

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP 051/17/A

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:

Refab Light Blue Partnership
Company registration number: **P COMM 202**

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

A3 Towers, Block A3
Triq L-Arkata
Paola, Malta

to carry out waste management activities related to collection, storage, packaging and export of waste clothing at:

Attrans Ltd Depot,
Level 0, Store 5
Triq L-Imdina,
Zebbug Malta

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: 02 / 05 / 2018
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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
<i>Application Received</i>	21 December 2016
<i>Permit determined by ERA Board</i>	13th April 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
Collection, storage, sorting, packaging and export of waste clothing and textiles	Reception of clothes at warehouse, temporary storage and sorting, packing and export	From receipt of waste clothing to dispatch of packed items to authorised waste facility abroad
End of Waste activity for Waste clothes and textiles	Manual checking and sorting of waste clothes and textiles	From receipt of waste clothes and textiles to dispatch as product either locally or abroad
	Cutting of cotton rags	

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 provided as part of the application.

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, Occupational Health and Safety Authority, Transport Malta and the Regulator for Energy and Water Services.
- 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 the 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. 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 also necessitate the transfer of 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 **02 May 2020**. The Permit Holder is may 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 renewal letter is issued by the Authority. 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 **€6,600 (Financial Guarantee Number G73TFC51677 dated 27th April 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 financial guarantee if the Permit Holder fails to take the necessary action in cases 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 quality of the surrounding environment. Any required monitoring and/or audits shall be carried 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.

Any such change shall only be implemented until agreed in writing by the Authority.

1.5 Improvement Programme

- 1.5.1 The Operator shall complete the improvements specified in Table 1.5.1 by the date specified in that table.

Table 1.5.1: Improvement programme		
Reference	Requirement	Deadline
1.	Operator is to implement the quarantine area as specified in condition 2.1.2	Within three (3) months of issue of the permit.
2.	Operator is to install a site identification board as specified in condition 2.1.3	Within one (1) months of issue of the permit.

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 The quarantine area as designated during the application process is to be implemented within the site boundary to temporarily hold unpermitted waste that may enter the site (refer to Section 3). 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 shall be 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 shall contain the following information:
- a. The company name and address
 - a. Permit Holder's name
 - b. List of authorised activities on site
 - c. 24 hour emergency mobile number
 - d. Permit Number (making it clear this site is permitted by the Authority)
 - e. Opening hours of the site
- 2.1.4 No waste shall be deposited, stored, treated or otherwise handled in any area of the site that 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 processed on site.
- 2.2.2 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.
- 2.2.3 Any waste clothes and textile material, which is to achieve end-of waste criteria must adhere to the standards for production as per Schedule 3 and Schedule 3A of this permit.

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
- 3.1.1.2 The exhaust from general building ventilation (e.g. extractors or fans in walls or roofs) and any extracted fumes and gases shall be vented in such a way as to avoid adverse environmental effects and in accordance with applicable legislation in this regard. .

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 packaging material, waste and any other materials.
- 3.1.2.4 All process and storage areas must be appropriately contained.
- 3.1.2.5 Rainwater shall not be discharged into the sewer. Foul sewer drains must be strictly segregated from storm water drains.

3.1.3 Emissions to Land

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

3.1.4 Waste

- 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 Permit Holder 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 quarantine area (Condition 2.1.2) and not be mixed with other wastes on site.
- 3.1.4.4 No liquid wastes shall be accepted on site.
- 3.1.4.5 No storage of waste destined for disposal is permitted for a period exceeding 12 months.
- 3.1.4.6 No storage of waste destined for recovery is permitted for a period exceeding 3 years.
- 3.1.4.7 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.
- 3.1.4.8 Only registered waste carriers as per activity 38 of schedule 1 in S.L. 549.45 - the Waste Management (Activity Registration) Regulations are allowed to transport waste to and from this site.
- 3.1.4.9 The Permit Holder shall ensure to issue a receipt / certificate for every consignment of wastes accepted on Site indicating the date and time of the consignment and the weight of the waste received. Each receipt/ certificate shall indicate the site name and permit number, as well as bearing a unique sequential number. Records of all waste consignments leaving the site shall also be officially recorded.
- 3.1.4.10 The Permit Holder 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 onsite weighing.
- 3.1.4.11 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.

- 3.1.4.12 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, as amended;
 - 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.
- 3.1.4.13 Disposal certificates shall be kept on record and made available for inspection for a period of at least 4 years from date of their issue.

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 An Emergency Response Plan shall be submitted 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 reasonably be regarded as causing environmental damage or as posing a threat of environmental damage, the operator shall notify the Authority and CPD within 24 hours.

4.3 Site Records & Archive

4.3.1 A site 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. Any other incidents that the Permit Holder deems important to record.

