

Case Officer Report

Subject: IP0001/22 - Application for the renewal and variation of IP0001/12/A/V1 for the operation of a waste management facility.

Date: 29th November 2024

To: ERA Board

From: Regulatory Affairs Directorate

1. Background

This report has been prepared for the determination of IP0001/22, a variation and renewal of IP0001/12/A/V1 for the operation of a waste management facility submitted by Ms. Mary Gaerty obo Green Skip Services Ltd. In this regard, the application was received on 03rd January 2022 and a consolidated application was submitted on 18th October 2023.

This application is for the operation of an existing waste management facility in Magħtab. The variation includes the following changes:

- Amendment from a multi-operator installation to a single-operator installation
- Amendment to the storage location of certain waste streams

2. Case Officer Report

2.1. Proposal

Activity listed in Schedule 1 of the Industrial Emissions (IPPC) Regulations / Associated Activity	Description of specified operation	Limits of specified operation
Sections 5.1(c), 5.1(d) and 5.5: Specified activities involving the disposal, recovery and temporary storage of hazardous waste.	Receipt, storage, Blending, mixing and repackaging of hazardous waste, waste electric and electronic equipment (WEEE), physico-mechanical treatment of Type A and Type B Clinical Waste excluding the European Waste Catalogue (EWC) codes listed in Schedule 3.	From receipt of hazardous waste streams to dispatch to authorised facilities either locally or abroad. Storage of wastes accepted on site shall not exceed a periodz of 12 months on site if pending disposal and 36 months if pending recovery.

Activity listed in Schedule 1 of the Industrial Emissions (IPPC) Regulations / Associated Activity	Description of specified operation	Limits of specified operation
Waste collection, pre-treatment and storage of non-hazardous waste streams.	Collection, sorting, preliminary treatment (including paper shredding and glass crushing), baling and storage of permitted non-hazardous wastes	From receipt of storage waste to dispatch of waste to authorised facilities either locally or abroad
Storage and processing of plastic, paper and cardboard, wood, textiles and glass.	Storage and processing of waste in designated areas for a period of up to (but not exceeding) 12 months excluding the European Waste Catalogue (EWC) codes listed in Schedule 3.	From receipt of waste to dispatch of processed waste to authorised facilities either locally or abroad
Storage of waste ferrous and non-ferrous metal, inert material.	Storage of waste in designated areas for a period of up to (but not exceeding) 12 months excluding the European Waste Catalogue (EWC) codes listed in Schedule 3.	From receipt of storage waste to dispatch of waste to authorised facilities either locally or abroad
Storage & dismantling of Waste Electric and Electronic Equipment (WEEE)	Receipt, storage and dismantling of WEEE according to approved method statement excluding the European Waste Catalogue (EWC) codes listed in Schedule 3.	From receipt of WEEE to storage and export to authorised facilities either locally or abroad.
Associated activity of generation of products from waste	Processing of non-hazardous waste and paper to produce animal bedding, absorbent material and packaging materials.	From receipt of non-hazardous paper, cardboard and other packaging material to processing and testing prior to resale or reuse as a product Activity shall not commence until such time that ERA confirms in writing that EOW status is being achieved.

Activity listed in Schedule 1 of the Industrial Emissions (IPPC) Regulations / Associated Activity	Description of specified operation	Limits of specified operation
Associated activity of general maintenance and repairs	Maintenance and repair/s on equipment and/or vehicles within the installation.	From maintenance/repair, activity to appropriate recovery/disposal of any waste generated on site.
Associated activity of utilities	Diesel generator (100KVA) to produce energy.	From receipt of fuel to delivery of energy.

