

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP 059/12/D

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:

Estral (Malta) Ltd.

Company registration number: **C 44045**
(hereinafter “the Operator” or “the Permit Holder”),

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

Estral (Malta) Ltd.

**Flat 3, Anutruf
Triq il-Hriereb
Msida**

To carry out waste management activities related to collection and temporary storage and processing (cutting) of aluminium scrap prior to export at:

Ellul's Garage F

**Triq John Michael Testa
Handaq, Qormi**

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: 01 / 11 / 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>	04 September 2012
<i>Permit Issued</i>	27 August 2014
<i>Renewal Issued</i>	18 August 2015
<i>Renewal Issued</i>	24 October 2016
<i>Permit determined by ERA Board</i>	27 October 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.

Activity	Description of specified activity	Limits of specified activity
Storage and processing (cutting) of scrap aluminium metal	Storage and processing of scrap aluminium metal in designated areas for a period of up to (but not exceeding) 12 months	From receipt of waste to dispatch of scrap metal 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 (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. 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 Subsidiary Legislation 549.63, the Waste Regulations, as published by Legal Notice 184 of 2011 as amended or any statutory provisions or regulations amending or replacing them.

- 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 Subsidiary Legislation 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.
- 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 The Permitted Installation shall be managed, controlled, supervised and operated by staff that 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.
- 1.3.8 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 is issued endorsing the permit transfer. Transfer of ownership will also necessitate the transfer of environmental obligations and liabilities.
- 1.3.9 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 are to be made at the Permit Holder's financial expense.
- 1.3.10 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.
- 1.3.11 The Authority reserves the right to 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 operational changes resulting through emergency orders issued by the Authority.
- 1.3.12 The Permit Holder is able to 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 effect. Until such a time, the permit holder retains the responsibility to achieve full compliance with these conditions.
- 1.3.13 The validity of this permit is until **01 November 2019**. 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 **€ 5,600 (Financial Guarantee Number 2014/58 dated 18 August 2014)** 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 without any prejudice.
- 1.3.15 The Authority reserves the right to take part or all of the bank 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. 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 In cases where the bank guarantee does not cover the expenses incurred by the Authority to undertake any remedial action failed to be undertaken by the Permit Holder, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.
- 1.3.17 A copy of this permit should be available at all times at the site office, including any Variation Notices or amendments to it.
- 1.3.18 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.
- 1.3.19 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.
- 1.3.20 The Authority shall reserve the right to request 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/or audits shall be carried out at the expense of the Permit Holder.
- 1.3.21 Without prejudice to condition 1.3.20, the authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.
- 1.3.22 ERA reserves the right to undertake any remedial action failed to be undertaken by the operator at the operator's expense.

1.4 Operational Changes

- 1.4.1 The operator shall 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 not be implemented until agreed in writing by the Authority. As from the agreed implementation date, the operator shall operate the Permitted Installation according with authorised changes.

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. A non leaking skip or similar contained structure can be utilised for the temporary storage of unpermitted waste.
- 2.1.3 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:
- 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 All authorised waste shall be stored indoors (not open to the elements) and on impermeable ground.

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) or parts thereof may be accepted.
- 2.2.2 The total quantities of waste accepted at the site per year shall not exceed the capacities given in the permit application. 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.

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 All discharges to the foul sewer shall comply with the requirements of the Water Services Corporation.
- 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 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.

3.1.2.5 The Operator shall ensure the Sewer Discharge Permit from the Water Services Corporation is updated every year. The Operator shall abide to the provisions indicated in the Sewer Discharge Permit.

3.1.2.6 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.

3.1.4 Waste

3.1.4.1 The Permit Holder shall apply the precautionary principle to safeguard the environment whilst carrying out the permitted activities and should 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 effect 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 No storage, treatment or recovery of hazardous or liquid waste is allowed on site.

3.1.4.5 Any hazardous wastes which may inadvertently enter the sites shall be stored in a labelled, closed container(s) within a designated and controlled storage area(s) prior to ultimate disposal. Wastes of different natures shall not be mixed in the same container.

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

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 of Subsidiary Legislation 549.45, the Waste Management (Activity Registration) Regulations, as published by Legal Notice 106 of 2007 are allowed to transport waste to and from this site.

3.1.4.9 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 properly calibrated weighing equipment. The Operator is to submit details of the weighing equipment 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.

3.1.4.10 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.

3.1.4.11 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.
- 3.1.4.12 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.
- 3.1.4.13 All hazardous waste transferred off the site from the quarantine area 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 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.
- 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 In the event of any short or long periods of sick leave or vacation leave taken by the TCP, the Permit Holder is obliged to find a replacement for that member of staff immediately.
- 4.1.5 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 Accident Prevention and Control

- 4.2.1 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.
- 4.2.2 The emergency response plan shall be updated whenever necessary and the updated version sent to ERA for onward forwarding to the Civil Protection Department.

- 4.2.3 In the case of an accident (including fire, chemical spills, etc.), the Operator shall follow the Emergency Response Plan referred to in Condition 4.2.1 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.

