

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP 0065/12/D

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERAERA) in exercise of its powers under the Environment Protection Act (CAP. 549) and the Waste Regulations, 2011 (L.N. 184 of 2011 as amended), hereby authorises:

JJ Borda Scrap Metals

Company registration number: **P 1420**
(hereinafter “the Operator” or “the Permit Holder”),

Of / Whose Registered Office (or principal place of business) is at:

JJ Borda Scrap Metals
11, St. Angelo Street
St Julians, STJ 1113

To carry out waste management activities related to storage of scrap batteries and storage and processing of scrap metals prior to export at:

JJ Borda Scrap Metals
6, Valletta Road
Marsa

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

This permit is valid for **one (1) year** 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: 29 / 03 / 2017
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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 EP</i>	11 October 2012
<i>Permit Issued</i>	06 February 2013
<i>Renewal Issued</i>	18 February 2015
<i>Renewal Issued</i>	14 March 2016
<i>Renewal Issued</i>	29 March 2017

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, cutting and baling of scrap metal	Receipt, storage, cutting & baling of scrap metal	From receipt of waste metals to dispatch of end product for authorised use or to authorised waste facility either locally or abroad. Storage of metal waste is not to exceed the site boundaries and limitations.
Storage of batteries	Storage of batteries with EWC codes as specified in the permit	From receipt of waste to dispatch of batteries to authorised facilities either locally or abroad

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 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. The obligations and conditions deriving from this permit are without prejudice to any other regulations, codes of practice, conditions/requirements imposed by other Authorities, including the need to obtain any development permit.

- 1.3.3 In these conditions and their interpretation, all terms shall have the same meaning as that assigned to them in the Waste Regulations, 2011, as published by Legal Notice 184 of 2011 as amended or any statutory provisions or regulations amending or replacing them.
- 1.3.4 The waste management activities on site shall be managed without endangering human health or harming the environment, in particular:
- a. Without risk to water, air, soil, plants and animals;
 - b. Without causing a nuisance through noise, dust or odours;
 - c. Without adversely affecting the countryside or places of special interest or value.
- 1.3.5 The Permit Holder is to be fully liable and responsible for managing the site in all its various aspects and to supervise the full adherence with all the conditions of this permit.
- 1.3.6 The site must be well secured to minimise the opportunity for unauthorised entry. An employee of JJ Borda Scrap Metals 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.
- 1.3.7 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.
- 1.3.8 In the event of cessation of business activity on the site, all wastes (including machinery, tanks, equipment) and hazardous materials (including batteries) 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 immediately upon a decision being taken to cease business activity and shall submit a decommissioning plan to the Authority for approval.
- 1.3.9 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 or excessive noise. The operator shall keep maintenance records.
- 1.3.10 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.
- 1.3.11 This Permit is not transferable unless by application to the Authority, whereby the permit will be transferable only after an official letter from the Authority endorses the permit transfer. Transfer of ownership will also necessitate the transfer of environmental obligations and liabilities.
- 1.3.12 The Authority shall carry out regular compliance checks and audits that vary in frequency according to the site's compliance with the permit conditions. Any such checks and audits carried out by the Authority are to be made at the Permit Holder's financial expense.
- 1.3.13 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.

- 1.3.14 The Authority reserves the right to alter, amend or remove any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder.
- 1.3.15 The Permit Holder may request the Authority to change or amend any of the conditions of this permit with which the Permit Holder is no longer in a position to achieve compliance by applying for a Variation Notice. The changes in the permit conditions are only affected once official documentation from the Authority notifies the Permit Holder that the Variation Notice is in affect. Until such a time, the permit holder retains the responsibility to achieve full compliance with these conditions.
- 1.3.16 The validity of this permit is until **29 March 2018**. The Permit Holder is to apply for a renewal at least six (6) weeks prior to the expiry of this permit.
- 1.3.17 This permit is issued against a bank guarantee of € 5,000 (**Financial Guarantee Number 8820130027 dated 07 January 2013**) which is renewed annually. The Authority reserves the right to 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 or in cases where environmental integrity is threatened. This bank guarantee is without prejudice to any environmental liabilities incurred by the operator through failure to adhere with permit conditions.
- 1.3.18 In cases where the financial guarantee does not cover the expenses incurred by the Authority to take remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.
- 1.3.19 A copy of this permit should be available at all times at the permitted facility, including any Variation Notices or amendments to it.
- 1.3.20 The Authority may suspend or revoke this environmental permit or part of it where significant mismanagement of the site is observed or any of the permit conditions are not respected. This may be done after a written warning is given by the Authority or in any eventuality that gives the Authority enough reason to revoke this permit.
- 1.3.21 The Permit Holder is able to surrender this environmental permit **only after** applying with the Authority. The Permit Holder shall retain all responsibility for management and activities within the site until the Authority officially approves the permit surrender in writing.
- 1.3.22 The Authority reserves the right to attach a fee to this permit.

