

**Environmental Permit**

Environment Protection Act (CAP. 549)

Permit number  
**EP 0022/22**

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. Thomas Nevola** [REDACTED], (hereinafter “the Permit Holder”),

**To carry out waste management activities**

**at:**

**Thomas Nevola**  
**Garage 1 & 37, Basement Level**  
**Tal-Barrani Industrial Park**  
**Ghaxaq**

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
 <p>Dr. Marguerite Camilleri ERA Board Secretary Obo ERA Board</p>	Permit Granted: 16 / 02 / 2023

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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.

**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.

<b>Table 1.1.1</b>		
<b>Activity</b>	<b>Description of specified activity</b>	<b>Limits of specified activity</b>
Storage of non-hazardous waste cooking oil in garage 1	Storage of non-hazardous waste cooking oil in designated areas.	From receipt of waste at the garages, to dispatch of labelled and packaged waste to authorized facilities either locally or abroad.
Storage and processing of mixtures of non-hazardous fish oil waste, liquid fish residues and seawater in garage 1	Storage and processing by decantation of non-hazardous mixtures of fish oil waste, liquid fish residues and sea water into separate fractions in designated areas.	From receipt of waste and processing into separate fractions, to dispatch of labelled and packaged waste to authorised facilities either locally or abroad.  Only fish oil waste and other liquid fish residues originating from the feeding and thawing processes from fish farm operations is allowed to be accepted on site. No fish (in part or whole) or fish offal shall be collected.
Storage of hazardous waste motor oil and lead acid batteries in garage 37	Storage of hazardous waste motor oil and lead batteries in designated areas.	From receipt of waste at the garages, to dispatch of labelled and packaged waste to authorized facilities either locally or abroad.

1.1.2 Collection of mixtures of non-hazardous fish oil waste, liquid fish residues and seawater shall occur at the fish farm land-bases or at the quay without any decantation or transfer of mixtures into other containers. Such a process shall only occur in the permitted facilities as per Schedule 2.

**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.

- 1.2.2 Storage of all wastes may only take place as indicated in the site layout plans in Schedule 2 and as per condition 2.2.2, and is to be strictly placed in the indicated bunding. All wastes are only to be stored with no additional activities, other than processing of mixtures of non-hazardous fish oil waste, liquid fish residues and seawater in garage 1 by decantation of non-hazardous mixtures of fish oil waste, liquid fish residues and sea water into separate fractions in designated areas.

### **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 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.
- 1.3.3 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 a rate and arrangement communicated by ERA.
- 1.3.4 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.
- 1.3.5 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.
- 1.3.6 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.
- 1.3.7 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.
- 1.3.8 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.
- 1.3.9 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.

- 1.3.10 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 and liabilities shall subsist onto the transferee.
- 1.3.11 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.
- 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 their 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 issued 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 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 the forfeiture. The Bank Guarantee shall only be released upon confirmation of compliance with the permit conditions by the Authority.
- 1.3.15 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.
- 1.3.16 A copy of this permit shall be available at all times at the permitted facility, including any Variation Notices or amendments to it.
- 1.3.17 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 audits shall be carried out at the expense of the Permit Holder.
- 1.3.18 Without prejudice to condition 1.3.17, 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 only 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 can 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 shall be put 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 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.
- 2.1.7 All bulk liquid waste shall be provided with an adequately designed bund system with an impermeable base and walls, as per relevant standards. The capacity of the bunds shall be a minimum of 110% of the largest tank within the bunds or 25% of the total volume of all the tanks within the bunds. Filling and off-take points shall be located within the bunds. The Permit Holder shall also ensure and take all precautions to avoid any leakages or spills from liquid or solid material.
- 2.1.8 The Permit Holder shall ensure that all secondary containment are of sufficient strength and structural integrity. All process and storage tanks shall be rendered impervious to the substance stored in them.

