



**HIS MAJESTY'S GOVERNMENT OF GIBRALTAR**  
**LICENCE PURSUANT TO PART VA OF THE**  
**PUBLIC HEALTH ACT**

**LICENCE No. WL118**

*Name of Licensee:* EMC Limited  
 (the company)

*Licensee's Business Address:* Unit 6, North Commercial Estate, 12A North Mole Road, Gibraltar

*Licensee's Registered Address:* Madison Building, Midtown, Queensway, Gibraltar  
 PO Box 612

*Vessel on which Licensed activities to be pursued*

*Prescribed Activity for which Licence Granted:* See Table below

*Date of Grant:* 28<sup>th</sup> May 2024

*Date of Expiry:* 27<sup>th</sup> September 2026

*Nature of Licence:* Full.

**TABLE**

<b>Prescribed Activity</b>	<b>Wastes permitted under this Licence</b>
1. Collection and storage of waste oil on board the vessel. "Storage" means the temporary storage of waste oil on board pending final recovery or disposal in approved recovery or disposal plants in Gibraltar or an EU country.	05 01 03* tank bottom sludges 05 01 05* oil spills 05 01 06* oily sludges from maintenance operations of the plant or equipment 05 01 07* acid tars
2. Collection and transportation of hazardous and non-hazardous waste on board the vessel.	05 01 08* other tars 05 01 09* sludges from on-site effluent treatment containing hazardous substances 05 01 10* sludges from on-site effluent treatment other than those mentioned in 05 01 09 05 01 11* wastes from cleaning of fuels with bases 05 01 12* oil containing acids

	05 01 13* boiler feedwater sludges
	05 01 14* wastes from cooling columns
	05 01 15* spent filter clays
	05 01 16* sulphur-containing wastes from petroleum desulphurisation
	05 01 17* bitumen
	06 13 01* - inorganic plant protection products, wood-preserving agents and other biocides
	06 13 03* carbon black
	07 02 13 waste plastic
	08 01 11 waste paint and varnish containing organic solvents or other hazardous substances
	08 01 12 waste paint and varnish other than those mentioned in 08 01 11
	08 01 13 sludges from paint or varnish containing organic solvents or other hazardous substances
	08 01 14 sludges from paint or varnish other than those mentioned in 08 01 13
	08 01 15 aqueous sludges containing paint or varnish containing organic solvents or other hazardous substances
	08 01 16 aqueous sludges containing paint or varnish other than those mentioned in 08 01 15
	08 01 17 wastes from paint or varnish removal containing organic solvents or other hazardous substances
	08 01 18 wastes from paint or varnish removal other than those mentioned in 08 01 17
	08 01 19 aqueous suspensions containing paint or varnish containing organic solvents or other hazardous substances
	08 01 20 aqueous suspensions containing paint or varnish other than those mentioned in 08 01 19
	08 01 21 waste paint or varnish remover
	08 03 07 aqueous sludges containing ink
	08 03 08 aqueous liquid waste containing ink
	08 03 12 waste ink containing hazardous substances
	08 03 13 waste ink other than those mentioned in 08 03 12
	08 03 14 ink sludges containing hazardous substances
	08 03 15 ink sludges other than those mentioned in 08 03 14
	08 03 16 waste etching solutions
	08 03 17 waste printing toner containing hazardous substances
	08 03 18 waste printing toner other than those mentioned in 08 03 17
	08 03 19 disperse oil

