

**L.N. 10 of 2013**

**ENVIRONMENT AND DEVELOPMENT PLANNING ACT  
(CAP. 504)**

**Industrial Emissions (Integrated Pollution Prevention  
and Control) Regulations, 2013**

BY VIRTUE of the powers conferred by articles 2, 61, 64 and 66 of the Environment and Development Planning Act, the Minister for Tourism, Culture and the Environment, in consultation with the Malta Environment and Planning Authority, has made the following regulations:-

**1.** (1) The title of these regulations is the Industrial Emissions (Integrated Pollution Prevention and Control) Regulations, 2013. Citation and commencement.

(2) These regulations shall be deemed to have come into force on the 7th January, 2013.

**2.** (1) These regulations provide for the implementation in part of Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on Industrial Emissions (Integrated Pollution Prevention and Control) (Recast). Scope.

(2) These regulations also provide for the implementation of the Industrial Emissions (Framework) Regulations, 2013. L.N. 9 of 2013.

(3) These regulations lay down rules for the integrated prevention and control of pollution arising from certain industrial activities. They also lay down rules designed to prevent or, where that is not practicable, to reduce emissions into air, water and land and to prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole.

**3.** These regulations shall apply to the industrial activities set out in Schedule 1 and, where applicable, reaching the capacity thresholds set out in that Schedule. Industrial activities.

**4.** The operator shall take all appropriate measures to operate an installation in accordance with the following principles: General principles governing the basic obligations of the operator.

(a) all the appropriate preventive measures are taken against pollution;

(b) the best available techniques are applied;

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- (c) no significant pollution is caused;
- S.L. 504.37 (d) the generation of waste is prevented in accordance with the Waste Regulations;
- S.L. 504.37 (e) where waste is generated, it is, in order of priority and in accordance with the Waste Regulations, prepared for re-use, recycled, recovered or, where that is technically and economically impossible, it is disposed of while avoiding or reducing any impact on the environment;
- (f) energy is used efficiently;
- (g) the necessary measures are taken to prevent accidents and limit their consequences;
- (h) the necessary measures are taken upon definitive cessation of activities to avoid any risk of pollution and return the site of operation to the satisfactory state defined in accordance with regulation 16 of these regulations.
- Applications for permits. **5.** (1) An application for a permit shall include a description of the following:
- (a) the installation and its activities;
- (b) the raw and auxiliary materials, other substances and the energy used in or generated by the installation;
- (c) the sources of emissions from the installation;
- (d) the conditions of the site of the installation;
- (e) where applicable, a baseline report in accordance with regulation 16(2);
- (f) the nature and quantities of foreseeable emissions from the installation into each medium as well as identification of significant effects of the emissions on the environment;
- (g) the proposed technology and other techniques for preventing or, where this is not possible, reducing emissions from the installation;
- (h) measures for the prevention, preparation for reuse, recycling and recovery of waste generated by the installation;
- (i) further measures planned to comply with the general principles of the basic obligations of the operator as provided

for in regulation 4;

(j) measures planned to monitor emissions into the environment;

(k) the main alternatives to the proposed technology, techniques and measures studied by the applicant in outline;

(l) any other information required by the competent authority.

(2) An application for a permit shall also include a non-technical summary of the details referred to in sub-regulation (1).

(3) When submitting an application, the operator shall follow the format prescribed by any application forms published by the competent authority on its website, and shall comply with any guidance documents published by the competent authority on its website.

(4) Where information supplied in accordance with the requirements provided for in the Environmental Impact Assessment Regulations, or a safety report prepared in accordance with Control of Major Accident Hazards Regulations, or other information produced in response to other legislation fulfils any of the requirements of sub-regulation (1), that information may be included in, or attached to, the application. S.L. 504.79  
S.L. 424.19

6. In determining whether to grant or refuse the permit to an applicant, the competent authority shall take into account the applicant's suitability to undertake the proposed activity, having regard to, as the case may be: Criteria for assessing the applicant's suitability.

(a) his record of compliance with these regulations and with the Industrial Emissions (Framework) Regulations, 2013; L.N. 9 of 2013.

(b) his financial capacity to comply with all obligations and liabilities that will or may arise from the proposed activity under these regulations, or his ability to offer such financial security as the competent authority may require;

(c) his qualifications, experience and technical competence, as well as those of his employees, to carry out the proposed activity safely and with minimum risk to human health and the environment, and to abide by any conditions set in relation thereto by the competent authority.

7. (1) The competent authority shall ensure that the permit Permit conditions.

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includes all measures necessary for compliance with the requirements of regulations 4 and 11. Those measures shall include at least the following:

(a) emission limit values for polluting substances listed in Schedule 2, and for other polluting substances, which are likely to be emitted from the installation concerned in significant quantities, having regard to their nature and their potential to transfer pollution from one medium to another;

(b) appropriate requirements ensuring protection of the soil and groundwater and measures concerning the monitoring and management of waste generated by the installation;

(c) suitable emission monitoring requirements specifying:

(i) measurement methodology, frequency and evaluation procedure; and

(ii) where the provisions of regulation 8(3)(b) are applicable, that results of emission monitoring are available for the same periods of time and reference conditions as for the emission levels associated with the best available techniques;

(d) an obligation to supply the competent authority regularly, and at least annually, with:

(i) information on the basis of results of emission monitoring referred to in paragraph (c) and other required data that enables the competent authority to verify compliance with the permit conditions; and

(ii) where the provisions of regulation 8(3)(b) are applicable, a summary of the results of emission monitoring which allows a comparison with the emission levels associated with the best available techniques;

Provided that the competent authority may specify the format of this reporting and timeframes for its submission;

(e) appropriate requirements for the regular maintenance and surveillance of measures taken to prevent emissions to soil and groundwater pursuant to paragraph (b) and appropriate requirements concerning the periodic monitoring of soil and groundwater in relation to relevant hazardous substances likely to be found on site and having regard to the

possibility of soil and groundwater contamination at the site of the installation;

(f) measures relating to conditions other than normal operating conditions such as start-up and shut-down operations, leaks, malfunctions, momentary stoppages and definitive cessation of operations;

(g) provisions on the minimisation of long-distance or transboundary pollution;

(h) conditions for assessing compliance with the emission limit values or a reference to the applicable requirements specified elsewhere.

