ERA
Environment & Resources Authority

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP 020/15/C

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549), hereby authorises:

Enemalta plc
Company registration number: **C65836**

(hereinafter "the Operator" or "the Permit Holder"),
Of / Whose Registered Office (or principal place of business) is at:

Enemalta Plc
Central Administration Building
Church Wharf
Marsa

to carry out waste management activities related to the receipt and temporary storage of hazardous and non-hazardous wastes at:

Ta' Cejlu Waste Site
Triq Belt il-Hazna
Marsa

to the extent authorised by and subject to the conditions of this Permit.

This permit is valid for **two (2) years** from the date below. An application for renewal of this permit is to be submitted at least six weeks prior to expiry of this permit.

Signed	Date
Prof Victor Axiak Chairman	Permit Issued: 11 / 06 / 2018

Authorised to sign on behalf of the Competent Authority

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Conditions

1 General

The Permitted Installation shall, subject to the conditions of this Permit, be managed, controlled and operated as described in the Application, or as otherwise previously agreed in writing by the Authority.

Status Log

Detail	Date
Application EP	01 June 2015
Permit Issued	28 January 2016
Renewal Issued	30 January 2017
Permit Determined by ERA Board	25 May 2018

1.1 Permitted Activities

1.1.1 The Operator is authorised to carry out the activities and the associated activities specified in Table 1.1.1.

Table 1.1.1

Activity	Description of specified activity	Limits of specified activity
Storage of specified non-hazardous waste	Storage of specified non-hazardous waste streams in designated areas for a period of up to (but not exceeding) 12 months	From receipt of waste to dispatch of separated waste streams to authorised facilities either locally or abroad. Receipt of waste is limited to waste originating from other Enemalta operations only
Storage of specified hazardous waste	Storage of specified hazardous waste streams in designated areas for a period of up to (but not exceeding) 12 months	From receipt of waste to dispatch of separated waste streams to authorised facilities either locally or abroad. Receipt of waste is limited to waste originating from other Enemalta operations only

1.2 Site

1.2.1 The activities authorised under condition 1.1.1 shall not extend beyond the Site, as shown on the Site Map in Schedule 2 to this Permit.

1.3 General Conditions

1.3.1 The conditions and obligations of this permit are without prejudice to any other regulation, code of practice, conditions or requirements requested by other Authorities or entities, including but not limited to, the Planning Authority, the Occupational Health and Safety Authority, Transport Malta and the Regulator for Energy and Water Services (REWS).

1.3.2 This permit is granted saving third party rights. The Permit Holder is not excused from obtaining any other permission required by law.

1.3.3 In these conditions and their interpretation, all terms shall have the same meaning as that assigned to them in S.L. 549.63 - the Waste Regulations.

1.3.4 The Permit Holder is to be legally responsible and accountable for managing the site in all its various aspects, thus ensuring that the waste management activity for which he has been granted a permit is carried out in accordance with the provisions as per S.L. 549.63 as amended, and other related legislation, as well as all the conditions of this permit.

1.3.5 The site must be well secured to minimise the opportunity for unauthorised entry. An employee is to be present at all times during the operational hours of the facility; and the premises must be closed and secured when no operations are taking place on site.

1.3.6 The company shall maintain a register of third party complaints. The register shall record the name and address of the complainant(s), the date, location, source and nature of the complaint and the corrective action undertaken, where such action proves necessary.

1.3.7 All plant, equipment and technical means used in operating the Permitted Installation shall be maintained in good operating condition and without causing potentially polluting leaks and spillages. The operator shall keep maintenance records as per Section 4.3 of the permit.

1.3.8 The Permitted Installation shall be managed, controlled, supervised and operated by staff who are aware of the importance of environmental protection and suitably trained on the requirements of this Permit, in particular on those permit conditions relevant to their duties. All staff shall be provided with adequate training and written operating instructions to enable them to effectively carry out their duties. Such training shall be recorded and maintained in line with Condition 4.3.3.

