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Environmental Protection Department
Branch Office
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Wan Chai, Hong Kong.



環境保護署分處
香港灣仔
軒尼詩道
一百三十號
修頓中心廿八樓

21 December 2015

OSCAR BIOENERGY JOINT VENTURE

Environmental Impact Assessment (EIA) Ordinance, Cap.499
Application for Variation of an Environmental Permit

Project Title: Organic Waste Treatment Facilities Phase 1 at Siu Ho Wan, North Lantau
(Application No. VEP- 487/2015)

I refer to your above application received on 30 November 2015 for variation of an environmental permit under Section 13(1) of the EIA Ordinance.


Pursuant to Section 13(5) of the EIA Ordinance, we have amended the Environmental Permit (FEP-01/395/2010/B). I attach the Environmental Permit as amended (No. FEP-01/395/2010/C) for your use.

Under Section 15 of the EIA Ordinance, the amended Environmental Permit will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

Please note that if you are aggrieved by any of the conditions imposed in this Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any queries on the above application, please contact my colleague Mr. Lawrence KK NGO at 2835 1751.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Louis P.L. Chan', with a large, stylized initial 'L'.

(Louis P.L. CHAN)

Principal Environmental Protection Officer
for Director of Environmental Protection

Encl. – Further Environmental Permit No. FEP-01/395/2010/C

b.c.c. S(RW)2

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
Sections 10 and 12

環境影響評估條例
(第499章)
第10條及12條

**ENVIRONMENTAL PERMIT TO CONSTRUCT AND OPERATE
A DESIGNATED PROJECT**

建造及營辦指定工程項目的環境許可證

PART A (MAIN PERMIT)
A部 (許可證主要部分)

Pursuant to Section 10 and Section 12 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) grants the further environmental permit (No. FEP-01/395/2010/B) to the SITA WASTE SERVICES LIMITED, ATAL ENGINEERING LIMITED and ROS-ROCA, SOCIEDAD ANONIMA jointly trading as the OSCAR BIOENERGY JOINT VENTURE (hereinafter referred to as the "Permit Holder") on 16 February 2015. Pursuant to Section 13 of the EIAO, the Director amends the Further Environmental Permit (No. FEP-01/395/2010/B) based on the Application No. VEP-487/2015. The amendments, described below, are incorporated into this Environmental Permit (No. FEP-01/395/2010/C). This Environmental Permit as amended is for the construction and operation of the designated project described in Part B subject to the conditions specified in Part C. The issue of this environmental permit is based on the documents, approvals or permissions described below:

根據《環境影響評估條例》(環評條例)第10條及12條的規定，環境保護署署長(署長)於2015年2月16日將新的環境許可證(編號:FEP-01/395/2010/B)批予昇達廢料處理有限公司、安樂工程有限公司及ROS-ROCA, SOCIEDAD ANONIMA 聯合經營OSCAR BIOENERGY JOINT VENTURE (下稱“許可證持有人”)。根據條例第13條的規定，署長因應更改環境許可證的申請編號VEP-487/2015修訂新的環境許可證(編號:FEP-01/395/2010/C)。以下修訂已包含在本環境許可證內(編號:FEP-01/395/2010/C)。本經修訂的環境許可證作為建造及營辦本許可證B部所說明的指定工程項目，但須遵守C部所列明的條件。本環境許可證是依據下列文件、批准或許可而簽發：

Application No. 申請書編號	VEP-487/2015
Document in the Register: 登記冊上的文件:	<ol style="list-style-type: none">Organic Waste Treatment Facilities, Phase I<ul style="list-style-type: none">Environmental Impact Assessment ReportEnvironmental Impact Assessment Study Executive SummaryEnvironmental Monitoring and Audit Manual<p>Hereinafter referred to as the "EIA Report" (Register No.: AEIAR-149/2010).</p><p>第一期有機資源回收中心</p><ul style="list-style-type: none">環境影響評估報告環境影響評估行政摘要環境監察及審核手冊<p>下稱“環評報告” (登記冊編號: AEIAR-149/2010)</p>The Director's letter of approval of the EIA Report dated 24 February 2010 (Ref.: (12) in EP2/N2/G/56 Part 3) <p>環境保護署長於2010年2月24日發出批准環評報告的信件 (檔案編號: (12) in EP2/N2/G/56 Part 3)</p>



