

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number

EP 0124/20

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:

Jacqueline Schembri o.b.o. Schembri Batteries Ltd.
(Company registration number: C 5945)

(hereinafter “the Permit Holder”),
Of / Whose Registered Office (or principal place of business) is at

Schembri Batteries Ltd.
A39, Marsa Industrial Estate
Marsa

To operate a facility for temporary storage of waste batteries prior to export at:

Schembri Batteries Ltd.
A39, Marsa Industrial Estate
Marsa

This permit is valid for **four (4) years** from the 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: <u>01/ 12/ 2020</u>

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 EP</i>	10 th September 2009
<i>Permit Issued</i>	20 th May 2011
<i>Renewal Issued</i>	6 th November 2013
<i>Renewal Issued</i>	27 th October 2014
<i>Renewal Issued</i>	5 th November 2018
<i>Renewal determined by ERA Board</i>	6 th November 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
Temporary storage of waste batteries	Receipt, storage of waste batteries with EWC codes as specified in the permit	From receipt of waste batteries to dispatch of waste batteries to authorised facilities either locally or abroad.
Associated activity of maintenance	Maintenance and repairs which may be carried out in the maintenance workshops of the installation	From maintenance/repair activity 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 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,

Occupational Health and Safety Authority, Transport Malta, Malta Industrial Parks 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 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 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 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 plant, 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.
- 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, in particular on those permit conditions relevant to their duties.
- 1.3.8 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.
- 1.3.9 The Authority may carry out regular pre-set or unannounced compliance or monitoring 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 the rate and arrangement communicated by ERA's Compliance and Enforcement Directorate.
- 1.3.10 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.
- 1.3.11 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.
- 1.3.12 The permit is valid for a period of four (4) years from the date of the granting. The Permit Holder may apply for a renewal to this permit 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 granted by the Authority.

- 1.3.13 In accordance to the provisions of Subsidiary Legislation 549.63, this permit is granted against a bank guarantee of € 6,350 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 any remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.
- 1.3.17 A copy of this permit shall be available at all times at the permitted facility, including any Variation Notices or amendments to it.
- 1.3.18 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.
- 1.3.19 The Authority may request additional 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.
- 1.3.20 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 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.

Any such change shall not be implemented following the issue of a variation of the permit by the Authority.

- 1.4.2 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. Site Infrastructure and Operations

2.1 Site Infrastructure

- 2.1.1 During non-operating hours the site shall be firmly 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 designated and labelled quarantine area shall be kept within the site boundary to temporarily hold unpermitted waste that may inadvertently enter the site. A non-leaking skip or similar contained structure shall be utilised for the temporary storage of unpermitted waste. The quantity of waste in the quarantine area shall not exceed the capacity of said area at any given time.
- 2.1.3 The Permit Holder is to ensure that the waste is organised into the designated areas, labelled and with visible physical delineation of these areas in place.
- 2.1.4 No waste shall be deposited, stored or otherwise handled in any area of the site that is not impermeable.
- 2.1.5 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.
- 2.1.6 All handling and 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 Permitted Operations on Site

- 2.2.1 Only waste streams as set out in the European Waste Catalogue codes in Schedule 1 can be accepted and stored on site.
- 2.2.2 The total amount of waste batteries that can be stored at the permitted facility shall not exceed 49 tonnes at any given time.
- 2.2.3 The manufacturing and servicing of batteries including storage of waste batteries is to be carried out indoors (not open to the elements) that has impermeable surface in order to facilitate the clean-up of potential spills.

- 2.2.4 No waste shall be handled beyond the boundary of the permitted garages and the outside area as indicated in Schedule 2.

2.3 Equipment on Site

- 2.3.1 The weighing equipment shall be maintained, calibrated and certified by a warranted engineer or by the equipment's manufacturing company. This certificate is to be submitted annually to the Authority as part of the Annual Environment Report (**Error! Reference source not found.**).
- 2.3.2 The Permit Holder shall maintain records of the weight of each waste consignment received and /or removed from the site, and such data is to be collected using properly calibrated equipment. Records of waste weighed prior to loading onto the vehicle from the point of collection may be accepted in lieu of onsite weighing.
- 2.3.3 All equipment is to be installed and operated in accordance with the manufacturer recommendations.

3. Operating Conditions

3.1 Emissions to Air

- 3.1.1 No emissions to air shall take place from the Permitted Installation
- 3.1.2 The exhaust from the general building ventilation system (e.g. extractors or fans in walls or roofs) and any extracted fumes and gases shall be vented in such a way as to avoid local adverse environmental effects and in accordance with applicable legislation in this regard.