1.4 Operational Changes

- 1.4.1 The operator shall seek the Authority's written agreement to any operational changes which could cause impact on the environment (including introduction of new waste streams, processes or equipment) by sending to the Authority: written details of the proposed change, including an assessment of its possible effects (including changes in emission and waste production) on risks to the environment from the Permitted Facility; any relevant supporting documentation or drawings, and the proposed implementation date.
- 1.4.2 Any such change shall not be implemented until agreed in writing by the Authority. As from the agreed implementation date, the operator shall operate the Permitted Installation according to that change, and relevant positions in the Application shall be deemed to be amended.

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	Applicant is to install an oil-water separator to cater for the effluent run-off of the strip of land in front of the garages.	Within 3 months of issue of permit

2. Site Infrastructure and Operations

2.1 Site Infrastructure

- 2.1.1 During non-operating hours the site should 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 (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 operator must apply suitable abatement measures to any equipment related to the physical alteration of the scrap metal (e.g. shredding machines, shearing machines, balers) to prevent escape of particulates and excessive noise created by the processes related to this equipment.
- 2.1.4 The site should be clearly identified by a site identification board, which should be replaced as soon as it is damaged or the information is no longer readable from a distance. The site identification board should be located at the site entrance and should contain the following information:
- The company name and address
 - List of authorised activities on site
 - 24 hour emergency mobile number
 - Permit Number (making it clear this site is permitted by the Authority)
 - Opening hours of the site.
- 2.1.5 No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been fully repaired in accordance with this condition and condition 2.1.6.
- 2.1.6 Engineered site containment and surface water drainage systems shall be designed, constructed, inspected, validated and maintained; and shall be fully documented and recorded to be fit for purpose while meeting the following construction quality assurance standards. All areas are to be:
- fully impermeable
 - kept free from cracks which could increase permeability
 - are to be certified as being resistant to physical, mechanical and chemical stresses to which they may be subjected
 - fall towards the surface water discharge point to prevent pond formation
- 2.1.7 The surface water drainage system must be sealed so that it does not leak and is capable of collecting and containing runoff and other liquids draining from the impermeable pavement. Runoff from this system is to pass through an oil-water interceptor.

- 2.1.8 All oil-water interceptors shall be monitored and maintained to ensure efficient operation. A log of monitoring and waste removal from the interceptor shall be maintained on site and be available for inspection by the Authority.

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. No Waste Electrical and Electronic Equipment (WEEE) or End-Of-Life vehicles (ELVs) with non-metal components still affixed are allowed entry on site.
- 2.2.2 The total quantities of scrap metal waste processed at the site shall not exceed 75 tonnes per day. 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 The total quantity of batteries stored at the permitted facility shall not exceed 50 tonnes at any given time.
- 2.2.4 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.
- 2.2.5 Storage of waste batteries is to be carried out indoors (not open to the elements) that has impermeable ground in order to facilitate the clean up of potential spills.
- 2.2.6 The treatment including crushing of waste gas cylinders is not permitted on site unless a method of how this is done in an appropriate manner as approved by the Competent Authority.
- 2.2.7 Any radiators shall be drained from fluids and electronic components removed prior to acceptance and bailing of such waste onsite.
- 2.2.8 The area in front of the garages permitted for storage and other activities under this permit shall only be used as a reception area and a temporary storage area for non-hazardous waste prior to loading in container.

2.3 Hours of Operation

- 2.3.1 Without prejudice to any code of practice or any other regulations or agreements between or from other Authorities or governmental bodies, the waste management operations authorised by this Permit shall only be carried out within the times specified below:

Monday to Friday:	08:00 – 17:30
Saturday:	08:00 – 13:00
Sunday and Public Holidays:	Closed

3. Operating Conditions

3.1 Emissions

3.1.1 Emissions to Air

- 3.1.1.1 Emissions to air shall arise from the emission points specified in Table 3.2.1.2, as per the description in the submitted EP application.

Table 3.1.1.1

Emission point reference	Source
PS1	Generator

- 3.1.1.2 Diesel (gas oil) used for the generator shall have a Sulphur content not greater than 0.1%
- 3.1.1.3 The operator shall ensure that the generator referred to in Table 3.1.1.1 is certified by an independent warranted engineer. The certification shall be carried out during operation and shall be submitted as part of the Annual Environment Report.
- 3.1.1.4 In the event of local nuisance from emissions to air, the Operator must, at the written request by ERA and within ten (10) working days, identify the cause of the nuisance and examine measures for its elimination or minimisation including:
- a. Improved storage of materials,
 - b. Use of additional abatement measures,
 - c. Any other measure that may be deemed necessary to undertake.
- 3.1.1.5 The Operator shall prevent or where that is not practical, reduce fugitive emissions of substances to air from the Permitted Installation.

