

Annex I: Comments regarding the IPPC application – Waste Oils Company Ltd.

Section A: Assessment of application for variation

Section	Duly made?	ERA Comments 9 July 2018	WOCL comments 08.08.18	Duly made?	ERA Comments 17 August 2018	ERA comments 9.1.19	WOCL comments 24-06-19	Duly Made?
A1.1	✓	Noted.						
A1.2	✓	Noted.						
A1.3	✓	Noted.						✓
A1.4	×	Kindly note last IPPC permit was IP0002/08/C. Document: Sewer Discharge Permit DMU 4120 Noted.		×	Kindly note last IPPC permit was IP0002/08/C, therefore kindly amend reference. Document: Sewer Discharge Permit DMU 4120 Noted.	Operator to ensure that in the consolidated application this mistake is rectified.	Noted	
A2.1	✓	Noted.						
A2.2	✓	Noted.						
A3.1	✓	Noted.						
A3.5	✓	Noted.						
A3.6	✓	Noted.						

Section	Duly made?	ERA Comments 20 July 2018	WOCL comments 08.08.18	Duly made?	ERA Comments 17 August 2018	ERA comments 9.1.19	WOCL comments 24-06-19	Duly Made ?
C1.13	×	Kindly also clarify as to whether all the utilities included in the current permit such as the pipeline to sea, the decanter and the wastewater treatment plant.	All utilities in current permit included.	✓	Noted. Therefore it should be understood that the following utilities, which are not being used will still be included in the permit: <ul style="list-style-type: none"> • Pipeline to Sea • The Decanter • Wastewater Treatment Plant 			
C1.2	×	<u>Document: Appendix 2</u> Kindly clarify how WOCL intends to collect used cooking oil (EWC 20 01 25) from households. Moreover, kindly	No abattoir waste will be accepted, and collection will be done by collectors from	✓	Noted.			

		justify as to how the edible oil collected would not be designated as 20 01 26*.	trusted commercial facilities involved in the preparation of food, and CA sites. Registered carriers will be used.					
		Further to point C1.1, kindly clarify what treatment is being carried out on site on the waste oils and the resulting waste water.	No treatment is being done as the group is refusing oil mixed with considerable quantities of water		Noted. 1. Kindly indicate the water content, which is utilised as the threshold for determining whether the waste oil can be accepted on site. 2. Kindly provide waste acceptance criteria and procedures 3. Kindly provide test results giving a sample for the following scenarios: a) A test result which was rejected for high water content. b) A test result which indicated that the water content was in the acceptable limits for treatment on site.	Doc: Waste Acceptance criteria and procedures. 1. Noted. 2. Noted. 3. Item will added as an improvement programme item.	Noted	
		On point 2 page 3, kindly note that it is incorrectly stated that first permit was issued in 2011. Kindly amend to state 23 March 2010.	Ok		Kindly ensure that the consolidated application factors this amendment.			
C1.3	✓	Noted.						
C1.4	✓	Noted.						
C1.4.1	✓	Noted.						
C1.4.2	✓	Noted.						
C1.4.3	×	Kindly indicate on site plan the precise location of the storage of such wastes.		×			Updates will be provided once PA permit is processed	✓