Proposed Emissions and Mitigation

Emission Points to air	Source
PS1	Diesel generator
PS2	Heavy Duty Shredder
PS4	Sterilizer

Effluents	Source
ED1	Steam condensate from Sterilizer
ED2	Sump from warehouse gutters
ED3	Cesspit from bin washing and yard

2.2. Supporting documents recommended for approval

3.2.1 Drawing Numbers:

- IP 0001/22/DOC1 – Site Layout Plan
- IP 0001/22/DOC2 – Emissions to Air and Drainage Plan

2.3. Applicable law/ policy

The onsite activities fall within scope of the below activities of Schedule 1 of S.L. 549.77:

5.1 Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving:

- c. blending or mixing prior to submission to any of the other activities listed in points 5.1 and 5.2

- d. repackaging prior to submission to any of the other activities listed in points 5.1 and 5.2

5.5 Temporary storage of hazardous waste not covered under point 5.4 pending any of the activities listed in points 5.1, 5.2, 5.4 and 5.6 with a total capacity exceeding 50 tonnes, excluding temporary storage, pending collection, on the site where the waste is generated.

The proposal is to comply with:

- Environment Protection Act (CAP. 549);
- Industrial Emissions (Framework) Regulations (S.L. 549.76)
- Integrated Pollution Prevention and Control Regulation (S.L. 549.77)
- Best Available Techniques (BAT) specified in the Waste Treatment Industries

2.4. Site Description and Constraints

The facility is located in Magħtab, limits of Naxxar. The surrounding land uses include other large scale waste treatment facilities, agricultural land and residential areas. There are no constraints on site. Refer to Site Plan in Annex 1.

2.5. Site History

The following permitting history is noted on site:

Number	Title	Status
WM 00004/07/J	Waste Management Clearance for Green Skip Services Company Ltd	31 st May 2010
WM 00003/07/G	Waste Management Clearance for GS Rec Ltd.	31 st May 2010
IP 0001/12/A	New IPPC permit	02 nd July 2018
IP 0001/12/A	Extension of IP 0001/12/A for 1 year	01 st July 2022
IP 0001/12/A/V1	Minor Variation to IP 0001/12/A	22 nd August 2022
IP 0001/12/A/V1	Extension of IP 0001/12/A/V1 for 6 months	16 th June 2023
IP 0001/12/A/V1	Extension of IP 0001/12/A/V1 for 1 year	02 nd January 2024
OWK0035/19	Stop and Compliance Order regarding the duration and location of asbestos storage onsite.	21 st June 2019 <i>Currently under appeal</i>
PA 4322/94	Development of site into a service yard for re-cycling, reclamation of waste and related facilities such as offices, maintenance workshops etc.	28 October 1996
PA 2542/09	First floor office extension over existing facility (recycling)	01 July 2011
PA 3357/16	Minor amendments, consisting in accretions to existing structures of recycling facility including sanctioning of works, already carried out.	23 July 2017

2.6. Consultations

2.6.1. Intra-ERA Feedback

The existing requirements for air and end-of-waste monitoring which were applied for variation were confirmed to still be a requirement based on the activities on-site. Clarifications were provided with regards to packaging and export requirements.

The status and importance of the improvement programme items were confirmed from a perspective of compliance to local and international legislation. The facility was issued a Stop and Compliance Order (OWK0035/19) on the 21st of June 2019 in relation to the duration and location of asbestos storage onsite.

2.6.2. Feedback from External consultees

Regulator for Energy and Water Services (REWS)

Requested for clarifications with regards to fuel tanks and the generator on site. These were provided by the applicant.

Environmental Health Directorate (EHD)

Provided a number of conditions related to pest control, use of rain and second class water and the impact of the facility on the general public. Such conditions have been included in the permit.

Civil Protection Department (CPD)

Provided a number of requirements for fire safety specifications and details to be present onsite. The requirements were related to both site features as well as for fire-fighter safety measures should an incident occur onsite. A requirement for the certification of such fire safety features has been included in the permit.

Water Services Corporation (WSC)

Requested stricter control over the industrial effluent collected into a cesspit which ultimately is discharged to the sewer. The applicant indicated that additional effluent treatment has been installed in the form of an interceptor prior to the cesspit.

Occupational Health & Safety Authority (OHSA)

Provided a number of standard conditions in relation to worker safety onsite. Such conditions have been included as permit conditions.

