

Environmental Permit

Environment and Development Planning Act (CAP. 549)

Permit number
EP 0033/17/A

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) and applicable subsidiary legislation referred to in this permit hereby authorises:

Mr. Charles Azzopardi o.b.o Marifresh International Ltd. (hereinafter “the Operator” or “the Permit Holder”),
Of / Whose Registered Office (or principal place of business) is at:

Marifresh International Ltd.
Triq il-Maghtab,
Maghtab,
Naxxar

(Company registration number: **C 36988**)

to operate installations at:

Triq il-Maghtab,
Maghtab,
Naxxar

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

This permit is valid for **four (4) years** from the date below. An application for renewal of this permit is to be submitted at least six months prior to expiry of this permit.

Signed

Date

Prof. Victor Axiak Chairman	<u>01 / 10 / 18</u>
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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 EP Application, or as otherwise previously agreed in writing by the Authority.

1.1 Status Log

Detail	Date
<i>EP application</i>	8 th February 2017
<i>Pre permit inspection</i>	26 th May 2017
	22 nd August 2018
<i>Permit Issued</i>	1 st October 2018

1.2 Permitted Activities under the EPA

1.2.1 The Operator is authorised to carry out the activities and the associated activities specified in Table 1.2.1.

Table 1.2.1		
Activity	Description of specified activity	Limits of specified activity
Land based support facility for fish farming operations NACE code 10.20	Associated operations related to offshore aquaculture	From receipt of related materials, maintenance of equipment and disposal of waste
Associated activity of storage of nets	Drying, repair and maintenance of nets	From maintenance activity, to appropriate recovery/ disposal of any wastes generated
Associated activity of storage of baitfish	Temporary storage of baitfish in reefers (excluding thawing)	From receipt of reefers containing baitfish for temporary storage to transport off site for preparation prior to transfer offshore
Associated activity of cleaning, repair and maintenance of nets and own vehicles	Cleaning and maintenance of nets and own vehicles	From cleaning/ maintenance activity, to appropriate recovery/ disposal of any wastes generated
Associated activity of disposal / recycling of waste materials	Handling, storage and disposal/ recovery of wastes from installation	From generation of waste to disposal or recycling off site
	Receipt and temporary storage of baitfish residue in IBCs collected from offshore operations	From receipt of waste to collection for disposal/ export

1.3 Site

- 1.3.1 The activities authorised under condition 1.2.1 shall not extend beyond the Sites, as shown on the Site Map in Schedule 2 of this Permit.

1.4 General Conditions

- 1.4.1 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, Malta Transport and the Regulator for Energy and Water Services (REWS).
- 1.4.2 This permit is granted saving third party rights. The Permit Holder is not excused from obtaining any other permission required by law.
- 1.4.3 A copy of this Permit shall be available at the place of work, at all times, for reference by all staff carrying out work subject to the requirements of the Permit.
- 1.4.4 All persons have a duty of care to protect the environment. The operator shall become familiar with his legal obligations and good environmental practice.
- 1.4.5 The site shall be maintained in a tidy condition, free from litter and waste (whether arising from own activities or external sources).
- 1.4.6 The site must be well secured at all times.
- 1.4.7 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.
- 1.4.8 A Site Notice shall be erected and displayed in a prominent position such as to be readily visible by the public. The notice shall contain the following information.
- a. State that the site operates under an Environmental Permit issued by ERA.
 - b. Provide the Permit Number and the name of the Permit holder.
 - c. Provide a 24-hour emergency contact name and telephone number for the Permit holder.
- 1.4.9 All plant, equipment and technical means used in operating the Permitted Installation shall be maintained in a good operating condition and without causing potentially polluting leaks and spillages. The operator shall keep maintenance records.
- 1.4.10 The Permitted Installation shall be managed, controlled, supervised and operated by staff who are aware of the importance of environmental protection and suitably trained on the requirements of this Permit, in particular on those permit conditions relevant to their duties. All staff shall be provided with adequate training and written operating instructions to enable them to effectively carry out their duties. Training records shall be maintained.