## **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 hazardous waste stored within the permitted boundaries shall not exceed 44 tonnes (22 tonnes waste motor oil and 22 tonnes waste batteries) whereas the total amount of non-hazardous waste stored within the permitted boundaries shall not exceed 30 tonnes, as specified in the applicant's declaration during the environmental permit application process. Furthermore, all wastes can only be stored within the bunds as specified in Figure 2B and 2C within Schedule 2.
- 2.2.3 Further to Condition 2.2.2, IBC's shall not be stacked on each other within the bunded areas.
- 2.2.4 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 Schedule 1.
- 2.2.5 No waste shall be handled beyond the boundary of the permitted site areas as indicated in Schedule 2. Movements of waste outside of the permitted garages for the purpose of loading may not commence prior to the arrival of the truck/container on site. Containers brought to the site shall be loaded and removed within 24 hours.
- 2.2.6 The rubber bunds of both garages shall be inspected and certified by a warranted engineer once every year to ensure that it is in good working order. Records of certification shall be submitted to the Authority as part of the AER.

## **2.3 Equipment on Site**

- 2.3.1 The weighing equipment used in weighing material received on site or removed off site shall be maintained, calibrated and certified by a warranted engineer or by the equipment's manufacturing company once every year. This certificate is to be submitted to the Authority as part of Schedule 3.

- 2.3.2 The Permit Holder shall maintain records of the weight of each waste consignment received and/ or removed from 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 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.

#### **3.2 Effluent Discharges**

- 3.2.1 No discharges to surface water or groundwater shall take place from the Permitted Installation.
- 3.2.2 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 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.
- 3.4.4 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.
- 3.4.5 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.
- 3.4.6 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.
- 3.4.7 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.
- 3.4.8 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.
- 3.4.9 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.
- 3.4.10 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.
- 3.4.11 The Permit Holder shall ensure to provide:
- a. 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.

- b. 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.

- 3.4.12 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 an annual basis as part of the AER.
- 3.4.13 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.
- 3.4.14 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.
- 3.4.15 The Permit Holder shall also ensure and take all precautions in their 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.
- 3.4.16 The loading and unloading of all oils on site shall be supervised at all times.
- 3.4.17 Minor spillages of liquid waste shall be cleaned up immediately.
- 3.4.18 Upon first notification by the Authority in the event of adverse odour impacts from the operations, the Permit Holder shall within one month of the notification submit a proposal for the abatement of such impacts for the Authority's approval and implement it in the timeframe prescribed by the Authority.

## **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 their 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 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 is completely responsible to ascertain that all permit conditions are being adhered to and that unauthorised waste does not enter the site.
- 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 the TCP, the Permit Holder is obliged to find a replacement for that member of staff without delay and the Authority informed accordingly.
- 4.1.6 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 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 sheets.
- 4.2.2 In the case of an accident (including fire, 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 relevant conditions in this permit.
- 4.2.5 The Permit Holder shall have in storage an adequate supply of suitable absorbent material to absorb any spillage.
- 4.2.6 Spill kits and spill response equipment shall be made available at all times and be readily available for use.

## **4.3 Site Records & Archive**

- 4.3.1 A site daily operations log shall be made in a legible manner and kept on site and be made available for inspection by the Authority at any reasonable time. The following information shall be recorded on a daily basis and retained for 5 years:

- a) Total amount 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 hrs of the relevant event. The records kept in the site 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 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 5 in this permit.

4.3.3 The Authority shall be informed within 24 hours in the event of an environmental hazard or major incidents.

#### **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/>. It shall also be ensured that all reporting, 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 the waste batteries reporting required by this permit are in line with the Audit Procedures - Terms of Reference found in Schedule 4 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 condition 1.3.3.

4.4.2 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.