3.2 Effluent Discharges

- 3.2.1 No discharges to surface water or groundwater shall take place from the Permitted Installation.
- 3.2.2 Foul sewer drains must be strictly segregated from storm water drains.
- 3.2.3 The Permit Holder shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.

3.3 Emissions to Land

- 3.3.1 No emission from the Permitted Installation shall be made to land.
- 3.3.2 In the event of 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.

3.4 General Waste Acceptance, Storage and Handling

- 3.4.1 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.
- 3.4.2 The Permit Holder shall ensure that all waste management operations authorised in accordance with this Permit are carried out in an orderly manner and in such a way as not to cause adverse impact on the environment.
- 3.4.3 All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal. Any unpermitted wastes that may inadvertently enter the site must be removed immediately.
- 3.4.4 No liquid wastes shall be accepted on site.
- 3.4.5 All wastes leaving the site after storage and must only be sent to authorised facilities licensed to accept the individual waste stream, either locally or abroad. In this regard, in the case of local facilities, the Permit Holder shall only make use of disposal/recovery sites that are duly permitted by the Competent Authority, as set in the Subsidiary Legislation 549.63 – the Waste Regulations or by authorised waste management facilities abroad.
- 3.4.6 An audit trail is to be maintained for the waste received and sent for treatment, recovery or disposal to another facility locally or abroad, which audit trail shall cover all waste from the point of generation or collection to the end recovery facility abroad.
- 3.4.7 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.
- 3.4.8 The Permit Holder 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.
- 3.4.9 The Permit Holder shall also ensure and take all precautions in his competence to avoid any leakages or spills from liquid material that can cause environmental harm. 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.
- 3.4.10 Storage of acids on site must be kept in an appropriately bunded/contained area. A drip tray/s shall be placed underneath the acid tanks, which must be able to hold at least 25% of the total storage capacity of the drums.
- 3.4.11 Spillages of acids 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 and shall be made available and accessible to personnel responsible for the management of the storage areas.

- 3.4.12 Only registered waste carriers as per activity 38 of Schedule 1 in S.L. 549.45, the Waste Management (Activity Registration) Regulations are allowed to transport waste to and from this site.
- 3.4.13 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.
- 3.4.14 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.
- 3.4.15 Disposal and/or recovery certificates and any documentation related to transfer of waste to and from the site 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.
- 3.4.16 The Permit Holder shall ensure to issue/attain a receipt / certificate for every consignment of wastes accepted/removed from the Site also indicating the date and time of the consignment and the weight of the waste accepted/removed. Each certificate / receipt shall indicate the site name and permit number, as well as bearing a unique sequential number.
- 3.4.17 The Permit Holder shall maintain records of the weight of each waste consignment received and /or removed from the site, and such data shall be collected using properly calibrated equipment.
- 3.4.18 All hazardous waste transferred to and/or from 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.
- 3.4.19 Incoming waste and outgoing waste shall be kept separately. All separated outgoing waste shall be kept separated and shall not be mixed.
- 3.4.20 Movements of waste outside of the permitted site for the purpose of loading shall not commence prior to the arrival of the truck/container on site.
- 3.4.21 The Authority may stop any consignment/s of waste in transit from the site should the Authority require any checks and/or investigations on such a consignment/s.

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 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 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.
- 4.1.4 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, or change in TCP, the Permit Holder is obliged to find a replacement for that member of staff without delay
- 4.1.5 All the staff on site 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 on site.

4.2 Accident Prevention and Control

- 4.2.1 An Emergency Response Plan shall be maintained containing details of the location, nature and quantity of chemicals, oils and fuels stored, any special hazards, a drawing showing location of drains 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 spills. The emergency plan shall indicate that accidental releases of chemicals and fires caused by chemicals are to be managed as specified in the respective SDS.
- 4.2.2 In the case of an accident (including chemical spills, etc.), the Permit Holder shall follow the Emergency Response Plan referred to in Condition 4.2.1 and shall notify the Authority within 24 hours.
- 4.2.3 Spillages of chemicals 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. Kits for the collection of liquid and powder spills shall be available on site at strategic locations.
- 4.2.4 Small leaks or spills shall be cleared up immediately by the application of absorbent materials. 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 **Error! Reference source not found.** of this permit.
- 4.2.5 The Permit Holder shall have in storage an adequate supply of suitable absorbent material to absorb any spillage.