2.6.3. Public consultation on the application was carried out for 15 days as per legal requirements of S.L. 549.77 for renewal applications. The consultation was held between the 18th March and 01st April 2023. No representations were made by the public.

2.7. Discussion

The facility is a waste management facility with the primary activities including the interim storage and handling of various incoming waste, both hazardous and non-hazardous pending export to 3rd party waste disposal facilities. The facility is permitted to accept almost all kinds of waste except for end-of-life vehicles (ELVs) and their separate fractions, animal waste and tissues, and waste explosives. The facility also conducts activities of shredding of paper and cardboard and dismantling of WEEE.

The current permit was issued on the 02nd of July 2018 for 4 years. The permit was then extended for a 1 year period, during which a variation was issued for the addition of sterilizing clinical waste. Subsequently, the permit had 2 extension of 6 months and 1 year, respectively.

Through the renewal process, the applicant also requested a variation to the below aspects of the current permit:

- The removal of Improvement Programme item 5 regarding details of the stand-by generator. This information was provided during the review process and the item has been considered closed.
- The removal of Improvement Programme item 7 regarding the installation of bunding strips within the waste storage sheds. The installation of secondary containment measures is a significant aspect of spill containment and mitigation. The requirement is being retained as a required improvement to be made to the facility. The operator indicated that such containment measures will be installed within two months.
- The removal of Improvement Programme item 8 regarding the implementation of waste-type specific sampling procedure for incoming waste. The applicant clarified that similar procedures are already in place. Waste streams are confirmed to be viable to third parties to whom such waste will eventually be exported to prior to being accepted on-site. The item is being considered closed.
- The removal of Improvement Programme item 9 regarding the submission of a method statement for noise monitoring. Throughout the validity of the permit, noise monitoring was carried out and permit conditions have been updated to align with current ERA practices where noise monitoring is only required upon the installation of new equipment. The item is being considered closed.
- The removal of Improvement Programme item 10 regarding end-of-waste requirements for cardboard/paper to be reused for animal bedding. Throughout the validity of the current permit, several steps were taken to ensure that the required analytical tests to confirm the safety of the product were to the satisfaction of the Authority. The process is nearing finalisation with minor clarifications still pending. Nonetheless, the requirements are being retained in the permit as a standard for the product to achieve.
- The removal of Improvement Programme item 11 regarding submission of a method statement and subsequent air monitoring from the non-hazardous shredder. The obligation for such monitoring originate from legally binding Best Available Technique (BAT) Conclusions applicable to IPPC facilities. The European Directive from which such obligations originate require the implementation of BAT within 4 years of their publication, the latest version of which were issued in 2018. Such monitoring has been retained as a requirement in the updated BAT conclusions and the proposed permit. The requirement has been amended slightly to require dust monitoring. Monitoring TVOC

has been removed as shredding of material containing such substances is no longer carried out onsite.

- The removal of Improvement Programme item 13 regarding the recertification of impermeability of cesspits and spill reservoirs. The initial certification was dated 2013 and it itself includes the requirement for certification with time. Since then, amendments have also been made to the drainage system such as the inclusion of an oil/water interceptor. Additionally it is a standard requirement for IPPC facilities to recertify drainage systems, especially those which can potentially collect hazardous substances. In this regard, the requirement is being retained.
- The removal of Improvement Programme item 14 regarding the submission of an outline decommissioning plan. The plan was provided and is being considered closed.
- The extension of permit validity to 10 years. This request is being proposed as part of the Directorate's recommendation in line with current ERA practices for sites operating at IPPC level.
- The amendment to waste receipt auditing requirements. This is currently under discussion within the Authority due to the impact this may have in updating the ERA's approach to such requirements. Once finalised, any required amendments will be issued by the Authority.
- The different siting of storage of some waste streams. The proposed changes are being accepted, except for the outdoor storage of waste electric and electronic equipment (WEEE) which IED and local legislation require such storage to be indoors.

