



**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.:	20220427-DCKWC
Fee:	Medium C1 US\$500 per year
Fees Paid:	US\$2500 for five (5) years – January 2024 to December 2028

Addressee: **KS Shipping Line Inc.**
Lot 57 Windsor's Estate Peter's Hall,
East Bank Demerara

Activity: Construction and Operation of a Wharf and Mooring Facility

KS Shipping Line Inc., 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 wharf and mooring facility located at Block XXVIII Parcel 326, Friendship, East Bank Demerara, hereinafter referred to as "the Project", in the manner indicated in the Application for Environmental Authorisation dated April 27, 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:

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1.0 GENERAL

- 1.1 The Permit Holder shall make an application to vary this Environmental Permit in instances where it becomes necessary to:
- a. Change the construction, operation, structure, or layout of the facility and all associated buildings;
 - b. Change equipment, machine, apparatus, mechanism, system or technology serving the facility;
 - c. Change the position and design of any outlet at the point or points of discharge of effluents; or
 - d. Any other change outlined in 20(3) of the Environmental Protection (Authorisations) Regulations.

Note: For more information, please see **Regulation 20** of the **Environmental Protection (Authorisations) Regulations 2000**.

- 1.2 The Permit Holder shall adhere to requirements of the **Occupational Health and Safety Act, Cap 99:10, Laws of Guyana**.
- 1.3 The Permit Holder shall 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 The Permit Holder shall make all employees, and third parties under your direction, aware of the conditions of the Environmental Authorisation and provide training on good environmental practices.
- 1.5 The Permit Holder shall monitor the working environment at all times for occupational hazards relevant to the specific construction and operation activities of the wharf and mooring facility.
- 1.6 The Permit Holder shall 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.
- 1.7 The Permit Holder shall ensure that employees are equipped with appropriate protective gear at all times during construction activities. These include protective

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headgear, respirators, safety vests, safety boots, etc.

- 1.8 Guyana Fire Service Approval shall be obtained and maintained annually and shall be submitted as a component of the **Environmental Annual Report**. The Permit holder shall maintain fire prevention and control equipment in accordance with the Guyana Fire Service Approval.
- 1.9 The Permit Holder shall ensure all employees are trained in the use of firefighting equipment, such as, fire extinguishers and understand the firefighting protocol.
- 1.10 The Permit Holder shall ensure that all plans, specifications of location, pathways, reserve and boundary lines be adhered to, unless otherwise authorised; evidence of which must be provided to the Agency.
- 1.11 **The Permit Holder shall submit to the EPA upon receipt, the requisite approvals from the Central Housing and Planning Authority (CH&PA or any other authority with jurisdiction and oversight over the Project**
- 1.12 Construction works shall not be executed between 21:00 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 maybe required.
- 1.13 The Permit Holder shall ensure that construction and operation of activities at the project site shall be in accordance with Maritime, Sea and River Defence and Drainage & Irrigation, Laws of Guyana and any applicable guidelines.

2.0 WATER AND SOIL QUALITY MANAGEMENT

- 2.1 The Permit Holder shall strictly comply with the provisions of the **Environmental Protection (Water Quality) Regulations 2000**.
- 2.2 The Permit Holder shall 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 exceed:
 - i. Total Suspended Solid (TSS) < 50 mg/L;
 - ii. Total Dissolved Solids (TDS) < 40 mg/L;
 - iii. Oil and Grease < 10 mg/L;

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- 2.3 The Permit Holder shall avoid erosion, siltation and sedimentation of existing water bodies within the vicinity of the project site.
- 2.4 The Permit Holder shall install sediment controls along site perimeter to receive sediments from surface runoff.
- 2.5 The Permit Holder shall construct and maintain drainage systems capable of handling the probable maximum precipitation event.
- 2.6 The Permit Holder shall avoid soil and water contamination from fuel, grease, waste oils and other petroleum products that might be used at the facility.
- 2.7 The Permit Holder shall store fuel, oils, paints and chemicals 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 The Permit Holder shall store all chemicals in leak-proof containers and should be 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 The Permit Holder shall cover temporary stockpiles and excavated waste in a secured designated area to prevent accidental release into the Demerara River, especially in rainy conditions.
- 2.10 The Permit Holder shall provide and maintain adequate sanitary facilities, such as portable toilets or construct a septic tank system, for employees. The septic tank shall not be located within 1.5 m of a building or property boundary and shall 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*.

3.0 NOISE ABATEMENT AND AIR QUALITY MANAGEMENT

- 3.1 The Permit Holder shall strictly comply with the **Environmental Protection (Air Quality) Regulations, 2000** and the **Environmental Protection (Noise Management) Regulations 2000**.