Each record shall be compiled within 24 hours of the relevant event. The records kept in the site 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 operations on the site, all wastes (including machinery and associated equipment) and hazardous materials (including chemicals) 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 4 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

Incoming List of Wastes Permitted on Site

European Waste Codes	Description of Waste
20 01 10	Clothes
20 01 11	Textiles

Schedule 2 Site Map

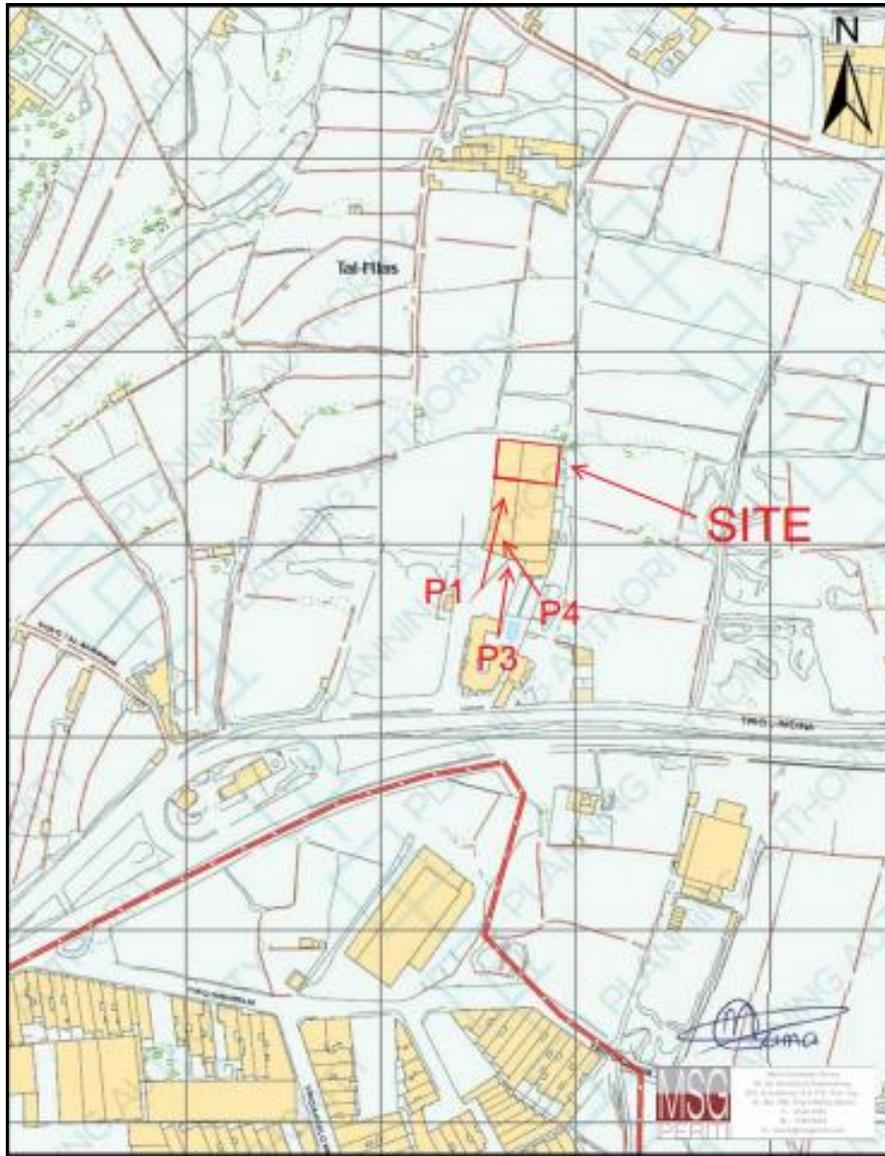


Fig. 2.1: Site of permitted installation, showing extent of permitted area in red, for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