Additionally, as a result of comparison of the site features to current BAT requirements, Improvement Programme item 16 and an associated condition requiring the installation of abatement technology on the shredder have been included. Furthermore in line with the measures of the Long Term Waste Management Plan 2021 – 2030 – ERA, specific conditions on WEEE acceptance and treatment are being proposed. Permit conditions have also been updated to be in line with current conditions for IPPC waste management sites.

A site visit was held on the 14th of October, during which, clarifications were provided regarding the site drainage and waste tracking system. In terms of site drainage, the applicant explained that a 330,000 litres reservoir catering for yard effluent has an overflow to land which is being permitted accordingly.

On the 21st of June 2019, OWK0035/19 was issued regarding the duration and location of asbestos storage onsite. The order was issued accruing daily fines which considered closed on the 05th of January 2021. The order is currently under appeal (PAB/00253/19). The fine is to be settled, prior to the granting of this permit. Environment and Planning Review Tribunal may take a decision independently of this permit.

In terms of financial guarantee which currently amounts to €46,500, in view that most of the pending submissions are being proposed as post decision requirements, the proposed bank guarantee would amount to a total of €36,500 which is subdivided as follows:

- €25,000 attributed to permit conditions
- €11,500 attributed to pending submissions, of which:
 - €10,000 relate to certification of fire safety features

- €1,000 relate to certification of the interceptor in line with EN 858
- €500 relate to certification of generator bunding

The bank guarantee tied to the pending submissions (€11,500) can be released individually upon submission of the pending items to the Authority's satisfaction.

2.8. Financial Matters

Application fee	€ 18,000 (Paid)
Financial guarantee	€ 36,500 (currently amounts to €46,725)
Annual fee	€ 6,000 (€3,000 covering each of 2024 and 2025 - Paid)
Inspection fees	€ 400 (Paid)
Fines	€ 18,350 (OWK0035/19)

3. Recommendation:

The Regulatory Affairs Directorate recommends the GRANTING of the Permit for a period of ten (10) years subject to the following conditions as post decision requirements:

- a. Submission of bank guarantee of €36,500.
- b. Payment € 18,350 of in relation to OWK0035/19.
- c. Installation bunding within the waste storage sheds to prevent any run-off within the sheds from reaching the gutter just outside the sheds. (Previously IP Item 7).
- d. Submission of a method statement for monitoring of dust in line with applicable BAT conclusions. (Previously IP item 11a).
- e. Recertification by a third party warranted engineer or architect of site impermeability. This shall include all gutters, sumps, cesspits, oil/water interceptors, tanks and reservoirs collecting industrial effluent. These shall be certified to meet the criteria laid out in S.L. 549.45 (Previously IP Item 13).

The proposed permit conditions include

- a) Standard conditions applicable to this sector;
- b) Site specific conditions:
 - i. Emissions from shredding shall be contained, collected and treated in a way that the shredded material is not exposed to the elements or prone to being blown away in instances of moderate and stronger wind force. Treatment shall include at least one of the following ways:
 - Cyclone
 - Fabric filter
 - Wet scrubbing
 - Water injection into the shredder

- ii. No emission from the Permitted Installation shall be made to land, except for the overflow from the underground reservoir beneath the sorting shed in Approved Document IP0001/22/DOC2.
- iii. The total amount of WEEE that can be stored at any given time shall not exceed the amount of WEEE stored that can be treated within twelve (12) months.
- iv. Submission of bank guarantee totalling to €11,500 associated with pending submissions:
 - Certification of fire safety features - €10,000
 - Certification of interceptor in line with EN 858 - €1,000
 - Certification of generator bunding - €500

c) Improvement programme items:

Reference	Requirement	Deadline
15	Submission of generator certification in line with Condition 2.2.7	Within 3 months of issue of this permit.
16	Implementation of at least one of the abatement techniques listed in Condition 2.2.6.	Within 6 months of issue of this permit.