	<p>08 04 09* waste adhesives and sealants containing organic solvents or other hazardous substances</p> <p>10 01 22* aqueous sludges from boiler cleansing containing hazardous substances</p> <p>10 01 23 aqueous sludges from boiler cleansing other than those mentioned in 10 01 22</p> <p>13 01 11* synthetic hydraulic oils</p> <p>13 01 12* readily biodegradable hydraulic oils</p> <p>13 01 13* other hydraulic oils</p> <p>13 02 04* mineral-based chlorinated engine, gear and lubricating oils</p> <p>13 02 05* mineral-based non-chlorinated engine, gear and lubricating oils</p> <p>13 02 06* synthetic engine, gear and lubricating oils</p> <p>13 02 08* other engine gear and lubricating oils</p> <p>13 03 08* synthetic insulating and heat transmission oils</p> <p>13 03 09* readily biodegradable insulating and heat transmission oils</p> <p>13 03 10* other insulating and heat transmission oils</p> <p>13 04 02* bilge oils from jetty sewers</p> <p>13 04 03* bilge oils from other navigation</p> <p>13 05 02* sludges from oil/water separators</p> <p>13 05 03* interceptor sludges</p> <p>13 05 06* oil from oil/water separators</p> <p>13 05 07* oily water from oil/water separators</p> <p>13 07 01* fuel oil and diesel</p> <p>13 07 02* petrol</p> <p>13 07 03* other fuels (including mixtures)</p> <p>15 02 02* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances</p> <p>15 02 03 absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02*</p> <p>16 01 07 oil filters</p> <p>16 05 04* gases in pressure containers (including halons containing hazardous substances)</p> <p>16 05 07* discarded inorganic chemicals consisting of or containing hazardous substances</p> <p>16 05 08* discarded organic chemicals consisting of or containing hazardous substances</p> <p>16 07 08* wastes containing oil</p> <p>16 07 09* wastes containing other hazardous substances</p> <p>16 10 02* aqueous liquid wastes other than mentioned in 16 10 01</p> <p>17 02 03 plastic</p> <p>17 02 04* glass, plastic and wood containing or contaminated with hazardous substances</p> <p>17 03 01* bituminous mixtures containing coal tar</p> <p>17 03 02 bituminous mixtures other than those mentioned in 17 03 01</p>
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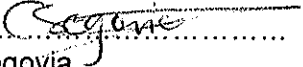
	<p>17 03 03* coal tar and tarred products  17 04 01 copper, bronze, brass  17 04 05 iron and steel  17 04 11 cables other than those mentioned in 17 04 10  17 06 03* other insulation materials consisting of or containing hazardous substances  17 06 05* construction material containing asbestos  18 02 02* - wastes whose collection and disposal is subject to special requirements in order to prevent infection  18 02 03 - wastes whose collection and disposal is not subject to special requirements in order to prevent infection  19 01 06* aqueous liquid wastes from gas treatment and other aqueous liquid wastes  19 01 12 bottom ash and slag other than those mentioned in 19 01 11  19 08 05 sludges from treatment of urban wastewater  19 12 04 plastic and rubber  20 01 01 paper and cardboard  20 01 02 glass  20 01 08 biodegradable kitchen and canteen waste  20 01 17* photochemical  20 01 21* fluorescent tubes and other mercury-containing waste  20 01 23* discarded equipment containing chlorofluorocarbons  20 01 25 edible oil and fat  20 01 32 medicines other than those mentioned 20 01 31  20 01 33* batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries  20 01 34 batteries and accumulators other than those mentioned in 20 01 33  20 01 35* discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components  20 01 36 discarded electrical and electronic equipment other than mentioned in 20 01 21, 20 01 23 and 20 01 35  20 01 38 wood other than that mentioned in 20 01 37  20 01 39 plastics  20 01 40 metals  20 02 01 biodegradable waste  20 03 01 mixed municipal waste</p>
	* = hazardous waste

Conditions Subject To Which This Licence Is Being Granted

The company is hereby licensed to collect, transport and temporarily store waste as described above and as prescribed in Section 192(D), subsection 2 and Schedules 12 and 13 of the Public Health Act as detailed in the application and subject to any conditions in the attached schedule.

This Licence is approved and issued subject to the said vessel meeting all requirements imposed by Gibraltar Maritime Administration and Gibraltar Port Authority. It is only valid if the Gibraltar Maritime Administration and Gibraltar Port Authority authorise the ship for navigating and operating in British Gibraltar Territorial Waters.

This Licence comprises of pages 1 to 12 in this document including the Explanatory Memorandum.

  
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C Segovia  
Chief Environmental Health Officer  
Environmental Agency

Date: 28<sup>th</sup> May 2024

## **EXPLANATORY MEMORANDUM**

### **EM 1 Objectives of the Licence.**

Part VA of the Public Health Act establishes a system of integrated waste management whereby, for those processes prescribed, the Government is responsible for ensuring that pollution of the environment due to release of substances to any environmental medium is prevented or minimised. It is an implied general condition that the person carrying on the process must use the best available techniques not entailing excessive cost:-

- (a) for preventing the release of substances prescribed for any environmental medium into that medium or, where that is not practicable by such means, for reducing the release of such substances to a minimum and for rendering harmless any such substances which are so released; and
- (b) for rendering harmless any other substances which might cause harm if released into any environmental medium.