		<p>Should it be understood that the edible oil IBCs will be stored in newly constructed bund as indicated on plan 1. If so kindly indicate:</p> <ol style="list-style-type: none"> 1) Whether planning permission is required for the inclusion of such a structure. 2) Dimensions of the bund. 3) Certification from an independent engineer ensuring that the materials used to construct the bund will render the bund impermeable. 4) Specifications showing how the bund will be according to ERA's bunding requirements. 	<ol style="list-style-type: none"> 1) <i>This matter is being discussed with the Planning Authority; however, should planning consent be required, portable pre-fabricated IBC bunds will be used.</i> 2) <i>These were given as part of plan 1; kindly note that bund height is 30cm</i> 3) <i>In progress</i> 4) <i>Is according to ERA's requirements as per dimensions and 110% volume of an IBC for spillage retention. This was confirmed as</i> 		<ol style="list-style-type: none"> 1) Kindly provide PA feedback in relation to this matter, as earliest as possible. 2) Kindly refer the section C3.1.2 3) Reference: <u>Document submitted on 10.8.18 'Bund Integrity Test Report'</u> Kindly refer to section C3.1.2 4) Kindly note that ERA did not verify the acceptability during the inspection. ERA's approval will be provided once the certification of the integrity of the bund is deemed adequate. 	Operator to provide update on issue 1. Kindly refer the section C3.1.2 for the way forward on the pending issues on the bunding of waste edible oil.		
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			acceptable during ERA's visit to the plant					
C2.1	✓	Noted.						
C2.2 C2.2.1	×	No submissions have been included in appendix 3 in relation to C2.2.1	No changes in activity are being considered	✓	Noted. However ERA will include the waste acceptance of edible waste oil as an additional activity in the permit.			
C2.2.2	✓	Noted.						
C2.2.3	✓	Noted.						
C2.2.4	×	Kindly note that the justification provided has not been accepted. Article 13 (7) of the Industrial Emissions Directive states that pending the adoption of a relevant decision in accordance with paragraph 5, the conclusions on best available techniques from BAT reference documents adopted by the Commission prior to the date referred to in Article 83 shall apply as BAT conclusions for the purposes of this Chapter except for Article 15 (3) and (4). Further to the above, kindly note that once the Commission Implementing Decision on Waste Treatment Industries is issued by the CION, ERA will be notifying WOCL in due course.	Noted	✓	Noted, in view that the Waste Treatment BREF has been adopted and the respective implementing decision has been issued, the indicated comparison exercise will need to be carried. This requirement will be attached as an Improvement Programme Item in the upcoming permit. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018D1147&from=EN			
C2.2.5	✓	Noted.						
C2.3	✓	Noted.						
C2.4	✓	Noted.						
C2.5	✓	Noted.						
C2.6 C2.6.1 C2.6.2	✓	Noted.						
C2.7	✓	Noted.						
C2.8	✓	Noted.						
C2.9	✓	Noted.						
C2.10	✓	Noted.						
C2 C2.11	✓	Noted.						
C3.1 C3.1.1	✓	Noted.						

C3.1.2	×	<div>1) Kindly indicate on site plan the precise location of the storage of such wastes.</div> <div>2) Kindly not the indicated bunding capacity is not in line with ERA’s requirements as stipulated in condition 2.6.1.1 of IP 0002/08/C.</div> <div>3) Expecting frequency of waste export turnover.</div>	<div>1. Refer to Plan 1</div> <div>2. Our bunding capacity satisfies both the 110% volume of an IBC and 25% of the total volume of stored oil. (Bund wall can retain 1.832m³ of oil, more than the required 1.5m³). Note that the oil will be stored within IBC and not within tanks.</div> <div>3. This will be part of a feasibility study.</div>	×	<div>1) Noted.</div> <div>2) Reference: <u>Document submitted on 10.8.18 ‘Bund Integrity Test Report’</u></div> <div>We are noting various discrepancies with the various values quotes for the storage capacity.</div> <table><tr><td></td><td>Annex of Form C</td><td>Bu Int Te Re</td></tr><tr><td>Length</td><td>394 cm</td><td>394</td></tr><tr><td>Width</td><td>176 mm</td><td>176</td></tr><tr><td>Height</td><td>25 cm</td><td>18</td></tr></table> <div>1. Reference is made to the bund integrity test report. Kind clarify whether the width should read 176cm?</div> <div>2. In terms of the height measurement kindly indicate which is the factual height measurement.</div> <div>3. Kindly note there is an additional zero in the following: ‘Total storage in bund is 3x 15000 = 4,500 litres.</div> <div>4. Kindly specify which containment arrangement will be used, there is contrasting reports that IBCs will be used, yet the bund integrity report indicates that tanks will be used (‘three 1500L tanks’). Moreover the application stipulates</div>		Annex of Form C	Bu Int Te Re	Length	394 cm	394	Width	176 mm	176	Height	25 cm	18	<div>2) Given that the bunding arrangements are still pending, as was discussed provisional pre-operational conditions will be included such that no storage of waste edible oil is to take place at the installation until the feasibility study and the bunding arrangements are considered adequate by the Authority.</div>	Noted	✓
	Annex of Form C	Bu Int Te Re																		
Length	394 cm	394																		
Width	176 mm	176																		
Height	25 cm	18																		