4.3 Site Records & Archive

4.3.1 A site daily operations log shall be kept on site in which the following information shall be recorded on a daily basis:

- i. Total amount of waste in kilos accepted on site
- ii. Total amount of waste in kilos removed from site for disposal or further treatment
- iii. Total amount of waste in kilos refused entry on site
- iv. Total amount in kilos of unaccepted material sent to the quarantine area and by which registered waste carrier it was transported
- v. 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
- vi. Any other incidents that the Permit Holder deems important to record in the Site daily operations log
- vii. Any complaints related to the operations at the site.

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

4.3.2 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.

4.3.3 The Permit Holder may wish to establish an Environmental Management System (EMS) to facilitate compliance with permit conditions and to assist in formalising procedures required by this permit. An EMS can take the form of a standardised system (e.g. EN ISO 14001:2015 or EMAS) or a non-standardised (“customised”) system, provided that is properly designed and implemented. Guidance for a non-standardised (“customised”) system is included in Schedule 4 of this permit.

4.4 Reporting

4.4.1 The Permit Holder shall submit to the Authority an Annual Environmental Report (AER) of the previous year by not later than the 31st of March of each year, providing the information listed in the ERA website and in the format specified therein (<https://era.org.mt/era-topic-categories/reporting-obligations/>) and Schedule 3. It shall also be ensured that all certification and documentation as per Schedule 3 are submitted in accordance with their relevant timeframes.

4.4.2 An independent auditor shall be engaged by the Permit Holder to certify all of the waste reporting required by this permit, in line with the Audit Procedures - Terms of Reference found in Schedule 5 of this permit. The results of such audit are to be submitted to the Authority in the form of a report, as part of the AER or by the 31st of March of each reporting year. The Authority may carry out any such audits on the installation itself as deemed necessary at the expense of the Permit Holder in line with 1.3.19.

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 Permit Holder shall obtain the Recycling Efficiency Certificates from the authorised local or foreign recycling facility, covering all the batteries consignments dispatched from the site. The Recycling Efficiency Certificates shall be submitted to the Authority as part of the AER in line with condition 4.4.1.

4.5 Closure and Decommissioning

4.5.1 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.

4.5.2 In the event of cessation of operations on the site, the Permit Holder shall remain responsible for all wastes and hazardous materials on site, which shall be removed from the site in accordance to good environmental practice and in such a manner that minimises environmental risks.

4.5.3 The Decommissioning Plan shall be implemented once approved by the Authority and within 12 months of final cessation of operations or as agreed with the Authority in writing.

4.5.4 The obligations arising from this permit shall subsist until the Authority confirms in writing that the decommissioning plan has been implemented to its satisfaction.

4.5.5 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

Complete List of Permitted Waste on Site

Incoming Waste

- 16 06 01*** Lead batteries
- 16 06 02*** Ni-Cd batteries
- 16 06 03*** Mercury-containing batteries
- 16 06 04** Alkaline batteries (except 16 06 03)
- 16 06 05** Other batteries and accumulators

***N.B. Incoming wastes may also leave the site as Outgoing waste (including separate fractions resulting from permitted processes on site), except where this is otherwise explicitly specified.**