Furthermore where the process is likely to involve release of substances to more than one environmental medium, the techniques used must minimise the pollution to the environment taken as a whole, having regard to the best practicable environmental option for the substances concerned.

### **EM 2 Description of process**

The company wishes to collect waste oil and hazardous & non-hazardous waste from shipping within port of Gibraltar and the extended limits of British Territorial Waters using the vessel BAHIA UNO. The company will also receive waste oils from garages, power stations, ship repair and other land-based facilities onto its vessel.

The vessel will be able to receive and store a maximum capacity of 3,500 m<sup>3</sup> of oily waste, all these wastes will then be discharged for export using the following methods;

1. Licensed road tanker wagon (RTW) for export by road of the waste to a licensed facility within the European Union (EU).
2. By authorised vessels for export by sea of the waste to a licensed facility within the European Union (EU).

BAHIA UNO will be engaged in the collection of other hazardous & non-hazardous waste from ships calling at British Gibraltar Territorial Waters (BGTW) and conveying it to a licensed shore reception facility.

### **EM 3 Duties which may lie Outside the Scope of this Licence.**

This licence is issued in accordance with section 192(D) of the Public Health Act.

The licence does not authorise a contravention of any other Acts, Regulations, Rules or any order made, granted or issued under any Act; nor does it authorise a contravention of any rule of law or a breach of any agreement.

In particular, the provisions of the Factories Act, Health and Safety Regulations, Port Act, Port Rules and Port Operations (Registration and Licensing Act) made thereunder may additionally need to be observed.

## SCHEDULE

### SECTION 1 - GENERAL CONDITIONS

The Company shall:-

- 1.1 Maintain in good operating condition all plant, equipment and technical means used in carrying out the activities authorised by this Licence. A maintenance schedule shall be provided and maintained and a copy sent to the Environmental Agency for inspection once every six months. If no maintenance has been carried out within those six months, then a nil entry must be made.
- 1.2 Ensure that the operations and processes are managed and operated by sufficient persons who are suitably qualified, experienced, trained, instructed and supervised in respect of the duties to be undertaken in connection with the carrying on of the activities authorised by this Licence. Relevant records of the required qualifications and training in respect to the handling of waste, especially hazardous materials, shall be provided to the Environmental Agency for every member of staff involved in the operation of this Licence.
- 1.3 Provide the persons mentioned in paragraph 2 above with appropriate written operating instructions for their duties in relation to the execution of the prescribed activities authorised by this Licence. A copy of those instructions must be submitted to the Environmental Agency for inspection and approval.
- 1.4 Provide all persons having duties which are, or may be affected by the matters set out in this Licence with convenient access to a copy of this document kept at or near to the place where he carries out those duties.
- 1.5 Issue a waste transfer note to the local contractor taking delivery of the waste, certifying the nature, quantity, containment and any special requirements as regards the waste.
- 1.6 Effect and maintain in force and for the duration of this licence suitable and sufficient insurance to cover all risks associated with the prescribed activity covered by this Licence. A copy of the policy is to be deposited with the Environmental Agency within two weeks from the date of issue of the licence.
- 1.7 Update their shipboard emergency plan from time to time and specifically whenever there has been a change in the manner the vessel is operated. The plan must reflect the best available techniques in oil spill response and control which may be available at the time. A copy of the Plan must be prominently displayed in the vessel or barge and its personnel must be acquainted with its protocols and procedures. A copy of which shall be deposited with the Environmental Agency within two weeks from the date of issue of the licence.
- 1.8 Ensure that the vessel has a valid Ships Safety Certificate and compliance with the conditions therein at all times.
- 1.9 Take all hazardous wastes to approved sites for hazardous waste or delivered to contractors who are in possession of a licence issued under Section 192D of the Public Health Act for the collection and transportation of hazardous waste.
- 1.10 Ensure that all waste transported on board the motor vessel mentioned in this Licence shall comply with the loading requirements contained in the vessel's stability book and to observe the loading parameters contained therein and that