					the capacity of 6000L, whilst the report considers a maximum report of 4500L. 5. Kindly indicate when the feasibility study can be provided.					
C3.1.3	×	Kindly note the necessary waste transfer (waste carrier & waste broker) permits will be required, if the inclusion of the aforementioned EWC is accepted. Moreover, kindly provide details on the final disposal location.	It will be subject to a TFS application. Until local treatment facilities are available, it is planned that these wastes be exported to Portugal on board the same vessel used to export other wastes.	✓	Noted.					
C3.2	×	Not answered.	Spillage to be catered for with oil spill kits.	✓	Noted.					
C3.3 C3.3.1 C3.3.2 C3.3.3 C3.3.4	✓	Noted.								
C3.4	✓	Noted.								
C3.5	✓	Noted.								
C3.6	×	<div>In view of the recent introduction of the Limitation of Emissions of Certain Pollutants into the air from Medium Combustion Plants Regulations (S.L.549.122) kindly, provide the following details.</div> <div>Our records indicate that two boilers are present at WOCL. Each boilers is rated at 3.25 MW and run on alternative fuel oil. Kindly update the table below.</div> <table><tr><td></td><td>Boiler 1</td></tr></table>		Boiler 1	<div>Boiler 2 is out of operation and we do not have any plans to use it for the time being</div> <div>Waste gas flow rates:</div> <div>i. CO₂: 44,364kg/yr</div> <div>ii. Nitrogen oxides: 456kg/yr</div>	×	Kindly note that even though Boiler 2 is not in operation ERA still required the aforementioned specifications.	Registration of such equipment as part of the requirements of S.L.549.122 Limitation of emissions of certain pollutants into the air from medium combustion plants regulations.	Noted	✓
	Boiler 1									

		<div> <div>Rated thermal Input (MW_{TH})</div> <div>3.25MW</div> <div>iii. Sulphur</div> </div> <div> <div>Fuel type (If more than one fuel is used kindly indicate)</div> <div>Low sulphur fuel oil 120 cst</div> <div>iv. PMI: 22kg/yr</div> </div> <div> <div>Estimated Annual Operating Hours</div> <div>76.5hrs</div> <div></div> </div> <div> <div>Average load in use</div> <div>25% of boiler capacity</div> <div>The complete list of exhaust gases was sent to</div> </div> <div> <div>Yearly fuel burn by fuel type</div> <div>13,492ltrs</div> <div>Compliance back in April and was part of an</div> </div> <div> <div>Yearly waste gas flow rate</div> <div>See in comments column</div> <div></div> </div>							
		<div>Moreover can you kindly indicate as to whether there is any other combustion plant on site (example generator).</div> <div>One standby generator of 2,5KVA</div>			Noted.				
C3.7	✓	Noted.							
C3.8	✓	Noted.							
C3.9	✓	Noted.							
C3.9.1									
C3.9.2									
C3.9.3									
C3.9.4									
C3.10	✓	Noted.							
C3.10.1									
C3.10.2									
C3.10.3									
C3.10.4									
C3.10.5									
C3.11	✓	Noted.							
C4.1	✓	Noted.							
C4.2	✓	Noted.							
C5.1	✓	Noted.							
C6.1	✓	Noted							
C6.2	✓	Noted.							

C6.3	x	As indicated above kindly clarify as to whether discharge to sea is taking place.	No discharge to sea is taking place	✓	Noted.			
C7.1	✓	Noted.						
C8.1	✓	Noted.						
C8.2	✓	Noted.						
C9.1	✓	Noted.						
C10	✓	Noted.						

Section B: Status of Improvement Programme

Issue	ERA Replies 20.6.18	Waste Oils Company Ltd Replies	ERA Comments 17 August 2018	Waste Oils Company Ltd Replies 24-06-19
IP Item (1) Completion of submissions related to the implementation of an Environment Management System (EMS), as per Conditions 1.3.1 to 1.3.3.	In-house EMS in place. Operator to clarify whether an accredited EMS will be obtained as has been indicated in the AER reports these past several years.	Certification will be renewed.	Noted. Kindly verify as to whether the EMS certification will take the form of a standardised system (e.g. EN ISO 14001:1996 or EMAS).	Existing certification will be retained
IP Items (2) Submission of certification by a warranted architect or engineer showing that the catchment pits, pipes (including the pipeline leading to the quay), pumps, valves, flanges and oil interceptors on site are leak proof and in good operation. Submission of updated pipeline schematics.	Addressed.	N/A		
IP Item (7) Fitting of high-liquid level alarms as per Condition 2.6.1.5.	Addressed	N/A		
IP Item (13) Submission of an Outline Decommissioning Plan, as per Condition 2.17.	The report provided states the following:	The outline decommissioning plan is planned to be replaced with an updated version,	Noted, IP item will be retained in the revised permit.	Noted

