

Annex II: Feedback received following the Statutory Consultation carried out for the application (application IP 0002/13/B) of the Waste Treatment Facility at Scrap Lane, Luqa carried out between 23rd March 2020 – 6th April 2020

Comment received by	Feedback	ERA reply and comment – 5/11/19	Metalco Ltd. reply
External Consultees Feedback			
Environmental Health Directorate	No comments.	N/A	/
Malta Resources Authority	No feedback was received.	N/A	/
Planning Authority	No feedback was received.	N/A	/
Regulatory for Energy and Water Services	<p>The large document entitled <i>Variation to IPPC permit application for Metalco Ltd. Waste Management Facility (4_Form C Report_v4.0)</i> states: <i>Diesel fuel tanks which are factory certified and include a 110% bund for protection in the case of a spill are present within the premises. The secondary storage facility DOES NOT have a dispenser and is registered with MRA.</i></p> <p>1. The MRA is still mentioned even though the report publication date is 22 November 2019. MRA should be replaced with REWS.</p> <p>2. Note also, the site applied for a license with the MRA/REWS and to date, Metalco have still not provided a copy of their Planning Authority Compliance Certificate covering also the fuel tank. Requests for this certificate have been made. Therefore Metalco is still not authorised by the REWS.</p> <p>Furthermore the report mentions: <i>Operation of new ZATO crusher and an additional generator to supply the crusher.</i> Both machines need fuel to operate and the REWS has no information on their fuel tank sizes. The applicant should inform the REWS appropriately in order to register any other fuel storage including the crusher and generator.</p>	Operator is to update the Application form as requested, and proceed with the acquisition of the necessary authorisations. Copies of the submissions are to be provided to the ERA. In the case that these cannot be made immediately available, operator is to provide time-frames of submission for inclusion in the permit.	Noted. Correspondence with REWS has been initiated on the matter as per correspondence included as Appendix IX to the application. Applicants are awaiting compliance certificate from the architects which will be submitted to REWS within 2 months.
Civil Protection Department	<p>With respect to the Metalco Ltd, application in relation to the application for renewal and variation of an IPPC permit for waste management. Kindly find the department comments in relation to fire safety of such sites.</p> <p>Recycling facilities sometimes do handle explosive or flammable products such as household aerosol bottles, paint cans and propane tanks. The risk of fire or explosion is higher if these types of containers are crushed, compacted, or shredded during the recycling process, and since workers are unlikely to know if containers hold any residual propellant, or flammable or explosive substances, all such containers should be considered potentially hazardous.</p> <p>What increases the risk of fires and explosions? Most incidents involve cutting, shearing, or compacting metal, especially when compressed gas containers are involved. For example, fires or explosions can occur when high-temperature tools, such as torches, are used to cut containers holding flammable substances. The containers' contents can ignite, and so can the paint on the containers. High-temperature tools can also produce sparks that may land on and ignite flammable materials nearby. Tanks and other containers may hold residual flammable or explosive substances when they are brought into recycling facilities. Workers may inadvertently miss a label indicating that a container may hold a flammable or explosive substance. In other cases, containers may be mislabelled or have no label, yet contain hazardous substances. The containers may be hidden inside garbage bags or in piles of other recycling, making them difficult to identify. Failure to remove these containers from the</p>	Operator is to take note of the recommendations by the CPD which shall be included as permit conditions.	Noted.

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	<p>recycling process could result in fires or explosions when they are cut or compressed. Other activities that increase the risk of fire or explosion include the following:</p> <ul style="list-style-type: none"> • Processing substances that produce combustible dusts • Dismantling end-of-life vehicles • Stockpiling contaminated organic debris <p>Reducing the risk The company at a recycling facility, can reduce the risk by putting in place the following safe work practices:</p> <ul style="list-style-type: none"> • Organize the worksite to isolate workers from potentially hazardous work processes, particularly metal shredding; • Develop and implement policies and controls to restrict or safely manage incoming pressurized containers; • Separate hazardous and flammable materials from all other materials as early as possible in the recycling process; • Implement strict controls to prevent taking in items within bags or boxes; • Provide sufficient time for workers to sort materials; • Train workers to recognize and respond to potential hazards; • Ensure workers are provided with and use the necessary personal protective equipment (PPE) to protect them from workplace hazards; • Ensure workers wear conductive footwear and flame-resistant apparel when working with waste fuel; • Ensure that metal waste containers are bonded to grounded receiving containers to avoid buildup of static electricity; • Develop written procedures for workers to follow so they can safely deal with unknown substances whenever they are found. <p>• Improve safety in storage areas by: -Eliminating ignition sources; -Taking steps to protect against possible collisions and spillage; - Ensuring that a fire-suppression system is installed and firefighting equipment is available.</p> <p>Also key to fire safety at recycling facilities:</p> <ul style="list-style-type: none"> • Ensure that containers used to sort and store incoming materials are suitable for flammable liquids. • Be aware of the potential for combustible dusts — including metal dusts — to accumulate. If combustible dust collects in a building or structure, or on machinery or equipment, it must be safely removed before built-up dust could cause a fire or explosion. • Segregate and monitor any contaminated soil and organic materials produced as by-products of metal recycling. Dispose of these materials as soon as possible in accordance with provincial requirements. 		