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- 3.2 The Permit Holder shall 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.
- **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)
- 3.3 The Permit Holder shall carry out all construction and operation activities in a manner to avoid, minimise and control potential noise disturbance to the surrounding environment.
- 3.4 All sound-making devices, such as generators, must be placed on foundations properly designed to ensure effective damping of vibrations; housed in enclosures constructed using materials with good insulation properties (e.g., hollow concrete blocks, insulation boards, solid clay bricks, etc.); and equipped with silencers/mufflers to reduce the noise level.
- 3.5 The Permit Holder shall locate generators away from communal areas to minimise adverse fumes/soot impacts to the contiguous areas.
- 3.6 The Permit Holder shall exhaust stacks of generators shall be at least 2 metres above the tallest building.
- 3.7 The Permit Holder shall monitor ambient air quality in accordance with the World Health Organisation (WHO) Air Quality Guidelines for Particulate Matter in the Environment, not exceeding the limits below:
- PM_{2.5}:** 25 µg/m³ 24-hour mean
 - PM₁₀:** 50 µg/m³ 24-hour mean
- 3.8 The Permit Holder shall 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.
- 3.9 The Permit Holder shall 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.
- 3.10 The Permit Holder shall minimise the potential for particles to become airborne by keeping drop heights at a minimum when loading and/or offloading materials such

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as sand, aggregates, etc.

- 3.11 The Permit Holder shall 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 emission of particulate matter into the environment.
- 3.12 The Permit Holder shall keep engine idling during on-loading and off-loading activities to a minimum during construction.
- 3.13 The Permit Holder shall 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 The Permit Holder shall strictly adhere to the provisions of the **Environmental Protection (Litter Enforcement) Regulations 2013** and the **Environmental Protection (Hazardous Waste Management) Regulations, 2000**.
- 4.2 The Permit Holder shall maintain good housekeeping, sanitary and hygienic practices and the aesthetic quality of the surroundings at all times.
- 4.3 The Permit Holder shall promote proper solid waste management and disposal practices on site.
 - i. The Demerara River and project site and surrounding areas shall 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;
 - ii. Place covered garbage receptacles at strategic locations;
 - iii. Dispose of solid waste at an approved waste management facility, dumping of waste (Domestic and Construction) into the Demerara River is strictly **prohibited**; and
 - iv. Reuse, recycle and compost waste material as much as practicable.
- 4.4 The Permit Holder shall ensure that hazardous waste is 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**.
- 4.5 The Permit Holder shall conduct refueling, oil changes and maintenance of equipment on an impervious base.



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- 4.6 The Permit Holder shall ensure that spill equipment are available and utilised for containing and mitigating spills from fuel, waste oils, lubricants, paints, etc.
- 4.7 The Permit Holder shall limit access to hazardous waste storage areas to only employees who are authorised and have received proper training to execute emergency response protocols in the event of a spill.
- 4.8 The Permit Holder shall 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 The Permit Holder shall ensure that hazardous waste is 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 The Permit Holder shall ensure that hazardous waste is 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 The Permit Holder shall ensure that hazardous waste/materials storage containers are inspected weekly for signs of leakage, deterioration or corrosion, and damaged containers shall be replaced immediately. Inspection reports shall be maintained and signed by a qualified inspecting officer and his/her supervisor.
- 4.12 The Permit Holder shall 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;

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(c) Quantity of hazardous materials used per month; and

(d) Characteristic(s) that make(s) the materials hazardous (e.g., flammability, toxicity).

4.13 The Permit Holder shall ensure that the sewage disposal system is well-maintained on site.

4.14 The Permit Holder shall designate an area for the storage of First Aid Kit(s); Washing detergents; and Sanitizers (J's Fluid, Pine Sol, etc.) for the project.

5.0 COMPLIANCE MONITORING AND REPORTING

5.1 The Permit Holder shall 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 The Permit Holder shall monitor the implementation of the conditions of this Environmental Permit, insofar as they involve adherence by employees and all third parties under your direction.

5.3 The Permit Holder shall report to the Agency any non-compliance(s) with this Environmental Permit:

i. Within **twenty-four (24) hours** of the time the Holder of this Environmental Permit 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 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 The Permit Holder shall submit an **Environmental Annual Report** to the EPA on your compliance with this Environmental Permit on or before **March 31, each year**.

5.5 The Permit Holder shall notify the EPA within **twenty-four (24) hours** of the occurrence of any environmental emergencies (e.g., oil spills, hazardous



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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).

- 5.6 The Permit Holder shall 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.
- 5.7 The Permit Holder shall 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.
- 5.8 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.

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 (Renewed), 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



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Permit (Renewed), 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 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.
- 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.



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- 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.
- 6.13 **This Environmental Permit is not the final consent; all relevant Permissions shall be obtained from other regulatory bodies before commencing construction activities.**
- 6.14 This Environmental Permit is effective for the period stipulated herein, **January 2024 to December 2028.**
- 6.15 This Environmental Permit shall remain valid until **December 31, 2028**, 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 **June 30, 2028.**”
- 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

 2024/01/29

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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:	KEVIN ANTHONY SHIKRAM
SIGNATURE:	
DESIGNATION:	DIRECTOR OF OPERATIONS
DATE:	1st / Feb / 2024