- 1.4.11 The Authority may, on the joint application of an operator and a proposed transferee, transfer to the proposed transferee the environmental permit. The transfer of the permit will not relieve any of the operators from their environmental obligations and liabilities.
- 1.4.12 The Authority may 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 may be made at the Permit holder's financial expense.
- 1.4.13 The Authority's representatives are empowered to inspect every part of the site and ask for any closed or locked areas to be opened. They are also entitled to be given any proof, documentation, plans, receipts or any other records which the Authority representatives may request.
- 1.4.14 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, without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 1.4.15 The validity of this permit is until 1st October 2018. The Permit Holder may renew the permit upon application with the Authority expressing his/her intention at least six (6) months prior to the expiry of the permit. The permit will be considered renewed once the official renewed permit is issued by the Authority.
- 1.4.16 This permit is issued against a **Bank Guarantee of €8,850** 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
- 1.4.17 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.
- 1.4.18 The Authority may take part or all of the financial guarantee if the Permit Holder fails to take the necessary action in cases of non-compliance with these permit conditions, the Act or any subsidiary legislation thereof, 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, in any case not exceeding 2 months from the date of forfeiture.
- 1.4.19 In cases where the financial guarantee does not cover the expenses incurred by the authority to take remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.
- 1.4.20 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.

- 1.4.21 The Authority may request additional monitoring and/or review of the operational practices and 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 may be carried out at the expense of the Permit Holder.
- 1.4.22 Without prejudice to condition 1.4.21, the Authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.
- 1.4.23 The Operator shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.

1.5 Improvement Programme

- 1.5.1 The Operator shall complete the improvements specified in Table 1.5.1 by the date specified in that table, and shall send written notification of completion of each requirement to the Authority within 10 working days of completion of each requirement.

Table 1.5.1: Improvement programme		
Reference	Requirement	Deadline
1.	Installation of a site notice as per condition 1.4.8.	Within 1 month of issue of the permit
2.	Submission of certification by an independent warranted engineer showing that the sewage catchment pit is in line with the requirement of Schedule 1, activity 43 of S.L. 549.45	Within 2 months of issue of the permit
3.	To install secondary containment surrounding the oil tanks, paint drums and IBCs filled with liquid waste.	Within 3 months of issue of the permit
4.	Submission of certification from a third party warranted engineer confirming appropriate secondary containment of the bunds surrounding the oil tanks, paint drums and IBCs filled with liquid waste, constructed in accordance with condition 2.5.1.	Within 3 months of issue of the permit
5.	Submission of templates of records to be kept as part of the Environmental Permit	Within 3 months of issue of the permit
6.	Submission of an Environment Management System (EMS) in line with the requirements in Schedule 3.	Within 5 months of issue of the permit

1.6 Off-site Conditions

- 1.6.1 The operator shall ensure that no materials or waste escape to the environment during transport offsite or onsite.

Operational Changes

- 1.6.2 The operator 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.

Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

- 1.6.3 The Permit Holder shall give written notification as soon as practicable prior to any of the following:-

- a. cessation of operation of part or all of the Permitted Installation for a period likely to exceed 1 year; and
- b. resumption of the operation of part or all of the Permitted Installation after a cessation notified under condition a.

- 1.6.4 The Permit Holder shall notify the following matters to the Authority in writing within 10 working days prior to their occurrence:-

- a. any change in the Permit Holder's trading name, registered name or registered office address;
- b. any change to particulars of the Permit Holder's ultimate holding company (including details of an ultimate holding company where a Permit Holder has become a subsidiary).

2 Operating Conditions

2.1 Emissions to Air

- 2.1.1 There shall be no emissions to air from the permitted installation.
- 2.1.2 Should the Operator intend to install equipment which could lead to additional emissions to air, a variation of this Permit must be secured prior to installation and operation of this equipment.

2.2 Effluent discharges

General conditions

- 2.2.1 No discharges to surface waters or groundwater shall take place at the installation.
- 2.2.2 No thawing of baitfish shall be undertaken at the permitted installation.
- 2.2.3 Rainwater shall not be discharged into the sewer. Foul sewer drains must be strictly segregated from stormwater drains. The operator shall endeavour to collect rainwater in a suitable reservoir or cistern.
- 2.2.4 Rainwater shall be segregated from all process areas that are potentially contaminated with raw materials, intermediates and/or products. If this is not possible, rainwater from areas where contamination by oil or chemicals is likely (such as loading/unloading and banded areas) shall pass through an adequately sized interceptor or a suitable waste water treatment system.

