

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number
EP 0010/22

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. Charles Azzopardi o.b.o Marifresh International Ltd. (hereinafter “the Permit Holder”),
(Company registration number: **C 36988**)

Of /whose registered office (or principal place of business) is at:

Marifresh International Ltd.
Triq il-Maghtab,
Maghtab,
Naxxar

To operate an aquaculture land-based facility at:

**Triq il-Maghtab,
Maghtab,
Naxxar**

This permit is valid for **four years** from the date of the granting below.

Signed	Date
Prof. Victor Axiak Chairman	24 / 11 / 2022

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 EP Application, or as otherwise previously agreed in writing by the Authority.

1.1 Permitted Activities

1.1.1 The Permit Holder is authorised to carry out the activities and the associated operations specified in Table 1.2.1.

Table 1.1.1		
Activity	Description of specified activity	Limits of specified activity
Land based support facility for fish farming operations	Associated operations related to offshore aquaculture	From receipt of related materials, maintenance of equipment and disposal of waste
Associated activity of storage of nets	Drying, repair and maintenance of nets	From maintenance activity, to appropriate recovery/ disposal of any wastes generated
Associated activity of storage of baitfish	Temporary storage of baitfish in reefers (excluding thawing)	From receipt of reefers containing baitfish for temporary storage to transport off site for preparation prior to transfer offshore
Associated activity of storage of equipment	Storage activity of 60KVA generator used offsite	From entry and storage of the generator until dispatch from site. Does not include use of the generator on-site.
Associated activity of cleaning, repair and maintenance of nets and own vehicles	Cleaning and maintenance of nets and own vehicles	From cleaning/ maintenance activity, to appropriate recovery/ disposal of any wastes generated
Associated activity of disposal / recycling of waste materials	Handling, storage and disposal/ recovery of wastes from installation	From generation of waste to disposal or recycling off site
	Receipt and temporary storage of baitfish residue in IBCs collected from offshore operations	From receipt of waste to collection for disposal/ export

1.2 Site

- 1.2.1 The activities authorised under condition 1.2.1 shall not extend beyond the site, as per site layout and site map in Schedules 3 and 4 to this Permit.

1.3 General Conditions

- 1.3.1 This permit is granted saving third party rights and without prejudice to any other legislation or regulations or authorisations required from any other competent authorities or site owners.
- 1.3.2 A copy of this Permit, including any Variation Notices or amendments to it, shall be available at the place of work, at all times, for reference by all staff carrying out work subject to the requirements of the Permit.
- 1.3.3 All businesses have a duty of care to protect the environment. The Permit Holder shall become familiar with his legal obligations and good environmental practice.
- 1.3.4 The site shall be maintained in a tidy condition, free from litter and waste (whether arising from own activities or external sources).
- 1.3.5 The site must be well secured at all times.
- 1.3.6 The Permit Holder shall maintain a register of third party complaints. The register shall record the details of complaint(s) if available, the date, source and nature of the complaint and the corrective action undertaken, where such action proves necessary.
- 1.3.7 All plant, equipment and technical means used in operating the Permitted Installation shall be maintained in a good operating condition and without causing polluting emissions, leaks and spillages. The Permit Holder shall keep maintenance records as per Section 4.
- 1.3.8 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 Section 4.
- 1.3.9 Upon the joint application of the permit holder and a proposed transferee, the Authority may transfer the environmental permit to the proposed transferee. The transfer of the permit will not relieve any of the Permit Holders from his environmental obligations and liabilities.
- 1.3.10 The Authority may carry out compliance checks that vary in frequency according to the site's compliance with the permit conditions. Any checks or audits carried out by the Authority may be made at the Permit Holder's financial expense.
- 1.3.11 The Authority's representatives 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.
- 1.3.12 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.
- 1.3.13 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.
- 1.3.14 The validity of this permit is until 4 years from the date of the Permit Granted. 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.

