

## Environmental Permit

Environment Protection Act (CAP. 549)

Permit number

**EP 0018/19**

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:

**Mr. Antonio Montebello obo WasteServ Malta Ltd.**

Company registration number: **C 30560**

(hereinafter “the Permit Holder”),

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

***Wasteserv Malta Ltd.***

***Eko Centre***

***Triq il-Latmija***

***Marsaskala***

to carry out waste management activities related to the receipt and temporary storage of WEEE and waste batteries at:

**Bitmac Ltd**

**Tal-Balal Road**

**L/o Naxxar**

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

This permit is valid for a period of **one (1) year** from the date below. An application for renewal of this permit is to be submitted at least **six (6) months** prior to expiry of this permit.

Signed

Date

Prof Victor Axiak Chairman	Permit Granted: 20 / 05 / 2019
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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>	20 April 2018
<i>Permit issued</i>	23 November 2018
<i>Renewal determined by ERA Board</i>	10 May 2019

### 1.1 Permitted Activities

- 1.1.1 The Permit holder 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 and sorting of specified hazardous waste (WEEE & waste batteries with EWC codes as specified in the permit)	Storage and light sorting of specified hazardous waste (WEEE & waste batteries with EWC codes as specified in the permit) in designated areas	From receipt of waste to dispatch of WEEE and waste batteries with EWC codes as specified in the permit 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 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 Subsidiary Legislation 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 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 at all times.
- 1.3.6 The Permit Holder 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 significant polluting emissions, potentially polluting leaks and spillages. The permit holder shall keep maintenance records as per Section 4.3.
- 1.3.8 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 and maintained in line with Condition 4.3.3.
- 1.3.9 Upon the joint application of an permit holder and a proposed transferee, the Authority may transfer the environmental permit to the proposed transferee. The transfer of the permit will not relieve any of the permit holders from his environmental obligations and liabilities.
- 1.3.10 The Authority may carry out regular compliance checks that vary in frequency according to the site's compliance with the permit conditions. Any checks or audits 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 is 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 **20 May 2020**. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least six (6) months prior to the expiry of the permit. An application for the renewal of the Permit will only be accepted by the Authority subject but not limited to Condition 4.5.1 being fulfilled. The permit will be considered renewed once the official renewed permit is issued by the Authority.
- 1.3.14 In accordance to the provisions of SL549.63, this permit is issued against a bank guarantee of **€10,850** which shall be renewed annually. This guarantee will have to be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 1.3.15 The Financial Assurance for meeting the obligations under this Permit is contained in an Agreement made between the **Ministry of Finance** on behalf of the Permit Holder and the Authority dated **23 December 2016 (MF35/05/160)**.

- 1.3.16 The Authority may take part or all of the bank guarantee if the Permit Holder fails to take necessary action or fails to fulfil his legal obligations under the Act or its subsidiary legislation thereof, 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 permit holder through failure to adhere to 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 permit holder shall ensure that this is replenished without undue delay, in any case not exceeding 2 months from the date of forfeiture.
- 1.3.17 The Bank Guarantee shall remain in place for the duration of validity of this permit and shall only be released upon confirmation of full compliance with the permit conditions by the Authority.
- 1.3.18 In cases where the bank guarantee does not cover the expenses incurred by the Authority to take any 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 shall be available at all times at the site office, including any Variation Notices or amendments to it.
- 1.3.20 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.
- 1.3.21 The Authority may request monitoring and/or review of operational practices and 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 out at the expense of the Permit Holder.
- 1.3.22 Without prejudice to condition 1.3.21, 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 permit holder 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.

## **1.5 Improvement Programme**

- 1.5.1 The Permit holder shall complete the improvements specified in Table 1.5.1 by the date specified in that table, and shall send written notification of the date of completion of each requirement to the Authority on [ceu.notifications@era.org.mt](mailto:ceu.notifications@era.org.mt) within 10 working days of the completion of each such requirement.