(2) For the purpose of sub-regulation (1)(a), emission limit values may be supplemented or replaced by equivalent parameters or technical measures ensuring an equivalent level of environmental protection.

(3) BAT conclusions shall be the reference for setting the permit conditions.

(4) Without prejudice to regulation 11, the competent authority may set stricter permit conditions than those achievable by the use of the best available techniques as described in the BAT conclusions. The competent authority may establish guidance under which it may set such stricter conditions.

(5) Where the competent authority sets permit conditions on the basis of a best available technique not described in any of the relevant BAT conclusions, it shall ensure that:

(a) that technique is determined by giving special consideration to the criteria listed in Schedule 3; and

(b) the requirements of regulation 8 are complied with.

Where the BAT conclusions referred to in paragraph (a) do not contain emission levels associated with the best available techniques, the competent authority shall ensure that the technique referred to in paragraph (a) ensures a level of environmental protection equivalent to the best available techniques described in the BAT conclusions.

(6) Where an activity or a type of production process carried out within an installation is not covered by any of the BAT conclusions or where those conclusions do not address all the potential environmental effects of the activity or process, the

competent authority shall, after prior consultations with the operator, set the permit conditions on the basis of the best available techniques that it has determined for the activities or processes concerned, by giving special consideration to the criteria listed in Schedule 3.

(7) For installations referred to in point 6.6 of Schedule 1, sub-regulations (1) to (6) shall apply without prejudice to the legislation relating to animal welfare.

Emission limit values, equivalent parameters and technical measures.

**8.** (1) The emission limit values for polluting substances shall apply at the point where the emissions leave the installation, and any dilution prior to that point shall be disregarded when determining those values.

With regard to indirect releases of polluting substances into water, the effect of a water treatment plant may be taken into account when determining the emission limit values of the installation concerned, provided that an equivalent level of protection of the environment as a whole is guaranteed and provided this does not lead to higher levels of pollution in the environment.

(2) Without prejudice to regulation 11, the emission limit values and the equivalent parameters and technical measures referred to in regulation 7(1) and (2) shall be based on the best available techniques, without prescribing the use of any technique or specific technology.

(3) The competent authority shall set emission limit values that ensure that, under normal operating conditions, emissions do not exceed the emission levels associated with the best available techniques as laid down in the decisions on BAT conclusions referred to in Article 13(5) of Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) through either of the following:

(a) setting emission limit values that do not exceed the emission levels associated with the best available techniques. Those emission limit values shall be expressed for the same or shorter periods of time and under the same reference conditions as those emission levels associated with the best available techniques; or

(b) setting different emission limit values than those referred to under paragraph (a) in terms of values, periods of time and reference conditions.

Where paragraph (b) is applicable, the competent authority

shall, at least annually, assess the results of emission monitoring in order to ensure that emissions under normal operating conditions have not exceeded the emission levels associated with the best available techniques.

(4) By way of derogation from sub-regulation (3), and without prejudice to regulation 11, the competent authority may, in specific cases, set less strict emission limit values. Such a derogation may apply only where an assessment shows that the achievement of emission levels associated with the best available techniques as described in BAT conclusions would lead to disproportionately higher costs compared to the environmental benefits due to:

(a) the geographical location or the local environmental conditions of the installation concerned; or

(b) the technical characteristics of the installation concerned.

The competent authority shall document in an annex to the permit conditions the reasons for the application of paragraph (a) including the result of the assessment and the justification for the conditions imposed.

The emission limit values set in accordance with paragraph (a) shall, however, not exceed the emission limit values set out in the Schedule to the Industrial Emissions (Framework) Regulations, 2013, where applicable.

The competent authority shall in any case ensure that no significant pollution is caused and that a high level of protection of the environment as a whole is achieved.

In the application of this sub-regulation, the competent authority shall take into account any guidance published by the European Commission on the criteria to be taken into account for the application of this sub-regulation.

The competent authority shall re-assess the application of this sub-regulation as part of each reconsideration of the permit conditions pursuant to regulation 15.

(5) The competent authority may grant temporary derogations from the requirements of sub-regulations (2) and (3), and from regulation 4(a) and (b) for the testing and use of emerging techniques for a total period of time not exceeding nine months, provided that after the period specified, either the technique is stopped or the

activity achieves at least the emission levels associated with the best available techniques.

(6) Pending the adoption of a relevant decision on BAT conclusions referred to in Article 13(5) of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, the conclusions on best available techniques from BAT reference documents adopted by the European Commission prior to 6 January 2011 shall apply as BAT conclusions for the purposes of these regulations except for sub-regulations (3) and (4).

Monitoring requirements.

**9.** (1) The monitoring requirements referred to in regulation 7(1)(c) shall, where applicable, be based on the conclusions on monitoring as described in the BAT conclusions.

(2) The frequency of the periodic monitoring referred to in regulation 7(1)(e) shall be determined by the competent authority in a permit for each individual installation or in general binding rules.

(3) Without prejudice to the provisions of sub-regulation (2), periodic monitoring shall be carried out at least once every five years for groundwater and ten years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

General binding rules for activities listed in Schedule 1.

**10.** (1) When adopting general binding rules, the competent authority shall ensure an integrated approach and a high level of environmental protection equivalent to that achievable with individual permit conditions.

(2) General binding rules shall be based on the best available techniques, without prescribing the use of any technique or specific technology in order to ensure compliance with regulations 7 and 8.

(3) The competent authority shall ensure that general binding rules are updated to take into account developments in best available techniques and in order to ensure compliance with regulation 15.

(4) General binding rules adopted in accordance with sub-regulations (1) to (3) shall contain a reference to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on Industrial Emissions (Integrated Pollution Prevention and Control) (Recast), or be accompanied by such a reference on the occasion of their official publication.

Environmental quality standards.

**11.** Where an environmental quality standard requires stricter conditions than those achievable by the use of the best available techniques, the competent authority shall include additional measures in the permit, without prejudice to other measures which may be

taken to comply with environmental quality standards.

