



FORDÍTÁS MAGYARRÓL ANGOL NYELVRE

TRANSLATION FROM HUNGARIAN TO ENGLISH

1066 Budapest, Zichy Jenő u. 38. fsz. 1.
Tel.: +36-1-413-7854 Fax.: +36-1-413-7855
Mobil: +36-20-2642-310
E-mail: budapest@benedictum.hu

Cégjegyzékszám: 01-09-914156 • Adószám: 13231105-2-42

BeneDictum Kft.
www.benedictum.hu

3533 Miskolc, Szántó Kovács János u. 68.
Tel./Fax: +36-46-403-530
Mobil: +36-20-2642-310
E-mail: miskolc@benedictum.hu

Middle - Danube - Valley Inspectorate for Environmental Protection, Nature Conservation and Water Management

In your answer please refer to our registration number.

Registration nr. KTVF:39032-8/2013

Subject: Permit for Partner Cable Zrt.
Dunakeszi, Bagoly utca 12. for the utilization of non-hazardous waste at its registered site

Clerk: Németné Magyar Petra

Dr. Dudás Attila

Kamarásné Buchberger Edit

Sovány Márta

Halász Péter

Scheiber Róbert

Pintér Ágnes

Névery Dorottya

Pálinkás Tamás

RESOLUTION

I hereby

give permission to

for **Partner Cable Zrt.** (registered office and registered site: 2120 Dunakeszi, Bagoly utca 12. (topographical lot number 7703, 7704, 7705), Environmental Customer Identification number (KÜJ): 103 101 604, Environmental Regional Identification number (KTJ): 102 399 472, statistical code: 1136903-4652-114-13, hereinafter referred to as Permit Holder) to utilize the non-hazardous waste materials specified in point 1./ of the Resolution at its registered site subject to the following conditions:

1./ Non-hazardous waste that can be utilized at the registered site

EWC code		Quantity (tons/year)
16 02 16	Components removed from discarded equipment other than those mentioned in 16 02 15	600
17 04 11	Cables other than those mentioned in 17 04 10	600
	Total	1200

2./ Authorized waste management activity

The utilization of the non-hazardous waste specified in point 1./ of the Resolution at the Permit Holder's rented site located at 2120 Dunakeszi, Bagoly utca 12. (topographical lot number 7703, 7704, 7705).

The area of the real property used as the Permit Holder's registered site is 5141 m² which is covered with solid flooring and a roofed industrial hall is located thereon where the waste materials are deposited and utilized. The non-hazardous metal waste arriving to the site is measured and then selected by hand and stored at separate places – on the basis of the physical characteristics of the waste - in big-bag sacks furnished with waste ID code.

The separated waste cable is loaded manually in the knife-mill pre-shredder, then the waste metal goes to the post-shredder where it is cut into the wanted size. The plastic insulation is also separated from the metal during the shredding. A fan pneumatically forwards the shredded waste into a cyclone from the shredder. The thus generated plastic granules and metal debris is then sold further.

2.1./ Staffing conditions:

The Permit Holder employs an environmental officer and ensures the staffing conditions necessary to the performance of the activity (it has 5 employees at the time of the submission of the application).

2.2./ Equipment:

- Knife mill shredder
- Shredder
- Extract fans
- Vibrating table
- Dust collector
- Trucks
- Vans

2.3./ Financial instruments:

The Permit Holder took out a general liability insurance also covering environment pollution risk in relation to the activity from Generali-Providencia Insurance Zrt.

3./ Regulations purporting to the permitted activity:

1. The activity shall be performed without jeopardizing the environment, in compliance with the provisions of the relative rules of law. If a disaster happens during the activity, the Middle - Danube - Valley Inspectorate for Environmental Protection, Nature Conservation and Water Management (hereinafter referred to as Inspectorate) shall be notified without delay (within 24 hours by telecommunication and within 48 hours in writing), while the elimination of the damage shall be started immediately.
2. The non-hazardous waste that is not utilized – including the secondary waste materials generated as the result of the activity – can be handed over to a waste management company which has valid waste management, waste treatment or IPPC permit in respect of the waste materials of the given code number. The Permit Holder shall make sure that the permit exists.
3. The waste cannot be piled at the site, the utilization thereof shall be continuous and the continuous removal of the utilized waste shall be ensured.
4. **The maximum quantity of non-hazardous waste that can be accumulated at the site is 100 tons.**
5. The Permit Holder shall ensure the conditions necessary to prevent the removal of items from the waste by wind. The Permit Holder shall also ensure that the site is kept in order and clean.
6. Flammable waste shall be collected at a part of the site which is safe from the aspect of fire prevention.
7. When handling hazardous waste that may be generated in the course of the activity the provisions of the Government Decree Nr. 98/2001 (VI.15.) on the *Conditions for Carrying Out Activities Related to Hazardous Waste* shall be observed.