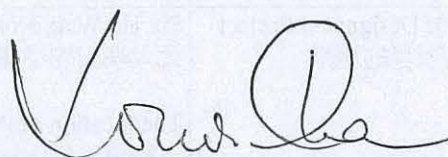
Application No. 申請書編號	VEP-487/2015
Document in the Register : 登記冊上的文件:	<p>3. Application for Environmental Permit submitted by the Permit Holder on 25 May 2010 (Application No.: AEP-395/2010)</p> <p>許可證持有人於 2010 年 5 月 25 日提交的環境許可證申請 (申請書編號: AEP-395/2010)</p> <p>4. Environmental Permit (No.: EP-395/2010) issued on 21 June 2010</p> <p>於 2013 年 6 月 21 日簽發的環境許可證(許可證編號: EP-395/2010)</p> <p>5. Application for Variation of an Environmental Permit including all attachments submitted by the Permit Holder on 1 March 2013 (Application No.: VEP-394/2013)</p> <p>許可證持有人於 2013 年 3 月 1 日提交的更改環境許可證的申請(編號: VEP-394/2013)和附件</p> <p>6. Environmental Permit (No.: EP-395/2010/A) issued on 18 March 2013</p> <p>於 2013 年 3 月 18 日簽發的環境許可證(許可證編號: EP-395/2010/A)</p> <p>7. Application for Variation of an Environmental Permit including all attachments submitted by the Permit Holder on 2 May 2013 (Application No.: VEP-403/2013)</p> <p>許可證持有人於 2013 年 5 月 2 日提交的更改環境許可證的申請(編號: VEP-403/2013)和附件</p> <p>8. Environmental Permit (No.: EP-395/2010/B) issued on 21 May 2013</p> <p>於 2013 年 5 月 21 日簽發的環境許可證(許可證編號: EP-395/2010/B)</p> <p>9. Application for Further Environmental Permit submitted on 5 February 2015 (Application No.: FEP-160/2015)</p> <p>於 2015 年 2 月 5 日提交的新的環境許可證申請文件(申請書編號: FEP-160/2015)</p> <p>10. Application for Variation of an Environmental Permit including all attachments submitted by the Permit Holder on 30 November 2015 (Application No.: VEP-487/2015)</p> <p>許可證持有人於 2015 年 11 月 30 日提交的更改環境許可證的申請(編號: VEP-487/2015)和附件</p>



Application No. 申請書編號	Date of Application 申請日期	List of Amendments Incorporated into this Environmental Permit 已包含在本環境許可證內的 修訂項目	Date of Amendment 修訂日期
VEP-487/2015	30 November 2015 2015年11月30日	Amend Condition 1.7 and Figure 3 of FEP-01/395/2010/B 更改環境許可證FEP-01/395/2010/B第1.7 項條件及圖3	21 December 2015 2015年12月21日

21 December 2015
2015年12月21日

Date
日期



(Louis P.L. CHAN)

Principal Environmental Protection Officer
(Regional Assessment)

for Director of Environmental Protection

環境保護署署長

首席環境保護主任(區域評估) 陳欽林 代行



PART B (DESCRIPTION OF DESIGNATED PROJECT)

B部 (指定工程項目的說明)

Hereunder is the description of the designated project mentioned in Part A of this environmental permit (hereinafter referred to as "the Permit"):

下列為本環境許可證(下稱“許可證”)A部所提述的指定工程項目的說明:

Title of Designated Project 指定工程項目的名稱	Organic Waste Treatment Facilities, Phase I. (This designated project is hereinafter referred to as "the Project") 第一期有機資源回收中心 (本指定工程項目下稱“工程項目”)
Nature of Designated Project 指定工程項目的性質	Waste Disposal Facility. 廢物處置設施。
Location of Designated Project 指定工程項目的地點	Siu Ho Wan, North Lantau. 北大嶼山的小蠔灣。 The location of the Project is shown in Figure 1 of this Permit. 工程項目的地點展示於本許可證圖1內。
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project is to construct and operate a biological treatment facility with a capacity of about 200 tonnes per day at Siu Ho Wan, North Lantau to convert source-separated organic waste into compost and biogas. 工程項目為在北大嶼山小蠔灣建造及營辦一所每天可以處理約200噸的有機資源回收中心，把已作源頭分類的有機廢物轉化為堆肥及生物氣。