- 1.3.15 The permit is issued against a Bank Guarantee of €7,100 which shall be renewed annually. This guarantee will have to be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 1.3.16 The Authority may forfeit the full amount of the bank guarantee if any of the permit conditions are not complied with or the Permit Holder fails to comply with any instruction given or any other legal obligation under the Act or its subsidiary legislation. Forfeiture of the bank guarantee does not preclude the Authority from taking any other action to ensure that the conditions of this permit are complied with. Should the Authority forfeit the Bank Guarantee either in part or in full during the validity of the permit, the Permit Holder shall ensure that this is replenished without undue delay, in any case not exceeding 2 months from the date of forfeiture. The Bank Guarantee shall only be released upon confirmation of compliance with the permit conditions by the Authority.
- 1.3.17 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.
- 1.3.18 The Authority may request additional monitoring and/or review of the 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.
- 1.3.19 Without prejudice to condition 1.4.18, the authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.

1.4 Improvement Programme

- 1.4.1 The Permit Holder shall complete the improvements specified in Table 1.6.1 by the date specified in that table, and shall send written notification of the date of completion of each requirement to the Authority's Compliance and Enforcement Directorate within 10 working days (of the completion of such requirement).

Table 1.4.1: Improvement programme		
Reference	Requirement	Deadline
3.	To install secondary containment surrounding the oil tanks and IBCs filled with liquid waste.	Within 3 months of issue of the permit
4.	Submission of certification from a third party warranted engineer confirming appropriate secondary containment of the bunds surrounding the oil tanks and IBCs filled with liquid waste, constructed in accordance with condition 2.5.1.	Within 3 months of issue of the permit

1.5 Operational Changes

- 1.5.1 The Permit Holder may apply for a variation in permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
- a. Written notice of the details of the proposed change, including an assessment of its possible effects (including changes in emissions and waste production) on risks to the environment from the Permitted installation

- b. Any relevant supporting information (e.g. chemical/fuel consumption, technical details, changes in the type/use of substances/mixtures, etc.);
 - c. Any relevant supporting assessments and drawings, and;
 - d. The proposed implementation date.
- 1.5.2 Any such change shall only be implemented following the issue of a variation of the permit by the Authority.
- 1.5.3 The Permit Holder shall notify the following matters to the Authority in writing within 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 Operating Conditions

2.1 Emissions

- 2.1.1 There shall be no emissions to air, land and sea from the installation.

Cesspits

- 2.1.2 Cesspits utilized for the storage of process/industrial effluent shall be constructed according to the requirements of S.L. 549.45, Activity 43 as follows:
- a. Cesspits are to be constructed in such a manner so as not to allow any leakages or spillages to the surrounding environment, and are designed in such a manner as to safely contain the type of waste that they are designated to store.
 - b. Cesspits are appropriately designed to avoid the accumulation of explosive, toxic or corrosive gasses.
 - c. The area surrounding the cesspit should be covered with impervious material and laid to fall towards the cesspit.

2.2 Waste

Waste Storage and Handling

- 2.2.1 All operations concerning the management of waste are subject to the Waste Management Regulations (S.L. 549.63) and the Waste Management (Activity Registration) Regulations (S.L. 549.45).
- 2.2.2 All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal.
- 2.2.3 Wastes to be recycled shall be stored in a designated container or area and shall not be mixed with other wastes.
- 2.2.4 Liquid and/or hazardous wastes shall be stored in labelled, closed containers within the designated and controlled storage areas prior to ultimate disposal. Wastes of different natures and having different European Waste catalogue codes as established by Commission Decision 2000/532/EC and any subsequent amendments shall not be mixed in the same container.

- 2.2.5 Packaging material which came into contact with hazardous substances shall be regarded as hazardous waste and shall be stored and disposed of in an appropriate manner.
- 2.2.6 Packaging contaminated with potentially hazardous substances including raw materials shall not be washed on site.
- 2.2.7 No storage of waste, equipment or materials is permitted on property outside the permitted boundary.
- 2.2.8 No storage of waste destined for disposal is permitted for a period exceeding 12 months. No storage of waste destined for recovery is permitted for a period exceeding 3 years.