1.3.9 The Authority may, on the joint application of an operator and a proposed transferee, transfer to the proposed transferee the environmental permit. The transfer of the permit will not relieve any of the operators from his environmental obligations and liabilities.

1.3.10 The Authority shall carry out regular compliance checks that vary in frequency according to the site's compliance with the permit conditions. Any such checks carried out by the Authority may be made at the Permit Holder's financial expense.

1.3.11 The Authority's representatives are empowered to inspect every part of the site and ask for any closed or locked areas to be opened. They are also entitled to be given any proof, documentation, plans, receipts or any other records which these Authority representatives may request.

1.3.12 The Authority may add, amend substitute or revoke any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This, without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.

1.3.13 The validity of this permit is until **11 June 2020**. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least six (6) weeks prior to the expiry of the permit The permit will be considered renewed once the official renewed permit is issued by the Authority.

1.3.14 This permit is issued against a bank guarantee of **€5,750 (Financial Guarantee Number G41TFC51987 dated 21th May 2018)** which shall be renewed annually.

This guarantee will have to be maintained throughout the lifetime of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.

1.3.15 The Authority may take part or all of the bank guarantee if the Permit Holder fails to take the necessary action, in case of non-compliance with these permit conditions, the Act or any subsidiary legislation thereof, or in cases where environmental integrity is threatened. This bank guarantee is without prejudice to any environmental liabilities that may ensue through failure to adhere with permit conditions or any other works/ activity carried out on site. Should the Authority forfeit the Bank Guarantee either in part or in full, the operator shall ensure that this is replenished without undue delay.

1.3.16 A copy of this permit shall be available at all times at the site office, including any Variation Notices or amendments to it.

1.3.17 The Authority may suspend or revoke this environmental permit or part of this environmental permit where significant mismanagement of the site is observed or any of the permit conditions are not respected after a written warning is given by the Authority or in any eventuality that gives the Authority enough reason to suspend or revoke this permit.

1.3.18 The operator may apply with the Authority for the release of the Bank Guarantee, which shall be released subject to the full compliance of the permit conditions, as confirmed by the Authority.

1.3.19 The Authority may request additional monitoring and/or review of operational practices and/or commission audits on the installation as deemed necessary to address any circumstances that may affect the quality of the surrounding environment. Any required monitoring and audits shall be carried out at the expense of the Permit Holder.

1.3.20 Without prejudice to condition 1.3.19, the Authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.

1.4 Operational Changes

1.4.1 The operator may apply for a variation in permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority

a) Written notice of the details of the proposed change, including an assessment of its possible effects (including changes in emissions and waste production) on risks to the environment from the Permitted installation;
b) Any relevant supporting information (e.g. chemical/fuel consumption, technical details, changes in the type/use of substances/mixtures, etc.);
c) Any relevant supporting assessments and drawings, and;
d) The proposed implementation date.

1.4.2 Any such change shall only be implemented following the issue of a variation of the permit by the Authority. .

2. Site Infrastructure and Operations

2.1 Site Infrastructure

2.1.1 During non-operating hours the site shall be firmly closed and totally inaccessible to third parties, both by vehicle and on foot.

2.1.2 A quarantine area is to be designated within the site boundary to temporarily hold unpermitted waste that may enter the site. A non leaking skip or similar contained structure can be utilised for the temporary storage of unpermitted waste.

2.1.3 The site shall be clearly identified by a site identification board, which shallbe replaced as soon as it is damaged or the information is no longer readable from a distance. The site identification board shall be located at the site entrance and should contain the following information:

a. The company name and address
b. Permit Holder's name
c. List of authorised activities on site
d. 24 hour emergency mobile number
e. Permit Number (making it clear this site is permitted by the Authority)
f. Opening hours of the site

2.1.4 The Permit Holder is to ensure that the waste are organised into the designated areas, labelled and visible physical delineation of these areas should be put in place.

2.1.5 No waste shall be deposited, stored, treated or otherwise handled in any area of the site that has no hard standing and is not impermeable.

