

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number

EP 0081/20

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 Nicholas Farrugia (I.D. [REDACTED])
(hereinafter “the Permit Holder”)

For the excavation of softstone mineral from a softstone quarry and to backfill an excavation void with inert material generated on site only at:

**SM 23,
Old Valletta Road,
Imqabba**

This permit is valid for **four (4) years** from the permit granted 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: 26/10 / 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

<i>Permit Granted (EP 03/12/A)</i>	7 th August 2012
<i>Renewal Permit Granted (EP 03/12/B)</i>	24 th August 2018
<i>Permit renewal determined by ERA Board</i>	28 th August 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
Extraction of resource (softstone mineral)	Softstone extraction by means of mechanical rotary saws.	From mineral extraction to dispatch of finished product.
Backfilling of excavation void	Backfilling of excavation void with inert material generated on site only	From the generation of inert material on site to the backfilling within the excavation void.

1.2 Site

1.2.1 The activities authorised under condition 1.1.1 shall not extend beyond the Site and shall be limited to the excavation void only, as shown on the Site Map in Schedule 2 to 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 Malta Resources Authority.

- 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 CAP 549 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 site 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 name and address of the complainant(s) if available, the date, location, source and nature of the complaint and the corrective action undertaken, where such action proves necessary.
- 1.3.6 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 4.3.3.
- 1.3.7 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.
- 1.3.8 The Authority may carry out pre-set or unannounced compliance or monitoring compliance checks that vary in frequency according to the site's compliance with the permit conditions and safeguarding of natural assets. Any checks or audits carried out by the Authority may be made at the Permit Holder's financial expense at a rate and arrangement communicated by ERA's Compliance and Enforcement Directorate.
- 1.3.9 The Authority's representatives may inspect and photograph any part of the site 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.
- 1.3.10 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, without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 1.3.11 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
- 1.3.12 The permit is valid for a period of **four (4) 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 the permit. The permit will be considered renewed once the official renewed permit is granted by the Authority.

- 1.3.13 This permit is granted against a bank guarantee of **€5,000** 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.
- 1.3.14 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.
- 1.3.15 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 site. 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.
- 1.3.16 In cases where the bank 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 within.
- 1.3.17 A copy of this permit shall be available at all times at the site office, including any Variation Notices or amendments to it.
- 1.3.18 The Authority may request additional monitoring and/or review of operational practices and/or 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.
- 1.3.19 Without prejudice to condition 1.3.18, the Authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.
- 1.3.20 Any incident including accidental release of liquid, solid or gaseous materials from the site that could be regarded as causing environmental damage, or as posing a threat of environmental damage, shall be reported not later than within 24 hours to ERA.

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 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. 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.

- 1.4.2 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. Site Infrastructure and Equipment

2.1 General Site Infrastructure

- 2.1.1 The site perimeter shall be clearly delineated either by a chain link fence, bollards or low walls. During non-operating hours the site shall be securely closed and totally inaccessible to third parties, both by vehicle and on foot. The site must be well secured at all times.
- 2.1.2 The entrance/exit area to be Permitted Site shall be constructed by compacted gravel and shall be regularly cleaned so as to prevent vehicles from transporting dust and waste onto public roads.
- 2.1.3 Should the Authority deem it necessary, a vehicle wheel wash/ wheel dip (or similar mitigation measures) shall be installed before the main exit of the Permitted Site so as to prevent vehicles from transporting dust and waste onto public roads.

2.2 Storage Areas

- 2.2.1 All storage of materials, fuels, oils and 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 quarry operations shall be equipped with a containment system such as drip trays in order to prevent leakages or spillages.
- 2.2.3 The storage of tyres shall be segregated from other wastes and the structure within which the tyres are stored is to be adequately equipped with fire hydrants that are regularly maintained and serviced by the supplier. At any time, the storage of used tyres shall not exceed ten (10) tyres.
- 2.2.4 The storage of other liquids in drums or containers, other than fuel oils, lubricating oils or water, or approved dust flocculants, is strictly prohibited on any part of the site.
- 2.2.5 It is prohibited to store waste mechanical parts or any other waste on site, unless this is done in a closed structure (not open to the elements) constructed on impervious ground capable of containing any accidental spills of fuels, oils or any

other hazardous materials. This storage cannot exceed a period of more than three (3) months or surpass one truck load in volume.

2.2.6 It is prohibited to store oil containing mechanical parts, unless this is done in a closed structure (not open to the elements) that has impermeable ground and able to contain any spills within the closed structure. Large mechanical parts or spares not containing oils can be stored outside.

2.2.7 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 D3 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 shall 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 without causing polluting emissions, leaks and spillages. Maintenance records of the above shall be kept by the Permit Holder and shall be made available to officers of the Authority for review upon request.