**12.** The competent authority shall follow developments in best available techniques and the publication of any new or updated BAT conclusions and shall make that information available to the public concerned.

Developments in best available techniques.

**13.** (1) The operator shall inform the competent authority of any planned change in the nature or functioning, or an extension of the installation which may have consequences for the environment. Where appropriate, the competent authority shall update the permit.

Changes by operators to installations.

(2) No substantial change planned by the operator shall be made without a permit granted in accordance with these regulations.

The application for a permit and the decision by the competent authority shall cover those parts of the installation and those details listed in regulation 5 which may be affected by the substantial change.

(3) Any change in the nature or functioning or an extension of an installation shall be deemed to be substantial if the change or extension in itself reaches the capacity thresholds set out in Schedule 1.

**14.** A permit shall not be transferred from one operator to another unless the approval of the competent authority has been sought and granted.

Transfer of permit.

**15.** (1) Permits shall be valid for such a time as the competent authority may specify, provided that where the operator has submitted all the information necessary for the purpose of reconsidering permit conditions within the timeframe specified by the competent authority pursuant to sub-regulation (3), the validity of the permit shall be extended until such a time as the competent authority decides on the reconsideration of the permit conditions.

Reconsideration and updating of permit conditions by the competent authority.

(2) The competent authority shall periodically reconsider, in accordance with sub-regulations (3) to (6), all permit conditions and, where necessary to ensure compliance with these regulations, update those conditions.

(3) Prior to the expiry of the permit or at the request of the competent authority, the operator shall submit all the information necessary for the purpose of reconsidering the permit conditions, including, in particular, results of emission monitoring and other data, that enables a comparison of the operation of the installation with the best available techniques described in the applicable BAT

conclusions and with the emission levels associated with the best available techniques, and any other additional information requested by the competent authority. The operator shall submit this information according to the timeframe specified by the competent authority.

When reconsidering permit conditions, the competent authority shall use any information resulting from monitoring or inspections.

(4) Within four years of publication of decisions on BAT conclusions in accordance with Article 13(5) of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions relating to the main activity of an installation, the competent authority shall ensure that:

(a) all the permit conditions for the installation concerned are reconsidered and, if necessary, updated to ensure compliance with these regulations, in particular, with regulation 8(3) and (4), where applicable;

(b) the installation complies with those permit conditions.

The reconsideration shall take into account all the new or updated BAT conclusions applicable to the installation and adopted in accordance with Article 13(5) of Directive 2010/75/EU since the permit was granted or last reconsidered.

(5) Where an installation is not covered by any of the BAT conclusions, the permit conditions shall be reconsidered and, if necessary, updated where developments in the best available techniques allow for the significant reduction of emissions.

(6) The permit conditions shall be reconsidered and, where necessary, updated at least in the following cases:

(a) where the pollution caused by the installation is of such significance that the existing emission limit values of the permit need to be revised or new such values need to be included in the permit;

(b) where the operational safety requires other techniques to be used;

(c) where it is necessary to comply with a new or revised environmental quality standard in accordance with regulation 11;

(d) where the validity of a permit has elapsed.

**16.** (1) Without prejudice to the Water Policy Framework Regulations, the Prevention and Remedying of Environmental Damage Regulations, and the Protection of Groundwater Against Pollution and Deterioration Regulations, and to relevant national or European Union legislation on soil protection, the competent authority shall set permit conditions to ensure compliance with sub-regulations (3) and (4) upon definitive cessation of activities.

Site closure.  
S.L. 423.30  
S.L. 504.85  
S.L. 423.36

(2) Where the activity involves the use, production or release of relevant hazardous substances and having regard to the possibility of soil and groundwater contamination at the site of the installation, the operator shall prepare and submit to the competent authority a baseline report before starting operation of an installation or before a permit for an installation is updated for the first time after 7 January 2013.

The baseline report shall contain the information necessary to determine the state of soil and groundwater contamination so as to make a quantified comparison with the state upon definitive cessation of activities provided for under sub-regulation (3).

The baseline report shall contain at least the following information:

(a) information on the present use and, where available, on past uses of the site;

(b) where available, existing information on soil and groundwater measurements that reflect the state at the time the report is drawn up or, alternatively, new soil and groundwater measurements having regard to the possibility of soil and groundwater contamination by those hazardous substances to be used, produced or released by the installation concerned.

Where information produced pursuant to other national or European Union law fulfils the requirements of this sub-regulation, that information may be included in, or attached to, the submitted baseline report.

In the preparation of the baseline report, the operator shall take into account any guidance published by the European Commission on the content of the baseline report.

(3) (a) Upon definitive cessation of the activities, the operator shall assess the state of soil and groundwater contamination by relevant hazardous substances used, produced or released by the

installation. Where the installation has caused significant pollution of soil or groundwater by relevant hazardous substances compared to the state established in the baseline report referred to in sub-regulation (2), the operator shall take the necessary measures to address that pollution so as to return the site to that state. For that purpose, the technical feasibility of such measures may be taken into account.

(b) Without prejudice to paragraph (a), upon definitive cessation of the activities, and where the contamination of soil and groundwater at the site poses a significant risk to human health or the environment as a result of the permitted activities carried out by the operator before the permit for the installation is updated for the first time after 7 January 2013 and taking into account the conditions of the site of the installation established in accordance with regulation 5(1)(d), the operator shall take the necessary actions aimed at the removal, control, containment or reduction of relevant hazardous substances, so that the site, taking into account its current or approved future use, ceases to pose such a risk.

(4) Where the operator is not required to prepare a baseline report referred to in sub-regulation (2), the operator shall, upon definitive cessation of the activities, take the necessary actions aimed at the removal, control, containment or reduction of relevant hazardous substances, so that the site, taking into account its current or approved future use, ceases to pose any significant risk to human health or the environment due to the contamination of soil and groundwater as a result of the permitted activities and taking into account the conditions of the site of the installation established in accordance with regulation 5(1)(d).

Environmental inspections.

