

A FAIR DEAL FOR GUYANA – A FAIR DEAL FOR THE PLANET

PRESS RELEASE

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GUYANESE CITIZENS GET OPPORTUNITY TO FIX EXXON'S LIZA 1 PERMIT

Georgetown, Guyana—

The Guyanese people will have an opportunity in just over 18 months' time, to correct ExxonMobil's environmental permit for Liza 1.

An Order issued earlier this month in the High Court of Guyana reduced the term of Exxon's Liza I environmental permit down to 5 years. The permit will expire not in 2040, as Exxon had planned and as per the initial permit issued by the EPA, but on 1st June 2022. The Order was issued in a case brought by Guyanese citizen, Dr. Troy Thomas, who filed an action on the grounds that the 20+ year permit was issued in clear violation of Guyanese law, which expressly limits environmental permits to no more than five years. Following initial hearings in the case, Guyana's Environmental Protection Agency and Esso Exploration and Production Guyana Ltd (ExxonMobil's subsidiary) settled the matter by agreeing to limit the permit to 5 years, as provided by law.

Leading Counsel Seenath Jairam SC said *"Coming up against an oil and gas giant is always guaranteed to be a battle royal because of their deep pockets and long history in fossil fuels. While the EPA was ably represented, the law is pellucid regarding the duration of an environmental permit and for good reason. Our environment is our most precious resource and the law makers obviously intended that the EPA should have an opportunity at regular intervals to assess the suitability of an operator to continue operations, using international best practices. Dr. Troy Thomas is to be commended and complimented for his conscientiousness and public spiritedness in drawing attention to these environmental matters."*

According to Dr. Troy Thomas . *"The Guyanese people have loudly and repeatedly expressed their concern and anger at the danger that ExxonMobil's oil production poses to Guyana's environment and natural resources. I want people to know that we can and should take action to protect our national patrimony. We need to come together and safeguard the future for our children."*

There has been wide spread criticism of ExxonMobil's environmental performance in Guyana. The earlier expiry of the permit means Esso will have to apply for another environmental permit in 2022, giving the public an opportunity to demand better terms for Guyana. The Environmental Protection Act Cap 20:05 guarantees citizens' rights to information and participation in the environmental impact assessments that are a pre-condition to environmental permits.

According to Attorney-at-Law, Melinda Janki, *"Successive governments have given away Guyana's oil. We must not allow them to destroy Guyana's rich marine resources as well. Guyana has strong environmental laws to protect the nation against dangerous oil and gas."*

She added that, *"It is clear that the people cannot rely on the government or the so-called conservation organisations to protect Guyana's rich biodiversity. Our future depends on individuals who are willing and patriotic enough to step forward as Dr. Thomas has done."*

The order made by the High Court also reduced the Liza II environmental permit to five years. That permit will expire in 2024 and not 2043 as in the initial permit issued by the EPA. The environmental permits for Liza I and Liza II have already been revised to conform to applicable law. The Payara environmental permit of 24th September 2020 was issued for five years in conformity with the law.

Dr Thomas was represented by Seenath Jairam SC, leading Melinda Janki and Pratesh Satram, attorneys-at-law. The EPA was represented by Ms Anessa Chow, while Esso was represented by Mr Andrew Pollard, SC.

Editor's notes

Despite committing to Guyana that methane from the Liza 1 well would be reinjected, Exxon flared more than 10 billion cubic feet of natural gas from Liza I between December 2019 and September 2020.

<https://www.kaieteurnewsonline.com/2020/09/04/exxon-spends-us186m-to-fix-flaring-at-scottish-plant/>

Esso's environmental impact assessment for Liza 1 has been severely criticised.

https://www.youtube.com/watch?v=lwQZ_Qp8Vao

According to Exxon Liza II should start production in 2022.

<https://corporate.exxonmobil.com/Locations/Guyana/Guyana-project-overview#LizaPhase2ProjectDescription>