- the Licence Schedule conditions of the Gibraltar Maritime Administration are fully complied with at all times. The weight of the deck waste cargo shall be limited in accordance with the approved stability information and in no case will it exceed (maximum amount permitted on vessel) inclusive of the weight of the skip.
- 1.11 Ensure that this licence does not obviate the Company from the need to obtain any other permits, licences or authorisations etc which may be required by other legislation or authorities. In particular, the Company must comply with all requirements imposed by the Gibraltar Maritime Administration and the Gibraltar Port Authority.
  - 1.12 Be made aware that the licence conditions may be amended or replaced and the licence may be revoked if the conditions specified herein or any directions imposed by the Environmental Agency, Gibraltar Maritime Administration or Gibraltar Port Authority in respect of any activity in connection with this licence are not met.
  - 1.13 Ensure that hazardous wastes shall not be taken to the Waste Transfer Station at Europa Advance Road or other Government waste management sites.
  - 1.14 Ensure that all containers used for the carrying of hazardous (and non-hazardous) wastes are properly and adequately secured to the deck of the vessel.
  - 1.15 Provide safe means of access to enable sampling and monitoring to be carried out when required by the Environmental Agency.
  - 1.16 Immediately and without delay notify both by telephone and in writing the Environmental Agency, the Captain of the Port and Gibraltar Maritime Administration of any leakages, spillages or releases to the environment occurring in British Gibraltar Territorial Waters or any other waters as a result of its operation and ensure that any spillages of waste into the sea are treated/collected by the company at their expense. All works are to be carried out to the satisfaction of the Environmental Agency, Captain of the Port and the Gibraltar Maritime Administration.
  - 1.17 Ensure that any spillages of waste into the sea are treated/collected by the company at their expense. All works are to be carried out to the satisfaction of the Environmental Agency, Captain of the Port and the Gibraltar Maritime Administration.
  - 1.18 At all times comply with all statutes, statutory instruments, bye-laws, rules and other regulations relating to the collection, storage, movement and disposal of wastes and will at all times indemnify the Government of Gibraltar and/or the Environmental Agency from and against any non compliance by the company with such statutes, statutory instruments, bye-laws, rules and other regulations arising directly or indirectly out of or in connection with any such non compliance.
  - 1.19 Ensure that the waste streams permitted by this licence and especially all recyclable wastes which are collected or transported for subsequent transfer to another licensed operator or premises for recycling or recovery etc, must be separate and not mixed.



## **SECTION 2 – RECORDS**

The Company shall:-

- 2.1 Make a record of all waste collected, samples, analyses, calibrations, examinations, measurements, tests and surveys taken or carried out.
- 2.2 Maintain full and proper records as to the quantities and origin of all consignments of waste (including hazardous waste) and of their disposal. The format of the records must be to the satisfaction of the Environmental Agency. The Environmental Agency reserves the right to alter or amend the format of records submitted at any time.
- 2.3 Ensure that records made by the Company in the course of carrying on the process of samples, measurements, tests, surveys, analyses, maintenance, calibrations and examinations shall be available for inspection at any reasonable time by the Environmental Agency or by the Gibraltar Maritime Administration
- 2.4 Ensure that records shall also specify the quantity, nature, origin, destination, frequency of collection, mode of transport and treatment method (if applicable) in respect of the waste and the disposal and recovery operations in respect of which the licence was granted.
- 2.5 Ensure that records:-
  - (a) be legible;
  - (b) be made as soon as reasonably practicable after the sample is taken or the measurement, test, survey, analysis, maintenance, calibration or examination is carried out;
  - (c) if amended, be amended in such a way as to permit, where practicable, retrieval of the original record;
  - (d) be retained, in the case of specified records for a period of four years from the date when the records were made and in the case of operational records for a period of one year from the date when the records were made.
  - (e) may, in certain cases be prescribed by International Conventions or other Gibraltar legislation.

## **SECTION 3 - REPORTING REQUIREMENTS**

The Company shall:-

- 3.1 Report to the Environmental Agency all types and quantities of waste collected, amounts disposed of or sent for disposal. The nature and format of the reports shall be agreed with the Environmental Agency and these reports shall be submitted on a quarterly basis. If there have been no movements a 'nil' return must be made.
- 3.2 Supply on demand and without charge any copies of the records that may be required by the Environmental Agency and Gibraltar Maritime Administration.
- 3.3 Supply every quarter a summary of the amount of waste (including hazardous waste) collected, giving the names of the vessels from which the waste

(including hazardous waste) were collected. In this summary the Company must provide details as to the treatment of the waste (including hazardous waste) was subjected to. If any oil separation operations have been undertaken the Company must include in the report a summary of how much oil has been recovered and what quantity of oily water has been stored.

