L.N. 382 of 2009

ENVIRONMENT PROTECTION ACT (CAP. 435)

Deposit of Waste and Rubble (Fees) (Amendment) Regulations, 2009

BY virtue of the powers conferred by articles 9 and 10 of the Environment Protection Act, the Minister for Resources and Rural Affairs has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Deposit of Waste and Rubble (Fees) (Amendment) Regulations, 2009 and they shall be read and construed as one with the Deposit of Waste and Rubble (Fees) Regulation, 1997, hereinafter referred to as "the principal regulations".

L.N. 128 of 1997.

(2) These regulations shall come into force as follows:

(a) for waste deposited at public waste deposit sites by or on behalf of Local Councils, they shall be deemed to have come into force on the 1st October, 2009; and

(b) for waste deposited at public waste deposit sites by or on behalf of other entities, on such date as the Minister responsible for waste management implementation may by notice in the Gazette appoint and different dates may be so appointed for different provisions and different purposes of these regulations.

Amends regulation 2 of the principal regulations.

2. In regulation 2 of the principal regulations, for the definition "Department for Waste Strategy Implementation" there shall be substituted the following:

" "Department for Waste Strategy Implementation means the government entity entrusted with the responsibility for waste management strategy implementation;".

Amends regulation 8 of the principal regulations.

3. For regulation 8 of the principal regulation, there shall be substituted the following:

"8. Any person who deposits rubble in a public waste deposit site shall pay the sum of €4.66 excluding Value Added Tax to the government entity entrusted with the

responsibility for waste management strategy implementation for every metric tonne of rubble to be deposited. This rate may be adjusted periodically to reflect changes to the Retail Price Index:

Provided that the deposit of domestic rubble in the public waste deposit sites indicated in points 7 to 11 in Schedule B by the householder generating that waste, is exempt from payment of this fee.".

Amends regulation 9 of the principal regulations.

4. In regulation 9 of the principal regulations, for the words "Any person who deposits" to the words "of such waste to be deposited;" and for the first proviso thereto, there shall be substituted the following:

"9. Any person who deposits waste which is not hazardous waste in a public waste deposit site must pay the fee indicated in Schedule C to the government entity responsible for waste management strategy implementation for every metric tonne of such waste to be deposited:

Provided that if the actual weight of the rubble or waste to be deposited cannot be established, the government entity entrusted with the responsibility for waste management strategy implementation may demand the same rate indicated in Schedule C but calculated against a density of 2 metric tonnes per cubic metre for every cubic metre as estimated from the outer dimensions of the receptacle which contains rubble or waste which is not hazardous waste:

Provided that the deposit of domestic waste in the public waste deposit sites indicated in points 7 to 11 in Schedule B by the householder generating that waste, is exempt from payment of this fee.".

Substitutes regulation 10 of the principal regulations.

5. Regulation 10 of the principal regulations shall be substituted as follows:

"10. Any person who deposits hazardous waste in a waste deposit site shall have in his possession, a permit in writing to this effect from the Director for the Protection of the Environment:

Provided that if the hazardous waste or other waste is deposited in a public facility, the person who deposits the

hazardous waste or other waste shall pay a fee as may be directed from time to time by the government entity entrusted with the responsibility for waste management strategy implementation, for every metric tonne of such waste to be deposited. These rates may be adjusted periodically to reflect changes to the Retail Price Index.

Provided that the deposit of domestic hazardous waste in the public waste deposit sites indicated in points 7 to 11 in Schedule B by the householder generating that waste, is exempt from payment of this fee.".

6. Regulation 14 of the principal regulations shall be deleted.

Deletes regulation 14 of the principal regulations.

7. For Schedule B to the principal regulations there shall be substituted the following:

Substitutes Schedule B to the principal regulations.

"Schedule B

Waste Deposit Sites

Public Waste Deposit Sites On Land:

1. Għallis non-hazardous waste engineered landfill, Ghallis, L/O Naxxar.

2. Materials Recovery Facility - Sant'Antnin Waste Treatment Plant, Marsascala.

3. Mechanical Biological Treatment Plant – Sant' Antnin Waste Treatment Plant, Marsascala.

4. Temporary Sorting and Storage Facility, Xatt il-Mollijiet, Marsa.

5. Temporary Waste Transfer Station - Tal-Qortin, Xaghra, Għawdex.

6. Thermal Treatment Facility, Triq il-Biċċerija, Marsa.

7. Civic Amenity Site, Ramla Road, Magħtab.

8. Civic Amenity Site, Triq it-Territorjal, Mrieħel.

9. Civic Amenity Site, Triq B'Buġia, Hal Far.

10. Civic Amenity Site, Luqa.

11. Civic Amenity Site, Tal-Kus, L/O Xewkija, Għawdex.

12. Għallis hazardous waste engineered landfill, Għallis, L/O Naxxar.

13. Għallis hazardous waste storage and treatment facility, Għallis, L/O Naxxar.

14. Private facilities contracted to provide public services in waste management.".

8. For Schedule C to the principal regulations there shall be substituted the following:

Substitutes Schedule C to the principal regulations.

"SCHEDULE C

Fees due for the deposit of waste in public waste management facilities

	Non-hazardous waste	**€ Per tonne**
A	Mixed waste deposited for landfilling in any public facility and/or private facilities contracted to provide such public service, which in either case is/are intended to provide services of this nature.	20
B	Waste deposited for biological treatment or similar technology at any public facility and/or private facilities contracted to provide such public service, which in either case is/are intended to provide services of this nature	20
C	Dry Waste separated at source, suitable for recycling/recovery deposited at any public faciltiy and/or private facilities contracted to provide such public service, which in either case is/are intended to provide services of this nature. *	0.50
D	At source segregated bulky (Dry) waste for recycling deposited at any public facility and/or private facilities contracted to provide such public service, which in either case is/are intended to provide services of this nature on behalf of Local Councils	0.50

* Should waste declared as being at source segregated be found to be mixed with other waste e.g. organic waste, the applicable rate shall be the standard landfill rate indicated in Row A together with charges for transportation of the waste to the landfill.

Provided further that waste deposited/delivered after normal landfill operating hours as determined by the operator shall be charged an additional fee of two euro (€2) per metric tonne or as the government entity entrusted with the responsibility for waste management strategy implementation may so require to allow for the cost of double handling.

The above rates are exclusive of VAT and may be adjusted periodically to reflect changes to the Retail Price Index.

These rates are not applicable to waste directed for treatment at the Thermal Treatment Facility, treatment at the Hazardous Waste Storage and Treatment Facility or disposal at the Hazardous Waste Engineered Landfill.”.

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