PART C (PERMIT CONDITIONS)

C部 (許可證條件)

1. General Conditions

- 1.1 The Permit Holder and any person working on the Project shall comply with all conditions set out in this Permit. Any non-compliance by any person may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap.499) and may become the subject of appropriate action being taken under the Ordinance.
- 1.2 The Permit Holder shall ensure full compliance with all legislation from time to time in force including, without limitation to, the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358), Waste Disposal Ordinance (Cap. 354) and Dumping at Sea Ordinance (Cap. 466). This Permit does not of itself constitute any ground of defense against any proceedings instituted under any legislation or imply any approval under any legislation.
- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit and the documents referred to in Part A of the Permit readily available at all times for inspection by the Director or his authorized officers at all sites/offices covered by this Permit. Any reference to the Permit shall include all documents referred to in the Permit and also the relevant documents in the Register.
- 1.4 The Permit Holder shall give a copy of this Permit to the person(s) in charge of the site(s) and ensure that such person(s) fully understands all conditions and all requirements incorporated in the Permit. The site(s) refers to site(s) of construction and operation of the Project and shall mean the same hereafter.
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the Project site(s) at all site entrances/exits or at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about the Permit, including any amended Permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of the Permit, the notice he sends to the Director shall also be displayed at the same locations as the original Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site(s).
- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project description in Part B of this Permit.
- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and recommendations described in the approved EIA Report (Register No. AEIAR-149/2010), the application for Environmental Permit (Application No. AEP-395/2010), the applications for Variation of an Environmental Permit including all attached documents submitted by the Permit Holder (Application No. VEP-394/2013, Application No. VEP-403/2013 & Application No. VEP-487/2015), the application for a Further Environmental Permit including all attached documents submitted by the Permit Holder (Application No. FEP-160/2015) and other relevant documents in the Register, the information and mitigation measures described in this Permit, mitigation measures to be recommended in the submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or amended in this Permit.
- 1.8 All deposited submissions, as required under this Permit, shall be rectified and resubmitted in



accordance with the comments, if any, made by the Director within one month of the receipt of the Director's comments or otherwise specified by the Director.

- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, and all submissions rectified in accordance with comments by the Director under this Permit shall be construed as part of the permit conditions described in Part C of this Permit. Any variation of the submissions shall be approved by the Director in writing or as prescribed in the relevant permit conditions. Any non-compliance with the submissions may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap.499). All submissions or any variation of the submissions shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to in Conditions 2.1 and 2.2 below before submitting to the Director under this Permit.
- 1.10 The Permit Holder shall release all finalized submissions, as required under this Permit, to the public by depositing copies in the Environmental Impact Assessment Ordinance Register Office, or in any other places, or any internet websites as specified by the Director, or by any other means as specified by the Director for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.
- 1.11 All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the Environmental Impact Assessment Ordinance Register Office (currently at 27/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong). Electronic copies of all finalized submissions required under this Permit shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.
- 1.12 The Director shall be notified in writing the commencement dates of construction and operation of the Project no later than one month prior to the respective commencement of construction and operation of the Project. The Director shall be notified in writing immediately if there is any change of the commencement dates of construction and operation.
- 1.13 For the purpose of this Permit, "commencement of construction" does not include works related to site clearance and preparation or other works as agreed by the Director.