<b>Table 1.5.1: Improvement programme</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Deadline</b>
1	Submission of the measures taken by the permit holder to prevent environmental risks and health risks	Within one (1) month of issue of the permit
2	Designation and Implementation of Quarantine Area	Within three (3) months of issue of the permit.
3	Submission of an Environment Management Systems as per Schedule 5	Within nine (9) months of issue of the permit
4	Installation of sheltering for areas designated for the storage of WEEE and waste batteries	Within three (3) months of issue of the permit
5	A site identification board is to be affixed.	Within three (3) 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. Such restriction excludes personnel of 3<sup>rd</sup> party operations occurring within the same site boundary as marked in red in schedule 2.
- 2.1.2 A quarantine area is to be designated and implemented 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 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
  - b. Permit holder's name
  - c. 24 hour emergency mobile number
- 2.1.4 Engineered site containment and drainage systems shall be 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
  - be kept free from cracks which could increase permeability
  - be certified as being resistant to physical, mechanical and chemical stresses to which they may be subjected

- fall towards an oil/water interceptor prior to passing through the drainage system to prevent pond formation.

2.1.5 No waste shall be deposited, stored, treated or otherwise handled in any area of the site that is not impermeable. No liquids wastes are allowed to be kept on site.

2.1.6 The infrastructural set up of for the WEEE storage areas shall be carried out in compliance with the technical requirements set out in Schedule 8 of Subsidiary Legislation 549.89, the Waste Management (Electrical and Electronic Equipment) Regulations. As a minimum, all the listed requirements have to be implemented at the permitted facility.

## **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. The permitted waste shall only be accepted for sorting and temporary storage of WEEE and waste batteries as per listed EWC codes prior to dispatch to authorised facilities locally or abroad. Any processing of these wastes including but not limited to dismantling, shredding, baling and any other form of treatment is strictly prohibited.

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

2.2.3 The Permit Holder is to ensure that the waste is organised into the designated areas, labelled and visible physical delineation of the waste storage areas shall be put in place.

2.2.4 The total amount of waste that can be stored at any given time cannot exceed the capacity of the permitted site boundaries. With regards to hazardous wastes in particular, storage of such waste may not exceed 49 tonnes at any given time

2.2.5 No waste shall be handled beyond the boundary of the permitted area as indicated in Fig 2.2 in Schedule 2.

2.2.6 It shall be endeavoured to keep all WEEE separately as per different categories as stipulated in Subsidiary Legislation 549.89, the Waste Management (Electrical and Electronic Equipment) Regulations.

## **3. Operating Conditions**

### **3.1 Emissions to Air**

3.1.1 No emissions to air shall take place from the Permitted Installation.

### **3.2 Effluent Discharges**

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

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

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

- 3.2.4 All process and storage areas must be appropriately contained.
- 3.2.5 Rainwater shall not be discharged into the sewer. Foul sewer drains must be strictly segregated from storm water drains.

### **3.3 Emissions to Land**

- 3.3.1 No emission from the Permitted Installation shall be made to land.
- 3.3.2 In the event of contamination of land, the permit holder shall notify the Authority within 24 hours, forward a decontamination plan for the Authority's approval and execute it within an agreed time frame.

### **3.4 General Waste Acceptance, Storage and Handling**

- 3.4.1 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.
- 3.4.2 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 not to cause adverse impact on the environment.
- 3.4.3 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.
- 3.4.4 No treatment, dismantling or recovery of waste is allowed on site.
- 3.4.5 No storage of waste destined for disposal is permitted for a period exceeding 12 months. No storage of waste destined for recovery is permitted for a period exceeding 3 years.
- 3.4.6 The permit holder is to prevent litter or other wastes escaping from the site boundaries particularly during loading/unloading. Any such escape of waste shall be collected immediately upon detection.
- 3.4.7 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.
- 3.4.8 Should the Permit Holder require the services of a waste broker, it shall be ensured that any such broker is a duly registered waste broker in accordance with S.L. 549.45.
- 3.4.9 Disposal or recovery of wastes leaving the installation shall take place only at permitted facilities.
- 3.4.10 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. Permit holder 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.
- 3.4.11 Waste generated at the Permitted Installation shall be recycled, reused or recovered unless technically and/or economically impossible.