2.2 Permitted Operations on Site

2.2.1 Only waste streams as set out in the European Waste Catalogue codes in Schedule 1 can be accepted and stored on site. Such acceptance shall be limited to waste generated from Enemalta operations only. Processing, treatment or repackaging of waste is not authorised.

2.2.2 The total quantities of waste accepted at the site per year shall not exceed any value the Site can treat during the year. The total amount of waste that can be stored at any given time cannot exceed the capacity of the permitted facility as set out during the environmental permit application process.

2.2.3 All wastes leaving the site after storage and/or processing must only be sent to facilities licensed to accept the individual waste stream, either locally or abroad.

2.2.4 Storage of waste batteries and waste electronics is to be carried out indoors or under cover (not open to the elements) that has impermeable ground.

2.2.5 No storage of waste, equipment or materials is permitted on property outside the site premises.

3. Operating Conditions

3.1 Emissions

3.1.1 Emissions to Air

3.1.1.1 No emissions to air shall take place from the permitted installation.

3.1.2 Effluent Discharges

3.1.2.1 No discharges to surface water or groundwater shall take place from the Permitted Installation.

3.1.2.2 No discharges to the foul sewer (other than from domestic sewage or equivalent) shall take place from the Permitted Installation.

3.1.2.3 The Operator shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.

3.1.2.4 All storage areas must be appropriately contained.

3.1.2.5 Rainwater shall not be discharged into the sewer. The operator shall endeavour to collect rainwater in a suitable reservoir or cistern. As far as possible, rainwater shall be reused.

3.1.3 Emissions to Land

3.1.3.1 No emission from the Permitted Installation shall be made to land.

3.1.3.2 In the event of contamination of land, the operator shall notify the Authority within 24 hours, forward a decontamination plan for the Authority's approval and execute it within an agreed time frame.

3.1.4 General Waste Acceptance, Storage and Handling

3.1.4.1 The Permit Holder shall apply the precautionary principle to safeguard the environment whilst carrying out the permitted activities and shall immediately refuse the entry of waste that is suspected to be in breach of the conditions of this permit.

3.1.4.2 The Operator shall ensure that all waste management operations authorised in accordance with this Permit are carried out in an orderly manner and in such a way as to cause the least possible disturbance to the surroundings and the least possible adverse effects to third parties.

3.1.4.3 All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal. Any unpermitted wastes that may inadvertently enter the site must be stored in a clearly defined and contained quarantine area (Condition 2.1.2) and not be mixed with other wastes on site.

3.1.4.4 All hazardous waste entering the site shall be stored in a labelled, closed container(s) within a designated and controlled storage area(s) prior to ultimate disposal. Packaging of hazardous waste must be clearly and unambiguously labelled identifying the nature of the waste within, as well as the volume or weight of the waste for ease of inspection.

3.1.4.5 No treatment or recovery of liquid or hazardous waste is allowed on site.

3.1.4.6 No storage of waste destined for disposal is permitted for a period exceeding 12 months.

3.1.4.7 No storage of waste destined for recovery or treatment is permitted for a period exceeding 3 years.

3.1.4.8 The operator is to prevent litter or other wastes escaping from the site boundaries. Any such escape of waste shall be collected immediately upon detection.

3.1.4.9 Drums and containers of oils shall be stored in designated and secure storage areas. Storage areas shall be bunded or otherwise designed so that surface and ground waters cannot be contaminated by spillages. Should drip trays be used in lieu of a fixed bunded structure, the drip trays must be able to hold at least 25% of the total storage capacity of the drums.

3.1.4.10 Each tank, drum or other mobile container used to hold wastes associated with the operation of the plant particularly waste oils shall be clearly and unambiguously labelled regarding its contents, unless the contents are clearly identifiable by visual inspection.

3.1.4.11 In the case of major spillages of waste oil which are causing or are likely to cause polluting emissions to the environment, immediate action shall be taken to contain and clean the spillage and prevent liquid from entering surface water drains and impermeable ground.

3.1.4.12 Small leaks or spills shall be cleared up immediately by the application of absorbent materials. All sand and other material shall be disposed of at facilities permitted to accept such waste.