#### **4.5 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 the 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****List of Permitted Incoming and Outgoing Wastes on Site as per Table 1.1.1**

<b>European Waste Codes</b>	<b>Description of Waste</b>
02 01 01	Sludge's from washing and cleaning
02 01 02	Animal tissue waste <sup>1</sup>
20 01 25	Edible Oil and Fat
16 06 01*	Lead Batteries
13 02 04*	Mineral-based chlorinated engine, gear and lubricating oils

<sup>1</sup> only fish oil waste and other liquid fish residues originating from the feeding and thawing processes from fish farm operations are allowed to be accepted on site. No fish or fish offal shall be collected.

Schedule 2A

Site Map



Fig. 2.1: Site plan showing extent of the area authorised for activities specified in Condition 1.1.1 in Blue hatched areas.

Schedule 2B  
Site Layout Plans

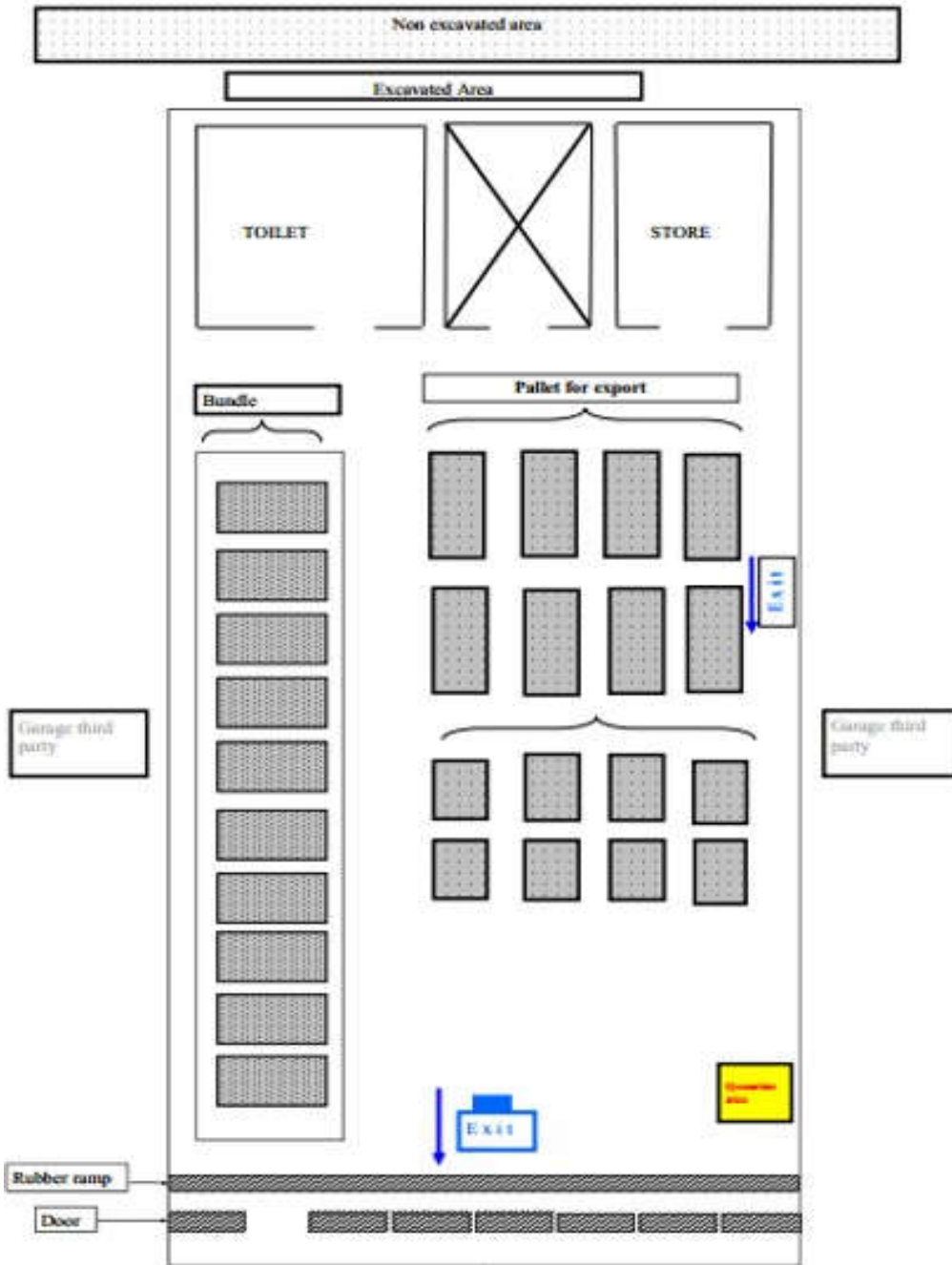


Fig 2.2 Site Layout Plan of Garage 1, showing the internal area for activities authorised in Condition 1.1.1