- 3.4.12 Prior to initiating any waste export procedure, the permit holder shall check with the Competent Authority in the country of export, to ensure that the correct export code/s according to the relevant Annexes of Regulation No 1013/2006 on shipments of waste are being applied.
- 3.4.13 Without prejudice to condition 3.4.12, 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 implemented through SL 548.65;
  - 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.
- 3.4.14 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 shall 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 permit holder.
- 3.4.15 Disposal and/or recovery certificates and any documentation related to transfer of waste to and from the site and/or related to its end disposal and/or recovery shall be kept on record and made available for inspection for a period of at least 5 years from date of their issue. Copies of such certificates shall be submitted on an annual basis as part of the AER.
- 3.4.16 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 shall be accompanied by a Consignment Note.
- 3.4.17 The Permit Holder shall maintain records of the weight of each waste consignment received and /or removed from the site, and such data shall be collected using a properly calibrated scale. Permit holder 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.
- 3.4.18 In the case of waste that is sent for treatment or recovery to another facility locally or abroad, the audit trail shall cover all waste from the point of generation or collection to the end recovery or disposal facility.
- 3.4.19 All wastes leaving the site after storage and/or processing must only be sent to authorised facilities licensed to accept the individual waste stream, either locally or abroad.
- 3.4.20 The permit holder shall also ensure and take all precautions in his competence to avoid any leakages or spills from liquid material that can cause environmental harm. Waste liquid tanks and drums found to be leaking or damaged shall either be immediately transferred to a larger over-container or shall have their contents immediately transferred to an alternative tank/drum.

## **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 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 permit holder 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 (e.g. chemical spills, etc.), the Permit holder 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 Permit holder shall notify the Authority within 24 hours.
- 4.2.3 Spillages of chemicals or other hazardous material shall receive immediate attention to prevent escape to drain, surface water or land. Spilled material shall be disposed of in an appropriate manner. Kits for the collection of liquid and powder spills shall be available on site at strategic locations.
- 4.2.4 Small leaks or spills shall be cleared up immediately by the application of absorbent materials. All used absorbent materials shall be disposed of as hazardous waste at facilities permitted to accept such waste. Transfer of this waste shall be carried out as per conditions specified in section 3.4 of this permit.
- 4.2.5 The Permit Holder shall have in storage an adequate supply of suitable absorbent material to absorb any spillage.

### **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. Copies of consignment notes used for waste received/removed from site
- vi. 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
- vii. 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 daily operations log shall be made available for inspection at any time when the Authority representatives request to inspect them.

4.3.2 The Permit holder 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 Permit Holder 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.

4.3.4 Following completion and approval of the Environment Management System (EMS), the permit holder shall endeavour to implement and maintain the EMS and allocate resources that are sufficient to achieve compliance with the limits and conditions of this Permit.

### **4.4 Closure and Decommissioning**

4.4.1 The Permit holder shall notify the Authority immediately upon a decision being taken to cease operations. Such a notification shall be accompanied by an application for cessation.

4.4.2 In the event of cessation of operations on the site, all wastes and hazardous materials (including fuels and chemicals) must be removed from the site such that any pollution risk is avoided and the site is returned to a satisfactory state. In the case of full decommissioning, together with the cessation application, applicant shall submit a decommissioning plan in accordance with the terms of reference provided by the Authority for approval by the relevant Authorities.

4.4.3 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

- 4.4.4 The obligations arising from the permit shall subsist until the Authority confirms in writing that the decommissioning plan has been implemented to its satisfaction.
- 4.4.5 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.