Schedule 2A
Site Map

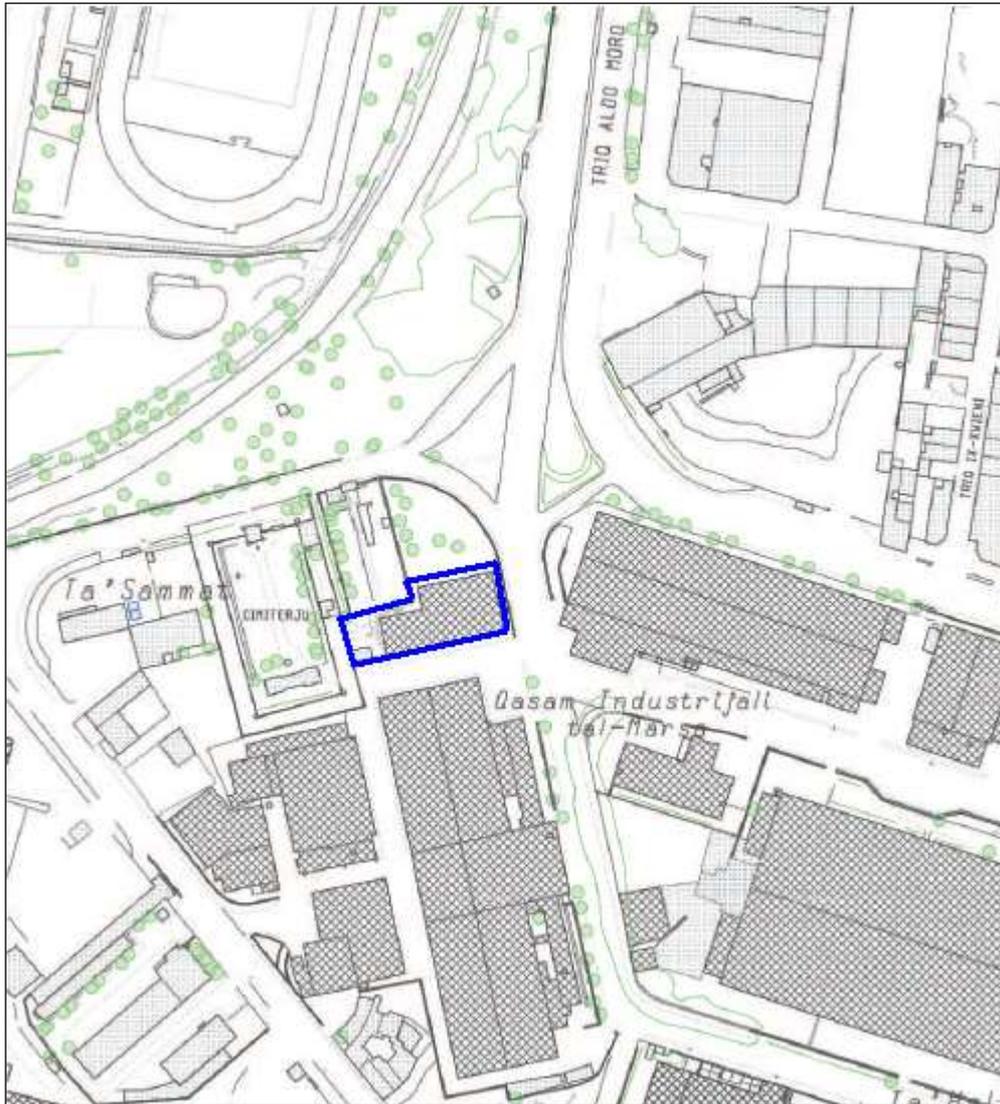


Fig. 2.1: Site of permitted installation, showing extent of area outlined in blue, for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