**17. (1)** The competent authority shall set up a system of environmental inspections of installations addressing the examination of the full range of relevant environmental effects from the installations concerned.

Operators shall afford the competent authority and any other authorities having competence in accordance with regulation 19 all necessary assistance to enable officials of these authorities to carry out any site visits, to take samples and to gather any information necessary for the performance of their duties for the purposes of these regulations.

(2) The competent authority shall ensure that all installations are covered by an environmental inspection plan at national, regional or local level and shall ensure that this plan is regularly reviewed and, where appropriate, updated.

(3) Each environmental inspection plan shall include the following:

- (a) a general assessment of relevant significant environmental issues;
- (b) the geographical area covered by the inspection plan;
- (c) a register of the installations covered by the plan;
- (d) procedures for drawing up programmes for routine environmental inspections pursuant to sub-regulation (4);
- (e) procedures for non-routine environmental inspections pursuant to sub-regulation (5);
- (f) where necessary, provisions on the co-operation between different inspection authorities, in particular the authorities identified in regulation 19.

(4) Based on the inspection plans, the competent authority shall regularly draw up programmes for routine environmental inspections, including the frequency of site visits for different types of installations.

The period between two site visits shall be based on a systematic appraisal of the environmental risks of the installations concerned and shall not exceed one year for installations posing the highest risks and three years for installations posing the lowest risks.

If an inspection has identified an important case of non-compliance with the permit conditions, an additional site visit shall be carried out within six months of that inspection.

The systematic appraisal of the environmental risks shall be based on at least the following criteria:

- (a) the potential and actual impacts of the installations concerned on human health and the environment taking into account the levels and types of emissions, the sensitivity of the local environment and the risk of accidents;
- (b) the record of compliance with permit conditions;
- (c) the participation of the operator in the European Union eco-management and audit scheme (EMAS), pursuant to Regulation (EC) No 1221/2009.

The competent authority shall take into account any guidance adopted by the European Commission on the criteria for the appraisal of environmental risks.

(5) The competent authority shall carry out non-routine environmental inspections to investigate serious environmental complaints, serious environmental accidents, incidents and occurrences of non-compliance as soon as possible and, where appropriate, before the granting, reconsideration or update of a permit.

(6) Following each site visit, the competent authority shall prepare a report describing the relevant findings regarding compliance of the installation with the permit conditions and conclusions on whether any further action is necessary.

The report shall be notified to the operator concerned within two months of the site visit taking place. The report shall be made publicly available by the competent authority in accordance with the Freedom of Access to Information on the Environment Regulations, within four months of the site visit taking place.

S.L. 504.65

L.N. 9 of 2013.

Without prejudice to regulation 10(2) and (3) of the Industrial Emissions (Framework) Regulations, the competent authority shall ensure that the operator takes all the necessary actions identified in the report within a reasonable period.

Access to information and public participation in the permit procedure.

**18.** (1) The competent authority shall ensure that the public concerned are given early and effective opportunities to participate in the following procedures:

- (a) the granting of a permit for new installations;
- (b) the granting of a permit for any substantial change;
- (c) the granting or updating of a permit for an installation where the application of regulation 8(4) is proposed;
- (d) the updating of a permit or permit conditions for an installation in accordance with regulation 15(6)(a);
- (e) the updating of a permit or permit conditions for an installation in accordance with regulation 15(3).

The procedure set out in Schedule 4 shall apply to such participation.

(2) When a decision on granting, reconsideration or updating

of a permit has been taken, the competent authority shall make available to the public, including via the internet in relation to paragraphs (a), (b) and (f), the following information:

(a) the content of the decision, including a copy of the permit and any subsequent updates;

(b) the reasons on which the decision is based;

(c) the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision;

(d) the title of the BAT reference documents relevant to the installation or activity concerned;

(e) how the permit conditions referred to in regulation 7, including the emission limit values, have been determined in relation to the best available techniques and emission levels associated with the best available techniques;

(f) where a derogation is granted in accordance with regulation 8(4), the specific reasons for that derogation based on the criteria laid down in that sub-regulation and the conditions imposed.

(3) The competent authority shall also make available to the public, including via the internet at least in relation to paragraph (a):

(a) relevant information on the measures taken by the operator upon definitive cessation of activities in accordance with regulation 16;

(b) the results of emission monitoring as required under the permit conditions and held by the competent authority.

(4) Sub-regulations (1), (2) and (3) shall apply subject to the restrictions laid down in regulation 7(1) and (2) of the Freedom of Access to Information on the Environment Regulations. S.L. 504.65

**19.** (1) In case of applications where the competent authority considers that other authorities also have competence in any of the proposed activities, the competent authority shall: Coordination with other competent authorities.

(a) notify these authorities of applications according to their area of competence;

(b) submit to these authorities an electronic copy of the

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application submitted by the operator for their review;

(c) invite these authorities to propose conditions regarding their area of competence for inclusion in the permit.

Where the conditions stipulated in the permit drafted by the Malta Environment and Planning Authority and the conditions proposed by other authorities are in conflict, the Malta Environment and Planning Authority shall seek to resolve this conflict at the earliest opportunity.

Where there is sustained and justified objection against the granting of a permit for a particular installation by an authority deemed as having competence, the Malta Environment and Planning Authority shall not grant a permit until this objection is lifted by the authority making the objection:

Provided that where the Malta Environment and Planning Authority does not receive any objection from other authorities within the stipulated time-frame, those other authorities shall be deemed to have no objection to the issue of the permit:

Provided also that the responsibility for enforcing conditions required by other authorities shall rest with those authorities.