<p>Water Services Corporation</p>	<ul style="list-style-type: none"> • For starters Metalco do not possess a Public Sewer Discharge Permit nor have they ever applied for one. This has to be a mandatory requirement as is stipulated in the sewer discharge control regulations S.L. 545.08. • Secondly, it is not clear whether any stored batteries are kept in bunded areas to reduce the possibility of any spills and/or leaching from them onto surface runoff. • WSC have noted positively that fuel on-site is stored in a bunded area. However are the engine and hydraulic oils stored in a similar fashion? • In conjunction with above, if the maintenance area stores any waste oils, these should be properly stored either in bunds or on spill trays otherwise an oil separator should be present to receive any spills. 	<p>The operator is to amend the management of wastes from cesspits accordingly and apply for regularisation with the WSC including for a sewer discharge permit.</p>	<p>Application has been amended and submitted to WSC, as per attached application as Appendix X to the application. Applicant is awaiting feedback from WSC.</p> <p>Batteries are stored in IBC tanks which serve as bunding. The 1200L tanks are only filled to approximately three-quarters of their volume with batteries to ensure appropriate containment in case of</p>

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	<ul style="list-style-type: none"> • WSC have noticed that in Appendix VI “Environmental risk assessment and risk assessment report” section 2.2 stated that interceptors discharge to cesspits. <ul style="list-style-type: none"> ○ BAT3 (from BAT compl review3) states there are 5 ‘oil cesspits’. It is assumed that these receive effluents post interceptor. ○ BAT6 (from same document) states that these pits + silt traps are emptied by EJ Mangion. ○ BAT20 (from same document) states that the ‘sludge’ is discharged into the Zejtun discharge point. <p>If the catchment of the interceptors includes (as I am understanding) rainwater runoff, then the ‘oil pits’ cannot and must not be collected by Mangion which ultimately discharges them to sewer (Zejtun discharge point). This argument is even more relevant when it comes to disposing of ‘sludge’ (at Zejtun discharge point) which is prohibited. From our understanding Metalco is in breach of the sewer discharge control regulations and any effluent discharged by EJ Mangion to the Zejtun discharge point must be in line with the requirements imposed by S.L. 545.08 and WSC. Thus if the effluent does not meet these criteria (I assume they were never tested) the practice of discharging this effluent must stop immediately. This must be either treated or else disposed through other means. As WSC see it, the only allowable waste that can be collected and discharged by Mangion at Zejtun is the domestic waste water only.</p>	<p>The applicant is to address each query raised by WSC and the application is to be updated to reflect these comments.</p>	<p>accidental spillages. Engine oils, hydraulic oils and waste oils are all stored in bunds. There is also a catchment system and oil-water separator system onsite which would receive any spills.</p> <p>The applicant has changed the collector of this material to Waste Oils Co. Ltd. who will now be managing the cesspit sludges according to the requirements of S.L. 545.08. The BAT document has been updated accordingly.</p>
<p>OHSA</p>	<p>The employer at this site shall:</p> <ul style="list-style-type: none"> A. Ensure that all work activities comply with Act XXVII of 2000 and all relevant OHS regulations; B. Designate one or more persons having the necessary aptitude, capabilities, competence and training to assist the employer in undertaking the measures which are required to be taken in relation to the protection of occupational health and safety and the prevention and control of occupational risks, as per LN 36 / 2003; C. Ensure that ALL work activities falling under one’s responsibilities are covered by a suitable, sufficient and systematic risk assessment carried out as per LN 36 / 2003 and other relevant OHS regulations. Without prejudice to the legal obligations of an employer, this risk assessment shall, <i>inter alia</i>, refer to: <ul style="list-style-type: none"> (i) The measures to be taken against risks from manual handling of loads as per LN 35 / 2003; (ii) Protection against exposure to chemical agents at work as per LN 227 / 2003 including, but not limited to measures against inhalable dusts and metals; (iii) The measures to protect workers from risks from exposure to sun; (iv) The required emergency prevention, preparedness and response arrangements including first aid and firefighting measures; (v) Protection against physical agents at work including but not limited to risks from noise and vibration; (vi) Traffic management; (vii) Protection of workers from risks of electrocutions as required by LN 44 of 2002; (viii) Personal protective clothing / equipment to be used by workers; (ix) Suitable welfare facilities to be made available for staff; (x) The required health and, or safety signs and; (xi) Training and competence of workers to perform the assigned tasks; 	<p>Operator is to take note of the recommendations by the OHSA.</p> <p>Reference to SEVESO II in the Emissions from Storage BREF document. ERA notes that SEVESO II is mentioned in the Emissions from Storage BREF published in 2006 as submitted in Annex I, Section 1.2 of the IPPC application document. Operator to note that this has now been replaced by SEVESO III.</p> <p>IPPC form C report, AIS ref. no. PRJ-ENV289, dated 22/11/19, Annex 1, 1.2 Storage of packaged dangerous goods indicates that the facility does not falls under the remit of the COMAH regulations. Nonetheless, the COMAH Competent Authority reserves the right to request any such associated information and documentation.</p>	<p>Noted.</p>