3.1.2 Effluent Discharges

- 3.1.2.1 The operations of the installation shall not hinder the achievement of good status for surface and groundwater as required under the Water Policy Framework Regulations, LN 194 of 2004, as amended.
- 3.1.2.2 The operator shall not allow the introduction into groundwater of any substance included in the Regulations for the Protection of Groundwater against pollution and deterioration (LN 108 of 2009). The operator shall also not allow any discharges to groundwater for substances other than those specified in the Regulations unless specifically permitted by the Malta Resources Authority.
- 3.1.2.3 No discharges to surface waters or groundwater shall take place at the installation unless authorised by the Authority.
- 3.1.2.4 Rainwater shall not be discharged into the sewer. Foul sewer drains must be strictly segregated from stormwater drains. The operator shall endeavour to collect rainwater in a suitable reservoir or cistern.
- 3.1.2.5 Rainwater shall be segregated from all process areas that are potentially contaminated with raw materials, intermediates and/or products. If this is not possible, rainwater from areas where contamination by oil or chemicals is likely (such as loading/unloading and banded areas) shall pass through an adequately sized interceptor or a suitable waste water treatment system.
- 3.1.2.6 There shall be no discharges to the sewer unless approved by the Water Services Corporation.
- 3.1.2.7 The Operator shall ensure the Sewer Discharge Permit from the Water Services Corporation is obtained and updated every year.
- 3.1.2.8 All discharges to the foul sewer shall comply with the requirements of the Water Services Corporation.
- 3.1.2.9 Process effluents shall not be diluted prior to discharge to sewer.

3.1.2.10 All process and storage areas must be appropriately contained. Any accidental release of substances shall be duly treated prior to discharge into the sewers, or disposed/recovered to the satisfaction of the Authority if treatment does not enable compliance with emission limit values in the Sewer Discharge Permit.

3.1.2.11 Oil/water interceptors shall be inspected by an independent warranted engineer at least once every year, and shall amongst other things inspect the interceptor for efficiency of operation.

3.1.2.12 Prior to the installation of the oils water separator, any waste temporarily stored in the strip of land in front of the garages must be clear of any oils

3.1.3 Emissions to Land

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

3.1.4 Odour

3.1.4.1 The Operator shall prevent or where that is not practicable reduce odorous emissions from the Permitted Installation so as not to cause nuisance to Third Parties.

3.1.5 Noise and Vibration

3.1.5.1 The Operator shall prevent or where that is not practicable reduce emissions of noise and vibration from the Permitted Installation.

3.1.5.2 The Authority shall reserve the right to request a noise monitoring analysis, at the expense of the Permit Holder. In this regard, the locations, measurements and assessment must be made according to BS 4142:1997, all the series of ISO 1996, ISO 9613 and any other standard methodology stipulated by the Authority. This shall be subject to the submission of a method statement and subsequent approval by the authority prior to the commencement of any monitoring.

3.1.6 Waste

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

3.1.6.2 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 nuisance to third parties.

3.1.6.3 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.

3.1.6.4 Treatment or recovery of any hazardous or liquid wastes accepted on site is strictly prohibited.

3.1.6.5 No storage of waste is permitted for a period exceeding 12 months.

3.1.6.6 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.

- 3.1.6.7 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 on site weighing.
- 3.1.6.8 The Permit Holder shall ensure to issue a certificate / receipt 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 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.
- 3.1.6.9 Only registered waste carriers as per activity 38 of schedule 1 in the Waste Management (Activity Registration) Regulations, 2007 as published by Legal Notice 106 of 2007 are allowed to transport waste to and from this site.
- 3.1.6.10 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° 1379/2007 of 26 November 2007 amending Annexes IA, IB VII and VIII of Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of Shipments of waste, for the purposes of taking account of technical progress and changes agreed under the Basel Convention; and
 - c. 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.
- 3.1.6.11 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.
- 3.1.6.12 All hazardous waste transferred to and from the site shall be accompanied by a valid hazardous waste Consignment Permit issued by ERA. Each consignment under the consignment permit should be accompanied by a Consignment Note.

4. Site Management

4.1 Staff obligations and Responsibilities

- 4.1.1 All employees on site should be fully conversant with the obligations of this permit and should be individually aware of their responsibilities and liabilities in observing the conditions of this permit.
- 4.1.2 One member of the staff should 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 The TCP is to be present at all times on site and in her/his absence another member of staff is to substitute him/her temporarily. In the event that a TCP terminates her/his employment, another person shall be appointed as a TCP immediately and the Authority shall be informed of this change.
- 4.1.5 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.
- 4.1.6 All the staff on site should 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 Control of Mud, Debris & Emissions

- 4.2.1 At all times during the year the Permit Holder and/or TCP are to ascertain that the roads leading to the facility are clean and free of mud or large debris. In the event that mud or large debris is observed on the road the Permit Holder and/or TCP is to take remedial action and ascertain that the roads are immediately cleaned.