Annex 1: Site Plan

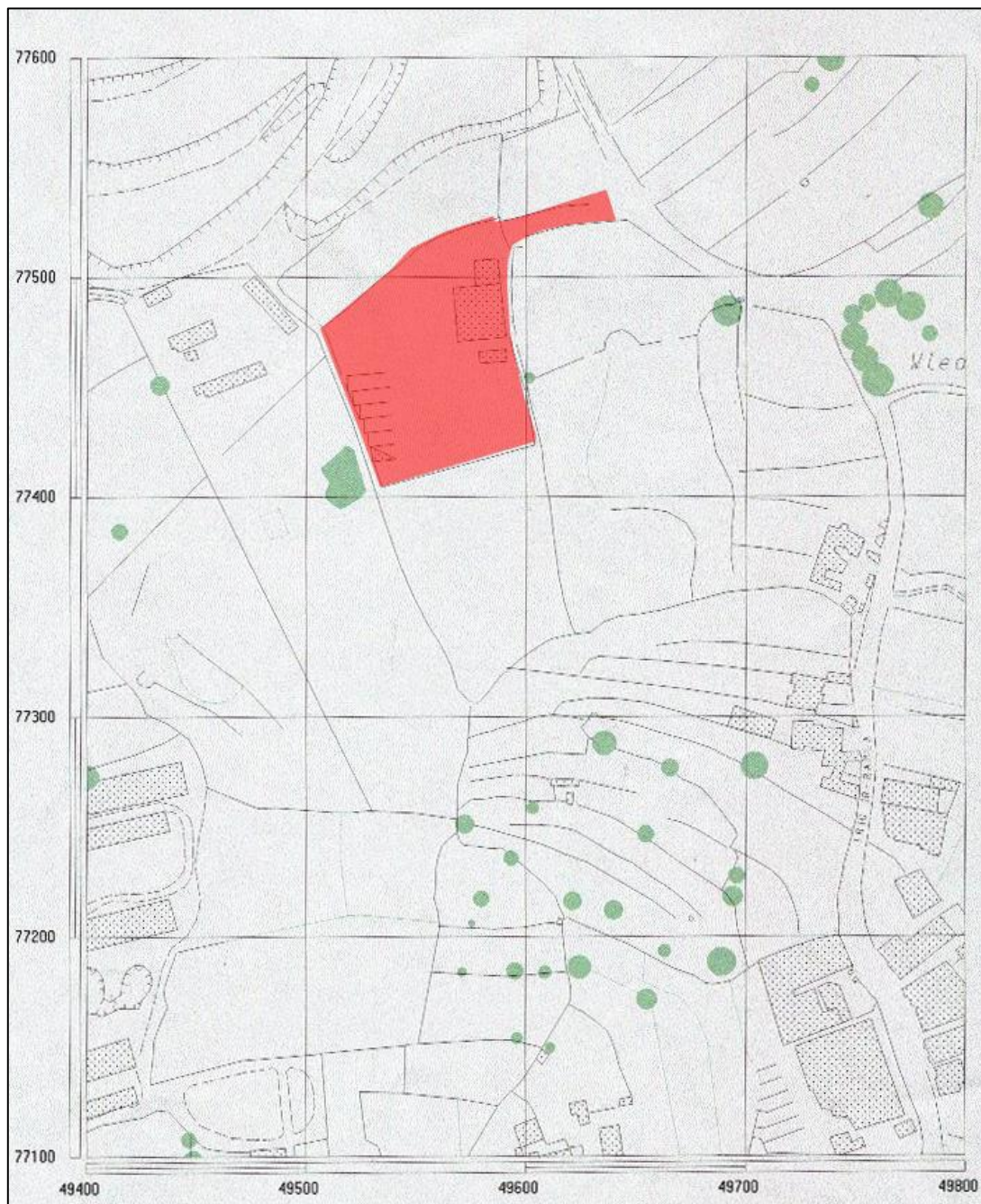


Fig. 1: Site of permitted installation, showing extent of waste management area in red, for the carrying out of the activities specified in this permit. The extent of the site boundary is indicative and should not be used for interpretation purposes.