Waste recovery or disposal

- 2.2.9 Off-site disposal or recovery of wastes may only take place at a facility licensed for that purpose.
- 2.2.10 On-site disposal of wastes by any means including burning, disposal to drain or surface water, burying or deposition on land is prohibited, unless specifically approved through a Variation of this Permit.
- 2.2.11 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.
- 2.2.12 Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:
 - a. Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste
 - b. Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply.
 - c. Any other applicable legislation.
- 2.2.13 The Permit Holder shall make use of the services of a registered waste carrier for the transport of waste from the site in accordance activity 38 of Schedule 1 of Subsidiary Legislation 549.45, the Waste Management (Activity Registration) Regulations. 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 or any statutory provisions or regulations amending or replacing them.
- 2.2.14 Should the Permit Holder require the services of a waste broker, it shall be ensured that any such broker is a duly registered waste broker in accordance with S.L. 549.45.
- 2.2.15 The Permit Holder shall ensure to keep records for every consignment of wastes removed from the Site indicating the EWC Code, description, quantities, date of removal, contractor name (including for transport), consignment note number (where applicable) and manner and place of final disposal/recovery.
- 2.2.16 Disposal certificates shall be kept on record and made available for inspection for a period of at least 4 years from date of their issue.

- 2.2.17 Movement of hazardous waste to authorised facilities shall be covered by a valid consignment permit obtainable from the Competent Authority. Each movement shall also be covered by a consignment note obtainable from the Authority.
- 2.2.18 Solvent-contaminated waste, such as contaminated absorbent materials, shall be stored in sealed containers in a designated bunded area prior to disposal and considered as hazardous waste unless proven otherwise to the satisfaction of the Authority
- 2.2.19 Permit Holder shall 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 transport 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.

Restriction on Disposal of Dead Fish

- 2.2.20 Dead specimens shall not be disposed of into the environment.
- 2.2.21 Disposal of animal carcasses shall be carried out as directed by the Veterinary Regulation Directorate.

2.3 Storage

- 2.3.1 All bulk liquid storage tanks shall be provided with an adequately designed bund system with an impermeable base and walls. The capacity of the bund shall be a minimum of 110% of the largest tank within the bund or 25% of the total volume of all the tanks within the bund, whichever is greater. All filling and off-take points shall be located within the bund. The Permit Holder shall also ensure and take all precautions to avoid any leakages or spills from liquid or solid material.
- 2.3.2 Any bunds on site must be tested and certified to be leak-proof by an independent, warranted architect or engineer prior to renewal of this permit.
- 2.3.3 Drums and containers of solvents, oils or any other chemicals shall be stored in designated and secure storage areas. Storage areas shall be bunded or otherwise designed so that surface and ground waters cannot be contaminated by spillages.
- 2.3.4 Chemicals of different properties shall be stored as specified in respective SDS sheets. Such sheets shall be made available and accessible to personnel responsible for the management of the storage areas and for inspection by the Competent Authority. Incompatible chemicals shall not be stored within the same bund.

2.4 Ozone Depleting Substances

- 2.5.1 No new equipment or components (including refrigeration and firefighting equipment or insulation foam), containing substances falling within the scope of EC Regulation No. 1005/2009 on substances that deplete the Ozone Layer & Subsidiary Legislation 549.58 Substances that deplete the Ozone Layer, regulations, shall be installed within the site.

2.5 Accident prevention and control

- 2.6.1 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 Safety Data Sheets.

- 2.6.2 In the case of an accident (including chemical spills, etc.), the Permit Holder shall follow the Emergency Response Plan referred to in Condition 2.6.1 and shall notify the Authority within 24 hours.

2.6 Closure and Decommissioning

- 2.7.1 The Permit Holder shall notify the Authority prior to ceasing operations permanently in part or in full, whereby an application for cessation of operations shall be made to the Authority and shall include a decommissioning plan.
- 2.7.2 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 risk.
- 2.7.3 The Decommissioning Plan shall be implemented once approved by the Authority and within 12 months of final cessation or decommissioning of the Permitted activities or part thereof or according to a timeframe as may be agreed with the Authority in writing.
- 2.7.4 The obligations arising from this permit shall subsist until the Authority confirms in writing that the decommissioning plan has been implemented to its satisfaction.
- 2.7.5 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.