#### **SECTION 4 - HAZARDOUS WASTE**

- 4.1 There shall be no mixing of hazardous wastes with non-hazardous wastes. All the various hazardous and non-hazardous waste streams must be kept separate.
- 4.2 All hazardous waste streams permitted by this licence which are collected, transported or stored with the intention of subsequent disposal shall be done so in suitable containers labelled to show which of the types of hazardous waste it contains, in accordance with the listings in the Table on pages 1-4.
- 4.3 All hazardous waste streams permitted by this Licence must be contained in appropriate sealed containers and properly labelled as containing hazardous substances. ALL hazardous waste streams must be collected and transported within Gibraltar by a licensed waste contractor (in the case of hazardous waste) or a *registered* private or public waste collector (in the case of non-hazardous waste) and taken to an approved disposal or recovery contractor (approved lists of licensed contractors kept at Environmental Agency).
- 4.4 All containers used for the carrying of hazardous (and non hazardous) wastes must be properly and adequately secured to the deck of the vessel.

#### **SECTION 5 - WASTE OIL**

The Company shall:-

- 5.1 Ensure that all oil waste containers (e.g. drums and IBC's) are in good condition and remain "oiltight" at all times.
- 5.2 Ensure that any waste oil/slops being accepted is not low flash waste.
- 5.3 Demand the necessary documents or certification from the Master of the vessel stating that the waste oil/slops are not low flash waste or contaminated by any toxic materials or substances.
- 5.4 Ensure that the waste oil collected is not contaminated with any toxic material or substances.
- 5.5 Ensure that any waste oil accepted is not mixed with low flash waste as this may give rise to an unrecognised risk during transportation and storage (if stored as waste oil).
- 5.6 Produce and maintain an Emergency Oil Spill Response Plan which must be reviewed from time to time and specifically whenever there has been a change in the manner of operation. The plan must reflect the best available techniques in oil spill response and control which may be available at the time and shall include the provision of suitable oil absorbents and spill kits.

- 5.7 Have the capability of providing immediate and adequate support in the event of an oil pollution incident arising from their operations.
- 5.8 Ensure that any oil spillages are treated/collected by the company at their expense. All works are to be carried out to the satisfaction of the Environmental Agency, the Captain of the Port and the Technical Services Department (if spillage occurs on the public highway or other public areas)
- 5.9 Ensure that no discharges are made to the aquatic environment from any waste oil/slops storage tanks from client vessels to the storage tanks aboard the vessel.
- 5.10 Ensure that all hoses and pipes used to pump the waste oil are in a sound and efficient condition and must be adequately tested at least every six months. Test certificates showing date of testing, pressure at which the test was effected, duration of test and whether the test was successful must be kept available for inspection.
- 5.11 Ensure that the waste oil/slops collected are stored by the company and must be taken to an approved and licensed waste oil regeneration, disposal or storage facility.
- 5.12 Ensure that the waste oil/slops collected are discharged to an approved road bowser or other approved vessels for export to Spain, Portugal or any other EU country under the Transfrontier Shipment of Waste controls.
- 5.13 All tanks used for transporting or storing low flash waste
  - (a) must be certified by the GMA surveyor to be free of low flash waste prior to using them for transporting or storing high flash waste oils.
  - (b) must be clearly marked and labelled "Low flash waste only" in a conspicuous place near the said tank.

## **Reporting Address**

Any data or other information supplied to the Environmental Agency in compliance with a condition of this Licence shall be sent to:

Environmental Agency Ltd,  
37 Town Range,  
Gibraltar  
GX11 1AA

Tel: (+350) 20070620

Fax: (+350) 20074119

E-mail: [admin@eag.gi](mailto:admin@eag.gi)

## **Definition**

“Low Flash Waste” is defined as any liquid, liquid solution, emulsion or suspension which when tested in the manner specified in Schedule 1 of the United Kingdom’s Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972 give off a flammable vapour at a temperature of less than 60°C and when tested in the manner specified in Schedule 2 of the Regulations, supports combustion.

## **Licence Renewal**

Please note that applications for the renewal of an existing licence shall be made in the prescribed form provided under Form 8 of the Public Health (Waste Licensing Forms) Rules and shall be no less than 21 days prior to the expiry date of the existing licence if there are no material changes.

Forms can be downloaded from our website [www.environmental-agency.gi](http://www.environmental-agency.gi) in the Documents section. Note that it is an offence to operate in any aspect of waste without having a current and valid licence.