2. Measures before Commencement of Construction of the Project

Employment of Environmental Monitoring and Audit (EM&A) Personnel

- 2.1 An Environmental Team (ET) shall be established by the Permit Holder no later than one month before commencement of construction of the Project. The ET shall not be in any way an associated body of the Contractor or the Independent Environmental Checker (IEC) for the Project. The ET shall be headed by an ET Leader. The ET Leader shall be a person who has at least 7 years of experience in environmental monitoring and auditing (EM&A) or environmental management. The ET and the ET Leader shall be responsible for the implementation of the EM&A programme in accordance with the EM&A requirements as contained in the EM&A Manual of the Project. The ET Leader shall keep a contemporaneous log-book of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the EIA Report (Register No. AEIAR-149/2010) and this Permit. The ET Leader shall notify the IEC within one working day of the occurrence of any such instance or circumstance or change of circumstances. The ET Leader's log-book shall be kept readily available for inspection by all persons assisting in supervision of the implementation of the recommendations of the EIA Report (Register No. AEIAR-149/2010) and this Permit or by the Director or his authorized officers. Failure to maintain records in the log-book, failure to discharge the duties of the ET Leader as defined in the EM&A Manual or failure to comply with this Condition would entitle the Director to require the Permit Holder by notice in writing to



replace the ET Leader. Failure by the Permit Holder to make replacement or further failure to keep contemporaneous records in the log-book despite the employment of a new ET Leader may render the Permit liable to suspension, cancellation or variation.

- 2.2 An IEC shall be employed by the Permit Holder no later than one month before commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor or the ET for the Project. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management. The IEC shall be responsible for duties defined in the EM&A Manual, and shall audit the overall EM&A performance, including the implementation of all environmental mitigation measures, submissions required in the EM&A Manual, and any other submissions required under this Permit. In addition, the IEC shall be responsible for verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions under this Permit. The IEC shall verify the log-book(s) mentioned in Condition 2.1 of this Permit. The IEC shall notify the Director by fax or email, within one working day of receipt of notification from the ET Leader of each and every occurrence, change of circumstances or non-compliance with the EIA Report (Register No. AEIAR-149/2010) and this Permit, which may affect the monitoring or control of adverse environmental impacts from the Project. In the case where the IEC fails to so notify the Director of the same, fails to discharge the duties of the IEC as defined in the EM&A Manual or fails to comply with this Condition, the Director may require the Permit Holder by notice in writing to replace the IEC. Failure to replace the IEC as directed or further failure to so notify the Director despite employment of a new IEC may render the Permit liable to suspension, cancellation or variation. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition.

Submission of Emergency Procedures Plans

- 2.3 The Permit Holder shall deposit emergency procedures plans for construction and operation of the Project no later than 2 weeks prior to the respective commencement of construction and operation of the Project. The emergency procedures plans shall include diagram showing the escape routes to a safe place, means of providing a rapid and direct warning to personnel on site in the event of chlorine gas release in the Siu Ho Wan Water Treatment Works, communication channel with the Siu Ho Wan Water Treatment Works operation personnel and Fire Services Department, and training and periodic drills to site personnel on the emergency procedures.

3. Measures during Construction of the Project

- 3.1 A solid fence of 3m high shall be constructed along the boundary facing the Siu Ho Wan Water Treatment Works as shown in Figure 2 attached to this Permit.

4. Measures during Operation of the Project

- 4.1 The solid fence constructed under Condition 3.1 of this Permit shall be properly maintained during operation of the Project.
- 4.2 The main buildings (including waste reception and pre-treatment area, temporary storage area for shredded materials and dewatering process area, composting area and storage area) and wastewater treatment area, as shown in Figure 3, shall be operated under negative pressure to avoid escape of odour. Air in these areas shall pass through the centralized air pollution control unit for treatment before discharge.
- 4.3 Appropriate source separation measures shall be implemented to ensure that the waste delivered to the Project is suitable for the intended treatment processing.
- 4.4 Proper arrangements shall be made to ensure that the compost produced will be used



beneficially. No compost produced shall end up in the landfills.

