



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.:	20190729-GFOEP
Fee:	XL(C2) – US \$3100 (one (1) year)
Fees Paid:	US \$15,500 Five (5) years – August, 2024 to July, 2029

Addressee(s): **Mr Alistair Routledge**
Country Manager
ExxonMobil Guyana Limited (EMGL)
86, Duke Street
Kingston
Georgetown
Guyana.

Activity: **Installation of Submarine Fibre Optic Cable**

ExxonMobil Guyana Limited (EMGL), 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 install the FPSO topside fibre optic terminations for Liza I, II, Payara, Yellowtail, Uaru and Whiptail Projects to the landing site Beach Manhole (BMH) at Ogle landing site and landing site Beach Manhole (BMH) at Pegasus Beachfront, Kingston Georgetown, herein after referred to as the "Project", in the manner indicated in the Application submitted on July 31, 2023, and subject to the terms and conditions set forth herein and any forthcoming regulations, best practices and standards relevant to this project.

Terms and Conditions for Operation:

The Permit Holder shall:

1. INFRASTRUCTURE

- 1.1. Notify the Agency in writing and obtain its approval for **ANY** proposed changes in the project **at least fourteen (14) days before making the change**. The notification shall contain a **description of the proposed change in operation**. 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 operation**' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment including but not limited to the following:
 - i. Changes in operation, structure, or layout of the facility and all associated buildings.
 - ii. Installation of new and/or changes to equipment, machine, apparatus, mechanism, system, or technology serving the facility.
 - iii. Any technology used or installed at the facility which effluent may be discharged
 - iv. Any other circumstance or condition prescribed by Regulation 20(3) of the Environmental Protection (Authorisations) Regulations.
- 1.2. Conduct all cable lay works and operation activities for the Project in a manner that minimises adverse impacts on human health and the environment.
- 1.3. **Submit to the EPA within two months of receipt of this permit; a detailed Monitoring Plan covering physical, ecological and socio-cultural resources directly along the FOC route and in adjacent areas (nearshore and onshore). The plan should include for each of the following resource area, the parameters to be monitored, location and frequency of monitoring:**
 - 1.3.1. **Visual Physical Resources Monitoring**
 - Parameters: Soil stability, erosion, and compaction.
 - Location: Directly along the FOCs route and in adjacent areas.
 - Frequency: Before and after installation of cables

Ecological Resources Monitoring

- Parameters: Vegetation cover.
- Location: Directly along the FOCs route and in adjacent areas.
- Frequency: Before and after installation of cables

Socio-cultural Resources Monitoring

- Parameters: Construction activities
- Location: Directly along the FOCs route and in adjacent areas.
- Frequency: Before and after installation of cables

- 1.4. The permit holder shall identify and implement any necessary mitigation measures identified through the monitoring process to minimize impacts on physical, ecological, and socio-cultural resources. The permit holder shall consult with relevant stakeholders, including local communities and environmental organizations, to develop and implement mitigation measures.
- 1.5. The monitoring plan shall be subject to periodic review and revision based on monitoring results, changing environmental conditions, or new information.
- 1.6. The permit holder shall maintain records of all monitoring activities, including methodologies, results, and any remedial actions taken. **A comprehensive monitoring report detailing the monitoring results and any necessary mitigation measures shall be submitted quarterly to the EPA.**
- 1.7. Provide adequate notification at least two weeks in advance to mariners and road users of intended cable laying construction works including the dates and times of cable laying works, and expected difficulties, e.g., road closures and diversions, etc. that the affected public may encounter as a result of construction works. Ensure that adequate signage, guardrails and warning tape, are installed at construction sites.
- 1.8. Ensure that measures are in place to minimise cable shifting in the marine environment.
- 1.9. Comply with the Wildlife Conservation and Management Act 2016, the Cartagena Convention, the UN Convention Migratory Species and other applicable international/conventions.
- 1.10. Make all relevant employees aware of the conditions of the Environmental Permit and provide training on good environmental management practices.

- 1.11. Operate in accordance with the **Occupational Safety and Health Act, No. 32 of 1997**. Employees shall at all times be provided with the necessary protective gear to job specification.
- 1.12. Conduct regular safety meetings with staff members involved in the construction and operation phase of this project as a means of involving and consulting employees in all Health, Safety and Environmental related matters.
- 1.13. Ensure that all sound-making devices or equipment are equipped with silencers or mufflers, and/or enclosed, where practical to reduce noise emanating from construction/installation activities.

2. WATER QUALITY MANAGEMENT

- 2.1. Maintain the clarity of the waterway by ensuring the turbidity remains at acceptable levels through visual appraisals and analysis.
- 2.2. Implement all practical erosion control measures to prevent pollution of nearby waterways.
- 2.3. Vehicle or equipment maintenance activities (oil change, washing of vehicles/equipment) on the seashore or close to waterways are prohibited.