(2) The following authorities shall be considered as also having competence with regard to the application of subregulation (1):

(a) the Malta Resources Authority in relation to all activities in Schedule 1;

(b) the Agriculture and Fisheries Department in relation to activities 6.4, 6.5 and 6.6 in Schedule 1, and any activity for the disposal or recovery of animal by-products;

(c) the Directorate of Agriculture within the Ministry for Resources and Rural Affairs in relation to activity 6.6 in Schedule 1;

(d) the Malta Competition and Consumer Affairs Authority in relation to activities 1.2, 1.3, 2.1, 2.5, 2.6, 3.1, 3.2, 3.3, 3.4, 4, 6.7 and 6.10 in Schedule 1;

(e) the Civil Protection Department in relation to all activities in Schedule 1;

(f) the Environmental Health Directorate in relation to

all activities in Schedule 1;

(g) the Authority for Transport in Malta in relation to activities involving release of trade effluent into ports;

(h) the Occupational Health and Safety Authority in relation to activities covered by the Control of Major Accident Hazards Regulations. S.L. 424.19

**20.** (1) Members of the public concerned having sufficient interest shall have access to a review procedure before the Environment and Planning Review Tribunal to challenge the substantive or procedural legality of decisions, acts or omissions subject to regulation 18. Access to justice. Cap. 504.

(2) An appeal may be lodged before the Tribunal within thirty days following a decision being made on the granting, reconsideration or updating of a permit.

(3) For the purposes of sub-regulation (1), the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed sufficient.

(4) Articles 40 and 41 of the Environment and Development Planning Act, shall apply to this procedure. Cap. 504.

(5) The competent authority shall ensure that practical information is made available to the public on access to administrative and judicial review procedures.

**21.** (1) Where the competent authority is aware that the operation of an installation is likely to have significant negative effects on the environment of another European Union Member State, or where a European Union Member State which is likely to be significantly affected so requests, the competent authority shall forward to the Member State any information required to be given or made available pursuant to Schedule 4 at the same time as it makes it available to the public. Transboundary effects.

Such information shall serve as a basis for any consultations necessary in the framework of the bilateral relations between Malta and the other Member State on a reciprocal and equivalent basis.

(2) The competent authority shall ensure that in the cases referred to in sub-regulation (1), the applications are also made available for an appropriate period of time to the public of the Member State likely to be affected so that it will have the right to

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comment on them before the competent authority reaches its decision.

(3) The results of any consultations pursuant to sub-regulations (1) and (2) shall be taken into consideration when the competent authority reaches a decision on the application.

(4) The competent authority shall inform any Member State which has been consulted pursuant to sub-regulation (1) of the decision reached on the application and shall forward to it the information referred to in regulation 18(2). That Member State shall take the measures necessary to ensure that that information is made available in an appropriate manner to the public concerned in its own territory.

Emerging techniques.

**22.** (1) The competent authority shall, where appropriate, encourage the development and application of emerging techniques, in particular for those emerging techniques identified in BAT reference documents.

(2) In the application of sub-regulation (1), the competent authority shall take into account any guidance published by the European Commission to assist Member States in encouraging the development and application of emerging techniques as referred to in sub-regulation (1).

Fees.

**23.** (1) The competent authority shall charge fees in respect of applications (including for the variation, transfer, renewal or surrender thereof).

(2) The competent authority shall not process any application or render any other service if the fees relative to a previous permit or service given to the same person or in respect of an installation or any technically connected installation have not been paid in full.

(3) The competent authority shall not process any application or render any other service if not accompanied with the fees stipulated in these regulations.

Application fee for new permits, variations, transfer, renewal or surrender.

**24.** (1) An application fee for any new permit, variation, transfer, renewal or surrender thereof, shall be paid to the competent authority on submission of the application.

(2) The fees for new permits stipulated in Schedule 5 shall apply.

(3) Where an operator applies to transfer ownership of a permit or for a variation to a permit, a fee of 10% of the application fee in Schedule 5 shall be paid to the competent authority. The fee for

a variation shall not be payable if the variation is imposed by the competent authority and not requested by the operator.

(4) Where an operator applies for a renewal of a permit, a fee of 50% of the application fee in Schedule 5 shall be paid to the competent authority.

(5) Where an operator applies for the surrender of a permit, a fee of 25% of the application fee in Schedule 5 shall be paid to the competent authority.

(6) An annual fee of 10% of the application fee in Schedule 5 shall be paid to the competent authority on the anniversary of the date of issue of the permit. Installations having environmental management certification recognised by the Malta Competition and Consumer Affairs Authority shall pay a reduced annual fee of 5%.

(7) All inspection costs, whether for scheduled or additional inspections, shall be paid by the operator to the competent authority at a standard rate of two hundred euro (€200) per inspection. Such inspection costs shall be added to the annual fee.

(8) The competent authority may engage consultancy services to obtain specialised expertise on specific applications (including the variation, transfer, renewal or surrender thereof), to obtain assistance in carrying out compliance audits (including monitoring and, or analysis of samples) and to carry out enforcement of specific permits. The cost of the consultancy services will be communicated to the applicant prior to the consultancy services being engaged and will be borne by the applicant.

(9) In cases where an application for a permit (or variation, transfer, renewal or surrender thereof) is withdrawn by the applicant within ten working days of submission, 50% of the fees paid shall be refunded. No refund shall be granted after ten working days of submission. No refund shall be granted in respect of consultancy fees as specified in sub-regulation (8).

(10) In the case where an application for a permit (or variation, transfer, renewal or surrender thereof) is refused by the competent authority, the fees paid shall not be refunded.

(11) With regard to pending applications submitted before the coming into force of these regulations, the fees in accordance with these regulations shall be payable prior to issue of the permit, and in respect of permitted installations, fees for variation, renewal, transfer, surrender and annual fees shall be due prior to the next variation,

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renewal, transfer, surrender or anniversary of the permit, respectively.

Financial  
guarantee.

**25.** The competent authority may also require the provision by the operator of a suitable financial guarantee to be made in favour of the competent authority to secure the obligations under the permit or registration, before the permit or registration is issued. The financial guarantee may also be tied to specific requirements in the permit.

Offences.

**26.** Any person shall be guilty of an offence under these regulations if:

(a) he fails to comply with any provision of these regulations or fails to comply with permit conditions or with any order lawfully given in terms of any provision of these regulations; or

(b) he contravenes any restriction, prohibition or requirement imposed by or under these regulations; or

(c) he acts in contravention of any of the provisions of these regulations; or

(d) he conspires or attempts, or aids, or abets, any other person by whatever means, including advertising, counselling or procurement to contravene the provisions or to fail to comply with any such provisions, including any order lawfully given in terms of any of the provisions of these regulations, or to contravene any restriction, prohibition or requirement imposed by or under the said regulations.

