

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number

EP 0024/21

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. Raymond Borg obo Estral (Malta) Limited (hereinafter “the Permit Holder”),
(Company registration number: **C 44045**)

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

**Estral (Malta) Limited,
Ellul’s Garage F
Triq John Michael Testa,
Handaq, Qormi**

To carry out waste management activities as per conditions and limitations stipulated in this authorisation, which activities include, the collection and temporary storage and processing (cutting) of aluminium scrap prior to dispatch locally or abroad at:

**Estral (Malta) Limited,
Ellul’s Garage F
Triq John Michael Testa,
Handaq, Qormi**

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: 22 / 11 / 2021

Authorised to sign on behalf of the Competent Authority



This page has deliberately been left blank

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 for an Environmental Permit</i>	4 th September 2012
<i>Permit Issued (EP 0059/12/A)</i>	27 th August 2014
<i>Permit Issued (EP 0059/12/B)</i>	18 th August 2015
<i>Permit Issued (EP 0059/12/C)</i>	24 th October 2016
<i>Permit Issued (EP 0059/12/D)</i>	1 st November 2017
<i>Permit Granted (EP 0081/19)</i>	29 th November 2019
<i>Environmental Permit Renewal determined by ERA Board</i>	5 th November 2021

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.

Table 1.1.1

Activity	Description of specified activity	Limits of specified activity
Storage and processing (cutting) of scrap aluminium metal.	Storage and processing of scrap aluminium metal in designated areas.	From receipt of waste to dispatch of scrap metal to authorised facilities either locally or abroad.
Use of shearer on site for processing of scrap aluminium metal.	Processing of scrap aluminium metal by means of a shearer.	From receipt of waste to processing for eventual dispatch to authorised facilities locally or abroad.

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 Maps 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 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 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.
- 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.
- 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 issued 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 should 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 any audits/reports as deemed necessary to address any circumstances that may affect the quality of the surrounding environment, 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.
- 1.3.21 Incoming waste and outgoing waste shall be kept separately. All separated outgoing waste shall be kept separated and shall not be mixed.

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 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 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.

2.2 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 on site.
- 2.2.2 The total quantities of waste accepted at the site per year shall not exceed the capacities given in the permit application. The total amount of waste that can be

stored at any given time cannot exceed the capacity of the permitted facility as set out during the environmental permit application process.

- 2.2.3 All wastes leaving the site after storage and/or processing must only be sent to facilities licensed to accept the individual waste stream, either locally or abroad.

2.3 Equipment on Site

- 2.3.1 Weighing equipment shall be maintained, and the equipment is to be calibrated and certified by a warranted engineer or by the equipment's manufacturing company. This certificate is to be submitted to the Authority on annual basis as part of the AER.

- 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.

- 2.3.3 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 Permit Holder. These must be made available to the Authority upon request.

- 2.3.4 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. Operating Conditions

3.1 Emissions to Air

- 3.1.1 No emissions to air shall take place from the Permitted Installation.
- 3.1.2 Any extractor systems on site must be equipped with filtration to prevent escape of any particulates arising from the activities on site.

3.2 Effluent Discharges

- 3.2.1 No discharges to surface water or groundwater shall take place from the Permitted Installation.

3.3 General Waste Acceptance, Storage and Handling

- 3.3.1 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.
- 3.3.2 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.

- 3.3.3 All wastes shall be stored within a designated and controlled storage area(s) prior to removal from site to an authorised facility either locally or abroad. Any unpermitted wastes that may inadvertently enter the site must be stored in the quarantine area prior to removal from site.
- 3.3.4 All wastes leaving the site after storage 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.
- 3.3.5 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.
- 3.3.6 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.
- 3.3.7 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.
- 3.3.8 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.
- 3.3.9 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.
- 3.3.10 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.
- 3.3.11 The Permit Holder shall ensure to provide:
- i) A receipt at the point of acceptance indicating the facility name, permit number, date, time and weight of the consignment, and should also bear a unique sequential number.
 - ii) A declaration for all the consignments of waste accepted and removed on Site shall also be issued indicating the facility name, permit number, type, weight

and final destination of the waste removed, also bearing a unique sequential number.

In cases of non-waste carriers or domestic sources, a receipt would suffice.

- 3.3.12 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 annual basis as part of the AER.
- 3.3.13 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.
- 3.3.14 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.
- 3.3.15 No waste activity subject to this permit or ancillary to it, is allowed to be carried out in any place other than within the permitted site as indicated in **Error! Reference source not found.**
- 3.3.16 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.
- 3.3.17 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.
- 3.3.18 Permit Holder shall register and renew their registration with ERA as a producer of packaging and provide the required information as set out in Subsidiary Legislation 549.43, the Packaging and Packaging Waste Regulations unless putting less than 100kgs of packaging on the market annually. In case the Permit Holder opts to be self-compliant for back-end packaging, the targets as set out in Subsidiary Legislation 549.43, the Packaging and Packaging Waste Regulations, shall also be achieved. Documentation in relation to the Permit Holder's obligations pertaining to S.L 549.43, the Packaging and Packaging Waste Regulations shall be maintained for a period of 5 years and be made available, upon request by ERA.