3. NOISE AND AIR QUALITY MANAGEMENT

- 3.1. Comply with Guyana National Bureau of Standards (GNBS) *Guidelines for Noise Emissions into the Environment* for all onshore and near shore operations, and for all offshore operations, where practical:
 - Industrial Limits: **100 dB** (Daytime Limits (06:00 h-18:00 h))
80 dB (Nighttime Limits (18:00 h- 06:00 h))
- 3.2. Operate all mechanical equipment in accordance with the manufacturer's specifications. Additionally, ensure that mechanical equipment and vehicles are regularly maintained and operated at their optimal levels to minimise atmospheric emissions.

4. INSTALLATION (CABLE-LAYING) AND SUPPORT VESSEL

- 4.1 Record all observations and respective mitigation actions during the installation exercise.

- 4.2 Ensure that lighting on the vessels is in accordance with maritime safety regulations/standards.
- 4.3 Limit the use of light to the minimum required for safe operation.
- 4.4 Adhere to the vessel's anchoring procedures to minimise impact to the seabed.
- 4.5 Ensure anchoring procedures applied minimise anchor dragging on the sea floor.
- 4.6 Discharges of any pollutant/ contaminant in territorial waters (i.e., twelve (12) nautical miles) are prohibited.
- 4.7 Discharge of waste streams containing free oil is prohibited.
- 4.8 Limit the duration of the discharges into the receiving marine environment to avoid destruction of sensitive habitats.
- 4.9 In accordance with MARPOL 73/78 requirements, record and document the manner in which sludge, oil, bilge water, waste oil, etc., are disposed.
- 4.10 Maintain Waste Management Record in which waste (e.g., sewage, macerated food waste, etc.) are managed and disposed in accordance with MARPOL specification (waste type, quantity stored on-board, waste delivered ashore, amount of waste generated, and waste discharged at sea).
- 4.11 Submit to the Agency, a copy of the Garbage Record Book and Garbage Management Plan after the completion of cable landing and laying activity as part of quarterly monitoring reports.
- 4.12 Abide with the International Convention for the Control and Management of Ship's Ballast Water and Sediments (2004).

5. WASTE MANAGEMENT

- 5.1. Maintain a high level of housekeeping, sanitary and hygienic practices, and environmental standards of all facilities, vessels and associated structures, as well as the cable landing site area at all times.
- 5.2. Handle, store, and dispose sewage and sullage in accordance Annex IV of MARPOL 73/78, Regulations for the Prevention of Pollution by Sewage from Ships. Submit to the Agency the International Sewage Pollution Prevention Certificate, 1973, once the activity has been completed along with the survey report.

- 5.3. Avoid the discharge of waste in the marine environment if the discharge will result in irreversible harm/damage.
- 5.4. Adhere to the vessel's Garbage Management Plan.
- 5.5. Contractually ensure that the subcontractors conduct all treatment and disposal of such waste streams in keeping with the approved Environmental Management Plan and approved Waste Management Plan throughout the lifetime of the Project. Submit reports from third party disposal services within condition 7.10.

6. EMERGENCY RESPONSE

- 6.1 Notify within **twenty-four (24) hours** the EPA of any accidental release of contaminants or incidence of pollution to the environment.
- 6.2 Maintain emergency spill response equipment on the Vessel for response to potential spills.
- 6.3 In the event of an oil spill pollution incident, provide immediate notification alert to nearby vessels or installations with the capacity to assist with oil spill response, as well as national authorities, including the Environmental Protection Agency.
- 6.4 Maintain a record of near miss spills and submit report to the Agency in the Annual Environmental Report highlighted in condition 7.9.
- 6.5 Report all spills to the environment to the EPA in alignment with EPA's Incident Notification Form for Offshore Operations. Spills amounting to less than five (5) gallons shall be recorded and reported to the EPA as part of the annual report required by condition 7.9, and the Agency shall have the right to request further information regarding such incidents.

7. COMPLIANCE MONITORING AND REPORTING

- 7.1 Sign and certify all information submitted to the Agency.
- 7.2 Provide any information or copies of records requested by the Agency within a reasonable timeframe.

- 7.3 Monitor the implementation of the conditions of this Permit, insofar as they involve adherence by employees and all other third parties under your direction. Provide a list of all third parties, and their responsibilities and their compliance with the terms and conditions herein
- 7.4 Conform to all terms and conditions under which this Permit is granted and be liable for any loss or damage which arises from the project as a result of the Permit Holder's activities (including subcontracted parties) or breach of any term or condition of this Permit.
- 7.5 Report to the Agency any non-compliance(s) with the Environmental Permit:
- Within **twenty-four (24) hours** of the time the Holder of the Environmental Permit (or third parties) becomes aware of the non-compliance, the anticipated manner in which it may endanger human health or the environment;
 - 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; and
 - 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 within seventy-two (72) hours.
- 7.6 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.
- 7.7 Inform the Agency in a timely manner of any planned or unplanned maintenance activities to be conducted during the permitted and post permitted period. The Agency reserves the right to authorise or reject any further activities, planned or unplanned, not specifically covered in this permit.
- 7.8 Not assign or transfer the Environmental Permit to any person without prior consent of the Agency.
- 7.9 Submit **Environmental Annual Reports** to the EPA on or before **March 31** every year on your compliance with this Permit.
- 7.10 Failure to comply with the monitoring plan and implement necessary mitigation measures may result in penalties, including fines and suspension or revocation of the permit
- 7.11 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.

