

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP0027/12/C

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. Paul Vella (I.D. [REDACTED]) (hereinafter “the Operator” or “the Permit Holder”),

to operate a brick plant installation at:

Ballut Blocks Ltd.
Wied Filep,
Naxxar, NXR 6713
(Company Registration Number: **C10**)

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 three months prior to expiry of this permit.

Signed	Date
Prof Victor Axiak Chairman	13 / 07 / 2018

Authorised to sign on behalf of the Competent Authority

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Conditions

1 General

The Permitted Installation shall be 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>	05 March 2012
<i>Permit Issued</i>	02 October 2012
<i>Renewal Issued</i>	21 January 2014
<i>Permit determined by ERA Board</i>	08 June 2018

1.1 Permitted Activities

1.1.1 The Operator is authorised to carry out the activities and the associated activities specified in Table 1.1.1.

Table 1.1.1

Activity	Description of specified activity	Limits of specified activity
Brick plant	Production of bricks	From receipt of raw materials to final production and dispatch of finished product

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 and Site Plan in Schedule 2 to this Permit (Fig S2.1, S2.2).

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, 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 S.L. 549.63 - the Waste Management 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 activity for which he has been granted a permit is carried out in accordance with the provisions of related legislation, as well as all the conditions of this permit

- 1.3.5 The site must be well secured to minimise the opportunity for unauthorised entry. An employee is to be present at all times during the operational hours of the facility; and the premises must be closed and secured when no operations are taking place on site.
- 1.3.6 The company shall maintain a register of third party complaints. The register shall record the name and address of the complainant(s), the date, location, source and nature of the complainant 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 potentially polluting leaks and spillages. The operator shall keep maintenance records as per Section 4.3.
- 1.3.8 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. Such training shall be recorded and maintained in line with Condition 4.3.3.
- 1.3.9 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 his environmental obligations and liabilities.
- 1.3.10 The Authority shall carry out regular compliance checks that vary in frequency according to the site's compliance with the permit conditions. Any inspections carried out by the Authority are to 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, 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 **13 July 2022**. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least six (6) weeks prior to the expiry of the permit. The permit will be considered renewed once the official renewal is issued by the Authority.
- 1.3.14 This permit is issued against a **Bank Guarantee of € 6,600** which shall be renewed annually. This guarantee will have to be maintained throughout the lifetime of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 1.3.15 The Authority may take part or all of the bank guarantee if the Permit Holder fails to take the necessary action, in cases of non-compliance with these permit conditions, 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 that may ensue through failure to adhere with 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 operator shall ensure that this is replenished without undue delay.

- 1.3.16 A copy of this permit shall be available at all times at the site office, including any Variation Notices or amendments to it.
- 1.3.17 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.
- 1.3.18 The operator may apply with the Authority for the release of the Bank Guarantee, which shall be released subject to the full compliance of the permit conditions, as confirmed by the Authority.
- 1.3.19 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 the quality of the surrounding environment. Any required monitoring and audits shall be carried out at the expense of the Permit Holder.
- 1.3.20 Without prejudice to condition 1.3.19, 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 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.
- 1.4.2 Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

2 Site Infrastructure and Equipment

2.1 General Site Infrastructure

- 2.1.1 The site perimeter should be clearly delineated either by a chain link fence, bollards or low walls conforming to a permit issued under the Development Planning Act (CAP. 552) and subsidiary legislation. During non-operating hours the site should be firmly closed and totally inaccessible to third parties, both by vehicle and on foot.
- 2.1.2 A site office conforming to the requirements of the Development Planning Act (CAP. 552) is required on site and is to be accessible during operating hours.
- 2.1.3 The site should be clearly identified by a site identification board, which should be replaced as soon as it is damaged or the information is no longer readable from a distance. The site identification board should be located at the site entrance and should contain the following information:
- a. The name and address of the brick plant
 - b. Permit Holder's name

- c. List of authorised activities on site
- d. 24 hour emergency mobile number
- e. Permit Number (making it clear this site is permitted by the Authority)

2.1.4 The entrance/exit area to the Permitted Site should be constructed on impervious grounds and should be regularly cleaned so as to prevent vehicles from transporting dust and waste onto public roads.