Schedule 2B
Site Layout Map

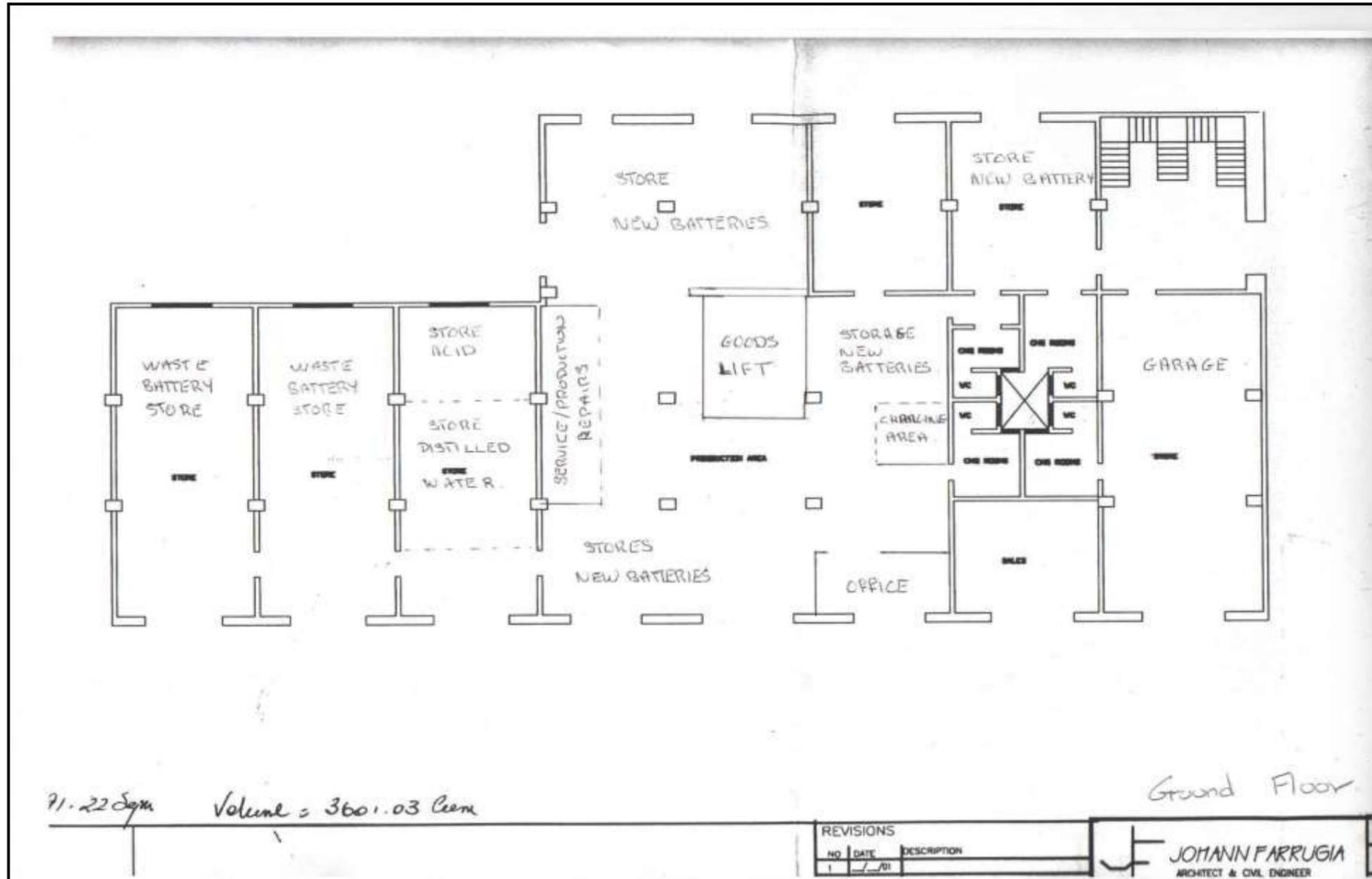


Fig. 2.1: Site Layout showing the facility for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

Schedule 3

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.

S3.1 Introduction

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

S3.2 Waste Records

As per condition 4.4.1, the Permit Holder shall submit to the Authority information on waste records 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 (<https://era.org.mt/era-topic-categories/reporting-obligations/>).

S3.3 Submission of certificates

Certification of weighing equipment calibration annually.	<input type="checkbox"/>
Submission of Waste Records every year	<input type="checkbox"/>
Submission of Independent Audit Report every year	<input type="checkbox"/>
Submission of Recycling Efficiency Certificate for batteries every year	<input type="checkbox"/>

Applicant's declaration

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

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

Schedule 4

Minimum requirements for an Environment Management System (EMS)

An EMS may include, as a minimum, the following elements:

1. Management and Reporting Structure

This shall in particular include the name of the person who will be responsible for managing environmental aspects of the installation. Relevant qualifications and experience shall be listed, together with contact details (including a mobile number for emergency purposes).

2. Environmental Objectives and Targets

The section shall include a review of all operations and processes, a commitment by the Permit Holder 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 shall be set for priority areas identified (e.g. minimising waste generation by ___% annually).

3. Environmental Management Programme (EMP)

This shall include a time schedule for achieving the Environmental Objectives and Targets prepared under point 2 above. The time schedule shall cover a period of 5 years. The EMP shall 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 shall be reviewed annually as part of the EMS.

4. Documentation

A system of documentation shall be established to ensure that records are kept of the priority areas chosen according to point 2. In addition, the Permit Holder shall issue a copy of the environmental permit to all relevant personnel whose duties relate to any condition of the permit.

5. Corrective Action

The Permit Holder shall establish procedures to ensure that corrective action is taken shall 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 nonconformity with the environmental permit shall be defined.

6. Awareness and Training

The Permit Holder shall 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 shall be maintained.

7. Maintenance Programme

The Permit Holder shall 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 shall support this maintenance programme.

The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel.

Schedule 5

Terms of Reference for Compliance Audits related to Annual Reporting for Authorised Waste Facilities

- S5.1 The auditor shall be independent (i.e. an auditor who would be eligible for appointment as company auditor), certified, and approved by the Authority. The auditor shall have access to in-house environmental expertise or otherwise appoint a consultant having environmental expertise to assist him.
- S5.2 The auditor would be required to certify all the information reported to the Authority by the Authorised Waste Facility as specified in the ERA permit itself.
- S5.3 A sound auditing procedure for traceability, monitoring, and control shall be in place for all the authorised waste managed on site in relation to the Waste Management permit or an Environmental permit.
- S5.4 The audit trail shall cover all waste from the point of acceptance of waste into the facility to the end recovery or disposal facility (local or foreign).
- S5.5 Proper records and documentation shall be kept where authorised waste are sent to duly authorised interim storage facilities, pending transfer to an authorised end disposal/recovery facilities. In such cases, proof is to be provided, as regards to that the authorised waste has been transferred to an authorised end disposal/recovery facility within a maximum of twelve (12) calendar months from the end of the annual reporting period.