2.3.2 All equipment is to be installed and operated in accordance with the manufacturer recommendations, so as to minimise the release of dust to air, land and water.

3. Operational Procedures

3.1 Waste Storage and Handling

3.1.1 The Permit Holder shall ensure that all operations authorised in accordance with this Permit are carried out in an orderly manner and in such a way as to cause the least possible disturbance to the surroundings.

3.1.2 No storage of waste, equipment or materials is permitted on property outside the site premises.

3.1.3 All wastes (other than inert waste) 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.

3.1.4 The storage of hazardous **waste generated on site** only shall comply with the requirements of S.L. 549.45 - the Waste Management (Activity Registration) Regulations.

3.1.5 No storage of waste (other than own-site inert waste) destined for disposal is permitted for a period exceeding 12 months. No storage of waste (other than own-site inert waste) destined for recovery is permitted for a period exceeding 3 years.

3.2 Waste Disposal

- 3.2.1 Records shall be kept for the disposal of all hazardous waste generated from the processes and operations on site, including EWC Code, description, quantities, date of removal, contractor name (including for transport), consignment note number and place of disposal / recovery. The records shall be maintained for a minimum period of 5 years and be made available, upon request, to the Authority.
- 3.2.2 Disposal of wastes shall be managed accordance with the legal obligations of S.L. 549.63 – the Waste Regulations.
- 3.2.3 Off-site disposal of wastes may only take place at a facility licensed for that purpose.
- 3.2.4 The incineration of any type of waste or any other material on site is strictly prohibited.
- 3.2.5 On-site disposal of unpermitted 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.
- 3.2.6 Disposal certificates shall be kept on record and made available for inspection for a period of five (5) years from their date of issue and shall be made available, upon request, by the Authority.
- 3.2.7 The Permit Holder shall make use of the services of a registered waste carrier for the transport of waste from the site in accordance with S.L. 549.45. Where the company removes wastes using its own transport the vehicle(s) must also be registered as a waste carrier in accordance with S.L. 549.45.
- 3.2.8 All hazardous waste transferred off the site and every individual movement of hazardous waste shall be accompanied by a valid consignment permit and consignment note obtainable from the Competent Authority.

3.3 Emissions to Air

- 3.3.1 All processes which generate significant levels of airborne contaminants (such as dusts, toxic gases, and odorous chemicals) beyond the site boundary shall be fitted with abatement measures designed in such a way as to avoid local impacts.
- 3.3.2 Emissions to air shall arise from the emission points specified in Table 3.3.2, as per the description in the submitted EP application.

Table 3.3.2

Emission reference	Source
PS 1	General Quarry Area
PS 2	Standby Generator

- 3.3.3 The co-incineration of any material or additional fuel including engine or other waste oil is strictly prohibited. Any change in fuel type shall require the notification and approval of the Authority prior to commencement of its utilisation.
- 3.3.4 The Permit Holder shall submit certification for the generator (PS2) referred to in Table 3.3.2, by an independent warranted engineer showing that the boiler and the generator are in good working condition every 4 years. The certification shall be submitted as part of the Annual Environmental Report (AER) in Schedule 1.
- 3.3.5 Should the Permit Holder intend to install equipment, which could lead to additional emissions to air (e.g. boiler, etc.), a variation of this Permit must be secured prior to installation and operation of this equipment.
- 3.3.6 The Authority may request monitoring of emissions to air listed in Table 3.3.2, which shall be undertaken in accordance to the terms of reference provided by the Authority.
- 3.3.7 In the event of malfunction or breakdown leading to abnormal emissions from equipment, the Permit Holder must:
- a. Investigate immediately and undertake corrective action, and
 - b. Adjust the process or activity to minimise those emissions, and
 - c. Record the events and actions taken.
- 3.3.8 Further to condition 3.3.7, the Permit Holder shall provide ERA with details of the specific cause of the malfunction and the remedial steps taken or to be taken to address the malfunction.
- 3.3.9 All abatement equipment and ducting shall be cleaned and maintained on a regular basis, as per manufacturer specifications. Records of such maintenance shall be kept in accordance with Condition 4.3.2.
- 3.3.10 The Permit Holder shall prevent or where that is not practical, reduce fugitive emissions of substances to air from the Permitted Installation. Areas of the operation which may generate dust should be regularly wetted down to mitigate dust emissions onto the surroundings

3.4 Effluent Discharges

- 3.4.1 No discharges to surface or ground water shall take place from the Permitted installation.
- 3.4.2 The Permit Holder shall undertake all necessary measures and precautions to prevent spillage of materials such as waste oils, lubricant oils and any other materials that may potentially contaminate the environment.
- 3.4.3 Spillages of oil or other hazardous material shall receive immediate attention to prevent escape to drain, surface water, groundwater or land. All such storage areas must be appropriately contained. Spilled material shall be disposed of in sites permitted under the relevant environmental regulations to accept such waste. It is

the Permit Holder's responsibility to ascertain that such waste is properly disposed of.

