10 In the construction stage of the project, ensure that portable toilets are provided where necessary for employees of the project.
- 3.11 Monitoring of the parameters above shall be conducted in accordance to the approved monitoring plan and the results shall be submitted to the Agency as part of the Annual Report.
- 3.12 Construct and maintain drainage systems capable of handling the probable maximum precipitation event.
- 3.13 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

4.0 NOISE ABATEMENT AND AIR QUALITY MANAGEMENT

4.1 Strictly comply with the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations 2000**

1.1 Monitor noise emissions in accordance with the approved ESMP 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

- **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)

During Operation

- **Residential Limits: 75 dB** during the daytime (06:00 h - 18:00 h)
60 dB during the night-time (18:00 h - 06:00 h)

- 4.2 Ensure that all activities during construction and operation activities are done in such a manner so as to prevent, minimise, control and or avoid adverse noise nuisance to the surrounding environment.
- 4.3 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.
- 4.4 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. Locate generators away from communal areas to minimise adverse fumes/soot impacts to the contiguous areas.
- 4.5 Employ dust suppression methods such as watering, and erecting dust screens/fences, to control dust emissions from material stockpiles and other components of the development that would generate dust.
- 4.6 Ensure that appropriate measures are in place to minimise the impacts of airborne emissions from vehicles offloading and or loading materials in both the construction and operation phases of the project.

- 4.7 Comply with the *World Health Organisation (WHO) Air Quality Guidelines for Particulate Matter in the Environment*, not exceeding the limits below:

PM_{2.5}: 10 µg/m³ annual mean
25 µg/m³ 24-hour mean

PM₁₀: 20 µg/m³ annual mean
50 µg/m³ 24-hour mean

- 4.8 Employ dust suppression methods, such as watering or erecting dust screens/fences to control dust emissions from material stockpiles and other dust-generating components of the project.
- 4.9 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 – 9ppm (8h)
 - NO₂ - 0.1ppm
 - VOC - 100 ppm
- 4.10 Conduct Air Quality Monitoring for the parameters listed in **conditions 4.9 and 4.7** during construction, and should be part of the required Annual Report submission.
- 4.11 Ensure that engine idling during on- and off-loading activities is minimum during construction and operation.
- 4.12 Locate stockpiles downwind to avoid materials being transported by wind to sensitive receptors (e.g., residences, schools, etc.). Confine loading and offloading activities, as far as possible, to this location.
- 4.13 Cover materials susceptible to wind erosion e.g., sand at all times during storage and transport (to and from the construction site) to prevent material loss and reduce the emission of particulate matter into the environment.
- 4.14 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 HAZARDOUS WASTE MATERIAL / 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.

- 5.2 Comply with the **Environmental Protection (Litter Enforcement) Regulations, 2013** and the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**.
- 5.3 At all times utilise the best practicable means of handling, storing and disposing of all waste materials.
- 5.4 Promote proper solid waste management and disposal practices at the project site. In particular, dispose of waste at the nearest designated waste management facility or contract a Disposal Service that services the area to dispose of waste at a legally designated site. Place covered garbage receptacles at strategic locations around the construction site.
- 5.5 Domestic waste should be placed in covered receptacles and disposed of by a competent disposal company.
- 5.6 Reuse waste material where practical as land-filling material or reclamation material for the site. However, this must be done in an aesthetic and controlled manner. The Demerara River and or bank 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.
- 5.7 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.
- 5.8 Ensure that adequate means of receiving and managing effluents and wastes are provided to meet the project's needs.
- 5.9 Prepare and submit to the Agency a spill prevention, control and countermeasure plan that is adequate for the highest volume of hazardous waste and other waste that may be stored by the facility.
- 5.10 Ensure regular training is scheduled on simulated spill incident and response exercises for response personnel; spill alert and reporting procedures; deployment of spill control equipment, and the emergency care/treatment of people and animals impacted by the spill.
- 5.11 Hazardous waste shall be treated and/or disposed of by an EPA-authorized 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**.

6.0 EMERGENCY MANAGEMENT

- 6.1 Submit to the Agency an Emergency Preparedness and Response Plan two (2) months before the commencement of operation.
- 6.2 Obtain approval from the Guyana Fire Service and provide fire protection measures such as fire extinguishers and sand buckets in accordance with this approval.
- 6.3 Ensure the Fire Safety Certificate is renewed annually and all firefighting equipment is maintained and serviced regularly. A fire Safety Certificate should be submitted in the Annual Report and presented to officers upon request during a compliance inspection.
- 6.4 Ensure all employees are trained in the use of firefighting equipment, such as fire extinguishers and understand the firefighting protocol.
- 6.5 Ensure an updated Evacuation Plan is maintained and posted at strategic locations.
- 6.6 Ensure all employees are aware of the Emergency Preparedness and Response Plan.
- 6.7 Ensure at all times the working environment is monitored for occupational hazards relevant to the project's specific construction and operational activities.
- 6.8 Ensure at all times the working environment is monitored for occupational hazards.
- 6.9 The Permit Holder shall employ and maintain appropriate procedures in keeping with good international industry practice (GIIP) to minimize spill risks, detect leaks, capture spills and minimize the release of hydrocarbons during transport/transfer, and other Project related activities.
- 6.10 Emergency spill clean-up kits shall be maintained at fuel storage areas for response to potential spills. Kits shall contain absorbent materials, drain seals and other appropriate tools for clean-up.

7.0 COMPLIANCE MONITORING AND REPORTING

- 7.1 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.
- 7.2 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.

7.3 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.

7.4 Submit an **Environmental Annual Report to the EPA on your compliance with this Environmental Permit (Renewed) on or before **March 31, of each year.****

7.5 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).**

7.6 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.**

7.7 Notify the Agency within **twenty-one (21) days in the event of death, bankruptcy, liquidation or receivership of the Permit Holder or if the Company becomes a party to an amalgamation.**

7.8 It is the responsibility of the Permit Holder to ensure 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.

8.0 INSTITUTIONAL AUTHORITY/LIABILITIES

8.1 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.**

- 8.2 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.**
- 8.3 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.**
- 8.4 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 (Renewed), pursuant to **s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.**
- 8.5 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 (Renewed), pursuant to **s. 19 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.**
- 8.6 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.
- 8.7 The Permit Holder shall be liable of any gross negligence or wilful misconduct caused by the Permit Holder, his Servants and/or Agents, to the environment, biodiversity, protected species and natural habitat with respect to any release, discharge, or spill, of contaminant fluids, oil or lubricants.
- 8.8 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.**
- 8.9 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.**

- 8.10 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**.
- 8.11 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.
- 8.12 The EPA has the right to modify, cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.13 **This Environmental Permit is not the final consent; all relevant Permissions shall be obtained from other regulatory bodies before commencing construction activities.**
- 8.14 This Environmental Permit is effective for the period stipulated herein, **July 2023 to June 2028**.
- 8.15 This Environmental Permit (Renewed) shall remain valid until **December 31, 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**.
- 8.16 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 **Dec 30, 2027**."
- 8.17 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.

Environmental Permit (Varied) - Ref. No.: 20200924-DPMBJ

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.

- 8.18 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.

Date

7.7.2023

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:	Juneil Nenssa Moore
SIGNATURE:	
DESIGNATION:	Executive Assistant
DATE:	July 21 st , 2023