5. Environmental Monitoring and Audit (EM&A) Requirements

- 5.1 The EM&A programme shall be implemented in accordance with the procedures and requirements in the EM&A Manual. Any changes to the monitoring and audit requirements shall be justified by the ET leader and verified by the IEC as conforming to the requirements set out in the EM&A Manual, and shall seek the prior approval from the Director before implementation.
- 5.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the EM&A Manual by:
- a) conducting baseline environmental monitoring;
 - b) conducting constructional and operational phase impact monitoring;
 - c) carrying out remedial actions described in the Event/Action Plans of the EM&A Manual in accordance with the time frame set out in the Event/Action Plans, or as agreed by the Director, in case where specified criteria in the EM&A Manual are exceeded;
 - d) logging and keeping records of the details of (a) to (c) above for all parameters within 3 working days of the collection of data or completion of remedial action(s), for the purpose of preparing and submitting the monthly EM&A Reports and to make available the information for inspection on site.
- 5.3 4 hard copies and 1 electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least 2 weeks before commencement of construction of the Project. The submission shall be certified by the ET Leader and verified by the IEC. Additional copies of the submission shall be made available to the Director upon his request.
- 5.4 4 hard copies and 1 electronic copy of monthly EM&A Report shall be submitted to the Director within 2 weeks after the end of the reporting month. The EM&A Reports shall include a summary of all non-compliance (exceedances) of the environmental quality performance limits (Action and Limit Levels). The submissions shall be certified by the ET Leader and verified by the IEC. Additional copies of the submission shall be provided to the Director upon request by the Director.
- 5.5 All EM&A data submitted under this Permit shall be true, valid and correct.

6. Electronic Reporting of EM&A Information

- 6.1 To facilitate public inspection of the Baseline Monitoring Report and monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies as described in Conditions 5.3 and 5.4 above of this Permit. For the HTML version, a content page capable of providing hyperlink to each section and sub-section of these Reports shall be included in the beginning of the document. Hyperlinks to all figures, drawings and tables in these Reports shall be provided in the main text from where the respective references are made. All graphics in these Reports shall be in interlaced GIF format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.
- 6.2 The Permit Holder shall, within 6 weeks after commencement of construction of the Project, set



up a dedicated Internet web site and notify the Director in writing the Internet address where the environmental monitoring data and project information is to be placed. All environmental monitoring data described in Condition 6.1 above shall be made available to the public via the dedicated Internet web site in the shortest possible time and in any event no later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. All finalized submissions and plans shall be made available to the public via the dedicated Internet web site in the shortest possible time and in any event no later than 2 weeks after the submissions and plans are approved by or deposited with the Director, unless otherwise agreed with the Director.

6.3 The Internet web site as described in Condition 6.2 above shall enable user-friendly public access to the environmental monitoring data and project information including the Project Profile, EIA report, Environmental Permit(s) and finalized submissions and plans required under this Permit. The Internet web site shall have features capable of:

- a) providing access to all environmental monitoring data of this Project collected since the commencement of construction;
- b) providing access to all finalized submissions as required under this Permit;
- c) searching by date;
- d) searching by types of monitoring data; and
- e) hyperlinking to relevant monitoring data after searching

or otherwise as agreed by the Director

Notes :

1. This Permit consists of three parts, namely, PART A (Main Permit), PART B (Descriptions of Designated Project) and PART C (Permit Conditions). Any person relying on this Permit shall obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information only.
2. If there is a breach of any condition of this Permit, the Director or his authorized officer may, with the consent of the Secretary for the Environment, order the cessation of associated work until the remedial action is taken in respect of the resultant environmental damage, and in that case the Permit Holder shall not carry out any associated works without the permission of the Director or his authorized officer.
3. The Permit Holder may apply under Section 13 of the EIAO to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the Project site by the amended permit.
4. A person who assumes responsibility for the whole or a part of the Project may, before he assumes responsibility of the Project, apply under Section 12 of the EIAO to the Director for a further environmental permit.
5. Under Section 14 of the EIAO, the Director may with the consent of the Secretary for the Environment, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the site.
6. If this Permit is cancelled or surrendered during construction or operation of the Project, another



environmental permit must be obtained under the EIAO before the Project could be continued. It is an offence under Section 26(1) of the EIAO to construct or operate a designated project listed in Part I of Schedule 2 of the EIAO without a valid environmental permit.

7. Any person who constructs or operates the Project contrary to the conditions in the Permit, and is convicted of an offence under the EIAO, is liable: -
 - (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;
 - (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
 - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
 - (v) in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.
8. The Permit Holder may appeal against any condition of this Permit under Section 17 of the EIAO within 30 days of receipt of this Permit.
9. The Notes are for general reference only and that the Permit Holder shall refer to the EIAO for details and seek independent legal advice.