Penalties.

**27.** Any person who commits an offence under these regulations shall, on conviction, be liable:

(a) on a first conviction to a fine (*multa*) of not less than twenty-three thousand euro (€23,000.00) and not greater than two hundred and thirty three thousand euro (€233,000.00) or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment;

(b) on a second or subsequent convictions, to a fine (*multa*) of not less than forty-six thousand euro (€46,000.00) and not greater than four hundred and sixty six thousand euro (€466,000.00) or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment:

Provided that whenever any person is found guilty of committing an offence under these regulations by means of a vehicle, the owner of the said vehicle, where applicable, is held liable in the

same manner and degree:

Provided further that the court shall order any person who has been found guilty of committing an offence against these regulations to pay for the expenses incurred by the competent authority as a result of the said offence, the revocation of the permit issued by the competent authority and the confiscation of the *corpus delicti*, including the vehicle, if applicable.

**28.** (1) The provisions of articles 23 and 30(1) of the Criminal Code shall, *mutatis mutandis*, apply to proceedings in respect of offences against these regulations, so however that the disqualification from holding or obtaining a licence, permit or authority shall in no case be for less than one year.

Applicability of the Criminal Code.  
Cap. 9.

(2) Notwithstanding the provisions of article 370 of the Criminal Code, proceedings for an offence against these regulations shall be held before the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) as the case may be, and shall be in accordance with the provisions of the Criminal Code regulating the procedure before the said courts of criminal judicature.

Cap. 9.

(3) Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgement given by the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) in respect of proceedings for any offence against these regulations.

Cap. 9.

**29.** (1) The Integrated Pollution Prevention and Control Regulations, hereinafter referred to as the "revoked regulations", shall be revoked with effect from the 7th January, 2014.

Revocation of Integrated Pollution Prevention and Control Regulations.  
L.N. 234 of 2002.

(2) References to the revoked regulations shall be construed as references to these regulations.

**30.** (1) The provisions of these regulations shall apply from the 7th January, 2014 to installations carrying out the activities referred to in Schedule 1 of the revoked regulations, which are in operation and hold a permit before 7th January 2013, or the operators of which have submitted a complete application for a permit before that date, provided that those installations are put into operation no later than 7 January 2014. Without prejudice to regulation 15(1), permits issued under the revoked regulations shall be construed as valid until their term of expiry or until superseded by a permit issued under these regulations.

Existing installations covered by the revoked regulations.

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Existing  
installations not  
covered by the  
revoked  
regulations.

(2) The provisions of these regulations shall apply from 7 July 2015 for installations carrying out the activities referred to in Schedule 1 which are not covered by sub-regulation (1), and which are in operation before 7 January 2013. Such installations shall apply to the competent authority for a permit by 7 July 2013 at the latest.

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## SCHEDULE 1

## Categories of activities referred to in regulation 3

The threshold values given below generally refer to production capacities or outputs. Where several activities falling under the same activity description containing a threshold are operated in the same installation, the capacities of such activities are added together. For waste management activities, this calculation shall apply at the level of activities 5.1, 5.3(a) and 5.3(b).

In the application of this Schedule, the competent authority shall take into account any guidance published by the European Commission on:

(a) the relationship between waste management activities described in this Schedule and those described in Annexes I and II to Directive 2008/98/EC; and

(b) the interpretation of the term "industrial scale" regarding the description of chemical industry activities described in this Schedule.

1. Energy industries

1.1. Combustion of fuels in installations with a total rated thermal input of 50 MW or more

1.2. Refining of mineral oil and gas

1.3. Production of coke

1.4. Gasification or liquefaction of:

(a) coal;

(b) other fuels in installations with a total rated thermal input of 20 MW or more.

2. Production and processing of metals

2.1. Metal ore (including sulphide ore) roasting or sintering

2.2. Production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2.5 tonnes per hour

2.3. Processing of ferrous metals:

(a) operation of hot-rolling mills with a capacity exceeding 20 tonnes of crude steel per hour;

(b) operation of smitheries with hammers the energy of which

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exceeds 50 kilojoule per hammer, where the calorific power used exceeds 20 MW;

(c) application of protective fused metal coats with an input exceeding 2 tonnes of crude steel per hour.

2.4. Operation of ferrous metal foundries with a production capacity exceeding 20 tonnes per day

2.5. Processing of non-ferrous metals:

(a) production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes;

(b) melting, including the alloyage, of non-ferrous metals, including recovered products and operation of non-ferrous metal foundries, with a melting capacity exceeding 4 tonnes per day for lead and cadmium or 20 tonnes per day for all other metals.

2.6. Surface treatment of metals or plastic materials using an electrolytic or chemical process where the volume of the treatment vats exceeds 30 m<sup>3</sup>

3. Mineral industry

3.1. Production of cement, lime and magnesium oxide:

(a) production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other kilns with a production capacity exceeding 50 tonnes per day;

(b) production of lime in kilns with a production capacity exceeding 50 tonnes per day;

(c) production of magnesium oxide in kilns with a production capacity exceeding 50 tonnes per day.

3.2. Production of asbestos or the manufacture of asbestos-based products

3.3. Manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day

3.4. Melting mineral substances including the production of mineral fibres with a melting capacity exceeding 20 tonnes per day

3.5. Manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain with a production capacity exceeding 75 tonnes per day and/or with a kiln capacity exceeding 4 m<sup>3</sup> and with a setting density per kiln exceeding 300 kg/m<sup>3</sup>

#### 4. Chemical industry

For the purpose of this section, production within the meaning of the categories of activities contained in this section means the production on an industrial scale by chemical or biological processing of substances or groups of substances listed in points 4.1 to 4.6

##### 4.1. Production of organic chemicals, such as:

- (a) simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);
- (b) oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters and mixtures of esters, acetates, ethers, peroxides and epoxy resins;
- (c) sulphurous hydrocarbons;
- (d) nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates;
- (e) phosphorus-containing hydrocarbons;
- (f) halogenic hydrocarbons;
- (g) organometallic compounds;
- (h) plastic materials (polymers, synthetic fibres and cellulose-based fibres);
- (i) synthetic rubbers;
- (j) dyes and pigments;
- (k) surface-active agents and surfactants.