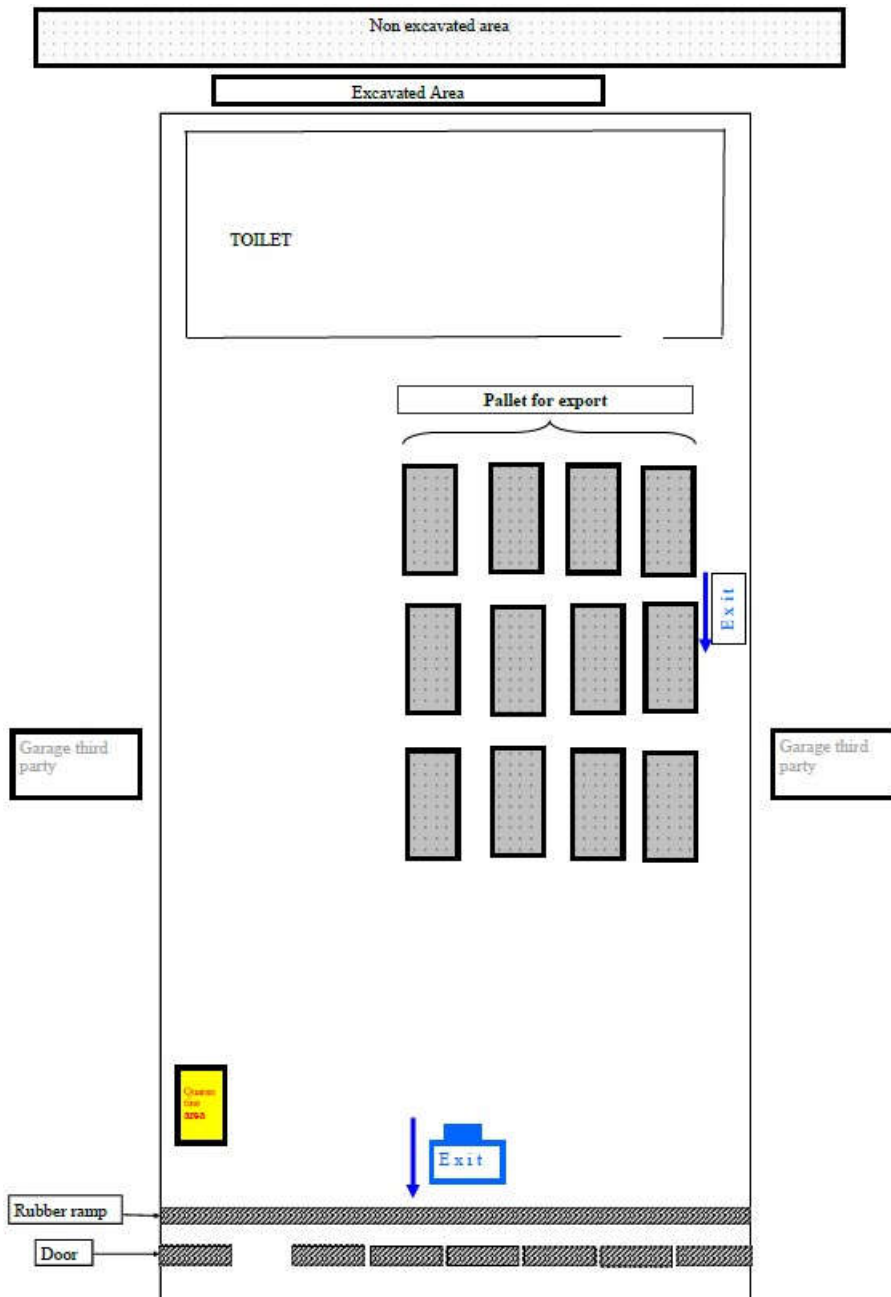


Fig 2.3 Site Layout Plan of Garage 37, showing the internal area for activities authorised in Condition 1.1.1

### 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 4.4.1, 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/reports**

Weighing equipment Certificate every year as per condition 2.3.1	<input type="checkbox"/>
Submission of Waste Records every year	<input type="checkbox"/>
Submission of AER as per Condition 4.4.1	<input type="checkbox"/>
Submission of Independent Audit Report every year as per Condition 4.4.2	<input type="checkbox"/>

**S3.4 Incidents and Complaints**
**S3.4.1 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:	
Total number of non-compliance incidents for the current reporting period:	

**S3.4.2 Complaints made by the public or through Authority**

Date of complaint	Description of complaint	Actions taken

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

<b>Applicant's declaration</b>		
<i>I declare that, to the best of my knowledge, all the above information is correct and substantiated.</i>		
..... <b>Name</b> <i>(in block letters)</i>	..... <b>ID Card Number</b>	..... <b>on behalf of / in my own name</b> <i>(in block letters)</i>
..... <b>Signature</b>	..... <b>Date</b>	

#### **Schedule 4**

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

- S4.1 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.
- S4.2 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.
- S4.3 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.
- S4.4 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).
- S4.5 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><b>Objective: To confirm that there is a signed receipt for every waste transfer received at the site</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>			
2	<p><b>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</b></p> <ul style="list-style-type: none"> <li>Choose a random sample of 10% of the total waste being treated and ensure that its origin can be traced back.</li> </ul>			
3	<p><b>Objective: To confirm that any hazardous waste movements from the site (entry &amp; exit) are covered with a hazardous waste consignment permit and consignment note</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>			
