

FREQUENTLY ASKED QUESTIONS

ROVS

Restoration of Void Spaces
with Crushed Inert Excavation,
Construction and Demolition
Waste

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Contents

Q1.	What is the aim of the scheme?.....	2
Q2.	Who can apply for this scheme?	2
Q3.	How can I apply for this scheme?	2
Q4.	Can I apply if I have a stop/compliance order?	3
Q5.	How is the grant for each eligible applicant calculated?	3
Q6.	How will evaluations of the applications be carried out?	3
Q7.	When will I know whether my application has been selected or not?	4
Q8.	How is the verification process carried out?	4
Q9.	What will happen if I am a successful beneficiary but am issued with a Stop and/or Compliance Order?	4
Q10.	Who can act as an independent body?	4
Q11.	Can the Authority carry out further inspections?	5
Q12.	Can beneficiaries backfill non-crushed material in the chosen quarry?	5
Q13.	What is the total budget of the scheme?	5
Q14.	What is the maximum grant available for each applicant?	5
Q15.	What is the maximum duration of the grant?	5
Q16.	Is this fund subject to State Aid rules and obligations?	5

Q1. What is the aim of the scheme?

To incentivise the crushing of inert excavation waste and Construction and Demolition Waste (hereinafter referred to as “CDW”) prior to its recovery in void spaces by means of market-based mechanisms. This would increase the density of the backfilled material, thereby increasing the capacity of the void space in that more CDW may be deposited due to better compaction.

Q2. Who can apply for this scheme?

Quarry operators and/or quarry owners who are either:

1. already permitted to backfill suitable inert waste from excavation and construction and demolition; *Applicants will need to be in possession of a development consent/clearance by the Planning Authority if and as may be required and an environmental permit by the Environment Resources Authority, to backfill inert excavation waste and/or CDW;*
OR
2. in the process of applying for a permit to backfill suitable inert waste from excavation and Construction and Demolition. *Applicants will need to be in the process of obtaining a development consent/clearance by the Planning Authority if and as may be required and an environmental permit by the Environment Resources Authority, to backfill inert excavation waste and/or CDW;*
OR
3. have the intention to apply for a permit to backfill suitable inert waste from excavation and Construction and Demolition. *Applicants need to intend to apply for a development consent/clearance by the Planning Authority if and as may be required and an environmental permit by the Environment Resources Authority, to backfill crushed inert excavation waste and/or CDW, within four (4) months from submission of application for funding and to acquire the required permits within one (1) year (subject to a one-time extension of a maximum of six (6) months) from submission of application for funding. **Failure to adhere with these timelines will result in dismissal of the application.***

Q3. How can I apply for this scheme?

Application Forms are accessible from the following [link](#) or may be collected from ERA’s reception desk, Hexagon House, Spencer Hill, Marsa from Monday to Friday between 9:00am and 12:30pm.

Completed application forms must be submitted to the ERA until 12:30pm of the 30th June 2023 by:

1. leaving the complete application with ERA reception; or
2. sending the application by registered post to the following address: Environment & Resources Authority, Hexagon House, Spencer Hill, Marsa, MRS 1441, Malta; or
3. sending scanned application via email to the following address: [envfund.era@era.org.mt.](mailto:envfund.era@era.org.mt), a physical copy of the application is still required to be submitted to the Authority.

Late applications will not be accepted. The ERA reserves the right to close the Scheme earlier than announced.

Q4. Can I apply if I have a stop/compliance order?

If a site is associated with a Stop and/or Compliance Order issued by ERA and/or an enforcement notice issued by the Planning Authority, the corresponding application will be evaluated on a case-by-case basis, and may be potentially disqualified at the application stage.

Q5. How is the grant for each eligible applicant calculated?

The grant allocated for selected applicants shall be based on:

1. A land survey carried out by an independent land surveyor indicating the available void space for backfilling, and clearly identifying the area intended to be backfilled on a site plan. Such survey shall be carried out prior to the submission of the application not later than two (2) months prior to submission of the application.
2. A calculation to determine the tonnage of crushed inert excavation waste and/or CDW that may be backfilled in the identified area in the quarry (mentioned in 1. above), that takes into consideration the additional volume gained through the crushing of inert excavation waste and/or CDW assumed at 30%.