8. The residual hazardous and non-hazardous waste generated in the course of the activity shall be classified in compliance with Annex Nr 2 of the Decree Nr. 72/2013 (VIII.27.) VM (Ministry of Rural Development) *on the list of wastes*.
9. The activity shall be performed without endangering the environment, in compliance with the provisions of the relative rules of law.
10. The waste water drained into public sewers shall comply with the limit values applicable in the case of "Indirect drainage into other collectors" stipulated in Appendix Nr 4 to the Decree Nr. 28/2004. (XII. 25.) KvVM (Ministry for Environment and Water) *on the threshold values of water contaminating materials and on certain rules of their application*.
11. The Permit Holder shall inform the Inspectorate about any changes in the conditions stipulated in the permit and of the termination of the waste management activity **within 15 days** after the occurrence thereof.
12. Records complying with the provisions set forth in a separate rule of law shall be kept about waste management and data shall be supplied to the Inspectorate.

3.1./ The Sub-regional Public Health Institute of the Vác District Office of the Pest County Government Authority in its official opinion nr. PE-17R/038/00188-2/2013 approved the activity subject to the followings:

- Insect and rodent control shall be ensured during the activity, the statutory regulations concerning activities with hazardous chemicals as well as the provisions stipulated in Decree Nr. 16 of 2002 (IV. 10.) EüM (Ministry of Health) *on public health requisites with respect to solid and liquid urban waste* and the other public health and epidemic related requirements shall be observed.

If the Permit Holder fails to voluntarily fulfill the regulations above - by deadline or in an appropriate manner – then the provisions stipulated in sections 134 and 61 of the Act CXL of 2004 *on the General Rules of Administrative Proceedings and Services* (hereinafter referred to as APA) shall apply.

If the Inspectorate establishes that the application contains false data, that the conditions for issuing the permit do not exits any more, that the Permit Holder discontinues the permitted activity or pursues it by way of derogation from the provisions stipulated in the permit it will apply the legal consequences stipulated in subsections (1) and (2) of section 84 of the Act CLXXXV of 2012 on *waste materials* (hereinafter referred to as the Waste Act).

The Inspectorate – pursuant to section 86 of the Waste Act – imposes **waste management penalty** on those who violate the provisions of the rules of law related to waste management, of directly applicable EU legal acts or of a resolution of the authorities, who perform the waste management activity subject to permit of the authorities, to consent, to registration or to reporting without a permit, consent, registration or reporting or by way of derogation therefrom or who fail to inform the environment protection authorities about the by-product that is produced or generated or provide inappropriate information to the authorities thereof or who utilize, distribute or store waste materials as product or by-product.

4./ The permit expires on September 30, 2018.

At the same time, I establish that the Permit Holder shall pay an administrative service fee of HUF 470,000 for the basic proceedings. I hereby establish that the administrative service fee has been paid.

I furthermore establish that the amount of the administrative service fee due to the Sub-regional Public Health Institute of the Vác District Office of the Pest County Government Authority, as competent authority, is HUF 27,700 which amount shall be paid by the Permit Holder. I hereby establish that the administrative service fee payable for the proceedings of the competent authority has been paid.

An appeal against this Resolution shall be addressed to the National Inspectorate for Environmental Protection, Nature Conservation and Water Management but shall be submitted to the Inspectorate in three copies within 15 days after the receipt thereof. The fee of the appeal proceedings is HUF 235,000 which shall be paid to the appropriation utilization account of the Inspectorate nr. 10032000-01711806-00000000 kept with the National Treasury by transfer order or by postal payment order (check). Because of the lack of the necessary technical background the appeal cannot be submitted electronically.

EXPLANATION

The Permit Holder requested the Inspectorate to permit the utilization of the non-hazardous waste materials described in point 1./ of the resolution at the Permit Holder's registered site for a period of five years.

On the basis of the application, its appendices and the field visit held on September 5, 2013 I concluded that the Permit Holder's activity does not jeopardize the environment, provided that he observes the provisions above and that its activity is in harmony with sections 4 and 6 of the Waste Act.

The Permit Holder also submitted an application to the Inspectorate for waste management permit covering the trading and transportation of non-hazardous waste materials. This procedure is in process at the Inspectorate under nr. KTVF-39032-9/2013.

The types of the non-hazardous waste materials that can be utilized were determined as per Annex 1 to the Decree nr. 16/2001 (VII.18.) KöM (Ministry of Environment Protection) on the list of waste materials valid at the time of the submission of the application (hereinafter referred to as the Decree nr. 16/2001 (VII.18.) KöM).