4	<p><b>Objective: To confirm that any hazardous waste movements from the site (entry &amp; exit) are covered with relevant TFS documentation of the Waste Shipments Regulation in cases of export</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such.</li> </ul>			

5	<p><b>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</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>In the case of waste broker usage, ensure that the waste brokers used are registered with ERA as such.</li> </ul>			
6	<p><b>Objective: To verify whether the quantities reported by the Waste Facility make reasonable sense</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>			
7	<p><b>Objective: To ensure that the waste vehicles used by the authorised facility to transfer the waste to other permitted sites are registered with ERA</b></p> <ul style="list-style-type: none"> <li>Obtain a list of approved waste carriers from ERA and confirm that the ones used by facility are registered with ERA.</li> </ul>			
8	<p><b>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</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>			

9	<p><b>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</b></p> <ul style="list-style-type: none"> <li>• Obtain all certificates received from recycling facilities and confirm that these have all been declared to ERA prior to shipment</li> <li>• Confirm arithmetical correctness of all reported data in this regard.</li> </ul>			
10	<p><b>Objective: To identify the waste being treated both locally and abroad, and ensure that it has been recovered appropriately</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>			

## Schedule 5

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### Minimum requirements for an Environment Management System (EMS)

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An EMS may 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 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 should be set for priority areas identified (e.g. minimising waste generation by \_\_% 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 Permit Holder 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 Permit Holder 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 Permit Holder should 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 should be maintained.

#### 7. Maintenance Programme

The Permit Holder 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.

**END OF PERMIT**