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	<p>This risk assessment shall also make reference to the necessary health surveillance that is required wherever there is revealed an identifiable occupational disease or adverse health condition related to the work involved OR the likelihood that a disease or condition may occur under the particular conditions of work, as per LN 36 / 2003 and other applicable OHS regulations.</p> <p>D. Ensure that all work equipment complies with the relevant provisions of LN 293 / 2016 , including where applicable, by ensuring that work equipment is duly examined by a competent person and a report of such examination is kept by the employer and (where applicable) also sent to OHSA and;</p> <p>E. Ensure that any intended construction related works comply with the relevant provisions of LN 88 / 2018.</p> <p>In addition, in the IPPC form C report, AIS ref. no. PRJ-ENV289, dated 22/11/19, Annex 1, 1.2 Storage of packaged dangerous goods, there is a reference to the Seveso II Directive. This should read ‘Seveso III Directive’ as transposed into Maltese legislation by the Control of Major Accident Hazards (COMAH) regulations, L.N. 179 / 2015. OHSA requests that the applicant carries out an exercise to establish whether this establishment falls under the remit of the COMAH regulations. These regulations can be viewed at: http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=26886&l=1 . The COMAH Competent Authority may request this information from the operator to determine whether this site falls under the applicability of the COMAH regulation.</p>		
EWA	<p>The following are comments from The Energy and Water Agency with considerations which relate specifically to watermanagement.</p> <ul style="list-style-type: none"> • The results of the original groundwater baseline study, mentioned on page 5 of Annex 1, are being requested to be included in the IPPC Form C report. Sampling of Groundwater monitoring should be carried out by an accredited laboratory from the private borehole onsite. Further to this, it is recommended that periodic groundwater monitoring is requested from the applicant. Other than the basic physical parameters of pH, electrical conductivity, the list should include persistent, bioaccumulative and toxic (PBT) substances listed in the Groundwater Directive which are relevant to the site including Cadmium, Lead, Mercury, Trichloroethylene and Tetrachloroethylene. These should be measured with a maximum limit of quantification of 0.01 µg/L. • Annex 1 page 8 and 9 (Monitoring) states that: <i>No emissions to water take place on site. The wastewater is stored in the cesspits and is collected by EJ Mangion who are authorised to collect this waste (GBR/12/01176/17). The material is transported to the Zejtun Discharge point. The Consignment Permit procedure will be abided to.</i> <ul style="list-style-type: none"> ○ It must be noted that the applicant is still responsible for the wastewater generated and stored on site and disposed of to the sewer via a waste carrier. For this reason, a sewer discharge permit is still required, and the wastewater collected must meet the water quality requirements of a sewer discharge permit even if the wastewater is not disposed of on-site. • Annex 1, page 27 – 28 (Emissions to water) - All processing and storage areas within the permitted site which are not covered by a roof, require a description of how rainwater runoff is managed onsite and secondly an assessment of the risk of contamination of surface or groundwater supplies is carried out. 	<p>Monitoring of Groundwater will be included as a requirement in the permit.</p> <p>With reference to the baseline study referred in the main ERA review document, applicant is to submit a land and groundwater monitoring proposal to address such requirement together with the periodic monitoring requested by EWA.</p> <p>With reference to discharges to sewer and associated comments received from WSC, operator is to address these comments.</p> <p>The application is to be updated to include the water management requirements as relating to rainwater in uncovered storage areas, and the associated risk assessment on the borehole onsite. This risk assessment is to be considered in the above-mentioned monitoring proposal.</p>	<p>Noted.</p> <p>Updated as per attached documents in Appendix XI of the application.</p> <p>Noted and amended in line with comments above.</p> <p>Water management has remained unchanged from the original IPPC application. Further detail is also provided in the land and groundwater monitoring proposal.</p>

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	<ul style="list-style-type: none"> Further to this, a risk assessment should be undertaken to understand whether the registered borehole located onsite is cased or not and whether this has the potential to directly contaminate the underlying groundwater body. 											
