

Annex II Renewal application DPS IPPC Permit

Regulatory Framework permit - IP 0002/07/G

Requested changes to current IPPC permit				ERA Comments
IPPC Ref.	Description of requested change/update to IPPC permit		Comments	
1.1	Permitted Activities			
Table 1.1.1				
Activity listed in Schedule 1 of IPPC Regulations/Associated Activity	Requested change to current IPPC permit specified activity	Requested change in Limits of Specified activity	Comments	
Combustion installations with a rated thermal input exceeding 50MW	Installation consists of two boilers making up DPS1 (phase 1A and phase 1B) two open cycle gas turbines (DPS2 and DPS3) and two combined cycle gas turbines (DPS4 and DPS5)	From receipt of fuel to delivery of utility (No change)	Official communication sent to ERA dated 31 st August 2017 informing ERA of complete closure of Delimara 1 plant and official communication in connection with decommissioning and dismantling of DPS 1 (phase 1A and 1B) as per DPS IPPC partial surrender application dated March 2017	Agreed
Table 1.1.1 Associated activity of fuel handling and storage	Handling and storage of heavy fuel oil	"From receipt of the fuel to storage in tank farm to	Delete the wording "to combustion in DPS1 in emergency cases only"	Agreed

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		combustion in DPS1 in emergency cases only"		
	Handling and storage of gas oil (No change)	From receipt of fuel and storage in tank farm from Enemalta plc at tie-in point TP4 D3 to combustion in the diesel engines 5 to 8 and 3.85MW _{th} Auxiliary boiler of D3PG	Add the words "of D3PG" to discriminate between Enemalta's auxiliary boiler used for steam generation and the auxiliary boiler of D3PG plant	Agreed
	Handling and storage of gasoil (No change)	From receipt of fuel and storage in tank farm to combustion in DPS 2 to 5, 4.15MW _{th} auxiliary boiler of Enemalta and delivery of utility to D3PG at the tie-in point	To include delivery of gasoil to the 4.15MW _{th} auxiliary boiler of Enemalta	Noted kindly note see comments in Annex I Renewal DPS IP0002/07/Giii

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Other <i>Delete</i>	Decommissioning and dismantling plant constituting DPS phase 1 and ancillary equipment <i>Delete</i>	From decommissioning and demolition as per approved method statements to the appropriate disposal/recovery of resulting waste streams <i>Delete</i>	<i>Decommissioning and dismantling of Phase 1A and Phase 1B have been completed</i>	Agreed
1.3	Information to the Public			
1.3.1	The operators shall make emission data (most recent hourly, daily, diurnal and monthly average values and/or results of the most recent discontinuous measurement) publicly available via the Internet not later 24 hours after the production of such data or unless otherwise agreed upon in writing with the Authority. <i>Not applicable</i>		<i>Given that Enemalta's plant at Delimara is being classified as an emergency plant, the calculation method is being used to calculate emissions to air from the stacks. In view of this, the emission data requested cannot be calculated using this method. So these obligations do not apply for Enemalta Discontinuous measurements were applicable with the combustion of Heavy</i>	Noted kindly note see comments in Annex I Renewal DPS IP0002/07/Giii

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			Fuel Oil. Since this fuel is no longer being used at Delimara there are no discontinuous emissions to report	
1.4.5	As part of the EMS, each operator shall ensure that auditing procedures are inclusive of all other operations within the installation. Any corrective actions arising from such audits shall be discussed with other operators and the Authority, especially where these have an effect on any other operator at the installation.		<p>Audits for common areas at Delimara Power Station are being carried out by Enemalta plc and the audit reports are being sent to the other operators, D3PG and Electrogas.</p> <p>Audit reports for Enemalta's Environmental coordinator and Enemalta's legal representative are also being sent to the other operators, D3PG and Electrogas.</p> <p>Any issues arising from these audits and follow-ups are being discussed during the coordination meetings</p>	Noted.