Environmental Permit No. FEP-01/395/2010/C



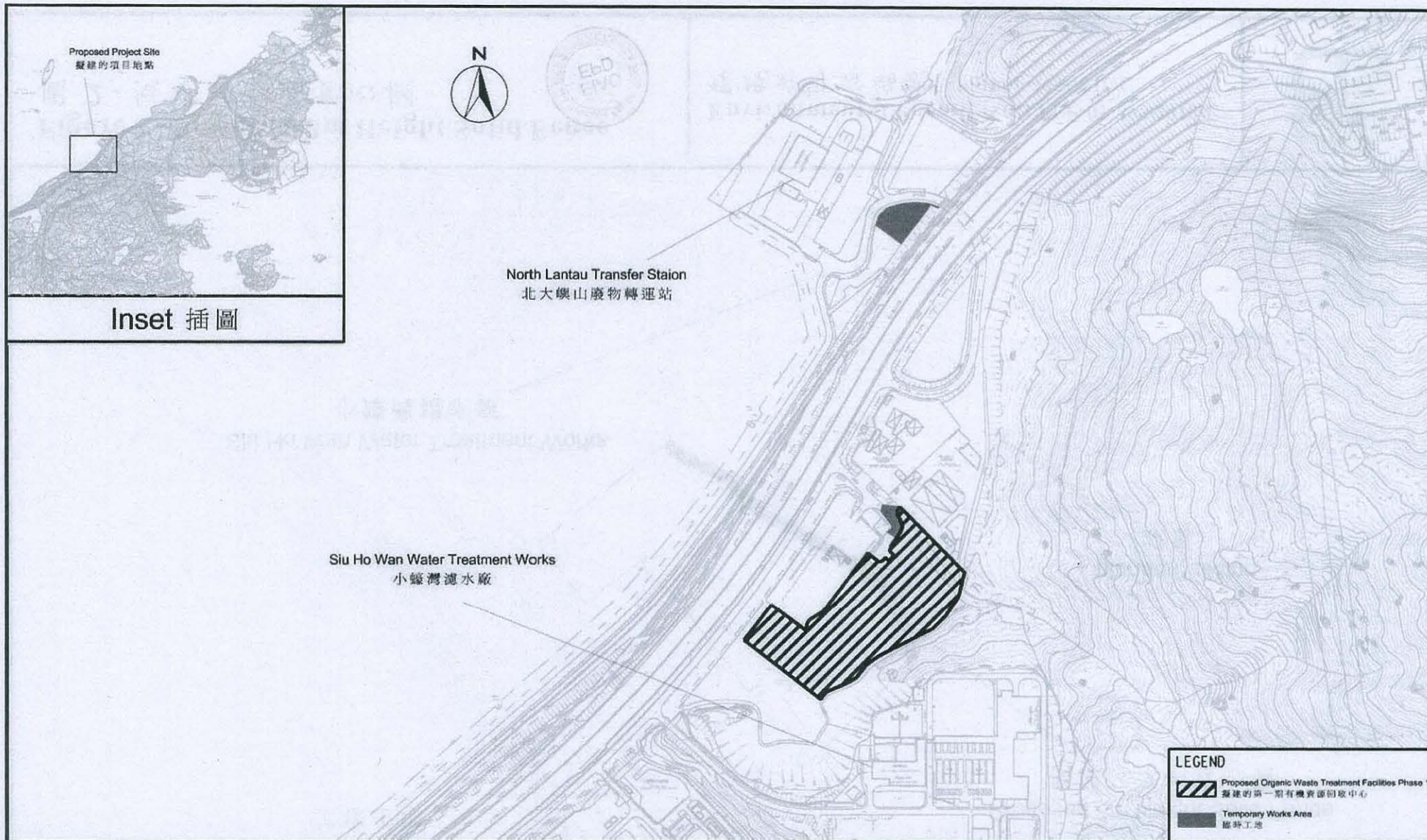


Figure 1 - Project Location

圖 1 - 工程項目位置



Environmental Permit No.: FEP-01-395/2010/C
環境許可證編號：FEP-01-395/2010/C





Project Site
工程工地

Proposed 3m Height Solid Fence
擬建三米高實心欄

Siu Ho Wan Water Treatment Works
小蠔灣濾水廠