TM	No comments were received.	N/A	/									
Internal Consultees Feedback												
Environmental Assessment Unit	It is being understood that the proposal shall retain the current operations. In this regard and as long as there are no physical interventions (i.e. new construction/development) and/or any change of use which would warrant development consent, there are no issues from our end.	This application for variation covers the introduction of crushing/shredding of food waste, changes in the processing volumes of certain waste streams, site reorganisation (partly covered by PA 3146/13) and activities covered by PA 1030/18.	Noted.									
Biodiversity & Water Unit	No comments.	N/A	/									
Air quality & Waste Unit Air Quality Team	No feedback was received	N/A	/									
Air quality & Waste Unit Waste Management Team	No comments.	N/A	/									
Air quality & Waste Unit Noise Team	AQW agrees with the request for a noise monitoring survey to be conducted following the issue of the IPPC permit. The frequency of monitoring will be determined following submission of noise monitoring results. The noise monitoring study and assessment are to be in line with current version of standard BS 4142.	Noise monitoring will be included as a permit condition.	Noted.									
Compliance & Enforcement Directorate	<table border="1"> <tr> <td>Form C Report Section 3.2 and 3.3</td> <td>7 & 8</td> <td>Although this may not seem of significance, the site plans should indicate the main entrances/exits of the facility.</td> </tr> <tr> <td>Form C Report Section 3.3</td> <td>8</td> <td>The site layout plan shows a variety of uses and waste streams stored in cramped conditions. The site currently (and with what can be expected with this proposal) struggle to maintain clear segregation of wastes and ensure that waste streams are kept within the designated areas. The operator should consider re-thinking the organization to allow for more space between different waste streams, hence facilitating better management.</td> </tr> <tr> <td>Form C Report Section 5.4</td> <td>16</td> <td>With regards to the Flow Diagram arising from the original application, it should be pointed out that the previous permit</td> </tr> </table>	Form C Report Section 3.2 and 3.3	7 & 8	Although this may not seem of significance, the site plans should indicate the main entrances/exits of the facility.	Form C Report Section 3.3	8	The site layout plan shows a variety of uses and waste streams stored in cramped conditions. The site currently (and with what can be expected with this proposal) struggle to maintain clear segregation of wastes and ensure that waste streams are kept within the designated areas. The operator should consider re-thinking the organization to allow for more space between different waste streams, hence facilitating better management.	Form C Report Section 5.4	16	With regards to the Flow Diagram arising from the original application, it should be pointed out that the previous permit	<p>Site plans are to be updated as requested.</p> <p>An update on this issue and how the operator proposes to improve the clear segregation of waste as required is to be submitted. If this is not achievable with the suggested storage layout a new layout is to be proposed as suggested.</p>	<p>Noted and amended.</p> <p>The site layout (which is very similar to the one included in the existing permit) shows the worst-case scenario storage with full-capacity areas being indicated. The material quantities on site vary on a day-to-day basis and the incoming material is separated and transferred into its various waste streams. Physical space between the waste streams is maintained to ensure segregation.</p>
Form C Report Section 3.2 and 3.3	7 & 8	Although this may not seem of significance, the site plans should indicate the main entrances/exits of the facility.										
Form C Report Section 3.3	8	The site layout plan shows a variety of uses and waste streams stored in cramped conditions. The site currently (and with what can be expected with this proposal) struggle to maintain clear segregation of wastes and ensure that waste streams are kept within the designated areas. The operator should consider re-thinking the organization to allow for more space between different waste streams, hence facilitating better management.										