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 Where the Permit Holder is also the designated TCP for the facility, a delegate TCP should also be appointed to represent the Permit Holder/TCP during the times when the Permit Holder/TCP will not be available.
- 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 shall be the Permit Holder's technical focal point for the implementation of the conditions of this permit including during inspections.
- 4.1.5 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 TCP, the Permit Holder is obliged to find a replacement for that member of staff without delay and the Authority informed accordingly.
- 4.1.6 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 Site Records & Archive

- 4.2.1 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 of waste in tonnes accepted on site;
 - b) Total amount of waste in tonnes removed from site for disposal or further treatment;
 - c) Total amount of waste in tonnes refused entry on site;
 - d) Total amount in tonnes of unaccepted material sent to the quarantine area and by which registered waste carrier it was transported;
 - e) 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;
 - f) Any other incidents that the Permit Holder deems important to record in the Site daily operations log; and
 - g) 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.

- 4.2.2 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.
- 4.2.3 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.

4.3 Reporting

- 4.3.1 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/>. It shall also be ensured that all information, certification and documentation as per Schedule 3 are submitted in accordance with their relevant timeframes.
- 4.3.2 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.

4.4 Closure and Decommissioning

- 4.4.1 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.
- 4.4.2 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.
- 4.4.3 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.
- 4.4.4 The obligations arising from this permit shall subsist until the Authority confirms in writing that the decommissioning plan has been implemented to its satisfaction.
- 4.4.5 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 Incoming and Outgoing Permitted Waste on Site