4.3 Accident Prevention and Control

- 4.3.1 An 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.
- 4.3.2 The emergency response plan shall be updated whenever necessary and the updated version sent to ERA and the Civil Protection Department.
- 4.3.3 In the case of an accident (including fire, chemical spills, etc.), the Operator shall follow the Emergency Response Plan referred to in Condition 4.3.1 and, in the case that such accident could reasonable be regarded as causing environmental damage or as posing a threat of environmental damage, the Operator shall notify the Authority within 24 hours.

4.4 Site Records & Archive

- 4.4.1 A site diary should 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. Names of visitors
 - vii. Any other incidents that the Permit Holder deems important to record in the Site Diary.

Each event recorded within the site diary must be completed within 24 hours of the event.

- 4.4.2 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 at any reasonable time;
 - ii. be supplied to the Authority on demand and without charge and in the format requested;
 - iii. be legible;
 - iv. be made as soon as reasonably practicable;
 - v. indicate any amendments which have been made and shall include the original record wherever possible; and
 - vi. 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.

4.5 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 the ERA website and in the format specified therein (<http://www.ERA.org.mt/wastemanagementfacilities-template>).
- 4.5.2 A summary record of the waste quantities accepted and removed from the Site shall be made annually and shall be submitted to the Authority as part of the AER. The summary record shall be in the format specified therein and shall be submitted within three months of the end of the reporting year.

Schedule 1**Complete List of Permitted Waste on Site**

European Waste Codes	Description of Waste
16 01 17	Ferrous metal
16 01 18	Non-ferrous metal
16 06 01*	Lead batteries
16 06 02*	Ni-Cd batteries
16 06 03*	Mercury containing batteries
16 06 04	Alkaline batteries (except 16 06 03)
16 06 05	Other batteries and accumulators
17 04 01	Copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	Iron and steel
17 04 11	Cables other than those mentioned in 17 04 10
19 10 02	Non-ferrous waste

Schedule 2
Site Map

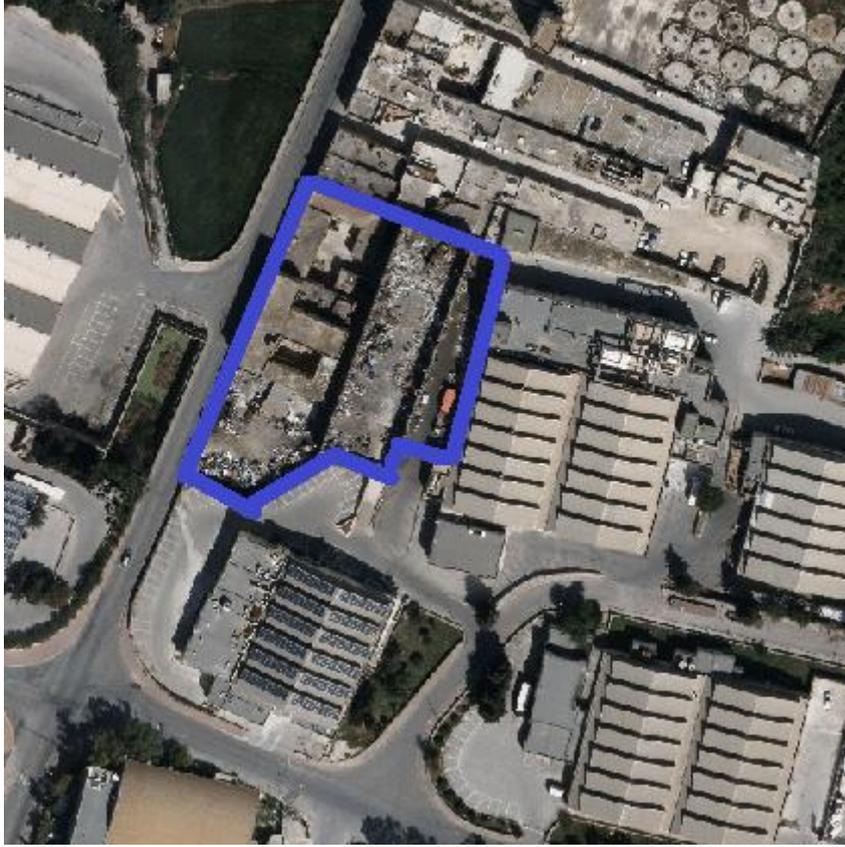


Fig. 2.1: Site of permitted installation, showing extent of area delineated in blue.

END OF PERMIT