2.1.5 The vehicular access paths and the areas mostly frequented by staff and visitors within the site are to be regularly wetted down or otherwise mitigated to prevent dust and waste dispersion/transportation onto public roads.

2.2 Storage Areas

2.2.1 All storage of materials or waste shall take place only in areas with impervious ground and where thorough clean-up and site reinstatement can be readily undertaken.

2.2.2 All small storages of oils and lubricants used for everyday operations shall be equipped with a containment system such as drip trays in order to prevent leakages or spillages.

2.2.3 All bulk oil and fuel storage tanks shall be provided with an adequately designed bund system with an impermeable base and walls, as per relevant REWS standards. The capacity of the bund shall be a minimum of 110% of the largest tank within the bund or 25% of the total volume of all the tanks within the bund. Filling and off-take points shall be located within the bund, which shall not have any drainage connections for rainwater. The Permit holder shall also ensure and take all precautions in his competence to avoid any leakages or spills from liquid or solid material that can cause environmental harm.

2.2.4 Liquid and hazardous wastes generated onsite 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 and having different European Waste Catalogue codes as established by Commission Decision 2000/532/EC and any subsequent amendments shall not be mixed in the same container.

2.2.5 Bulk storage tanks for fuels, oils and chemicals, and associated bunding and pipe work shall be visually inspected at least twice a month. Such records should be kept and made available to the authority upon request.

2.2.6 The storage of flammable, toxic and hazardous substances and the maintenance of critical safety equipment should correspond to good international practice.

2.2.7 It is prohibited to store mechanical parts or any other related waste on site, unless this is done in a closed (roofed) structure that has impermeable ground and able to contain any spills within the closed structure.

2.2.8 The storage of waste oils in large quantities is also prohibited on site. This waste is to be disposed of at a licensed facility that is authorised to accept this type of waste and is to be transported in robust, leak-proof drums via a registered waste carrier in possession of a valid Class D(3) permit. Receipts of such transfers and documentation from the licensed facility to which this waste has been transferred are to be kept, and provided whenever requested by the Authority's representatives. Waste oils should not exceed more than two (2) 45-gallon drums in volume.

2.3 Equipment on site

- 2.3.1 All plant, equipment and technical means used in operating the Permitted Installation shall be maintained in a good operating condition and maintenance records of the above shall be kept by the operator as per Section 4.3 of the permit.
- 2.3.2 All concrete batching plant equipment is to be installed and operated in accordance with the manufacturer recommendations, so as to minimise the release of emissions to air, land and water.
- 2.3.3 No vehicle maintenance shall take place within the permitted installation

3. Operational Procedures

3.1 Waste

3.1.1 Waste Storage and Handling

- 3.1.1.1 No storage of waste, equipment or materials is permitted on property outside the Site, as designated in Schedule 2 of this Permit.
- 3.1.1.2 All wastes shall be stored within a designated impermeable and controlled storage area(s) prior to ultimate disposal. Wastes to be recycled shall be stored in a designated container or area and shall not be mixed with other wastes.
- 3.1.1.3 No storage of waste destined for disposal is permitted for a period exceeding 12 months.
- 3.1.1.4 No storage of waste destined for recovery or treatment is permitted for a period exceeding 3 years.
- 3.1.1.5 All stockpiles of inert material are to be located and covered in such a way as to avoid contamination of air or water through wind or runoff respectively.

3.1.2 Waste disposal

- 3.1.2.1 Records shall be maintained for the disposal of all hazardous waste generated from processes and operations on site, including EWC Code, description, quantities, date of removal, contractor name (including for transport), consignment note number and manner and place of disposal/recovery, including any pre-treatment. Disposal certificates shall be kept on record and made available for inspection for a period of at least 4 years from date of their issue.
- 3.1.2.2 Disposal of wastes shall be managed in accordance with the legal obligations of S.L. 549.63 - the Waste Regulations for appropriate management.
- 3.1.2.3 The incineration any type of waste on site is strictly prohibited.
- 3.1.2.4 On-site disposal of wastes by any means including disposal to drain or surface water, burying or deposition on land is prohibited, unless specifically approved through a Variation of this Permit.
- 3.1.2.5 Only registered waste carriers as per activity 38 of schedule 1 in Subsidiary Legislation 549.45 - the Waste Management (Activity Registration) Regulations are allowed to transport waste to and from this site.