Cesspits

- 2.2.5 Cesspits utilized for the storage of process/industrial effluent shall be constructed according to the requirements of S.L. 549.45, Activity 43 as follows:
 - a. Cesspits are to be constructed in such a manner so as not to allow any leakages or spillages to the surrounding environment, and are designed in such a manner as to safely contain the type of waste that they are designated to store.
 - b. Cesspits are appropriately designed to avoid the accumulation of explosive, toxic or corrosive gasses.
 - c. The area surrounding the cesspit should be covered with impervious material and laid to fall towards the cesspit.

2.3 Emissions to Land

- 2.3.1 No emissions from the Permitted Installation shall be made to land.
- 2.3.2 Any maintenance works and repairs to vehicles shall be limited to those of a minor or routine nature and shall only include operations that do not result in polluting water or air.
- 2.3.3 Vehicle maintenance is to be carried out on an impervious surface such as sealed asphalt or cement, where a thorough clean up of any spillages of oil, lubricants etc can be readily undertaken.
- 2.3.4 In the event of accidental contamination of land, the operator shall notify the Authority within 24 hours, forward a decontamination plan for the Authority's approval and execute it within an agreed time frame.

2.4 Waste

Waste storage and handling

- 2.4.1 All operations concerning the management of waste are subject to Subsidiary Legislation 549.63, the Waste Regulations, and Subsidiary Legislation 549.45, the Waste Management (Activity Registration) Regulations.
- 2.4.2 All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal.
- 2.4.3 Wastes to be recycled shall be stored in a designated container or area and shall not be mixed with other wastes.
- 2.4.4 The storage of Hazardous Waste should comply with the requirements of the Subsidiary Legislation 549.45, the Waste Regulations.
- 2.4.5 Any liquid or hazardous wastes 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.
- 2.4.6 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.

Waste recovery or disposal

- 2.4.7 All wastes leaving the site after storage and/or processing must only be sent to facilities licensed to accept the individual waste stream, either locally or abroad.
- 2.4.8 Packaging and containers containing significant residual quantities of chemicals shall be regarded as hazardous waste and stored in dedicated waste management areas.
- 2.4.9 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.
- 2.4.10 On-site disposal of wastes by any means including burning, disposal to surface water, burying or deposition on land is prohibited.
- 2.4.11 Producers of packaging shall register with ERA and provide the required information, as well as achieve the targets as set out in S.L. 549.43, Waste Management (Packaging and Packaging Waste) Regulations. Documentation as evidence of such should be maintained for a period of 3 years and be made available, upon request by ERA.
- 2.4.12 The operator 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.
- 2.4.13 No storage of waste, equipment or materials is permitted on property outside the site premises.
- 2.4.14 Only registered waste carriers as per activity 38 of schedule 1 of Subsidiary Legislation 549.45, the Waste Management (Activity Registration) Regulations are allowed to transport waste to and from this site.

- 2.4.15 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 wastes does not apply; and
 - c. Any other applicable legislation.
- 2.4.16 The Permit Holder shall ensure to keep records for every consignment of wastes removed from the Site indicating the EWC Code, description, quantities, date of removal, contractor name (including for transport), consignment note number (where applicable) and manner and place of final disposal/recovery.
- 2.4.17 Disposal certificates shall be kept on record and made available for inspection for a period of at least 3 years from date of their issue.
- 2.4.18 Movement of hazardous waste to authorised facilities shall be covered by a valid consignment permit obtainable from the Competent Authority. Each movement shall also be covered by a consignment note obtainable from the Authority.

2.5 Storage

- 2.5.1 All containers for bulk fuel, oil, chemicals and/or liquid waste storage shall be properly designed, located, labelled, banded and maintained so as to prevent accidental spillage. Incompatible chemicals shall not be stored within the same bund. The capacity of the bund shall be a minimum of 110% of the largest tank within the bund or 25% of the total capacity of all the tanks within the bund, whichever is greater and shall be impermeable. All filling and off-take points shall be located within the bund.
- 2.5.2 Spillages of oil 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.

2.6 Ozone Depleting Substances

- 2.6.1 No new equipment or components containing substances falling within the scope of EC Regulation No. 1005/2009 on substances that deplete the Ozone Layer & Subsidiary Legislation 549.58 Substances that deplete the Ozone Layer, regulations, shall be installed within the site.