	<p>“Prior to the existence of Waste Oils Company Ltd., it is reported that the site was used an industrial dump”.</p> <p>“The site will be left in the same state as it was found prior to Waste Oils commencing operations in 1993 with the exception of the concrete structure separating the site from the underlying soil and rock. This is recommendable due to the uncontrolled use of the land prior to Waste Oil operations.</p> <p>“As an alternative to leaving the containment in place for reuse, the decontaminated concrete containment structures may also be demolished and transported offsite for disposal. However, based on the site history prior to setting up of the Waste Oils Company Limited operation, this would not be recommended.”</p> <p>“When assessing the soil analysis, the Malta Environment and Planning Authority and appointed structural engineer shall consider the fact that the site occupied by Waste Oils company Limited was used as an industrial dump and that no controls were in force at the time to prevent ground contamination.”</p> <p>Can you kindly elaborate and provide further information. Moreover can you also provide information on any accidents/spillages that may have occurred since WOCL has been in operation.</p> <p>2. Site plan in section 4.0 is outdated / incomplete: a. ‘AFO tanks’ in legend; tank use not as per latest.</p>	<p>taking into consideration the ERA comments. It is requested that this forms part of the improvement programme for the renewed permit.</p>		
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	<p>b. WWTP and associated tanks are not shown, although mentioned in section 4.1.</p> <p>c. Underground structures not shown (pipelines to Lab Wharf, drainage gutters in yard, sump in tank farm)</p> <p>3. Regarding the following comments;</p> <p>“...If the independent structural engineer determines that the containment structure was breached and a release to the subsurface probable, soil samples will be collected from beneath any or all of the containment areas of the tank farm and yard. “</p> <p>“ In addition, if cracks are suspected to be potentially fully penetrating, the underlying soil will be sampled during closure...”</p> <p>Kind note that ERA reserves the right to request land & groundwater monitoring irrespective of whether there is a visible breach of the containment structure or not.</p> <p>4. Kindly note that the outline decommissioning plan will need to be updated to consider the land and groundwater testing results.</p>			
<p>IP Item (14)</p> <p>Submission of measurements of H₂S, thiols and VOCs at several locations around the boundary of the installation and the surrounding area as per condition 2.7.4. The</p>	Addressed	N/A		

monitoring shall also include an optical gas imaging survey for gas detection monitoring.				
<p>IP Item (16)</p> <p>Submission of a land and groundwater-monitoring proposal in conformity with Articles 16(2) and 22 of the Industrial Emissions Directive, 2010/75/EU.</p>	<p>Such report shall be amended with the following:</p> <ol style="list-style-type: none"> 1. Information about the site history (including but not limited to all relevant activities that have been carried out on site in the past: e.g. illegal dumping and incineration of waste, military activities, etc.) 2. A risk assessment for all hazardous materials currently stored/used/produced on site, including but not limited to the detailed description of the source-pathway-receptor linkages for all of such materials. 3. According to the results of the above risk assessment, at least 5 land sampling points and 3 sampling depths for each of these points have to be determined; also reasoning shall be provided how these sampling points shall give a proper baseline for the land contamination state of the site. 4. A site plan shall also be submitted showing the exact locations of such sampling points. ERA also suggests that when identifying sampling locations, a site visit with the coring subcontractor is carried out so as to ensure that such locations are accessible to the equipment that will be used for the sampling. 5. All samples shall be photographed, labelled, and logged before being sent to the laboratory. Additionally, a record shall be kept 	<p><i>It is requested that this forms part of the improvement programme for the renewed permit, to be submitted in parallel with the updated outline decommissioning plan. .</i></p>	<p>Noted, IP item will be retained in the revised permit, however kindly note that the revised method statement is to be submitted at the earliest.</p>	

	<p>of any visual or olfactory evidence of contamination (e.g. stains, hydrocarbon odours).</p> <p>6. Clean water shall be used to clean the drilling and sampling equipment before each subsequent sampling activity. Cleaning of the equipment shall be carried out away from any of the sampling locations.</p> <p>7. In Table 2. Kindly include detection limits of the suggested analytical methods for all contaminants to be analysed.</p> <p>Kindly note that no sampling activities shall be carried out prior to approval of the final method statement and go ahead given by ERA.</p>			
<p>IP Item (17) -</p> <p>Installation of a permanent extraction system for connection to the road tanker hatch during the unloading of wastes oils and for connection to the IBC used for receipt of sludges from the waste oils separation. This extraction system is to be connection to the scrubber for treatment of exhaust air.</p>	Addressed	N/A		