

Dear Dr Mahender Sharma,

As an appellant to the EAB hearing, fixed for March 22, against the Exemption of an EIA for the Construction and Operations of a 300 MW Gas Fired Power Plant 2023. I am writing to express my serious concerns and requests as follows:

- My lack of confidence in the presently constituted EAB's ability to hold a fair hearing due to conflicts of interests of EAB Board members and their public duties as government employees.
- I am particularly concerned about your triple conflict of interest as Head of the Guyana Energy Agency, Director of Guyana Power and Light, which is a party to the application for the power plant and spouse of Mrs. Nadir Sharma director of the company that has applied for the environmental permit.
- I am also deeply concerned that you did not refuse the appointment as Chair of the EAB on February 10, 2023, when it was publicly known that an appeal against the EIA waiver for the power plant was before the EAB and as Chair you would be heading this appeals process.
- I also wish to put on record my complaint against the prejudicial way in which the EAB has embarked on hosting the power plant hearing planned for March 22, 2023.
- Firstly, by refusing to allow the use of the Zoom platform for these hearings you have broken with established EAB good practice to allow Guyanese communities from across the country access and appellants affordable access to rely on international experts in oral proceedings. Your disallowing of Zoom is prejudiced against ordinary citizens, poor communities and working peoples who may not be able to travel to participate. Unlike private companies and the Government, neither appellants nor community persons affected by projects can reasonably afford to fly experts to Guyana to participate in hearings. It is also prejudiced against the Guyanese diaspora who have relevant skills and expertise and a legitimate stake in the matters that come before the EAB.
- Secondly the lack of transparency surrounding the procedures that will be followed during the hearing is glaring. Appellants need to be able to prepare adequately for the hearing, which requires a clear understanding of the agenda, time allotments, and procedures that will be followed. With only two working days left before the hearing, you have failed to provide any clear guidelines or procedures, which makes it difficult to adequately prepare.
- Finally, I am troubled by the fact that it appears as if the Environmental Protection Agency is relying on certain documents for its decision but has refused to provide these documents to appellants.

- Specifically access to the *googelink* attachment containing the project timeline, which was supplied by Guyana Power and Light in the legally required Project Summary has not been made available. This lack of transparency and accountability is deeply concerning and raises serious questions about the fairness and transparency of the decision-making process.
- I wish to put on record that the only publicly available document the EPA has referred to in its Public Notice of the waiver of the EIA for the power plant is the Environmental Impact Assessment conducted for the Gas to Shore project. You must be aware that the EPA can only rely on material at the hearing that was available at the time that it made the decision to waive the EIA for the power plant.
- You should also be aware that appellants are entitled to a copy of this material b I am calling on you to act ethically to step down and to postpone the power plant hearing until a credible EAB is in place. I participated in the Demerara Harbour Bridge hearing in early 2022 and witnessed first-hand the EAB allowing the EPA to present material on stakeholder engagement which the agency failed to prove existed before it made the decision to waive the EIA for the bridge, despite requests to the EAB which was grossly unfair. I believe that appellants are entitled to all and any material that the EPA will be relying on at the hearing to support its decision, and that these in fact ought to have been properly referenced in the legal public notice.
- Considering these concerns, I respectfully request that you step down and resign your post at the EAB due to conflict of interest and put my request on record for the new EAB to take immediate action to address the issues raised to ensure that the appeals hearing is conducted in a fair, transparent, and unbiased manner. Specifically, I request that the EAB provide clear guidelines and procedures for the hearing, allow for the use of the Zoom platform, and provide all relevant materials which the EPA will be referring to in a timely manner in advance of the hearing.

Based on the above I do not believe that you can ethically or fairly proceed with a hearing on March 22, 2023.

Yours truly,  
Danuta Radzik