##### 4.2. Production of inorganic chemicals, such as:

- (a) gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride;
- (b) acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids;
- (c) bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide;

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(d) salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate;

(e) non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide.

4.3. Production of phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers)

4.4. Production of plant protection products or of biocides

4.5. Production of pharmaceutical products including intermediates

4.6. Production of explosives

5. Waste management

5.1. Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving one or more of the following activities:

(a) biological treatment;

(b) physico-chemical treatment;

(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;

(e) solvent reclamation/regeneration;

(f) recycling/reclamation of inorganic materials other than metals or metal compounds;

(g) regeneration of acids or bases;

(h) recovery of components used for pollution abatement;

(i) recovery of components from catalysts;

(j) oil re-refining or other reuses of oil;

(k) surface impoundment.

5.2. Disposal or recovery of waste in waste incineration plants or in waste co-incineration plants:

(a) for non-hazardous waste with a capacity exceeding 3 tonnes per

hour;

- (b) for hazardous waste with a capacity exceeding 10 tonnes per day.

5.3. (a) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities, and excluding activities covered by the Urban Waste Water Treatment Regulations (S.L. 504.40):

- (i) biological treatment;
- (ii) physico-chemical treatment;
- (iii) pre-treatment of waste for incineration or co-incineration;
- (iv) treatment of slags and ashes;
- (v) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.

(b) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, and excluding activities covered by the Urban Waste Water Treatment Regulations (S.L. 504.40):

- (i) biological treatment;
- (ii) pre-treatment of waste for incineration or co-incineration;
- (iii) treatment of slags and ashes;
- (iv) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.

When the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for this activity shall be 100 tonnes per day.

5.4. Landfills, as defined in the Waste Management (Landfill) Regulations (S.L. 504.53) receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, excluding landfills of inert waste

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

5.6. Underground storage of hazardous waste with a total capacity exceeding 50 tonnes

6. Other activities

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6.1. Production in industrial installations of:

- (a) pulp from timber or other fibrous materials;
- (b) paper or card board with a production capacity exceeding 20 tonnes per day;
- (c) one or more of the following wood-based panels: oriented strand board, particleboard or fibreboard with a production capacity exceeding 600 m<sup>3</sup> per day.

6.2. Pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of textile fibres or textiles where the treatment capacity exceeds 10 tonnes per day

6.3. Tanning of hides and skins where the treatment capacity exceeds 12 tonnes of finished products per day

6.4. (a) Operating slaughterhouses with a carcass production capacity greater than 50 tonnes per day

(b) Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed from:

(i) only animal raw materials (other than exclusively milk) with a finished product production capacity greater than 75 tonnes per day;

(ii) only vegetable raw materials with a finished product production capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year;

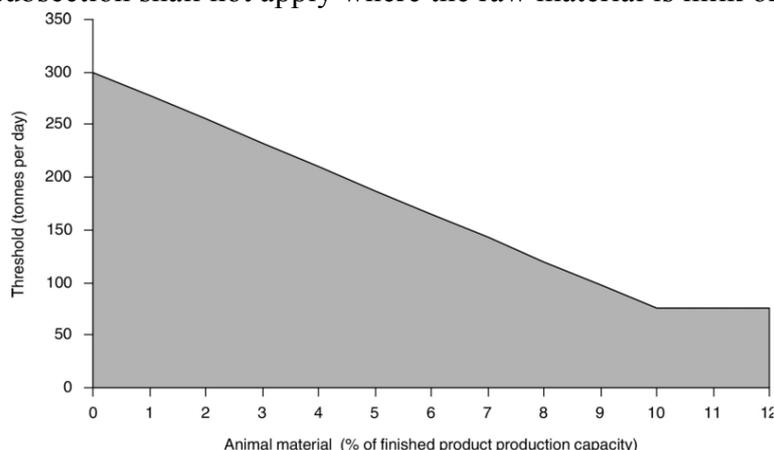
(iii) animal and vegetable raw materials, both in combined and separate products, with a finished product production capacity in tonnes per day greater than:

- 75 if A is equal to 10 or more; or
- $[300 - (22.5 \times A)]$  in any other case

where "A" is the portion of animal material (in percent of weight) of the finished product production capacity.

Packaging shall not be included in the final weight of the product.

This subsection shall not apply where the raw material is milk only.



(c) Treatment and processing of milk only, the quantity of milk received being greater than 200 tonnes per day (average value on an annual basis).

6.5. Disposal or recycling of animal carcasses or animal waste with a treatment capacity exceeding 10 tonnes per day

6.6. Intensive rearing of poultry or pigs:

- (a) with more than 40 000 places for poultry;
- (b) with more than 2 000 places for production pigs (over 30 kg), or
- (c) with more than 750 places for sows.

6.7. Surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, with an organic solvent consumption capacity of more than 150 kg per hour or more than 200 tonnes per year

6.8. Production of carbon (hard-burnt coal) or electrographite by means of incineration or graphitisation

6.9. Capture of CO<sub>2</sub> streams from installations covered by this Schedule or other regulations implementing the Industrial Emissions (Framework) Regulations, for the purposes of geological storage pursuant to Directive 2009/31/EC

6.10. Preservation of wood and wood products with chemicals with a production capacity exceeding 75 m<sup>3</sup> per day other than exclusively treating against sapstain

6.11. Independently operated treatment of waste water not covered by Urban Waste Water Treatment Regulations (S.L. 504.40) and discharged by an installation listed in this Schedule.