2.7 Accident prevention and control

- 2.7.1 Contingency procedures for incidents shall be in place which shall include actions to be taken in the case of incidents which could affect the environment, such as chemical/ fuel spills. The procedures shall indicate how accidental releases of chemicals and fuels are to be managed as specified in the respective MSDS sheets.

- 2.7.2 Spillages of oil or other hazardous materials 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.

3 Records

- 3.1 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 upon request;
 - b. be supplied to the Authority on demand and without charge and in the format requested;
 - c. be legible;
 - d. indicate any amendments which have been made and shall include the original record wherever possible; and
 - e. 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.
- 3.2 A daily operations log should be kept on site in which the following information shall be recorded on a daily basis:
- a. 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.
 - b. Any maintenance and inspections carried out on machinery and equipment.
 - c. Complaints on the permitted facility originating from third parties or regulatory bodies including details about the location of origin.
 - d. Total amount of waste in kilos removed from site for disposal or further treatment
- 3.3 Each record shall be compiled within 24 hours of the relevant event. The records kept the daily operations log shall be available for inspection at any time when the Authority representatives request to inspect them.
- 3.4 Following completion and approval of the Environment Management System (EMS), the operator 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 Reporting

- 4.1 All reports and written and/or oral notifications required by this Permit shall be made and sent to the Authority using the contact details notified in writing to the Operator by the Authority.

- 4.2 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 Schedule 1 of this Permit and in the format specified therein.

5 Management and Technically Competent Person

- 5.1 All employees authorised by the Permit Holder to undertake 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.
- 5.2 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.
- 5.3 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.
- 5.4 The TCP is to be present at all times on site and in her/his absence another member of staff is to substitute him/her temporarily. In the event that a TCP terminates her/his employment, another person shall be appointed as a TCP immediately and the Authority shall be informed of this change.
- 5.5 In the event where operations cease temporarily, the TCP or Permit Holder are obliged to notify the Authority within two (2) days and are also to inform the Authority with regards to when the works are intended to resume.
- 5.6 All the staff on site should be fully aware of the procedures to be taken to contain any environmental hazard which may arise related to the activities being carried out on site.

6 Closure and decommissioning

- 6.1 In the event of cessation of operations on the site, all wastes (including machinery and associated equipment) 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. The obligations arising from the permit shall subsist until the Authority confirms in writing that the implementation of the decommissioning plan has been implemented to its satisfaction.
- 6.2 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.
- 6.3 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.

Schedule 1 Annual Environmental Report

Important note

By this submission, you confirm that you give your explicit consent for the entire contents of this Annual Environment Report to be made available on the Authority's public website.

S1.1 Introduction

Environmental Permit Number	
Reporting Year (Calendar Year: 1 January to 31 December)	
Name and locality of Site	
Brief description of activities at the site	

S1.2 Environment Management System & Reporting

Please attach a supporting document with the following:

1. Environmental Policy containing the installation's environmental objectives and targets;
2. Environmental Management Programme report (for the reporting period);
3. Environmental Management Programme proposal (for the following year);

Tick (✓)
<input type="checkbox"/>
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S1.3 Waste Data

S1.3.1 Off-site transfers and exports of hazardous waste

Date of transfer	EWC Code	Quantity of waste (in kg)	Consignment note number	Name of facility receiving the waste

S1.3.2 Transport

Name(s) of registered waste carrier used during reporting year	Waste type(s) transported

S1.4 Incidents and Complaints

S1.4.1 Non-Compliance Incidents during Reporting Period

Date of incident	Brief description of Incident	Cause	Corrective action

Total number of non-compliance incidents for previous year:

Total number of non-compliance incidents for current reporting period:

S1.4.2 Complaints made by the public or through Authority

Date of complaint	Description of complaint	Actions taken

Total number of complaints for previous year:

Total number of complaints for current reporting period:

S1.5 Submission of certifications and documentation

Condition Number	Documentation
1.5.1	Improvement Programme Items as per Table 1.5.1

Applicant's declaration

I declare that, to the best of my knowledge, all the above information is correct and substantiated.