The operator is to prevent litter or other wastes escaping from the site boundaries. Any such escape of waste shall be collected immediately upon detection.

3.1.2.6 The Permit Holder shall maintain records of the weight of each waste consignment removed from the site, and such data is to be collected using a properly calibrated weighbridge.

3.1.2.7 Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:

- a) Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste
- b) (Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply, and
- c) Any other applicable legislation.

3.1.2.8 All hazardous waste transferred off the site shall be accompanied by a valid hazardous waste Consignment Permit issued by ERA. Each consignment under the consignment permit should be accompanied by a Consignment Note.

3.2 Emissions

3.2.1 Emissions to Air

3.2.1.1 Cement silos shall be equipped with effective dust suppression equipment which limits dust generation. Such equipment shall be maintained on a regular basis (as per manufacturer specifications) so as to ensure 100% efficiency (of equipment).

3.2.1.2 Emissions to air shall only arise from the emission points specified in Table 3.2.1, as per description in the submitted EP Application.

Emission point references	Source
PS1	Aggregate storage area
PS2	Standby generator
PS3	Cement silos

3.2.1.3 Diesel (gas oil) used for generators shall have a Sulphur content not greater than 0.1%.

3.2.1.4 The limits for emissions to air for the parameters and emission points listed in Table 3.2.2 shall not be exceeded. These limits refer to dry gas at 3% O₂ content.

Emission point reference	Parameter	Limit
PS1, PS3	Total deposited dust	200mg/m ² /day

- 3.2.1.5 The operator shall ensure that the generator referred to in Table 3.2.1.2 is certified by an independent warranted engineer. The certification shall be carried out during operation and shall be submitted as part of the Annual Environment Report every three (3) years (Schedule 1) as per condition 4.4.2.
- 3.2.1.6 Should the Authority deem it necessary, the Permit Holder is to submit a monitoring proposal for dust emissions listed in Table 3.2.2 within three (3) months of the Authority's written request. Following approval of such a proposal the operator shall carry out such monitoring within the timeframes agreed upon with the Authority and submit a report as part of the Annual Environment report.
- 3.2.1.7 All abatement equipment and ducting shall be cleaned and maintained on a regular basis, as per manufacturer specifications. Record of such maintenance shall be kept in accordance with Condition 4.3.2.
- 3.2.1.8 The Operator shall prevent or where that is not practicable, reduce fugitive emissions of substances to air from the Permitted Installation.

3.2.2 Effluent discharges

- 3.2.2.1 No discharges to surface waters shall take place at the permitted installation.
- 3.2.2.2 No discharges to the foul sewer (other than from domestic sewage or equivalent) shall take place from the Permitted Installation.
- 3.2.2.3 Rainwater shall not be discharged to sewer. Foul sewer drains must be strictly segregated from stormwater drains.
- 3.2.2.4 All process and storage areas must be appropriately contained.
- 3.2.2.5 Storm water, effluents discharges from areas where contamination is likely and/or which may consist of solids (from such sources as loading/unloading areas, washing of ready-mix delivery vehicles etc.) must pass through an adequately sized settlement tank.
- 3.2.2.6 The volume of contaminated storm water should be minimised by such means as:
- Mechanical sweeping of dusty/dirty areas of the site on a regular basis
 - Directing stormwater away from production/storage areas
 - Installing sediment barriers in stormwater courses
- 3.2.2.7 The Operator shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.
- 3.2.2.8 All process and storage areas must be appropriately contained. 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 sites permitted under the relevant environmental regulations to accept such waste. It is the operator's responsibility to ascertain that such waste is properly disposed of.

3.2.3 Emissions to Land

- 3.2.3.1 No emissions from the Permitted Installation shall be made to land.