The grant per tonne of crushed inert excavation waste and/or CDW backfilled shall be set at €0.38

Payments shall be disbursed on a yearly basis, upon verification by the Authority.

Q6. How will evaluations of the applications be carried out?

Applications will be evaluated on a first-come-first-served basis. ERA may request rectifications from the applicant following the submission of the application during the application period. Should the applicant be requested to submit any clarification and/or rectification by the Authority, the additional days taken for the applicant to submit the response to the said clarification/rectification shall be added to the original submission date.

Q7. When will I know whether my application has been selected or not?

In the case of a successful application, the selected beneficiary will be informed and will be invited to enter into a Grant Agreement with the Authority.

Q8. How is the verification process carried out?

Eligible beneficiaries must submit the following for verification purposes, to the Authority:

- i. An Annual Declaration by an independent body (an independent warranted architect, engineer or environment consultant) complementing the Annual Environment Report (AER) submitted in line with the Environmental Permit, confirming that the material backfilled in the same year is crushed inert excavation waste and/or CDW, together with the tonnage backfilled, as per template provided in Annex I of the Scheme document.
- ii. Weighbridge receipts confirming tonnage of crushed inert excavation waste and/or CDW backfilled. Such receipts shall also be presented for inert excavation waste and/or CDW crushed on site. Weighbridge receipts need to be issued by facilities permitted by the ERA.

Q9. What will happen if I am a successful beneficiary but am issued with a Stop and/or Compliance Order?

If at Verification stage, the quarry has a Stop and/or Compliance Order issued by ERA and/or an enforcement notice issued by the Planning Authority associated with that quarry, the ERA reserves the right to nullify the grant agreement at any point.

Q10. Who can act as an independent body?

The independent body must meet the below set criteria:

- a. Two (2) years experience, particularly in the environment sector;
- b. Their involvement in a minimum of three (3) projects in the previous two (2) years.
- c. In the case of an environment consultant, the independent consultant must hold as a minimum, a bachelor's degree in a relevant subject to ERA's discretion.

The above criteria are to be supported by a CV and documentary evidence.

Q11. Can the Authority carry out further inspections?

The Authority may carry out random inspections including but not limited to the use of drones, to ensure that only crushed suitable inert excavation waste and/or CDW is being backfilled in the area identified in the site plan submitted with the application, and ascertain that the overall implementation is being carried out as identified in the application, as per ERA's guidelines and requirements and as per the terms and conditions laid under this Scheme and Grant Agreement. The disbursement of funds will be affected by the ERA once all requirements have been honoured by the beneficiary and in case of non-fulfilment of obligations by the beneficiary, ERA reserves the right to terminate the Grant Agreement at any time.

Q12. Can beneficiaries backfill non-crushed material in the chosen quarry?

No. Backfilling in the quarry identified in the application shall be restricted to crushed inert excavation waste and/or CDW only. In the case of quarry operators and/or quarry owners that are already permitted to backfill suitable inert waste from excavation and construction and demolition, a variation to the respective environmental permit would be necessary to specify that the permitted activity within the quarry is for backfilling of crushed inert excavation waste and/or CDW only.

Q13. What is the total budget of the scheme?

The overall budget for this Scheme shall be EUR 350,000.

Q14. What is the maximum grant available for each applicant?

A maximum disbursement of EUR 50,000 to each successfully selected applicant.

Q15. What is the maximum duration of the grant?

A maximum period of five (5) years from date of last signature of the Grant Agreement, or until exhaustion of all eligible funds under the Grant Agreement whichever comes first

Q16. Is this fund subject to State Aid rules and obligations?

Yes. The *de minimis* declaration form must be filled in and submitted as part of the application form. The *de minimis* Regulation allows a 'single undertaking' to receive an aggregate maximum amount of

de minimis aid of €200,000 (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) under all *de minimis* aid measures, over a period of three consecutive fiscal years. The maximum threshold would include all State aid granted under this scheme and any other State aid measure granted under the *de minimis* rule including that received from any entity other than ERA.