The points overleaf shall be covered by the auditors in such audits, providing a detailed report of their findings. The Authority may request clarifications and further information from the auditors other than that provided in the audit report.

#	Nature and extent of audit procedures	Timing	Done by and date	W/P ref
1	<p>Objective: To confirm that there is a signed receipt for every waste transfer received at the site</p> <ul style="list-style-type: none"> Choose a random sample of 10% of the signed receipts for every waste transfer received at the site for each quarter within the calendar year and confirm that all waste entries are covered by an issued signed receipt. 			
2	<p>Objective: To ensure that an adequate audit trail is maintained to ensure that when a particular waste stream is being treated it can be traced back to its waste generator</p> <ul style="list-style-type: none"> Choose a random sample of 10% of the total waste being treated and ensure that its origin can be traced back. 			
3	<p>Objective: To confirm that any hazardous waste movements from the site (entry & exit) are covered with a hazardous waste consignment permit and consignment note</p> <ul style="list-style-type: none"> In cases of movement within the island of Malta, choose a random sample of 10% of the total no. of hazardous waste movements into and out of the site and confirm that all such movements are covered by a valid hazardous waste consignment permit and a waste consignment note. Confirm also that the relevant EWC code has been used. 			
4	<p>Objective: To confirm that any hazardous waste movements from the site (entry & exit) are covered with relevant TFS documentation of the Waste Shipments Regulation in cases of export</p> <ul style="list-style-type: none"> In cases of export, choose a random sample of 10% of the total no. of hazardous waste movements out of the site and the relevant TFS movement forms and confirm that all such movements are covered by valid relevant documentation. Confirm also that the relevant EWC code has been used. In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such. 			

5	<p>Objective: To confirm that any movement of non-hazardous waste movements from the site being sent for treatment abroad are covered by the relevant Annex VII documentation of the Waste Shipments Regulation in cases of export</p> <ul style="list-style-type: none"> Choose a random sample of 10% of the total no. of non-hazardous waste movements into and out of the site are covered by valid relevant documentation and/or records. Confirm also that the relevant EWC code has been used. In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such. 			
6	<p>Objective: To verify whether the quantities reported by the Waste Facility make reasonable sense</p> <ul style="list-style-type: none"> Choose a random sample of 10% of the total amount of waste being handled at the facility and confirm that all waste entries (in and out of the site) reported are verified by relative documentation and/or records. 			
7	<p>Objective: To ensure that the waste vehicles used by the authorised facility to transfer the waste to other permitted sites are registered with ERA</p> <ul style="list-style-type: none"> Obtain a list of approved waste carriers from ERA and confirm that the ones used by facility are registered with ERA. 			
8	<p>Objective: To ensure that, in cases where waste is transferred from the facility to other waste management facilities, locally or abroad, the waste management facilities used would either be approved by ERA or the Competent Authority of the Country of Destination</p> <ul style="list-style-type: none"> Obtain a list of locally approved waste management facilities from ERA and confirm that the ones used by the facility are approved and authorised by ERA. Obtain a copy of the permits of any foreign authorised waste management facilities which have been utilised. An original copy of the permit and an approved translated version of the permit is to be presented to ERA. 			

<p>9</p>	<p>Objective: To ensure that the declared quantities of waste exported during the previous calendar year were actually received at the authorised facilities and declared to ERA</p> <ul style="list-style-type: none"> • Obtain all certificates received from recycling facilities and confirm that these have all been declared to ERA prior to shipment • Confirm arithmetical correctness of all reported data in this regard. 			
<p>10</p>	<p>Objective: To identify the waste being treated both locally and abroad, and ensure that it has been recovered appropriately</p> <ul style="list-style-type: none"> • Ensure that all relevant documentation, including but not limited to, the hazardous waste consignment permit and consignment note applications, are available in case of local treatment. • Identify the materials exported according to the EWC Code and review actual documentation (including bills of lading) confirming an audit trail showing that the waste has been sent to a recovery facility as per permit requirements. 			

END OF PERMIT