4. Site Management

4.1 Staff Obligations and Responsibilities

- 4.1.1 All employees authorised by the Permit Holder to undertake waste management activities on his/her behalf, shall be fully conversant with the obligations of this permit and shall be individually aware of their responsibilities and liabilities in observing the conditions of this permit.
- 4.1.2 One member of the staff should be nominated as the Technically Competent Person (TCP) of the site, whereby this person is to physically represent the Permit Holder during the times when the Permit Holder will not be available. The Permit Holder is to give the Authority a 24 hour contact number of the TCP.
- 4.1.3 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.
- 4.1.4 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.
- 4.1.5 All the staff on site should be fully aware of the procedures to be taken in the event of an accidental spill of any liquid other than water and how to contain the environmental hazard.
- 4.1.6 The Permit Holder shall conduct any monitoring programme/s as may be required by the Authority after consultation with the Malta Resources Authority to ensure that the quality of groundwater in the area is not compromised in the event of an environment hazard.
- 4.1.7 In the event of a spill, the Authority reserves the right to commission an independent expert at the Permit Holder's expense or ask the Permit Holder to commission an independent expert to undertake any study deemed necessary after consulting the Malta Resources Authority.
- 4.1.8 All the staff on site shall be fully knowledgeable on the handling and usage of fire hydrants on site.
- 4.1.9 All staff shall be fully conversant with those aspects of the Permit conditions, which are relevant to their duties and shall be provided with adequate professional technical development and training and written operating instructions to enable them to effectively carry out their duties.

4.2 Control of mud and debris

- 4.2.1 The Permit Holder is to wet or sweep the road leading to the facility (or take any other necessary measure) at least three (3) times a day in summer and on windy days during the year, unless otherwise indicated by ERA representatives and through official documentation.
- 4.2.2 At all times during the year the Permit Holder and/or TCP are to ascertain that the roads leading to the facility are clean and free of mud or large debris. In the event that mud or large debris is observed on the road the Permit Holder and/or TCP is to take remedial action and ascertain that the roads are immediately cleaned by means of a road sweeper or mechanical shovel in cases where heavy mud is deposited on the road.

4.3 Site Records & Archive

- 4.3.1 A daily operations log should be kept on site in which the following information shall be recorded on a daily basis:
- (a) Total amount of waste in kilos removed on site
 - (b) 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
 - (c) 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 site operations log shall be made available for inspection at any time when the Authority representatives request to inspect them.

- 4.3.2 The Operator shall ensure that all records required to be made by this Permit and any other records made by it in relation to the operation of the Permitted Installation shall:
- (a) be made available for inspection by the Authority 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.

4.4 Reporting

- 4.4.1 All reports and written and/or verbal notifications required by this Permit shall be made and sent to the Authority addressed to the Enforcement and Compliance Unit, Environment and Resources Authority.
- 4.4.2 The Operator shall also 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.
- 4.4.3 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 Site Closure and Decommissioning

- 4.5.1 In the event of cessation of business activity on the site, all wastes (including machinery, tanks, equipment) and hazardous materials must be removed from the site such that any pollution risk is avoided and the site is returned to a satisfactory state. The Operator shall notify the Authority at least three months prior to taking action, and shall submit a decommissioning plan to the Authority for approval.
- 4.5.2 When deemed necessary, the authority may require the permit holder to take such additional measures as it considers necessary with respect to after care obligations in relation, but not limited to the remedial action, rehabilitation, and monitoring of the waste management or waste production site.
- 4.5.3 A finalised version of the Decommissioning Plan shall be submitted to the Authority for approval not later than 10 days after the Authority is notified of the intention to decommission the site.

- 4.5.4 The approved Decommissioning Plan shall be implemented within 12 months of final cessation or decommissioning of the Permitted activities or part thereof or according to a timeframe as may be agreed with the Authority.

Schedule 1

Annual Environment Report and Submissions

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 Waste Records (waste removed from site)

Waste Type		Amount (tonnes / number)	Location of Disposal	
Tyres				
Scrap metal				
Others (please specify):				
Hazardous waste type	EWC Code*	Consignment note number	Destination	Quantity (tonnes)
Off-site transfers of hazardous waste (please specify, eg: Waste Oils, Batteries):				

S1.3 Fuel Consumption Data

Equipment†	Fuel type	Fuel Consumption	Units (litres)

* European Waste Codes Catalogue

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2000D0532:20020101:EN:PDF>

† E.g. Vehicles etc.

S1.4 Submission of Certifications

Condition Number	Documentation
3.2.1.6	Certification of Standby Generator every three years

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)

.....
Signature

.....
Date

Schedule 2

Site Map

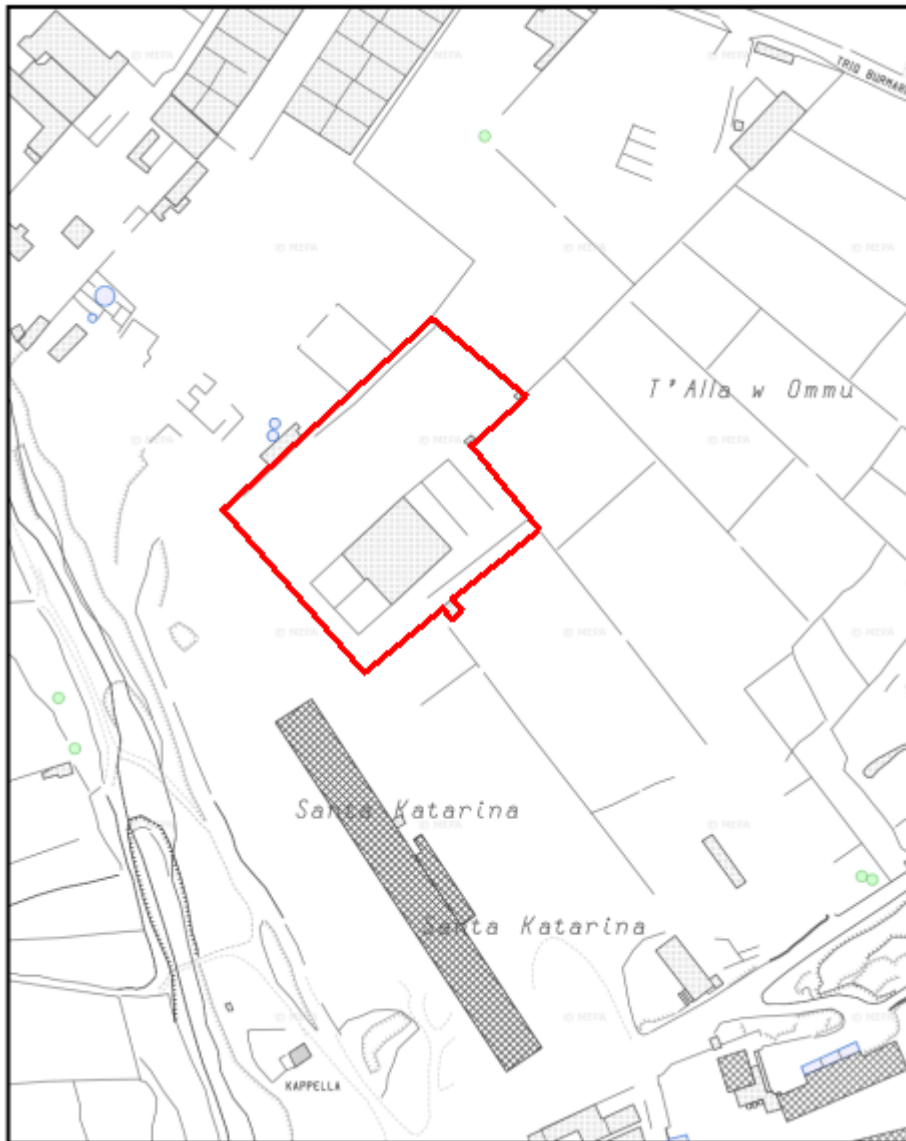


Fig. S2.1: Site of installation, showing extent of area authorised for activity (Outlined in red) for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and should not be used for interpretation purposes.



Fig. S2.2: Site of installation, showing extent of area authorised for activity (outlined in red) for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and should not be used for interpretation purposes.

END OF PERMIT