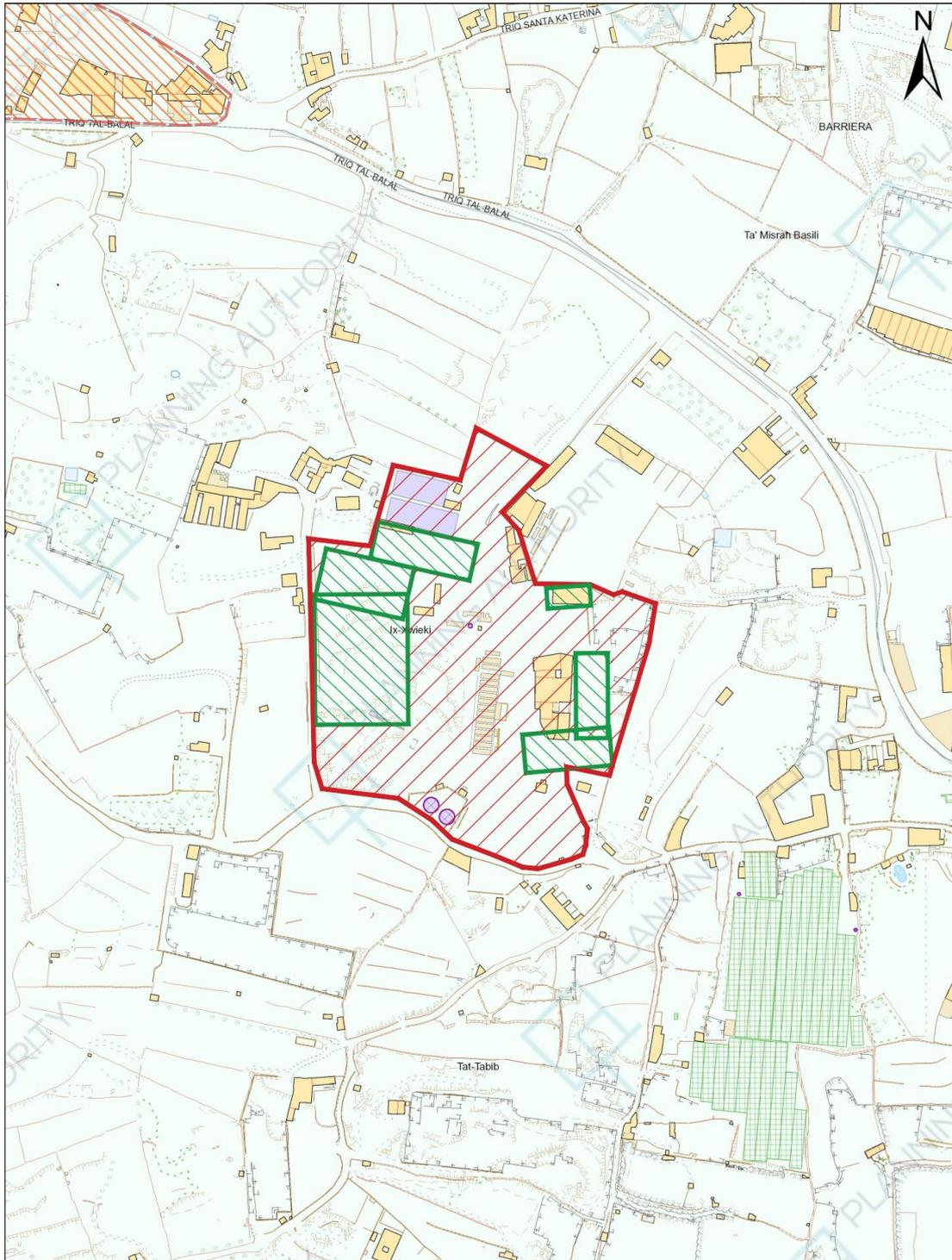
## **4.5 Reporting**

- 4.5.1 The Permit holder 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 An independent auditor shall be engaged by the Permit holder to certify all of the waste reporting required by this permit, in line with the Terms of Reference found in Schedule 4 of this permit, which shall be submitted as part of the AER. The Authority may carry out any such audits on the installation itself as deemed necessary at the expense of the Permit holder in line with condition 1.3.21.
- 4.5.3 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.
- 4.5.4 All reports and written and/or verbal notifications required by this Permit shall be sent to the Authority using the contact details notified in writing to the Permit holder by the Authority. The Authority shall be informed within 24 hours in the event of an environmental hazard or major incidents.