Form C Report Section 5.4	16	With regards to the Flow Diagram arising from the original application, it should be pointed out that the previous permit										

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			required the operator to achieve end of waste prior to processed material being sold as product, such as shredder paper and cardboard for animal bedding. Throughout the lifetime of the current IPPC permit it has yet to be indicated whether the operator will be trying to achieve such end-of-waste. If there is such an intention for this or any other processed material, this should be tackled during this variation application and possibly included in the new permit.	Requirements for the operator to reach end of waste prior to sale of end product are included in the permit and will remain so. Applicant is to indicate whether end-of waste processes are still being considered. If this is the case, applicant is to provide a duly compiled End-of Waste application as required by Schedule 10 of S.L. 549.63.	No end-of-waste processes have occurred on site, and none are envisaged in the near future.
	Form C Report (various areas)	Various + pg104	In several areas the report refers to the Zato GF4000 machinery as a 'crusher' when the brochure which starts on page 104 indicates this is a shredder. There is a difference between these types of machinery, with the latter creating more fine particles being generated. This should be taken into consideration with regards to the relevant mitigation measures to be implemented.	Operator is to update the application form to ensure references to machinery is correct and the risk assessment should be updated accordingly to include the expected size of particles being emitted.	Noted and amended, as per attached updated documents in Appendix VI of the application.
	Form C Section 5.4	16	The statement made in this section is that the BAT comparison for the BREF for Emissions from Storage is being submitted in Appendix V however the BAT comparison for the BREF for Waste Treatment Industries is still being drafted. This appears to be included in error	The section is to be updated to ensure internal consistency is maintained. Both BAT comparisons have in fact been submitted and ERA's feedback provided in the ERA review document.	Noted and amended.
	Appendix V Bat Comparison for Emissions from Storage; EMS	119	'Another risk assessment has been carried out.....' but within the same paragraph goes on to say "This assessment will include:...." This statement should be updated.	<p>The section is to be updated to ensure internal consistency is maintained. In view that the risk assessment has been updated applicant is to submit the revised:</p> <ul style="list-style-type: none"> • Emergency plans in case of fire and other emergencies(e.g. explosions); • Plans for actions to be taken in case of failure of abatement equipment (if relevant); and • Plans for actions to be taken in case of other environmentally relevant incidents (e.g. spillages, fuel leakage). <p>The permit will require that hazardous materials are kept within a storage building and/or an outdoor storage area covered with a roof.</p>	<p>Noted and the text has been amended. The latest version of the application included the updated Risk Assessment & Env Risk Assessment reports which already included this information.</p> <p>Noted.</p>
	Appendix V Bat Comparison for Emissions from Storage; Storage Area	120	The history of compliance inspections on site have shown that the statement made in the 'Status at Metalco Ltd.' column is not always adhered to.	The permit will require the applicant to segregate hazardous waste as described in the description and layout plans provided in the IPPC application. In this regards and further to the CPD's feedback above, applicant is to indicate how packaged dangerous substances of different types shall be segregated by means of a safety distance (to be provided by applicant) and/or fire-resistant walls.	As outlined above, the layout plans indicate the worst-case scenario storage with full-capacity areas being indicated. Dangerous substances are segregated by storing within the workshop areas to ensure physical separation from other waste types.

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	Appendix V Bat Comparison for Emissions from Storage; Separation and Segregation	120	The history of compliance inspections on site have shown that the statement made in the 'Status at Metalco Ltd.' column is not always adhered to.	As indicated by the comments from WSC this discharge is not permitted and the operator is to provide an update of his practices to ensure that the discharge of waste effluents is carried out through the relevant permitted carriers and to permitted waste management sites.	Updated as per comments above.
	Appendix V Bat Comparison for Waste Treatment Industries; BAT 6	129	The operator is to clarify further what the 'Zejtun Discharge Point' is and whether their discharges are authorized for being disposed of there. Furthermore, if there are no contaminants in the water, kindly indicate why reference is made to a Consignment Permit – If any CPs have been issued for this activity already in the past, operator to provide permit numbers for verification cross-checking		
	Appendix V Bat Comparison for Waste Treatment Industries; BAT 51	184 & 185	Storage and treatment areas for equipment with PCBs should be indicated in the Site Layout Plan Section 3.3		