Chlorine Building
氯房

Figure 2 - Proposed 3m Height Solid Fence
圖 2 - 擬建三米高實心欄



Environmental Permit No.: FEP-01-395/2010/C
環境許可證編號: FEP-01-395/2010/C



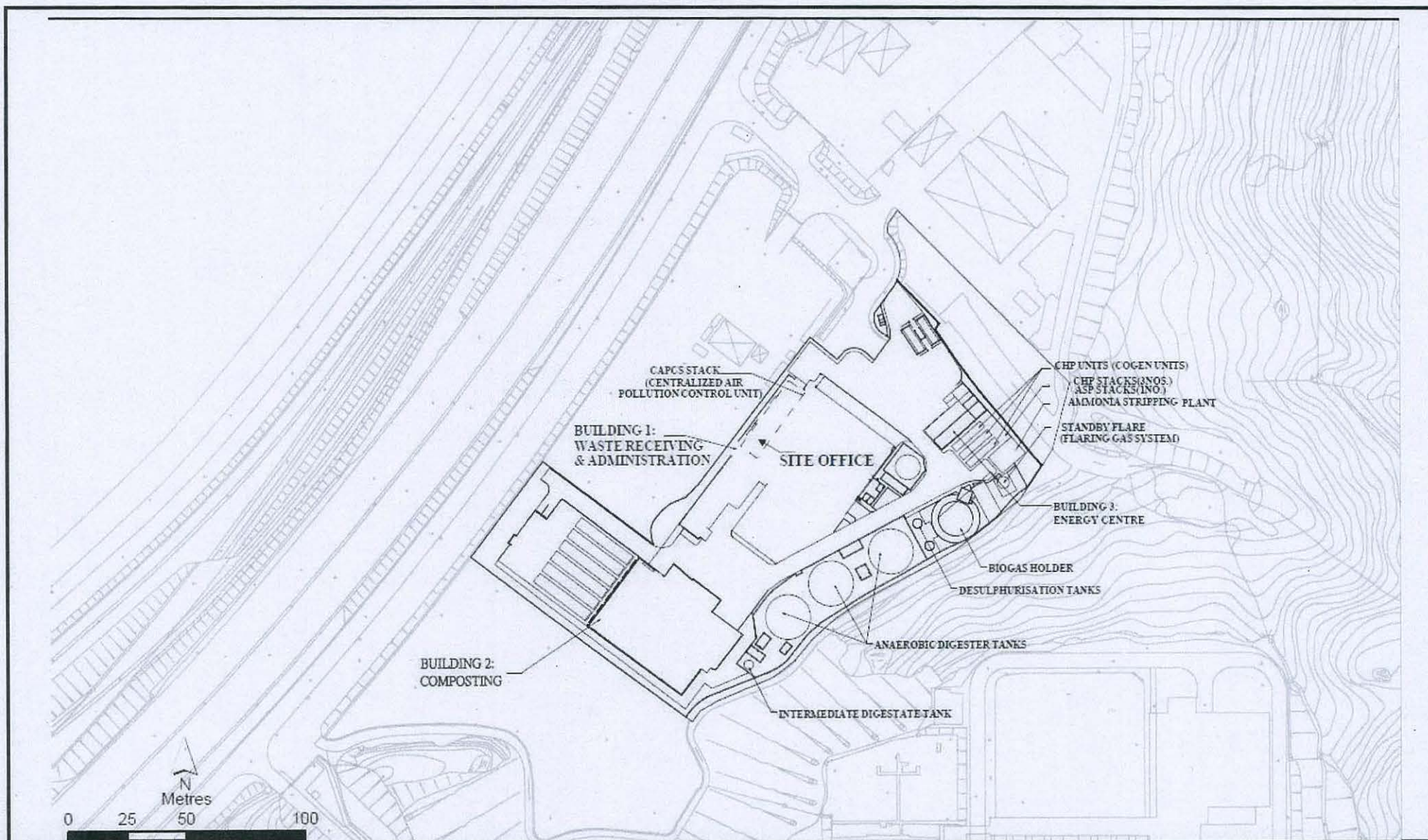


Figure 3 - Site Layout
圖 3 - 工地設計



Environmental Permit No.: FEP-01/395/2010/C
環境許可證編號: FEP-01-395/2010/C