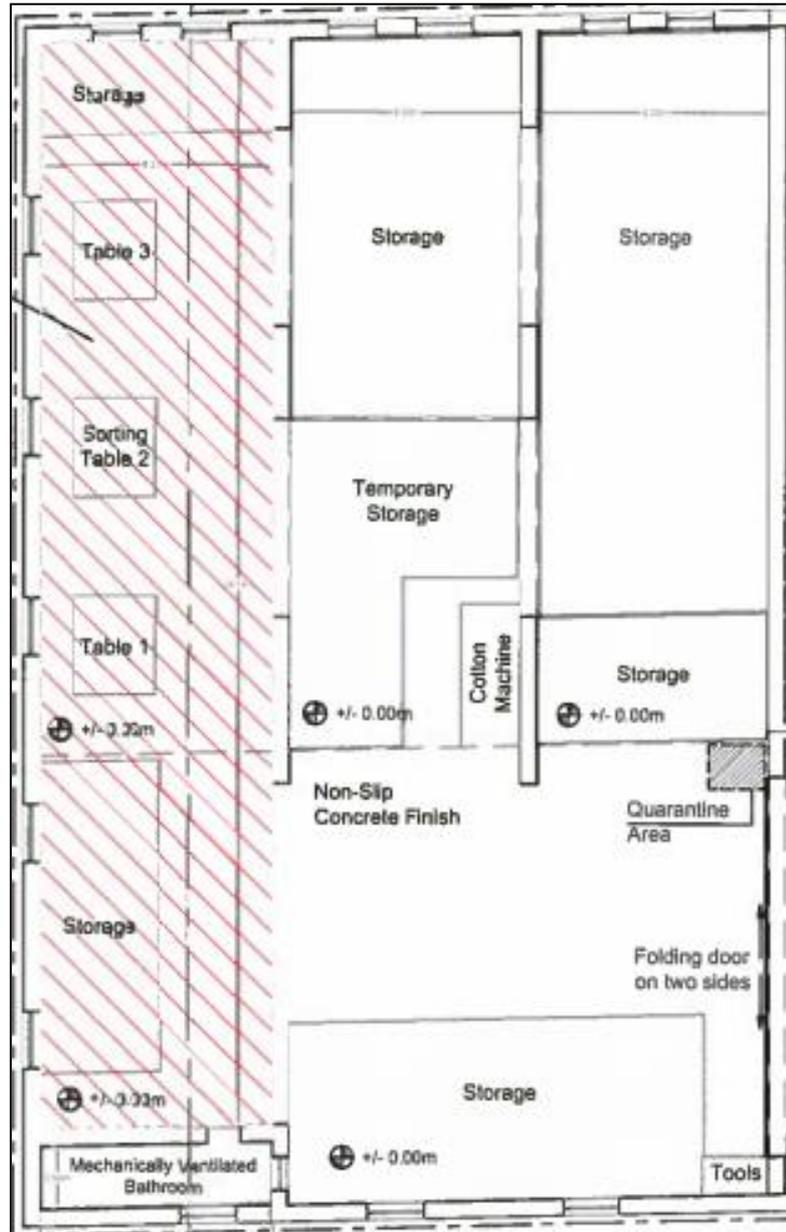


Fig 2.2: Permitted site layout plan, for the carrying out of the activities specified in condition 1.1.1 showing the permitted waste storage and processing area hatched in red. The remaining area is permitted for the storage of the finished product. The permitted activities are limited to the Store 5, Level 0.

Schedule 3

End of Waste Criteria for Waste Clothes and Textiles

Following the review of the documentation submitted by the applicant it was concluded that:

- since the recovered clothes and textiles and rags are commonly used for specific purposes;
- since a market exists for such recovered clothes and textiles and their cutting in rags; and
- since the use of the recovered clothes and textiles and recovered rags will not lead to overall adverse environmental or human health impacts;

the material would no longer be classified as waste and therefore no longer subject to the legislation regulating waste, further provided that:

- (i) waste clothes under EWC code 20 01 10 & waste textiles under 20 01 11 are treated according to the permit conditions; and
- (ii) the recovered clothes and textiles and recovered rags fulfils the technical requirements, if applicable, for the specific purposes and meets the existing national and European Union legislation and standards applicable to these materials.

The end-of-waste approval by the Environment and Resources Authority does not automatically imply that it is not a waste in:

- (i) other EU Member States, given that no end-of-waste criteria for waste clothes have been established at an EU level; and
- (ii) third countries.

In this context, the applicant is to ensure in cases of exports, that the countries of transit and country of destination do not classify the material as waste under their national legislation.

This permit is subject to the following conditions:

- a) This procedure/approval would no longer be valid once end-of-waste criteria for waste clothes and/or textiles would be established by the EU.
- b) This procedure/approval is valid only for the processing of the following EWC codes: 20 01 10 (clothes) and 20 01 11 (textiles).
- c) The applicant shall maintain a record for each consignment by issuing a "Statement of Conformity with the End-of-Waste Criteria" (Schedule 3A) with each consignment. These documents shall be kept for a minimum of three years and made available to the Competent Authority upon request.
- d) The applicant is to submit a copy of all the Statements of Conformity as laid down in Schedule 3A issued in a particular year together with the facility's annual report to be submitted to ERA in accordance with permit.
- e) The applicant shall ensure that waste clothes and textiles used as input are kept permanently separate from the contact with any other waste.
- f) The applicant shall ensure that all waste clothes and textiles that have ceased to be waste are exclusively intended to be worn as clothes or used as rags and that no further treatment prior to use other than normal industrial practice is required.

- g) The applicant shall ensure that waste clothes that cease to be waste comply with all relevant product legislation.

Schedule 3A

Statement of Conformity with the End-of-Waste Criteria laid down in Schedule 3

1.	Producer of end-of-waste clothes and textiles Name: Address: Contact person: Telephone: Fax: E-mail:
2.	The name or HS code of the recovered clothes or textile
3.	Quantity of the consignment (in kg):
4.	This consignment meets the criteria/conditions referred to in Schedule 3.
5.	The material in this consignment is intended exclusively to be worn as clothes or utilized as rags
6.	Declaration of the producer of the end-of-waste clothes and textiles: I certify that the above information is complete and correct and to my best knowledge: Name: _____ Date: _____ Signature: _____