4.3 Site Records & Archive

- 4.3.1 A site diary should be kept on site in which the following information shall be recorded on a daily basis:
- (a) Total amount of waste in kilos accepted on site
 - (b) Total amount of waste in kilos removed from site for disposal or further treatment
 - (c) Total amount of waste in kilos refused entry on site
 - (d) Total amount in kilos of unaccepted material sent to the quarantine area and by which registered waste carrier it was transported
 - (e) 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
 - (f) Names of visitors
 - (g) 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 site diary 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:
- (a) be made available for inspection by the Authority at any reasonable time;
 - (b) be supplied to the Authority on demand and without charge and in the format requested;
 - (c) be legible;
 - (d) be made as soon as reasonably practicable;
 - (e) indicate any amendments which have been made and shall include the original record wherever possible; and
 - (f) 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.

4.4 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 immediately upon a decision being taken to cease business activity, and shall submit a decommissioning plan to the Authority for approval.
- 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 the ERA website and in the format specified therein, (<http://era.org.mt/en/Pages/Waste-Management-Reporting-Templates.aspx>).
- 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 The Authority shall be informed within 48 hours in the event of an environmental hazard or major incidents.

Schedule 1
Complete List of Permitted Waste on Site

European Waste Codes	Description of Waste
17 04 02	Aluminium
19 10 02	Non-Ferrous Waste
19 12 03	Non-Ferrous Metal
20 01 40	Metals (Non-Ferrous only)

Schedule 2
Site Map

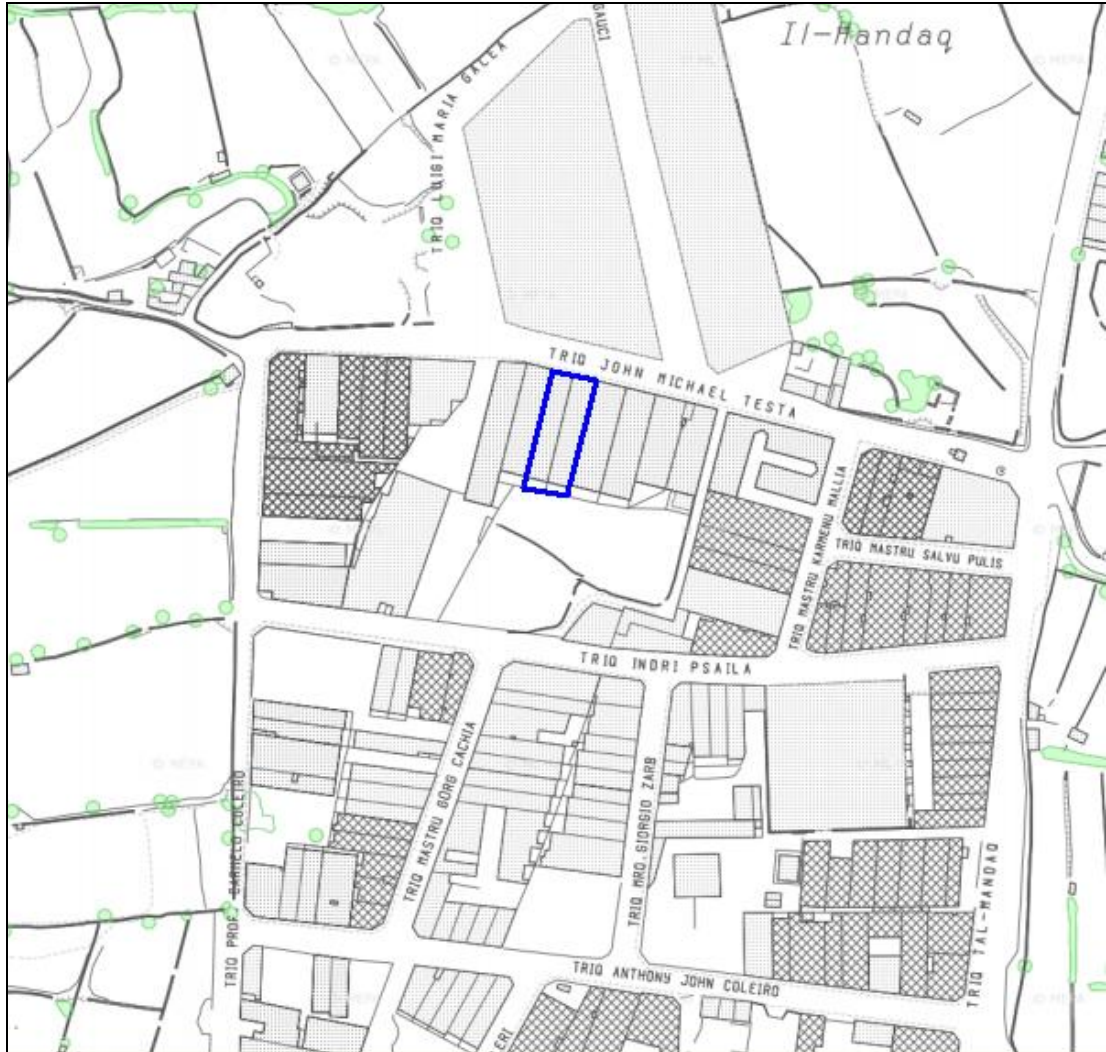


Fig. 2.1: Site of permitted installation, showing extent of area in blue.

END OF PERMIT