2.7 Management and Technically Competent Person

- 2.8.1 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.
- 2.8.2 The TCP is to be present on site within one hour following a request by the Authority. The TCP/s or his/their delegate shall be present on site during the loading/unloading of fuel from road tankers. Contact details of such delegates shall be made available to the Authority upon request. In the event that a TCP and/or appointed delegate terminates her/his employment, another person shall be appointed immediately and the Authority shall be informed of this change.
- 2.8.3 In the event of any leave of absence taken by the TCP and delegate conjointly for a period exceeding 10 days, the Permit Holder is obliged to find a replacement for that member of staff without delay and the Authority informed accordingly.
- 2.8.4 Any changes in technically competent management (person/s) and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Authority in writing within 5 working days of the change in management.
- 2.8.5 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.
- 2.8.6 All the staff on site should 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.

3 Records

- 3.1 The Permit Holder may wish to establish an Environmental Management System (EMS) as per Schedule 2 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.
- 3.2 The Permit Holder shall ensure that all records required to be made by this Permit and any other records made by it in relation to the operation of the Permitted Installation shall:
- a. be made available for inspection by the Authority upon request;
 - b. be supplied to the Authority on demand and without charge and in the format requested;
 - c. be legible;
 - d. indicate any amendments which have been made and shall include the original record wherever possible; and
 - e. be retained at the Permitted Installation, or other location agreed by the Authority in writing, for a minimum period of 4 years from the date when the records were made, unless otherwise agreed in writing.
- 3.3 Records 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 kilos removed from site for disposal or further treatment.
 - b. Any incidents that took place on site such as mechanical faults in the machinery or equipment used on site, any spills, fires, etc and the remedial action taken.
 - c. Any other incidents that the permit holder deems important to record in the site daily operations log.

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

4 Reporting

- 4.1 The Permit Holder shall submit to the Authority an Annual Environmental Report (AER) of the previous calendar year by not later than end of March of each year, providing the information listed in Schedule 1 of this Permit and in the format specified therein.
- 4.2 The Permit Holder shall notify the Competent Authority immediately on becoming aware of any factor that has prevented or may prevent compliance with any of the conditions of this permit. Details of the factor and why compliance has been or may be prevented shall be provided.
- 4.3 The Authority shall be informed within 24 hours in the event of an environmental hazard or major incidents.

Schedule 1

Annual Environmental Report

Important note

By this submission, you confirm that you give your explicit consent for the entire contents of this Annual Environment Report to be made available on the Authority's public website.

S1.1 Introduction

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

S1.2 Off-site transfers and exports of hazardous waste

Date of transfer	EWC Code ¹	Quantity of waste (in kg)	TFS/CP number	Ultimate destination

S1.3 Transport of Waste

Name(s) of registered waste carrier used during reporting year	Waste type(s) transported

S1.5 Incidents and Complaints**S1.5.1 Non-Compliance Incidents during Reporting Period**

Date of incident	Brief description of Incident	Cause	Corrective action

Total number of non-compliance incidents for previous year:

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

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S1.5.2 Complaints made by the public or through Authority

Date of complaint	Description of complaint	Actions taken

Total number of complaints for previous year:

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Total number of complaints for current reporting period:

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¹ European Waste Catalogue Code (Reference: Commission decision 2000/532/EC establishing a list of wastes)

Permit Holder's declaration

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

.....
Name
(in block letters)

.....
ID Card Number

.....
on behalf of / in my own name *(in block letters)*

.....
Signature

.....
Date

Schedule 2

Minimum requirements for an Environment Management System (EMS)

The EMS should include, as a minimum, the following elements:

1. Management and Reporting Structure

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

2. Environmental Objectives and Targets

The section should include a review of all operations and processes, a commitment by the operator 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;
- g. phasing out of CFCs and ozone-depleting substances, if any.

Targets should be set for priority areas identified (e.g. minimising waste generation by a predetermined percentage annually).

3. Environmental Management Programme (EMP)

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

4. Documentation

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

5. Corrective Action

The operator should establish procedures to ensure that corrective action is taken should 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 non-conformity with the environmental permit should be defined.

6. Awareness and Training

The operator should establish and maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment. Appropriate records of training should be maintained.