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			held regularly between the 3 operators	
1.4.10	<p>Within 6 months of the issue of the permit, the operators (acting through the Permit coordinator), shall submit a proposal for review by the Authority detailing how all operators within the installation shall carry out mutual audit on the other operators on standard operating procedures together and on methodologies adopted by each of the operators which are emplaced to ensure adherence with the conditions of this Permit and each of the subsidiary permits applicable. Such mutual audits shall be aimed at:</p> <p>1.4.10.1 ensuring that the operations of any other operator within the installation are either compatible with those of the auditing operator</p> <p>1.4.10.2 identifying any amendments to such procedures which are required in order to ensure that procedures adopted by the operator do not impede the operations of the other operators within the installation</p>		<p>A joint SOP has been issued to this effect and all operators concerned including representatives of IESC have reviewed the SOP and approved its contents.</p> <p>Please refer to Supplementary Documents item (i): SOP-232 Rev 0 Mutual Audit Planning, Conducting and Reporting And item (ii) SOP-232 Rev 1 in draft version currently in approval cycle</p>	<p>Noted, operator to confirm whether there has been changes to tie-in points.</p> <p>Enemalta confirms that no changes were made to the original tie-in points</p> <p>Enemalta reply: Approved active document SOP-232 submitted to ERA</p>
1.5	Improvement Programme			
Table 1.5.1	Improvement programme Requirement			
3	Proposal for mutual audits between the 3 operators		Completed. SOP-232 Rev 1 (revised version) in approval cycle to be	Noted

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			<p>signed by representatives of all operators</p> <p>Action closed</p> <p>Please refer to supplementary documents item (ii) for draft SOP-232 Rev 1 Mutual Audit Planning, Conducting and Reporting</p>	<p>Enemalta Reply Approved active document SOP-232 submitted to ERA</p>
4	Submission of proposals regarding methodology for marine ecological surveys		<p>Submission sent Reference AIS method statement including addendum email sent to ERA dated 5th August 2020 and acceptance from ERA email dated 6th August 2020</p> <p>Action closed</p>	Noted
5	Submission of a coordinated baseline report and monitoring strategy		<p>Method statement sent and approved by ERA. Land and ground water monitoring</p>	Noted kindly note see comments in Annex I Renewal DPS IP0002/07/Giii

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		<p>study being carried out over a 4-year cycle. Up to now 2 monitoring studies for Phase 1 and Phase 2 have been carried out.</p> <p>Monitoring studies for Phase 3 and Phase 4 will be carried out in 2021</p> <p>Report for Phase 1 of the monitoring sent to ERA for review on 4th March 2019.</p> <p>Feedback received from ERA</p> <p>Follow up action to be carried out in 2021</p> <p>Report for Phase 2 of the monitoring sent to ERA for review on the 23rd April 2020</p> <p>Awaiting feedback</p> <p>Due to COVID-19 restrictions Phase 3 monitoring could not be carried out in 2020.</p>	

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			Permission granted by ERA email dated 10 th November 2020, to postpone this monitoring to 2021. Phase 3 & 4 monitoring studies will be carried out together in 2021	
6	Submission of a coordinated outline decommissioning plan		Outline decommissioning plan last updated to include the study for the dismantling of Phase 1 Awaiting completion of the 4-year cycle for the land and groundwater monitoring study. Depending on the outcome of the study a decision will be taken whether the outline decommissioning plan needs to be updated or not.	Noted, the ERA agrees with the way forward. Potentially this would imply that this item is retained until the 4-year cycle is completed.
2.2	Coordination of monitoring			
Monitoring activity	Relevant condition in this Framework Permit	Associated condition in Subsidiary		

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		Permits		
National Emissions Ceilings	2.3.1	IP0002/07/Giii – 2.2.6-5	Should be IP0002/07/Giii-2.2.5 not 2.2.6	Agreed
Air Dispersion Modelling	2.3.5	IP0002/07/Giii – 2.2.5-4	Should be IP0002/07/Giii – 2.2.4 not 2.2.5	
Fire-fighting system	2.3.10	IP0002/07/Giii – 2.14.15 16	Should be IP0002/07/Giii – 2.14.16 not 2.14.15	
Port Security	2.3.14	IP0002/07/Giii – 2.14.19 20	Should be IP0002/07/Giii – 2.14.20 not 2.14.19 Most probably all these references will change with the revised permits	
2.3	Monitoring activities assigned responsibility to the Permit Coordinator			
2.3.1	Compliance with Total Emission Ceilings			