The town clerk of Dunakeszi town issued the site permit in its resolution nr. K-XVI-476/8/2013 in respect of the activity pursued at the registered site in question pursuant to the Government Decree nr. 57/2013 (II.27.) *on the various productive and servicing activities that can be pursued on the basis of the site permit and of the application for the establishment of registered site furthermore on the issuance of the site permit and the rules concerning the application.*

The Sub-regional Public Health Institute of the Vác District Office of the Pest County Government Authority, in its standpoint nr. 17R/038/00188-2/2013 authorized the pursuit of the activity from the aspect of public health, subject to the conditions specified in the operative part.

The authority explained its opinion with the followings:

"On the basis of the field visit and the submitted document, the representative of the Institute established that the circumstances of the registered site above and the activity to be pursued there comply – subject to compliance with the conditions above –with the environmental health requirements.

The activity the applicant wishes to pursue is free of inherent health risks, it has no such effect and will not become the source of infectious diseases – provided that the provisions are met fully.

The powers of the Sub-regional Public Health Institute of the Vác District Office of the Pest County Government Authority are based on subsection (1) in section 32/B and on point 1 of Appendix 5 to the Government Decree nr. 347/2006 (XII.23.) on the designation of bodies to perform environmental conservation, water authority and administrative responsibilities while its competence is based on point c) in subsection (1) of section 21 of Act CXL of 2004 on the General Rules of Administrative Proceedings and Services (APA) furthermore on Annex 3 to the Government Decree nr. 323/2010 (XII. 27.).

When issuing my competent standpoint I took into consideration the provisions set forth in section 44 of APA, in the Decree 16/2002 (IV. 10.) EüM (Ministry of Health) and in the Government decree 438/2012 (XII. 29.) on waste management activity of public utilities and concerning the requirements of providing waste management public service.”

The standpoint of the competent authority cooperating in the proceedings and the related reasoning is incorporated in the resolution pursuant to points db) and ed) of subsection (1) of section 72 of the APA. In the context of subsection (9) in section 44 of APA the competent authority's standpoint may not be appealed independently; it may be contested together with the relevant resolution.

The Permit Holder applied for a waste management permit for the utilization of non-hazardous waste metal at its registered site.

In the submitted documentation the Permit Holder stated that the **annual** quantity of the waste affected by trading activity is **1200 t** which – calculating with 250 working days – means a daily capacity of **4.8 tons** thus **remains below the daily 5 tons threshold stipulated in point a) of section 108 of Appendix 3 to the Government Decree Nr. 314/2005 (XII. 25.) on environmental effect study and licensing procedure of unified environment utilization** [hereinafter referred to as the Government decree Nr. 314/2005 (XII. 25.)], and the registered site is **not situated** in the protection zone of water reservoirs, nature protection areas, Natura 2000 area or the protection zone of caves as listed in **point b) of section 108 of Appendix Nr. 3** of the Government Decree Nr. 314/2005 (XII. 25.).

As regards landscape and nature protection, the Inspectorate consents without conditions to the performance of the activity in light of the fact that the registered site where the activity is pursued (Dunakeszi topographical lot number 7703, 7704, 7705) is not located in the vicinity of protected area of national significance or natural area planned to be protected or natural area and natural value protected by law pursuant to subsection (2) of section 23 of Act LIII of 1996 *on the protection of nature*. Moreover, the concerned real property is not part of the Natura 2000 network defined in the Government Decree Nr. 275 of 2004 (X. 8.) *on nature conservation areas of European Community importance* and Decree Nr. 14 of 2010 (V. 11.) KvVM (Ministry of Environment and Water Management) *on parcels of land interested by nature conservation areas of European Community importance* and is not connected to the national ecologic network stipulated in the Act XXVI of 2003 *on the National Spatial Development Planning*.

The activity pursued on the real property can be coordinated with the landscape and nature protection interests.

As regards air purity protection, underground water protection and water management, the Inspectorate consents without conditions to the performance of the activity.

The Permit Holder submitted an application to the Inspectorate for a non-hazardous waste management permit. In the course of the examination of the documentation it was concluded that technological waste water is not generated in the course of the activity and the communal waste water generated at the site is drained into the public sewers. Based on the Permit Holder's statement the vehicles are cleaned by a third party partner, such activity is not performed at the registered site.

As regards noise and vibration protection, the Inspectorate consents without conditions to the performance of the activity in light of the fact that the registered site where the activity is pursued is located in a working area and the closest residential building is located in Alsógödi Close - at a distance of 290m. Work is performed at the site only during the day.