3.5 Emissions to Land

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

3.5.2 In the event of spillages or incidents, which could have led to contamination of land, the Permit Holder shall notify the Authority within 24 hours, forward a decontamination plan for the Authority's approval and execute it within an agreed time frame.

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. They shall be provided with adequate professional technical development and training and written operating instructions to enable them to effectively carry out duties.

4.1.2 One member of the staff shall 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.

4.1.3 In the event of any short or long periods of leave of absence taken by the TCP for a period exceeding 10 days or change in the TCP, the Permit Holder is obliged to find a replacement for that member of staff without delay and the Authority informed accordingly.

4.1.4 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.

4.1.5 All the staff on site shall be fully knowledgeable on the handling and usage of fire extinguishers on site.

4.1.6 All staff shall be fully conversant with those aspects of the Permit conditions, which are relevant to their duties.

4.1.7 All the staff on site shall 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.

4.1.8 The Permit Holder shall conduct any monitoring programme/s as may be required by the Authority after consultation with other entities to ensure that the quality of groundwater in the area is not compromised in the event of an environment hazard.

- 4.1.9 In the event of a spill, the Authority may 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.

4.2 Control of mud and debris

- 4.2.1 The Permit Holder is to sweep the road leading to the facility at least at end of operations daily 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 grip/shovel in cases where heavy mud is deposited on the road.

4.3 Site Records & Archive

- 4.3.1 A site daily operations log shall be made in a legible manner and kept on site 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:
- a. Total amount in tonnes and specific waste stream transferred from 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. Records related to Section 4.2
 - d. Any other incidents that the Permit Holder deems important to record in the Site daily operations log.

Each record shall be compiled within 24 hours of the relevant event. The records kept in the daily operational log and shall be made available for inspection at any time when the Authority representative request to inspect them.

- 4.3.2 The Permit Holder shall ensure that all records required to be kept by this Permit and any other records required 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 in the format requested;
 - c. Be legible;
 - d. Indicate any amendments which have been made and shall include the original record; and
 - e. Be retained at the Permitted Installation, or other location agreed by the Authority in writing, for a minimum period of 5 years from the date when the records were made, unless otherwise agreed in writing.

4.4 Reporting

- 4.4.1 All reports and written required by this Permit shall be made and sent to the Authority addressed to the Compliance and Enforcement Directorate, Environment and Resources Authority.
- 4.4.2 The Permit Holder 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. It shall also be ensured that all certification and documentation as per Schedule 1 are submitted according to the relevant timeframes therein.
- 4.4.3 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.
- 4.4.4 The Authority shall be informed within 24 hours in the event of an environmental hazard or major incidents.

5. Cessation of Activity

- 5.1 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 and shall include a decommissioning plan.
- 5.2 In the event that the activities listed in condition 1.1 of this permit ceases unexpectedly and the Permit Holder is no longer interested in pursuing the permitted activity, the Permit Holder is to notify the Authority within seven (7) days.
- 5.3 All obligations of this permit shall subsist until such time that the Authority notifies the operator in writing that all obligations and conditions of the permit have been fulfilled without prejudice to any liabilities and third-party rights.
- 5.4 When the Authority deems it necessary, prior to the cessation/closure of the site, the Permit Holder shall carry out any monitoring tests as indicated by the Authority, which will determine whether the Permit Holder can be released from the obligation of this permit.
- 5.5 Upon receiving official documentation from the Authority that confirms the site's closure, the Permit Holder is automatically responsible and liable in pursuing his responsibilities and fulfil his post-operational responsibilities, namely to:
 - i. Should the Authority deem it necessary, monitor the waste mass stability and submit a report.
 - ii. Assure that the site is properly secured and that it cannot in any possible way be used as an illegal dumpsite or be accessed for fly tipping.

Schedule 1

Annual Environment Report and Submissions

Important note

By this submission, you confirm that you give your 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 ¹	Consignment note number	Destination	Quantity (tonnes)
Off-site transfers of hazardous waste (please specify, eg: Waste Oils, Batteries):				

S1.3 Submission of certificates

Submission of Annual Environment Report every year	<input type="checkbox"/>
Certification of the generator every 4 years	<input type="checkbox"/>

Applicant's declaration

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

¹ European Waste Codes Catalogue
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02000D0532-20150601&qid=1475495799963&from=EN>

..... Name <i>(in block letters)</i> ID Card Number on behalf of / in my own name <i>(in block letters)</i>
..... Signature	 Date

Schedule 2

Site Map



Fig. S2: Site of installation in red, 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 shall not be used for interpretation purposes.

END OF PERMIT