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2.3.1.1	Enemalta plc as the permit coordinator and the entity responsible for dispatch of operations of different plants within the installation and as Operator of another power plant located on a separate site shall ensure that fromshall not exceed the ceilings specified in Table 1.4.2 2.3.1 or any other annual ceilings as may be amended by the Authority from time to time.		Line before last should read Table 2.3.1 not 1.4.2	Agreed
2.3.2	Coordination of emissions to Marine Water			
2.3.2.4	In accordance with condition 2.2.3 all operators covered by the relevant subsidiary permitto the tie-in point specified in Table 2.2.3 2.3.2 shall be carried out in the locations agreed upon with the authority		Should read Table 2.3.2 not Table 2.2.3	Agreed
2.3.2.17	The Permit Coordinator shall make sure that any sampling and chemical analysis is carried out by a laboratory accredited as confirmed by the National Accreditation Body (NAB-Malta) or equivalent) to at least EN ISO17025:2005/Cor 1:2006 EN ISO 17025:2017 and preferably for each and every test listed in table 2.5.1.2. The operator shall include a copy of the laboratory's accreditation certification in the AER		ISO 17025:2005/COR 1:2006 was withdrawn Current version is ISO 17025:2017	Agreed
2.3.2.18 2.3.2.18	All sampling carried out by the Permit Coordinator with the scope.....		Include full stop in the numbering of subclause to read 2.3.2.18 instead of 2.3.218	Agreed

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2.3.2.19	<p>The Permit Coordinator in collaboration with the other operators shall carry out a monitoring survey of the sediments around the cooling water inlet and outlet by end December 2017, in order to determine the impact of the installation on the marine environment. The parameters to be analysed are included in Schedule 7</p> <p style="text-align: center;">Schedule 7 Sediment Monitoring Requirements</p> <p>The parameters listed hereunder shall be monitored on an annual basis every three years, in the vicinity of the discharge point at il-Hofra iz-Zghira.</p>	<p>It is stated in this obligation that monitoring should be carried out according to Schedule 7. <u>Please take note that in Schedule 7 there is a conflict in the requirement since it is either annual basis or every 3 years.</u></p> <p>Email from ERA dated 21st August 2018 in reply to a query made by Enemalta for clarification on this issue stated that this monitoring should be carried out every 3 years. Please delete words "on an annual basis" from Schedule 7</p> <p>Maybe reference can be made also in this schedule to threshold values for assessment of sediment in line with the update of the</p>	<p>Noted, ERA will amend accordingly.</p> <p>Noted, ERA will consider during the drafting of the permit</p>

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			Marine Strategy Framework Directive in Malta's Marine Waters initial assessment	
2.3.2.20	The operators acting through the permit coordinator shall carry out ecological surveys to assess the impact of the cooling water outfall on the habitat types and species listed in Schedules		It was suggested in a communication from the Biodiversity Unit of ERA dated 2 nd August 2018 in reply to a query made by Enemalta whereby it was suggested that this monitoring should be carried out during the summer months. Can this suggestion be included in the clause to ensure that this monitoring is carried out as recommended by the Biodiversity unit?	Agreed
2.3.2.1	Discharges to Marine Water – Requirements for Waste Water arising from Non-process water			
2.3.2.1.2	Monitoring of parameters 1 and 4-25 in Table 2.3.3 from points 1,2 and 3 is required prior to discharge of waste water only in case of a spillage of fuel from any tank.		This obligation states that unless there are no fuel spills from any fuel tank, monitoring from outlets 1, 2 and 3	Noted, ERA will consider during the drafting of the permit.

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	Testing of petroleum hydrocarbons shall however be carried out continuously whenever water from fuel centrifugation (or other forms of water removal) is being discharged		will only be carried out for total petroleum hydrocarbons. ONLY if there are fuel spills from tanks that might contaminate the water being discharged to the sea, then all parameters mentioned in Table 2.3.3 are to be tested. However looking at Table 2.3.3 one is given to understand that all tests should be carried out according to the monitoring frequency mentioned. Can the table be revised for outlets 1, 2 and 3 to explain more clearly this obligation as specified in 2.3.2.1.2?	
2.3.3	Coordination of Noise monitoring			
2.3.3.3	Further to condition 2.3.32, where initial investigations result in the requirement for noise monitoring, this shall be carried out according to BS4142:2014 or standard ISO8297:1994 and any revision thereof, and ISO37XX series or specifically ISO 96142:1996		BS4142L2014 updated to BS4142:2014+A1:2019	Noted