The noise protection chapter of the licensing documentation was prepared on the basis of noise measurements and calculations (prepared by Rezonátor Bt., ID: 2-68062/1224-3). On the basis of the documentation it can be established that the noise load caused by the activity does not exceed the threshold limit stipulated in the joint ministerial decree Nr. 27/2008 (XII. 3.) KVvM-EüM (Ministry of Environment and Water Management and Ministry of Health) *on limits of environmental noise and vibration load* [hereinafter referred to as joint decree Nr. 27/2008 (XII. 3.) KVvM-EüM].

The area of impact was determined by instrumental measurements. On the basis of the results it can be established that there is no building located within the area of noise impact of the site that should be protected against noise under section 2 of the Government Decree 284/2007 (X.29.) *on certain rules of protection from environmental noise and vibration* [hereinafter referred to as Government Decree 284/2007 (X.29.)] thus there is no need to determine a noise emission threshold limit.

The Inspectorate's findings took into consideration the provisions of the Government Decree 284/2007 (X.29.), of the joint decree 27/2008 (XII. 3.) KVvM-EüM and of the Decree 93/2007 (XII.18.) KvVM (Ministry of Environment and Water Management) *on noise emission limits and monitoring methods of noise and vibration emission*.

Taking the above into consideration I establish that there is no obstacle to the approval of the application from the aspect of environment protection, thus I permit the utilization of the non-hazardous waste materials as applied for on the basis of sections 15(2) and 62(1) of the Waste Act furthermore of section 9 of the Government Decree 439/2012 (XII.29.) as referred to in the operative part.

This permit is based on sections 71(1) and 72(1) of the APA.

The administrative service fee payable for the basic procedure was established on the basis of number 7 in Appendix 1 to the Decree 33/2005 (XII.27.) KvVM (Ministry of Environment and Water Management) *on the official fee of the environmental, nature and water protection proceedings* [hereinafter referred to as Decree 33/2005 (XII.27.) KvVM].

The administrative service fee payable for the competent authority's procedure was established on the basis of point XI. 13 of Appendix Nr. 1 to the Decree 1/2009 (I.30.) EüM (Ministry of Health) [hereinafter referred to as Decree 1/2009 (I.30.) EüM] *on the fees payable for certain public administration proceedings and administrative services of the National Public Health Service*.

The administrative service fee shall be borne by the Permit Holder in the context of section 3(2) of the Decree Nr. 33/2005 (XII.27.) KvVM (Ministry of Environment and Water Management) and section 2(3) of the Decree Nr. 1/2009 (I.30.) EüM (Ministry of Health). The administrative service fees were paid by the Permit Holder (invoice nr. KI-2208/2013, registered under the number: KTVF: 39032-7/2013).

The right to appeal is provided in subsection (1) of section 98 of APA, the deadline for submitting the appeal is determined in subsection (1) of section 99 of APA.

The amount of the fee payable for the appeal proceedings is stipulated in subsection (4) of section 2 of the Decree Nr. 33/2005 (XII.27.) KvVM (Ministry of Environment and Water Management).

I call the Permit Holder's attention to the fact that the Inspectorate – pursuant to section 86 of the Waste Act – imposes **waste management penalty** on those who violate the provisions of the rules of law related to waste management, of directly applicable EU legal acts or of a resolution of the authorities, who perform the waste management activity subject to permit of the authorities, to consent, to registration or to reporting without a permit, consent, registration or reporting or by way of derogation therefrom or who fail to inform the environment protection authorities about the by-product that is produced or generated or provide inappropriate information to the authorities thereof or who utilize, distribute or store waste materials as product or by-product.

I hereby inform the Permit Holder that in case he fails to comply with the provisions or fulfills the provisions set forth in this Resolution insufficiently, **I order the execution** pursuant to subsection (2) of section 127 of APA and that administrative penalty the amount of which is determined in section 61 of APA can be imposed pursuant to point d) in section 134 of APA. The minimum amount of administrative penalty that may be imposed is five thousand forints and the maximum amount shall be five hundred thousand forints for natural persons and one million forints for legal persons. The administrative penalty may be imposed repeatedly in the same proceedings, for any repeated conduct of the same infringement.

Please be reminded that Decree Nr. 72/2013 (VIII.27.) VM *on the list of wastes* overruled the Decree Nr. 16/2001 (VII. 18.) KöM as of September 4, 2013.

One copy of this resolution is sent to the competent Disaster Management Directorate for information, taking into consideration subsection (4) in section 15 of APA furthermore subsection (2) in section 32/B of the Government Decree nr. 347/2006 (XII.23.) *on the designation of bodies to perform environmental conservation, water authority and administrative responsibilities* [hereinafter referred to as Government Decree nr. 347/2006 (XII.23.)].