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SCHEDULE 2

List of polluting substances

Air

1. Sulphur dioxide and other sulphur compounds
2. Oxides of nitrogen and other nitrogen compounds
3. Carbon monoxide
4. Volatile organic compounds
5. Metals and their compounds
6. Dust including fine particulate matter
7. Asbestos (suspended particulates, fibres)
8. Chlorine and its compounds
9. Fluorine and its compounds
10. Arsenic and its compounds
11. Cyanides
12. Substances and mixtures which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction via the air
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans

Water

1. Organohalogen compounds and substances which may form such compounds in the aquatic environment
2. Organophosphorus compounds
3. Organotin compounds
4. Substances and mixtures which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction in or via the aquatic environment
5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances

6. Cyanides
7. Metals and their compounds
8. Arsenic and its compounds
9. Biocides and plant protection products
10. Materials in suspension
11. Substances which contribute to eutrophication (in particular, nitrates and phosphates)
12. Substances which have an unfavourable influence on the oxygen balance (and can be measured using parameters such as BOD, COD, etc.)
13. Substances listed in Schedule X of the Water Policy Framework Regulations (S.L. 423.20).

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### SCHEDULE 3

#### Criteria for determining best available techniques

1. The use of low-waste technology;
2. The use of less hazardous substances;
3. The furthering of recovery and recycling of substances generated and used in the process and of waste, where appropriate;
4. Comparable processes, facilities or methods of operation which have been tried with success on an industrial scale;
5. Technological advances and changes in scientific knowledge and understanding;
6. The nature, effects and volume of the emissions concerned;
7. The commissioning dates for new or existing installations;
8. The length of time needed to introduce the best available technique;
9. The consumption and nature of raw materials (including water) used in the process and energy efficiency;
10. The need to prevent or reduce to a minimum the overall impact of the

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emissions on the environment and the risks to it;

11. The need to prevent accidents and to minimise the consequences for the environment;

12. Information published by public international organisations.

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#### SCHEDULE 4

##### Public participation in decision making

1. The public shall be informed (by public notices or other appropriate means such as electronic media where available) of the following matters early in the procedure for the taking of a decision or, at the latest, as soon as the information can reasonably be provided:

(a) the application for a permit or, as the case may be, the proposal for the updating of a permit or of permit conditions in accordance with regulation 13, including the description of the elements listed in regulation 5(1);

(b) where applicable, the fact that a decision is subject to a national or transboundary environmental impact assessment or to consultations between Member States in accordance with regulation 21;

(c) details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions can be submitted, and details of the time schedule for transmitting comments or questions;

(d) the nature of possible decisions or, where there is one, the draft decision;

(e) where applicable, the details relating to a proposal for the updating of a permit or of permit conditions;

(f) an indication of the times and places where, or means by which, the relevant information will be made available;

(g) details of the arrangements for public participation and consultation made pursuant to point 5.

2. The competent authority shall ensure that, within appropriate time frames, the following is made available to the public concerned:

(a) in accordance with national law, the main reports and advice issued to the competent authority or authorities at the time when the public concerned were informed in accordance with point 1;

(b) in accordance with the Freedom of Access to Information on the Environment Regulations (S.L. 504.65), information other than that referred to in point 1 which is relevant for the decision in accordance with regulation 7 of the Industrial Emissions (Framework) Regulations and which only becomes available after the time the public concerned was informed in accordance with point 1.

3. The public concerned shall be entitled to express comments and opinions to the competent authority before a decision is taken.

4. The results of the consultations held pursuant to this Schedule must be taken into due account in the taking of a decision.

5. The arrangements for public consultation shall be as follows:

(a) The public consultation process shall be initiated through a notice in at least one local newspaper and on the competent authority's website.

(b) The timeframe for public consultation shall be thirty days for the procedures described in regulation 18(1)(a) to (d) and shall be fifteen days in all other cases where the competent authority deems consultation necessary, provided that where the application for reconsideration of a permit in accordance with regulation 18(1)(e) includes a request for a substantial change, the timeframe for public consultation shall be thirty days.

(c) During this period, the competent authority shall make available to the public any relevant documentation, including any application and supporting documentation submitted by the operator, on the competent authority's website and at the premises of the Local Council within which the installation is located, to enable the public to comment on them.

(d) Any objections or representations by the public shall be made in writing to the competent authority at the address indicated in the notice initiating the public consultation.

(e) The competent authority may also require the operator to organise one or more public meetings as part of the public consultation process.

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## SCHEDULE 5

## Schedule of fees for new permits

Category of activity as per Schedule 1	Fee for new permit
1. Energy industries, excluding combustion installations (1.1 below)	€35,000
1.1 Combustion installations	€5,500 with an addition of €550 for every 10 MW (rated thermal input) or part thereof
2. Production and processing of metals, excluding installations for surface treatment of metals and plastic materials (2.6 below)	€35,000 with an addition of €350 for every tonne per day or part thereof of processed material
2.6 Installations for surface treatment of metals and plastic materials	€5,000 with €500 for every 10m <sup>3</sup> treatment vat capacity or part thereof
3. Mineral industry	€25,000 with an addition of €250 for every tonne per day or part thereof of processed material
4. Chemical industry, excluding installations for the production of pharmaceutical products (4.5 below)	€5,000 with €500 for every ton per day plant production capacity or part thereof, capped at €20,000
4.5 Installations using a chemical or biological process for the production of pharmaceutical products including intermediates	€15,000
5. Waste management installations	
5.1 Disposal or recovery of hazardous waste	€20,000 for disposal operations €10,000 for recovery operations
5.2 Disposal or recovery of waste in waste incineration plants or in waste coincineration plants	€10,000 for incineration of only non-hazardous waste €20,000 in all other cases
5.3 Disposal or recovery of non-hazardous waste, excluding point (b)(i)(iv) below	€10,000
5.3 (b)(i)(iv) Recovery or a mix of recovery and disposal of non-hazardous waste involving treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components	€5,000
5.4 Landfills	€20,000 for every 500,000 m <sup>3</sup> capacity or part thereof
5.5 Temporary storage of hazardous waste	€10,000

Category of activity as per Schedule 1	Fee for new permit
5.6 Underground storage of hazardous waste	€10,000
6. Other activities, excluding intensive rearing of poultry or pigs (6.6 below)	€15,000
6.6 Intensive rearing of poultry or pigs	€230

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