.....
Name
(in block letters)

.....
ID Card Number

.....
on behalf of / in my own name
(in block letters)

Schedule 2 Site Map

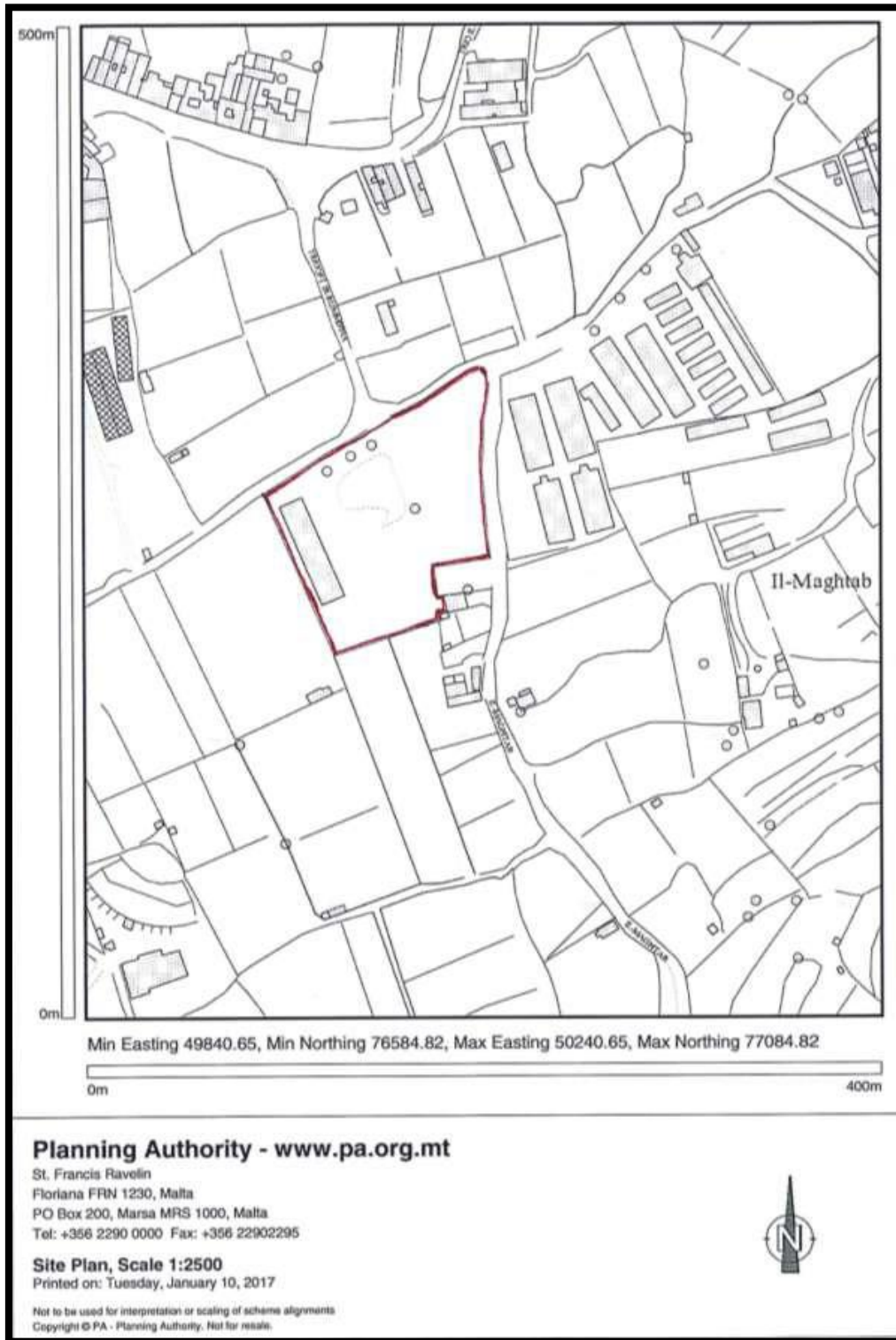


Fig. S2.1: Site of installation, showing extent of area authorised for activity (outlined in red). The extent of the site boundary is indicative and should not be used for interpretation purposes.

Schedule 3

Environment Management System

Within the time frame specified in Table 1.5.1 of the permit, the Operator shall submit an EMS 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 operator 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 operator 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 operator 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 non-conformity with the environmental permit should be defined.

6. Awareness and Training

The operator 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 operator 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