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

<b>European Waste Codes</b>	<b>Description of Waste</b>
08 03 17*	waste printing toner containing dangerous substances
08 03 18	waste printing toner other than those mentioned in 08 03 17
16 02 09*	transformers and capacitors containing PCBs
16 02 10*	discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09
16 02 11*	discarded equipment containing chlorofluorocarbons, HCFC, HFC
16 02 12*	discarded equipment containing free asbestos
16 02 13*	discarded equipment containing hazardous components other than those mentioned in 16 02 09 to 16 02 12
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 02 15*	hazardous components removed from discarded equipment
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15
20 01 21*	fluorescent tubes and other mercury-containing waste
20 01 23*	discarded equipment containing chlorofluorocarbons
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 35*	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components
20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 35

## Schedule 2 Site Map



**Fig. 2.1: Site of permitted installation, showing extent of areas in red, for the carrying out of the activities specified in condition 1.1.1. as submitted by the applicant. The extent of the site boundary in green is indicative and shall not be used for interpretation purposes. This permit covers storage of WEEE within any part of the boundary in green.**



## **Schedule 4**

### **Terms of Reference for Compliance Audits related to Annual Reporting for Authorised Waste Facilities**

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- S4.1 The auditor shall be independent (i.e. an auditor who would be eligible for appointment as company auditor), certified, and approved by the Authority. The auditor shall have access to in-house environmental expertise or otherwise appoint a consultant having environmental expertise to assist him.
- S4.2 The auditor would be required to certify all the information reported to the Authority by the Authorised Waste Facility as specified in the ERA permit itself.
- S4.3 A sound auditing procedure for traceability, monitoring, and control shall be in place for all the authorised waste managed on site in relation to the Waste Management permit or an Environmental permit.
- S4.4 The audit trail shall cover all waste from the point of acceptance of waste into the facility to the end recovery or disposal facility (local or foreign).
- S4.5 Proper records and documentation shall be kept where authorised waste are sent to duly authorised interim storage facilities, pending transfer to an authorised end disposal/recovery facilities. In such cases, proof is to be provided, as regards to that the authorised waste has been transferred to an authorised end disposal/recovery facility within a maximum of twelve (12) calendar months from the end of the annual reporting period.

The points overleaf shall be covered by the auditors in such audits, providing a detailed report of their findings. The Authority may request clarifications and further information from the auditors other than that provided in the audit report.

#	Nature and extent of audit procedures	Timing	Done by and date	W/P ref
1	<p><b>Objective: To confirm that there is a signed receipt for every waste transfer received at the site</b></p> <ul style="list-style-type: none"> <li>Choose a random sample of 10% of the signed receipts for every waste transfer received at the site for each quarter within the calendar year and confirm that all waste entries are covered by an issued signed receipt.</li> </ul>			
2	<p><b>Objective: To ensure that an adequate audit trail is maintained to ensure that when a particular waste stream is being treated it can be traced back to its waste generator</b></p> <ul style="list-style-type: none"> <li>Choose a random sample of 10% of the total waste being treated and ensure that its origin can be traced back.</li> </ul>			
3	<p><b>Objective: To confirm that any hazardous waste movements from the site (entry &amp; exit) are covered with a hazardous waste consignment permit and consignment note</b></p> <ul style="list-style-type: none"> <li>In cases of movement within the island of Malta, choose a random sample of 10% of the total no. of hazardous waste movements into and out of the site and confirm that all such movements are covered by a valid hazardous waste consignment permit and a waste consignment note. Confirm also that the relevant EWC code has been used.</li> </ul>			
4	<p><b>Objective: To confirm that any hazardous waste movements from the site (entry &amp; exit) are covered with relevant TFS documentation of the Waste Shipments Regulation in cases of export</b></p> <ul style="list-style-type: none"> <li>In cases of export, choose a random sample of 10% of the total no. of hazardous waste movements out of the site and the relevant TFS movement forms and confirm that all such movements are covered by valid relevant documentation. Confirm also that the relevant EWC code has been used.</li> <li>In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such.</li> </ul>			