7. Maintenance Programme

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

Schedule 3
Site Layout

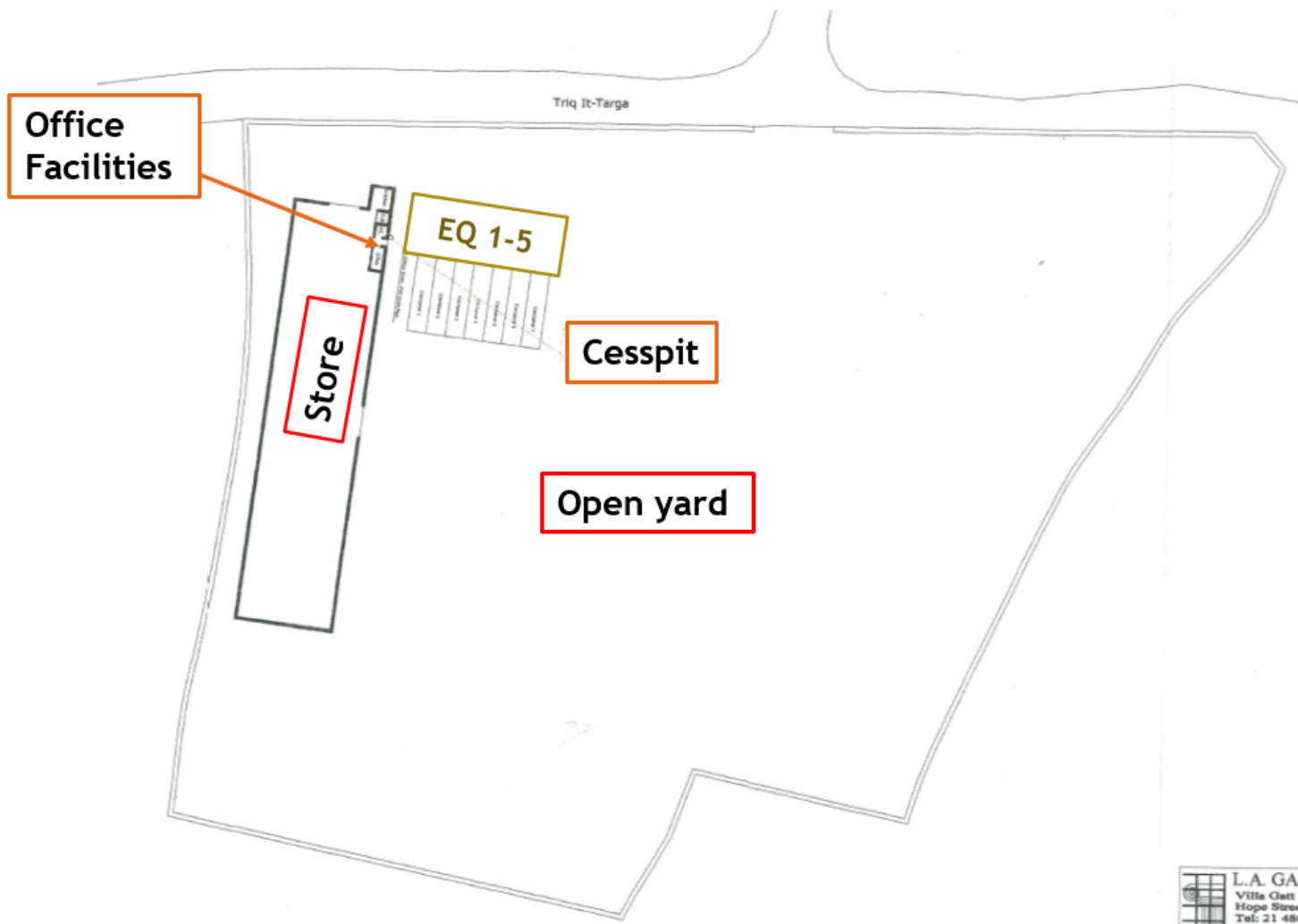


Figure S3: Site layout of installation showing the designation of the areas carrying out the activities specified in condition 1.3.1. The extent of the site is indicative and should not be used for interpretation purposes.

**Schedule 4
Site Map**



Figure S4: Site of installation showing the extent of the area in red for the carrying out of the activities specified in condition 1.3.1. The extent of the site boundary is indicative and should not be used for interpretation purposes.

END OF PERMIT