3.1.4.13 The operator shall have in storage an adequate supply of suitable absorbent material to absorb any spillage.

3.1.4.14 All storage of materials or waste shall take place only in areas with impervious ground and where thorough clean up and site reinstatement can be readily undertaken.

3.1.4.15 Only registered waste carriers as per activity 38 of schedule 1 of Subsidiary Legislation 549.45, the Waste Management (Activity Registration) Regulations are allowed to transport waste to and from this site.

3.1.4.16 The Operator shall maintain records of the weight of each waste consignment received and/or removed from the site, and such data is to be collected using a properly calibrated scale. Operator is to submit details of the scale used, together with its location and calibration details. Records of waste weighed prior to loading onto the vehicle from the point of collection may be accepted in lieu of on site weighing.

3.1.4.17 The Permit Holder shall ensure to issue a receipt/certificate for every consignment of wastes accepted and removed on Site indicating the date and time of the consignment and the weight of the waste received. Each receipt/certificate should indicate the site name and permit number, as well as bearing a unique sequential number. Where applicable, this also applies to any Recycling Certificates issued by the operator.

3.1.4.18 Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:

a. Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste

b. Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply; and

c. Any other applicable legislation.

3.1.4.19 Disposal certificates and any documentation related to transfer of waste to and from the site and/or related to its end disposal shall be kept on record and made available for inspection for a period of at least 4 years from date of their issue.

3.1.4.20 Movement of hazardous waste to authorised facilities shall be covered by a valid consignment permit obtainable from the Competent Authority. Each movement shall also be covered by a consignment note obtainable from the Authority.

4. Site Management

4.1 Staff obligations and Responsibilities

4.1.1 All employees authorised by the Permit Holder to undertake waste management activities on his/her behalf, shall be fully conversant with the obligations of this permit and shall be individually aware of their responsibilities and liabilities in observing the conditions of this permit. They shall be provided with adequate professional technical development and training and written operating instructions to enable them to effectively carry out duties.

4.1.2 One member of the staff shall be nominated as the Technically Competent Person (TCP) of the site, whereby this person is to physically represent the Permit Holder during the times when the Permit Holder will not be available.

4.1.3 The TCP is responsible for the implementation of all the obligations stipulated in this permit, must supervise the rest of the staff on site and is completely responsible to ascertain that all permit conditions are being adhered to and that unauthorised waste does not enter the site.

4.1.4 In the event of any short or long periods of sick leave or vacation leave taken by the TCP for a period exceeding 10 days, the Permit Holder is obliged to find a replacement for that member of staff without delay.

4.1.5 All the staff on site shall be fully aware of the procedures to be taken to contain any environmental hazard, which may arise related to the activities being carried out on site.

4.2 Accident Prevention and Control

4.2.1 The submitted Emergency Response Plan shall be maintained containing details of the location, nature and quantity of chemicals, oils and fuels stored, any special hazards, a drawing showing location of drains and the emergency phone numbers of the operator and relevant authorities. It shall also include actions to be taken in the case of incidents which could affect the environment, such as fires and chemical/fuel spills. The emergency plan shall indicate that accidental releases of chemicals and fires caused by chemicals are to be managed as specified in the respective MSDS sheets.

4.2.2 In the case of an accident (including fire, chemical spills, etc.), the Operator shall follow the Emergency Response Plan referred to in Condition 4.2.1 and, in the case that such accident could be regarded as causing environmental damage or as posing a threat of environmental damage, the operator shall notify the Authority and the Civil Protection Department within 24 hours.

4.3 Site Records & Archive

4.3.1 A daily operations log shall be kept on site in which the following information shall be recorded on a daily basis:

i. Total amount of waste in kilos accepted on site
ii. Total amount of waste in kilos removed from site for disposal or further treatment
iii. Total amount of waste in kilos refused entry on site
iv. Total amount in kilos of unaccepted material sent to the quarantine area and by which registered waste carrier it was transported
v. Any incidents that took place on site such as mechanical faults in the machinery or equipment used on site, any spills, fires, etc and the remedial action taken
vi. Copies of consignment notes used for waste received/removed from site

vii. Any other incidents that the Permit Holder deems important to record in the Site Diary.