5	<p><b>Objective: To confirm that any movement of non-hazardous waste movements from the site being sent for treatment abroad are covered by the relevant Annex VII documentation of the Waste Shipments Regulation in cases of export</b></p> <ul style="list-style-type: none"> <li>Choose a random sample of 10% of the total no. of non-hazardous waste movements into and out of the site are covered by valid relevant documentation and/or records. Confirm also that the relevant EWC code has been used.</li> <li>In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such.</li> </ul>			
6	<p><b>Objective: To verify whether the quantities reported by the Waste Facility make reasonable sense</b></p> <ul style="list-style-type: none"> <li>Choose a random sample of 10% of the total amount of waste being handled at the facility and confirm that all waste entries (in and out of the site) reported are verified by relative documentation and/or records.</li> </ul>			
7	<p><b>Objective: To ensure that the waste vehicles used by the authorised facility to transfer the waste to other permitted sites are registered with ERA</b></p> <ul style="list-style-type: none"> <li>Obtain a list of approved waste carriers from ERA and confirm that the ones used by facility are registered with ERA.</li> </ul>			
8	<p><b>Objective: To ensure that, in cases where waste is transferred from the facility to other waste management facilities, locally or abroad, the waste management facilities used would either be approved by ERA or the Competent Authority of the Country of Destination</b></p> <ul style="list-style-type: none"> <li>Obtain a list of locally approved waste management facilities from ERA and confirm that the ones used by the facility are approved and authorised by ERA. Obtain a copy of the permits of any foreign authorised waste management facilities which have been utilised. An original copy of the permit and an approved translated version of the permit is to be presented to ERA.</li> </ul>			
9	<p><b>Objective: To ensure that the declared quantities of waste exported during the previous calendar year were actually received at the authorised facilities and declared to ERA</b></p> <ul style="list-style-type: none"> <li>Obtain all certificates received from recycling facilities and confirm that these have all been declared to ERA prior to shipment</li> <li>Confirm arithmetical correctness of all reported data in this regard.</li> </ul>			

<p><b>10</b></p>	<p><b>Objective: To identify the waste being treated both locally and abroad, and ensure that it has been recovered appropriately</b></p> <ul style="list-style-type: none"> <li>• Ensure that all relevant documentation, including but not limited to, the hazardous waste consignment permit and consignment note applications, are available in case of local treatment.</li> <li>• Identify the materials exported according to the EWC Code and review actual documentation (including bills of lading) confirming an audit trail showing that the waste has been sent to a recovery facility as per permit requirements.</li> </ul>			
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## **Schedule 5**

### **Minimum requirements for an Environment Management System (EMS)**

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The Permit holder shall submit an EMS as per Improvement Programme Item which should include, as a minimum, the following elements:

#### 1. Management and Reporting Structure

This should in particular include the name of the person who will be responsible for managing environmental aspects of the installation. Relevant qualifications and experience should be listed, together with contact details (including a mobile number for emergency purposes).

#### 2. Environmental Objectives and Targets

The section should include a review of all operations and processes, a commitment by the permit holder to continuous improvement, and identification of priority areas where improvement to the operations is necessary and practicable, such as:

- a. recycling of materials;
- b. minimisation of waste;
- c. efficient use of resources (especially water and energy);
- d. use of biodegradable chemicals;
- e. minimising use of solvents;
- f. procedures to minimise noise disturbance to neighbours;

Targets should be set for priority areas identified (e.g. minimising waste generation by \_\_\_% annually).

#### 3. Environmental Management Programme (EMP)

This should include a time schedule for achieving the Environmental Objectives and Targets prepared under point 2 above. The time schedule should cover a period of 5 years. The EMP should include:

- a. designation of responsibility for targets;
- b. the means by which they may be achieved;
- c. the time within which they may be achieved.

Targets and performance should be reviewed annually as part of the EMS.

#### 4. Documentation

A system of documentation should be established to ensure that records are kept of the priority areas chosen according to point 2. In addition, the permit holder should issue a copy of the environmental permit to all relevant personnel whose duties relate to any condition of the permit.

#### 5. Corrective Action

The permit holder should establish procedures to ensure that corrective action is taken should the specified requirements of the environmental permit not be fulfilled. The responsibility and authority for initiating further investigation and corrective action in the event of a nonconformity with the environmental permit should be defined.

6. Awareness and Training

The permit holder should establish and maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have an effect on the environment. Appropriate records of training should be maintained.

7. Maintenance Programme

The permit holder should establish and maintain a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing should support this maintenance programme.

The licensee should clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel.

**END OF PERMIT**