European Waste Codes	Description of Waste
17 04 02	Aluminium

Schedule 2 (a)
Site Map

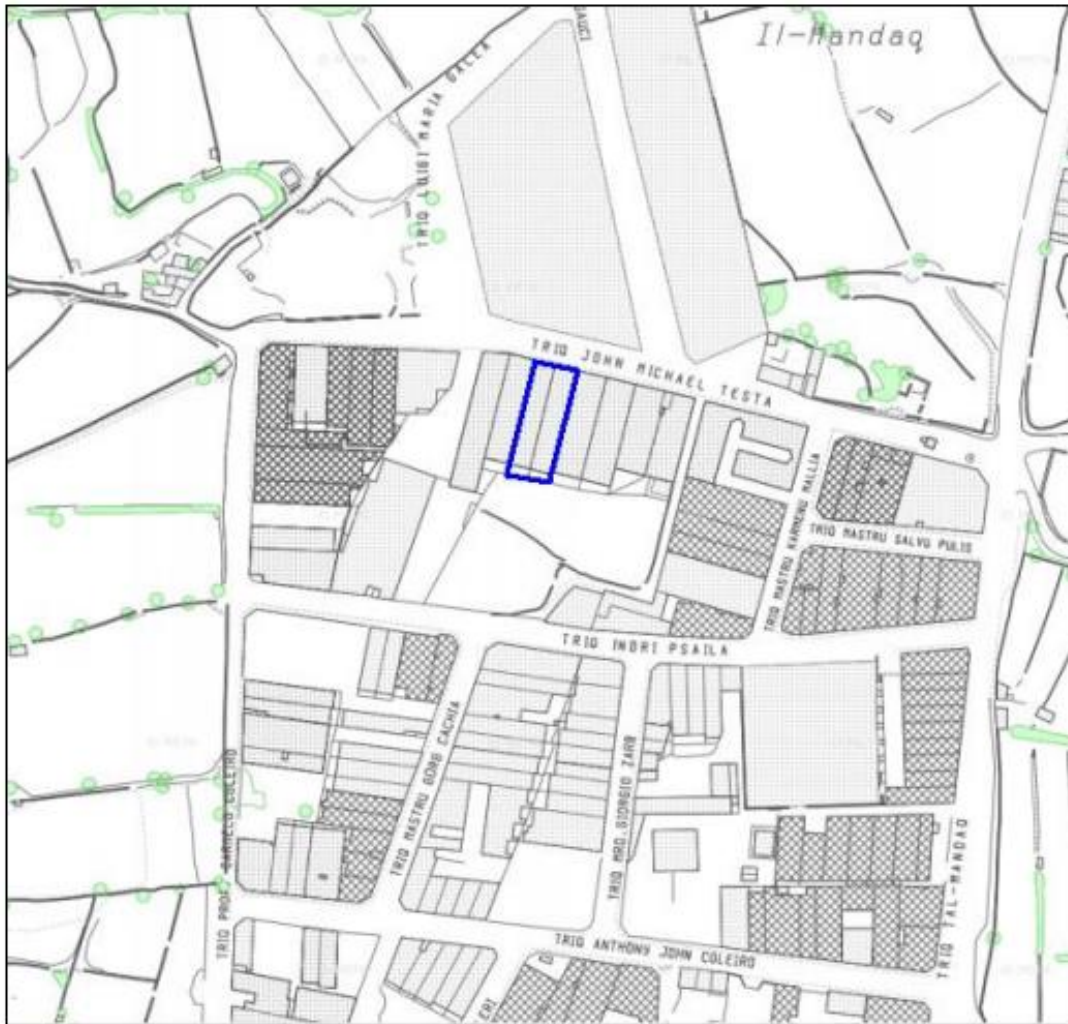
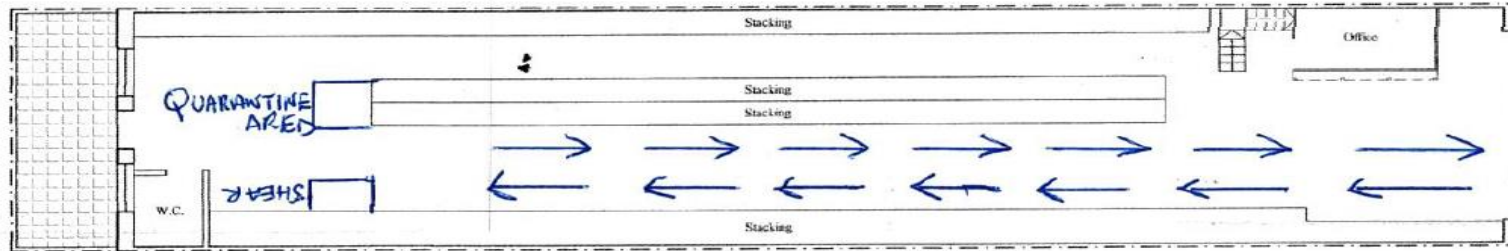
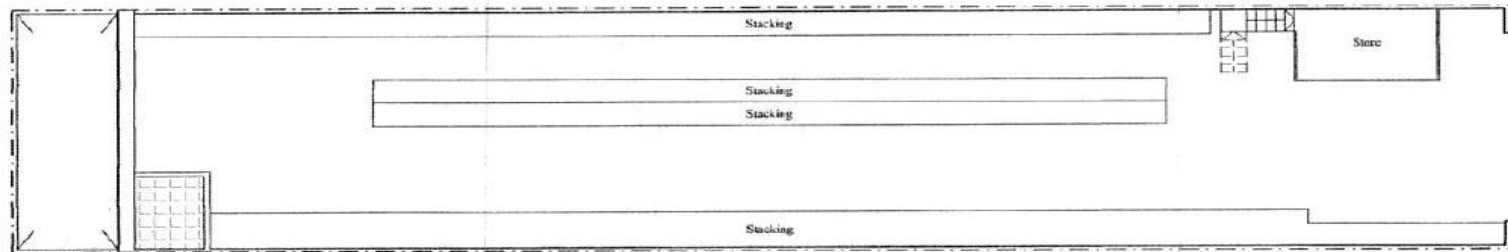


Fig. 2.1 Site of the permitted installations, showing extent of are marked in blue, for the carrying out of the activities as specified in Condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

Schedule 2 (b)
Site Layout Plan



(P1 / D1) EXISTING GROUND FLOOR PLAN
Scale 1:100



(P2 / D1) EXISTING INTERMEDIATE FLOOR PLAN
Scale 1:100

Fig. 2.2 Site-Layout Plan showing the permitted area, for the carrying out of the activities specified in Conditions 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: 1 January to 31 December)	
Name and locality of Site	
Brief description of activities at the site	

S3.2 Waste Records

As per condition 4.3.1, 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 Incidents and Complaints

S3.3.1 Non-Compliance Incidents during Reporting Year

Date of incident	Brief description of Incident	Cause	Corrective action

Total number of non-compliance incidents for the previous reporting period: ¹	
Total number of non-compliance incidents for the current reporting period:	

¹ "Previous year" data is not required in the first reporting year (2020).

S3.3.2 Complaints made by the public or through Authority

Date of complaint	Description of complaint	Actions taken

Total number of complaints for previous reporting year: ⁱ	
Total number of complaints for current reporting period:	

S3.4 Submission of Certificates/reports

Submission of calibration certificate every year	<input type="checkbox"/>
Submission of Waste Records every year	<input type="checkbox"/>
Submission of AER every year	<input type="checkbox"/>

Applicant's declaration		
<i>I declare that, to the best of my knowledge, all the above information is correct and substantiated.</i>		
..... 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.

END OF PERMIT