Each record shall be compiled within 24 hours of the relevant event. The records kept in the daily operations log shall be made available for inspection at any time when the Authority representatives request to inspect them.

4.3.2 The Operator shall ensure that all records required to be made by this Permit and any other records made by it in relation to the operation of the Permitted Installation shall:

i. be made available for inspection by the Authority upon request;
ii. be supplied to the Authority on demand and without charge and in the format requested;
iii. be legible;
iv. indicate any amendments which have been made and shall include the original record wherever possible; and
v. be retained at the Permitted Installation, or other location agreed by the Authority in writing, for a minimum period of 3 years from the date when the records were made, unless otherwise agreed in writing.

4.3.3 The Operator shall maintain a record of the skills and training requirements for all staff whose tasks in relation to the Permitted Installation may have an impact on the environment and shall keep records of all relevant training.

4.4 Closure and Decommissioning

4.4.1 In the event of cessation of business activity on the site, all wastes (including machinery, tanks, equipment) and hazardous materials must be removed from the site such that any pollution risk is avoided and the site is returned to a satisfactory state. The Operator shall notify the Authority at least three months prior to taking action, and shall submit a decommissioning plan to the Authority for approval. The Authority's approval is required prior to the commencement of the decommissioning works.

4.4.2 When deemed necessary the Authority may require the permit holder to take such additional measures as it considers necessary with respect to after care obligations in relation, but not limited to the remedial action, rehabilitation, and monitoring of the waste management or waste production site.

4.4.3 A finalised version of the Decommissioning Plan shall be submitted to the Authority for approval not later than 10 days after the Authority is notified of the intention to decommission the site.

4.4.4 The approved Decommissioning Plan shall be implemented within 12 months of final cessation or decommissioning of the Permitted activities or part thereof or according to a timeframe as may be agreed with the Authority.

4.5 Reporting

4.5.1 The Operator shall submit to the Authority an Annual Environmental Report (AER) of the previous year by not later than end of March of each year, providing the information listed in Schedule 3 of this Permit and in the format specified therein

4.5.2 In the event where operations cease temporarily, the TCP or Permit Holder are obliged to notify the Authority within two (2) days and are also to inform the Authority with regards to when the works are intended to resume.

4.5.3 All reports and written and/or verbal notifications required by this Permit shall be made and sent to the Authority using the contact details notified in writing to the Operator by the Authority.

Schedule 1
Complete List of Permitted Waste on Site[1]

13 03 07*	mineral-based non-chlorinated insulating and heat transmission oils
13 05 07*	oily water from oil/water separators
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 07	glass packaging
15 01 10*	packaging containing residues of or contaminated by hazardous substances
15 01 11*	metallic packaging containing a dangerous solid porous matrix (for example asbestos), including empty pressure containers
15 02 02*	absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing containing dangerous substances
16 02 13*	discarded equipment containing hazardous components other than those mentioned in 16 02 09 to 16 02 12
16 06 01*	lead batteries
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 04 02	aluminium
17 04 07	mixed metals
17 04 10*	cables containing oil, coal tar and other dangerous substances
17 04 11	cables other than those mentioned in 17 04 10
20 01 21*	florescent tubes and other mercury-containing waste
20 03 01	mixed municipal waste (generated on site only)

[1] Only waste from Enemalta Plc is permitted to be accepted and stored at the permitted installation.

Schedule 2
Site Map

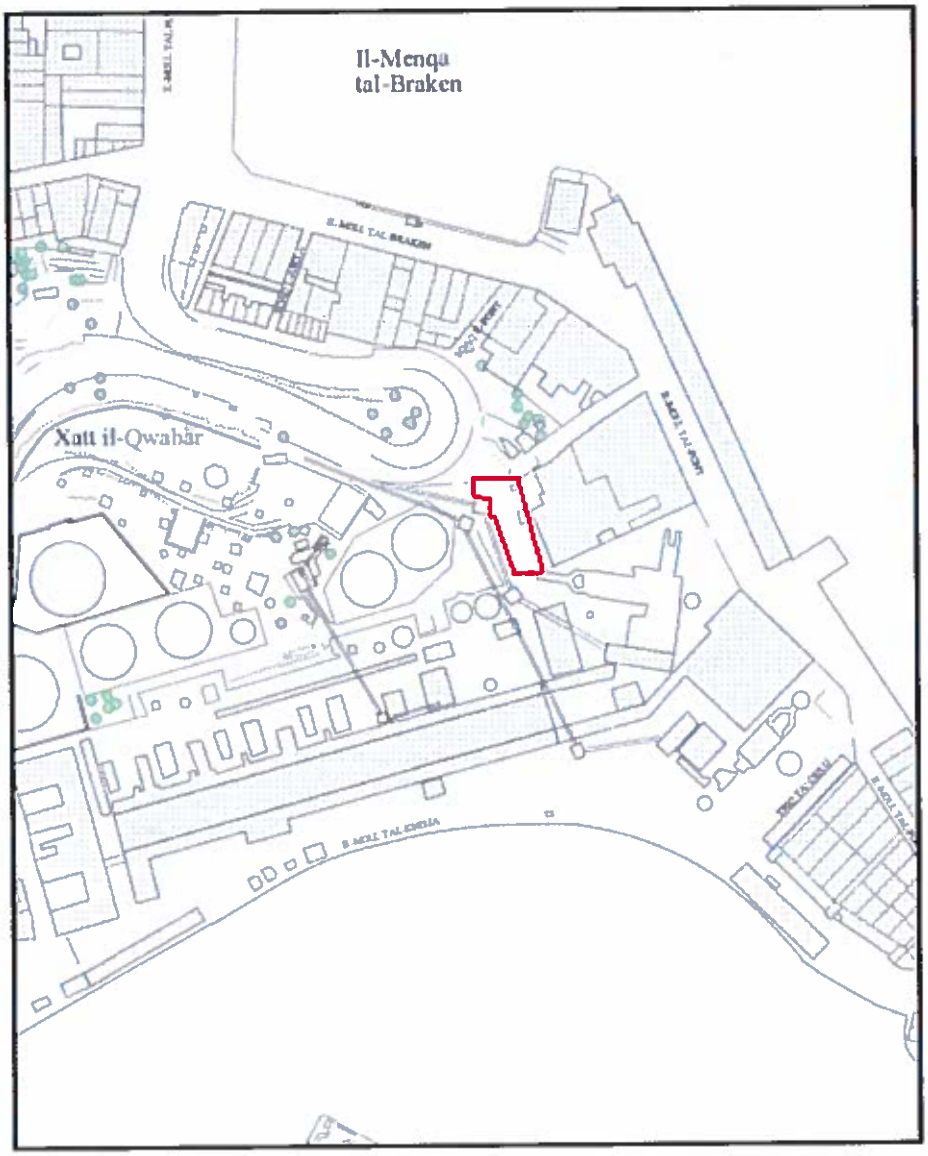

Fig. 2.1: Site of permitted installation, showing extent of area in red for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and should not be used for interpretation purposes.

Schedule 2 A

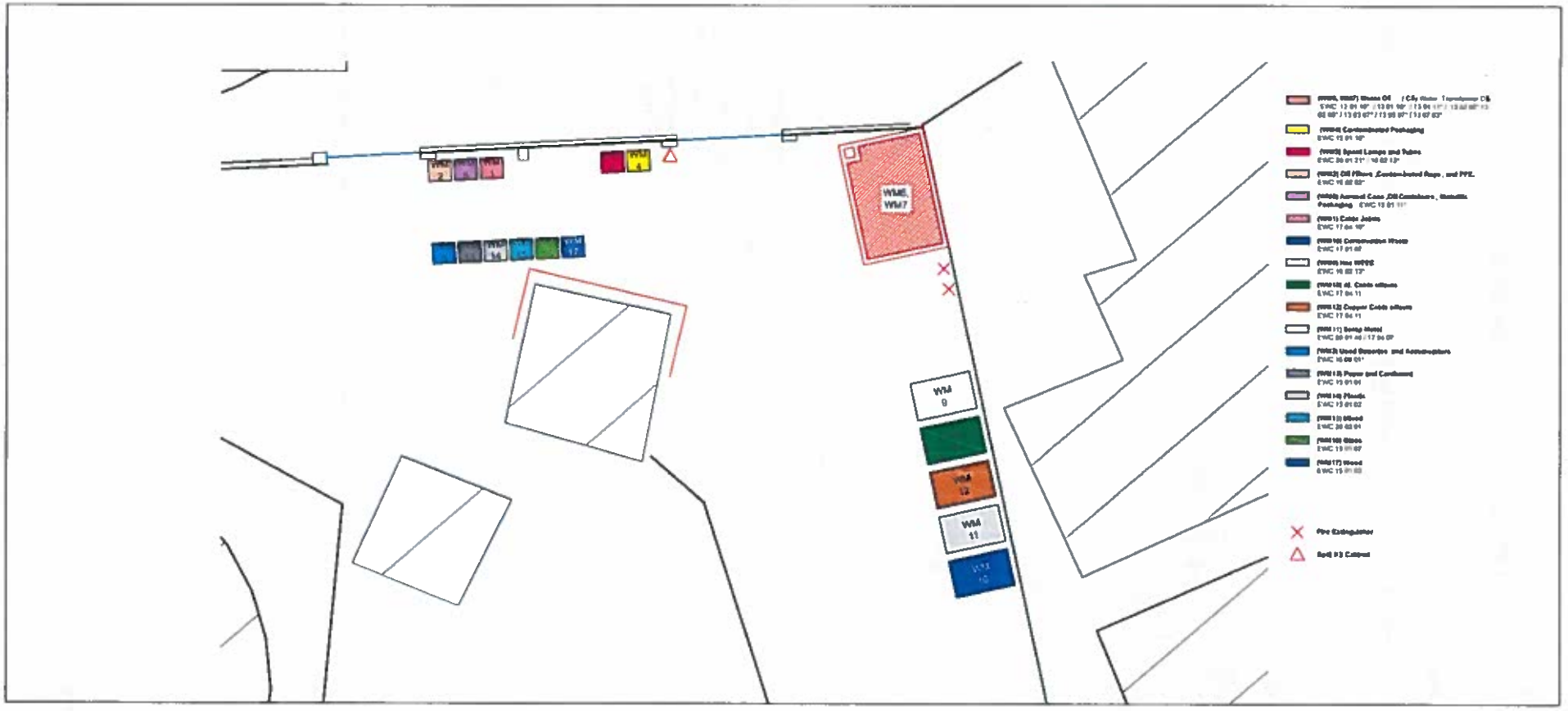

Fig. 2.2: Site Layout of permitted installation for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and should not be used for interpretation purposes.

Schedule 3
Annual Environment Report and Submissions

Important note
By this submission, you confirm that you give your explicit consent for the entire contents of this Annual Environment Report to be made available on the Authority's public website.

S3.1 Introduction

Environmental Permit Number	
Reporting Year (Calendar Year: 1 January to 31 December)	
Name and locality of Site	
Brief description of activities at the site	

S3.2 Waste Records

As per condition 4.5.1 the Operator shall submit to the Authority information on waste records of the previous year by not later than end of March of each year, providing the information listed in the ERA website and in the format specified therein (http://era.org.mt/en/Pages/Waste-Management-Reporting-Templates.aspx).

S3.3 Submission of Certifications

Condition Number	Documentation
2.1.2	Designation and implementation of a quarantine area onsite
3.1.4.16	Submit details of the scale used, together with its location and calibration details
4.5.1	Submission of Waste Records

Applicant's declaration
I declare that, to the best of my knowledge, all the above information is correct and substantiated.

....
Name *(in block letters)* **ID Card Number** **on behalf of / in my own name** *(in block letters)*

....
Signature **Date**

END OF PERMIT