- 7.12 Inform the Agency prior to or within **thirty (30) days** of any change of name or ownership of the operation.

8. INSTITUTIONAL AUTHORITY/LIABILITIES

- 8.1 The EPA reserves the right to conduct regular inspections of the Permit Holder's operation as part of its monitoring and enforcement requirements under the Environmental Protection Act, Cap. 20:05, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection Regulations, 2000.
- 8.2 The EPA reserves the right to review/amend the conditions attached to this Permit which also includes the review and/or amendment of permit fees in consideration of any changes in fee schedule as determined by the Agency for projects of this nature.
- 8.3 The Permit Holder, his Servants, Agents and/or Sub-Contractor(s) 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.
- 8.4 The Permit Holder, his Servants, Agents and/or Sub-Contractor(s) shall be strictly jointly and severally liable as follows:
- a. For any activity that causes, or is likely to cause pollution of the environment, unless the person takes all reasonable and practicable measures to prevent or minimise any resulting adverse effect, in accordance with Section 19(1)(a) of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
 - b. For any activity which results in the discharge, release or entry into the environment of any contaminant in any amount, concentration or level in excess of that prescribed by the regulations or stipulated by this Permit, in accordance with Section 19(1) (b) of the Environmental Protection Act, Cap. 20:05 Laws of Guyana.
 - c. The discharge or release of contaminants, such as hydraulic fluids, lubricants, fuel, or other industrial fluids relative to the Project, which

are not stipulated herein, or by Regulations under the Environmental Protection Act, are strictly prohibited. Any such discharge or release shall be a violation of Section 19(1) (b) of the Environmental Protection Act.

- d. For the compensation of any Party who suffers any loss or damage as a result of environmental pollution caused by the project. (s.19(3)(e)) Environmental Protection Act, Cap. 20:05, Laws of Guyana.
 - e. For any material or serious environmental harm caused by pollution of the environment, whether intentionally or recklessly, in accordance with section 39 (1), (2), (3) and (4) of the Environmental Protection Act, 20:05, Laws of Guyana.
 - f. Any gross negligence or wilful misconduct resulting in adverse effects to the marine environment, biodiversity, protected species and natural habitat caused by any release or discharge, spill, contaminant fluids, oil, or lubricants from any facilities permitted under this project in excess of those prescribed by the regulations or stipulated by this Permit.
 - g. For the payment of all costs and expenses related to the assessment of damage and investigations required, as result of any pollution incidents attributable to the activity for which this Permit has been issued.
- 8.5 The Agency (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's lack of due care and diligence.
- 8.6 Should the Permit Holder contravene or is likely to contravene any condition of this Permit, the Agency (EPA) may serve him an enforcement notice in accordance with s. 26 of the Environmental Protection Act, Cap. 20:05, Laws of Guyana.
- 8.7 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.
- 8.8 The EPA shall have the right to cancel or suspend this Permit for breach of any of the terms and conditions contained herein.
- 8.9 The Permit Holder is obligated to ensure that the construction of the installation of Submarine Fibre Optic Cable is permitted by **all other relevant authorities.**

Environmental Permit-Ref. 20201020-FSGFC

Issued under the Environmental Protection Act, Cap. 20:05, Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000.

- 8.10 This Environmental Permit is effective for the period stipulated herein, **August 07, 2024 to August 06, 2029**
- 8.11 This **Environmental Permit** shall remain valid until **August 06, 2029**, 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.
- 8.12 This Permit must 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 **February 06, 2029**."
- 8.13 Any late submission of the application required by Condition 11.10 beyond the date specified therein, shall require the Permit Holder to pay, in addition to the application fee, a late penalty fee (accruing at the time such obligation was first owed for renewal) at a rate of **two thousand dollars (GY\$2,000.00) per day for every business day late**, until such application is submitted to the Agency, without prejudice to any other rights of the Permit Holder in connection therewith.
- 8.14 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.

Mr. Kemraj Parsram
Executive Director

Date:

2024.08.07

Environmental Permit-Ref. 20201020-FSGFC

Issued under the Environmental Protection Act, Cap. 20:05, 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 is granted and agree to abide by the Environmental Protection Act, Cap. 20:05, Laws of Guyana, the Environmental Protection (Amendment) Act, 2005, and the Environmental Protection (Authorisations) Regulations, 2000, and any forthcoming regulations, best practices, guidelines and standards made under this Act.

NAME:	MICHAEL B. PERSAUD
DESIGNATION:	REGULATORY ENGAGEMENT MANAGER
SIGNATURE:	Michael B. Persaud
DATE:	August 7, 2024.



BNS # 224668, dd: June 19, 2024

Date: 210.45



Environmental Protection Agency

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File Copy

224668

No. 28687

Received From: Exorbitant Guyana Limited

The Sum of: three Million Two Hundred Sixty One Thousand Nine Hundred and Seventy Five Dollars \$3,261,975.00

For: Environmental Permit - installation of submarine fibre optic cable (off shore)

PAID ☐ Cash Cheques ☒ Wire Transfer ☐ Balance due ☐ Amt. \$ —

Signature:

