

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number

EP 0038/18

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. Ioannis Agiostratidis obo Green Ports Malta Ltd

Company registration number: **C87238**

(hereinafter “the Permit Holder”),

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

Green Ports (Malta) Ltd

147/1, St. Lucia Street

Valletta, Malta

to collect and temporary store hazardous liquid from facilities in Malta as also ship-generated waste of ships within Maltese Territorial Waters and dispatch in facilities abroad by means of a TFS permit:

Vessel: ECOFIGHTER (IMO No: 8821759)

This permit is valid for **two (2) years** from the original issue date below. An application for renewal of this permit is to be submitted at least **six (6) months** prior to expiry of this permit.

Signed

Date

Prof Victor Axiak Chairman	Permit Granted: 27 / 04 / 2020
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Authorised to sign on behalf of the Competent Authority

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Conditions

1 GENERAL

The Permitted Installation shall, subject to the conditions of this Permit, be managed, controlled and operated as described in the Application, or as otherwise previously agreed in writing by the Authority.

Status Log

Detail	Date
<i>Application Received</i>	29 October 2018
<i>Permit determined by ERA Board</i>	07 February 2020

1.1 Permitted Activities

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

Activity	Description of specified activity	Limits of specified activity
Collection and temporary storage of hazardous liquids as per Schedule 1	Receipt and temporary storage of specified waste types as per Schedule 1	From receipt of specified waste to dispatch of collected waste to a permitted facility abroad through applicable Transfrontier Shipment Permits for export or Consignment Permits and consignment notes for transfers to local facilities issued by the Authority

1.1.2 This permit is issued for operations of the authorised vessel for waste collection from facilities in Malta as also ship-generated waste of ships within Maltese Territorial Waters, storage and subsequent dispatch by means of a TFS permit.

1.2 Extent of operations

1.2.1 The activities authorised under condition 1.1.1 shall be limited to the vessel authorised under this permit.

1.3 General Conditions

- 1.3.1 The conditions and obligations of this permit are without prejudice to any other regulation, code of practice, conditions or requirements requested by other Authorities or entities, including but not limited to the Planning Authority, the Occupational Health and Safety Authority, Transport Malta and the Regulator for Energy and Water Services (REWS).
- 1.3.2 This permit is granted saving third party rights. The Permit Holder is not excused from obtaining any other permission required by law.
- 1.3.3 In these conditions and their interpretation, all terms shall have the same meaning as that assigned to them CAP549 Environment Protection Act and its subsidiary legislation.
- 1.3.4 The Permit Holder has the sole responsibility to ascertain compliance with legal obligations, permit conditions and to undertake activities on and off the vessel in line with good environmental practices at all times
- 1.3.5 The Permit Holder shall maintain a register of third party complaints. The register shall record the details of complainant(s) if available, the date, source and nature of the complaint and the corrective action undertaken, where such action proves necessary.
- 1.3.6 All equipment and technical means used in operating the Permitted Installation shall be maintained in good operating condition and without causing polluting emissions, leaks and spillages. The Permit Holder shall keep maintenance records as per Section 3.3.
- 1.3.7 The Permitted Installation shall be managed, controlled, supervised and operated by staff that are aware of the importance of environmental protection and suitably trained on the requirements of this Permit. 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 3.3.3. Subcontractors engaged in operations concerning the activities authorised by this permit shall also be made aware of any obligations arising from the permit which might affect their duties.
- 1.3.8 In case of any monitoring requirements specified in this permit, there shall be provided safe means of access to enable sampling/monitoring to be carried out by the Authority or by a third party if deemed necessary.
- 1.3.9 Upon the joint application of a Permit Holder and a proposed transferee, the Permit Holder may request to transfer an environment permit. The permit shall not be transferred from the Permit Holder without prior approval from the Authority. Upon the Authority's decision to transfer the permit to the transferee, all rights, obligations, liabilities shall subsist onto the transferee.
- 1.3.10 The Authority may carry out regular compliance checks that vary in frequency according to the vessel's compliance with the permit conditions. Any checks or

audits carried out by the Authority may be made at the Permit Holder's financial expense.

- 1.3.11 The Authority's representatives are empowered to inspect every part of the vessel 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's representatives may inspect and photograph any part of the vessel and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records.
- 1.3.13 The Authority may add, amend, delete or substitute any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This is without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 1.3.14 The permit is valid for a period of **2 years** from the date of the granting. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least **six (6) months** prior to the expiry of this permit. The permit will be considered renewed once the official renewed permit is issued by the Authority.
- 1.3.15 In accordance to the provisions of Subsidiary Legislation 549.63, this permit is issued against a bank guarantee of **€32,100**, which shall be renewed annually. This guarantee will have to be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 1.3.16 The Bank Guarantee shall remain in place for the duration of validity of this permit and shall only be released upon confirmation of full compliance with the permit conditions by the Authority.
- 1.3.17 The Authority may take part or all of the bank guarantee if the Permit Holder fails to take necessary action or fails to fulfil his legal obligations under the Act or its subsidiary legislation thereof, in cases of non-compliance with these permit conditions, or in cases where environmental integrity is threatened. This bank guarantee is without prejudice to any environmental liabilities incurred by the Permit Holder through failure to adhere to permit conditions or any other works/activity carried out on the vessel. Should the Authority forfeit the Bank Guarantee either in part or in full, the Permit Holder shall ensure that this is replenished without undue delay, in any case not exceeding 2 months from the date of forfeiture.
- 1.3.18 In cases where the bank guarantee does not cover the expenses incurred by the Authority to take any remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.
- 1.3.19 A copy of this permit shall be available at all times on board the vessel, including any Variation Notices or amendments to it.

- 1.3.20 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.
- 1.3.21 The Authority may request monitoring and/or review of operational practices, and commission audits on the installation as deemed necessary to address any circumstances that may affect the quality of the surrounding environment. Any required monitoring and/or audits shall be carried out at the expense of the Permit Holder.
- 1.3.22 Without prejudice to condition 1.3.21, the Authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.

1.4 Operational Changes

- 1.4.1 The Permit Holder may apply for a variation in permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority
- a) Written notice of the details of the proposed change, including an assessment of its possible effects (including changes in emissions and waste production) on risks to the environment from the Permitted installation;
 - b) Any relevant supporting information (e.g. chemical/fuel consumption, technical details, changes in the type/use of substances/mixtures, etc.);
 - c) Any relevant supporting assessments and drawings; and
 - d) The proposed implementation date.
- 1.4.2 Any such change shall only be implemented following the issue of a variation of the permit by the Authority.
- 1.4.3 The Permit Holder shall notify the following matters to the Authority in writing at least 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 corporate identity.

2. OPERATIONAL CONDITIONS

2.1 Permitted Operations on the vessel

- 2.1.1 Only waste streams as set out in the European Waste Catalogue codes in Schedule 1 can be accepted on the vessel.
- 2.1.2 No processing of waste, including but not limited to dewatering shall be carried out on board the vessel.

- 2.1.3 The total amount of waste that can be stored at any given time cannot exceed the capacity of the permitted tanks.
- 2.1.4 All wastes leaving the vessel must only be sent to facilities licensed to accept the individual waste stream, either locally or abroad in line with the provisions of conditions in section 2.5.
- 2.1.5 No maintenance including blasting, repainting, hull cleaning or mechanical works shall be carried out in Maltese Territorial Waters unless authorisation in writing is issued by the Authority.
- 2.1.6 Any transfers of waste specified in Schedule 1 to and from the vessel shall be carried out under supervision of personnel who are fully conversant with the conditions of this permit.
- 2.1.7 Bilge water and sludge generated by the vessel as part of its operations shall managed as per the waste being received by the vessel.
- 2.1.8 Further to condition 2.1.7, other operational waste (sewage, galley litter, etc.) generated on board the service ship shall be managed in line with the provisions of the MARPOL convention.
- 2.1.9 The Permit Holder shall be responsible and accountable to ensure that operations are carried out in accordance with any conditions stipulated in this permit.
- 2.1.10 The Permit Holder shall ensure that waste and/or other materials being transported are safely contained during transportation and shall further prevent the escape of this waste and/or material from his control or that of any other person.
- 2.1.11 The Permit Holder shall ensure that operation of the vessel shall be supervised by the Master or the responsible ship's officer who:
- a. is conversant with the legal framework regulating the conditions in the Environmental Permit issued by ERA; and
 - b. is aware of all the obligations arising from the permit.
- 2.1.12 The Permit Holder of this permit is responsible for any damage to the environment resulting from the operation of the vessel. Any clean ups for spills at sea are to be undertaken at the Permit Holder's financial expense
- 2.1.13 The Permit Holder shall ensure that the vessel is kept in a good state of maintenance and cleanliness and is suitable for the nature of the operations it is engaged to carry out including appropriate containment of waste.
- 2.1.14 The Permit Holder shall notify the Authority of his/her intention to changes in activities or ceasing operations permanently in part or full, whereby an application for cessation of operations shall be made to the Authority and shall include a decommissioning plan.

2.1.15 The Permit Holder shall ensure that waste/ materials being transported do not fall from the vessel at all times during transport until the vessel reaches its final destination.

2.1.16 The Permit Holder shall not transport waste/ materials, which are not appropriately contained.

2.2 On board Waste Storage compartments

2.2.1 All storage of liquid hazardous waste on the vessel must be kept in leak proof compartments. 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.

2.2.2 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 shall be included in the operations log.

2.2.3 Waste liquid tanks and drums found to be leaking or damaged shall either be immediately transferred to a larger over-container or shall have their contents immediately transferred to an alternative tank/drum.

2.3 Emissions to Air

2.3.1 Upon first notification by the Authority in the event of adverse odour impacts from the operations, the Permit Holder shall within one month of the notification submit a proposal for the abatement of such impacts for the Authority's approval and implement it in the timeframe prescribed by the Authority.

2.4 Effluent Discharges

2.4.1 No discharges to sea resulting from the permitted operations shall take place from the Permitted vessel.

2.5 General Waste Acceptance, Storage and Handling

2.5.1 The vessel authorised by this permit shall be considered as being permitted as per the requirements of S.L. 549.45 and SL 549.63.

2.5.2 The Permit Holder shall apply the precautionary principle to safeguard the environment whilst carrying out the permitted activities and shall immediately refuse the entry of waste that is suspected to be in breach of the conditions of this permit.

- 2.5.3 The Permit Holder shall ensure that all waste management operations authorised in accordance with this Permit are carried out in an orderly manner, in line with good environmental practices and shall not spill beyond the permitted vessel.
- 2.5.4 All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal. Any unpermitted wastes that may inadvertently be dispatched to the vessel must be sent back utilising the appropriate waste transfer procedures as defined in this section 2.5 and shall not be mixed with other wastes.
- 2.5.5 Further to condition 2.5.4, **during all waste transfer operations, the Permit Holder shall ensure that booms are deployed** and that spill containment and contingency equipment including absorbent pads are available for immediate deployment in the event of spillages and in line with port regulations.
- 2.5.6 **Any recovery of spilled material, its storage and its disposal from transfers to or from ECOFIGHTER (IMO No: 8821759) shall be on account of the Permit Holder or at the charge of the Permit Holder if undertaken by third parties and/or public entities.**
- 2.5.7 All wastes leaving the vessel after storage and/or processing must only be sent to authorised facilities licensed to accept the individual waste stream, either locally or abroad.
- 2.5.8 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.
- 2.5.9 No storage of waste destined for disposal is permitted for a period exceeding 12 months. No storage of waste destined for recovery or treatment is permitted for a period exceeding 3 years.
- 2.5.10 The Permit Holder is to prevent litter or other wastes escaping from the vessel particularly during loading/unloading. Any such escape of waste shall be collected immediately upon detection.
- 2.5.11 Should the Permit Holder require the services of a waste broker, it shall be ensured that any such broker is a duly registered waste broker in accordance with S.L. 549.45.
- 2.5.12 Disposal or recovery of wastes leaving the installation shall take place only at permitted facilities.
- 2.5.13 The Permit Holder shall maintain records of each waste consignment received and/or removed from the vessel. When reporting data gathered by the installation as required by this permit, such data shall be reported in tonnes. Nonetheless should the Authority request information on specific consignments this shall be provided both in litres, cubic metres and tonnes.
- 2.5.14 Prior to initiating any waste export procedure, the Permit Holder shall check with the Competent Authority in the country of export, to ensure that the correct export

code/s according to the relevant Annexes of Regulation No 1013/2006 on shipments of waste are being applied.

- 2.5.15 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 as implemented through S.L. 549.65;
 - b. Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply, and
 - c. Any other applicable legislation.
- 2.5.16 The Permit Holder shall ensure to issue a receipt / certificate for every consignment of wastes accepted and removed on/from the vessel indicating the date and time of the consignment and the weight of the waste received. Each receipt / certificate shall indicate the facility name and permit number, as well as bearing a unique sequential number.
- 2.5.17 Disposal and/or recovery certificates and any documentation related to transfer of waste to and from the vessel and/or related to its end disposal and/or recovery shall be kept on record and made available for inspection for a period of at least 5 years from date of their issue. Copies of such certificates shall be submitted on an annual basis as part of the AER.
- 2.5.18 All hazardous waste transferred to and from the vessel and every individual movement of hazardous waste shall be accompanied by a valid consignment permit and consignment note obtainable from the Competent Authority.

3. MANAGEMENT

3.1 Staff obligations and Responsibilities

- 3.1.1 One member of the staff shall be nominated as the Technically Competent Person (TCP) of the vessel, whereby this person is to physically represent the Permit Holder during the times when the Permit Holder will not be available.
- 3.1.2 The TCP is responsible for the implementation of all the obligations stipulated in this permit, must supervise the rest of the staff on board the vessel and is completely responsible to ascertain that all permit conditions are being adhered to and that unauthorised waste is not accepted.

- 3.1.3 In the event of any short or long periods of leave of absence taken by the TCP, for a period not exceeding 10 days, the Permit Holder is obliged to find a replacement for that member of staff without delay and the Authority informed accordingly.
- 3.1.4 All the staff on board the vessel shall be fully aware of the procedures to be taken to contain any environmental hazard, which may arise related to the activities being carried out.

3.2 Accident Prevention and Control

- 3.2.1 The Emergency Response Plan shall be maintained containing details of the location, nature and quantity of chemicals, oils and fuels stored, any special hazards, and the emergency phone numbers of the Permit Holder and relevant authorities. It shall also include actions to be taken in the case of incidents, which could affect the environment, such as fires and chemical/fuel/ waste spills. The emergency plan shall indicate that accidental releases of chemicals chemical/fuel/ waste and fires caused by chemicals are to be managed as specified in the respective SDS.
- 3.2.2 In the case of an accident (including chemical spills, etc.), the Permit Holder shall follow the Emergency Response Plan referred to in Condition 3.2.1 and shall notify the Authority within 24 hours.
- 3.2.3 Spillages of waste or other hazardous material shall receive immediate attention to prevent escape to sea. Spilled material shall be disposed of in an appropriate manner. Kits for the collection of liquid and powder spills shall be available on the vessel at strategic locations.
- 3.2.4 Small leaks or spills shall be cleared up immediately by the application of absorbent materials in line with condition 2.5.5. All used absorbent materials shall be disposed of as hazardous waste at facilities permitted to accept such waste. Transfer of this waste shall be carried out as per conditions specified in section 2.5 of this permit.
- 3.2.5 Any incident including accidental release of liquid, solid or gaseous materials shall be reported not later than within 24 hours to ERA, without prejudice to the emergency plan of the installation and Health and Safety.

3.3 Records & Archive

- 3.3.1 A daily operations log shall be made in a legible manner and kept on board the vessel and be made available for inspection by the Authority at any reasonable time. The following information shall be recorded on a daily basis and retained for 5 years:
- i. Total amount of waste in kilos accepted
 - ii. Total amount of waste in kilos removed for disposal or further treatment
 - iii. Total amount of waste in kilos refused entry
 - iv. Total amount in kilos of unaccepted material sent to the quarantine area and by which registered waste carrier it was transported
 - v. Copies of consignment notes used for waste received/removed
 - vi. Any incidents that took place such as mechanical faults in the machinery or equipment used, any spills, fires, etc and the remedial action taken

- vii. Any other incidents that the Permit Holder deems important to record in the daily operations log
- viii. Copies of all active Transfrontier Shipment Permits.

Each record shall be compiled within 24 hours of the relevant event. The records kept in the operation's log shall be made available for inspection at any time when the Authority representatives request to inspect them.

- 3.3.2 The Permit Holder shall maintain a record of the skills and training requirements for all staff whose tasks in relation to the Permitted Installation may have an impact on the environment and shall keep records of all relevant training.
- 3.3.3 The permit holder shall maintain records related to maintenance of the vessel which shall be submitted to the Authority upon request.

3.4 Reporting

- 3.4.1 The Permit Holder shall submit to the Authority an Annual Environmental Report (AER) of the previous year by not later than end of March of each year, providing the information listed in the ERA website and in the format specified therein (<http://era.org.mt/en/Pages/Waste-Management-Reporting-Templates.aspx>) as per Schedule 2 of this permit. It shall also be ensured that all certification and documentation as per Schedule 3 are submitted.
- 3.4.2 In the event where operations cease temporarily (2 weeks or more), 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.
- 3.4.3 The Permit Holder shall notify the Authority prior to ceasing operations permanently in part or full, whereby an application for cessation of operations shall be made to the Authority.

SCHEDULE 1

Complete List of Permitted Waste

European Waste Codes	Description of Waste
13 02 08*	other engine, gear and lubricating oils
13 04 03*	bilge oils from other navigation
13 05 08*	mixtures of wastes from grit chambers and oil/water separators
13 07 03*	other fuels (including mixtures)
16 07 08*	wastes containing oil

****Incoming wastes may also leave as Outgoing waste, except where this is otherwise explicitly specified***

SCHEDULE 3

Submissions of certification and documentation

Condition Number	Documentation
3.3.3	Submission of maintenance record upon request
3.4.1	Submission of waste records every year

END OF PERMIT