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2.3.3.6	As part of the AER, records of noise monitoring of the previous year shall be submitted to the Competent Authority by the Permit Coordinator by not later than end March end June after the end of each reporting year, in the format specified in Schedule 4 of this permit. A detailed report shall also accompany such results		<p>Obligation of the IPPC permit is to submit the Annual Environmental report by end of June of the following year.</p> <p>Submission of noise report should be made with the AER so this should be by end of June of the following year not end of March.</p>	Noted
2.3.5	Air Dispersion Modelling			
2.3.5.1	The Permit Coordinator, in collaboration with the Operators of the installation shall update the dispersion modelling study carried out by the Authority twice, using the data from the plant's air emissions monitoring systems, and ambient air monitoring data from Zejtun, Birzebbuga and Marsaxlokk (including the data collected as required by 2.3.5.2)		<p>Following several meetings with ERA on this subject and various attempts to issue a tender to meet the requirements requested by ERA the tender has been awarded to Ambiente S.p.a.</p> <p>The initial meetings for data requirements are ongoing and the contractor is to submit a method statement to be reviewed and approved by ERA.</p>	Noted, ERA will consider during the drafting of the permit.

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		<p>Once the method statement is approved the contractor can start with the study</p> <p>To note that monitoring of Air Quality at Birzebbuga ended in 2014. Air Quality monitoring at Birzebbuga was carried out on a voluntary basis and this was discontinued once the contract for the tender that was issued during that time had expired.</p>	
2.3.5.2	Starting from the first half of January 2017, Enemalta plc shall, in its dual role of coordinator and operator of specified plant, coordinate the daily monitoring of PM ₁₀ and PM _{2.5} at a location in Marsaxlokk to be agreed with the Authority, in accordance with the standards specified in S.L. 549.59. Monitoring shall be carried out under representative conditions. Any meteorological data utilised by the consultant shall be generated in situ. The operator shall also monitor for arsenic, cadmium, nickel, lead and vanadium on a quarterly basis. The results of such monitoring shall be submitted as part of the	Following several meetings with ERA on this issue, air quality monitoring at Marsaxlokk had to be terminated by 31 st January 2021 due to objections from the Mayor of the Marsaxlokk Local Council since they	Noted, ERA will consider during the drafting of the permit.

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	Monthly and Annual environmental Reports, in the formats specified in Schedule 4		wanted the equipment to be removed from their premises. From the results of the air dispersion modelling study update ERA will decide whether air quality monitoring can be permanently stopped. Otherwise if it is decided that air quality monitoring at Marsaxlokk is to continue the equipment has to be transferred to another location which has to be approved by ERA.	
2.3.6	Real time air emissions data			
2.3.6.1	So as to ensure compliance with condition 1.3.1, the Permit Coordinator shall collect all the necessary data and make the information publicly available on the Enemalta plc website		Following a meeting with ERA it was decided that each operator will be responsible for his plant's data and that each operator is responsible to upload his plant's data on his website.	Noted, ERA will amend conditions accordingly.

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			With regards to Enemalta, since the calculation method is being used for the calculation of air emissions, and this only gives the total loads of emissions in tonnes, there is no real time data to upload on the Enemalta website.	
2.3.8	Coordination on Safety			
2.3.8.1 – 2.3.8.5			<p>All these subclauses refer to commissioning phase of D3PG and Electrogas</p> <p>Commissioning ended and plants are working under normal operating conditions</p> <p>Clauses to be revised or deleted</p>	Noted, ERA will consider during the drafting of the permit. Conditions, which are strictly tied to the commissioning, will be removed/amended accordingly.
2.3.9	Coordination of accident prevention and control			
2.3.9.4	The CERP shall be reviewed at least every three years or as soon as practicable after an accident, whichever is the earlier, and		Review of the coordinated emergency plan	Noted, kindly indicate what are the provisional

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	the Authority notified of the results of the review within 2 months of its completion		(CERP) is currently ongoing	timeframes for finalisation Enemalta reply Coordinated emergency response plan has been updated. Plan forwarded to ERA
2.3.12.2	Reporting			
2.3.12.2.3	The European Pollutant Release and Transfer Register (E-PRTR) report for the installation shall be submitted by end of March of each year, or as required by Legislation. All quantities shall be reported, even when these do not exceed the thresholds mentioned in EC Regulation 166/2006. The format used for reporting shall be that established by Legislation, notably S.L. 549.47		In an email dated 7th February 2018 from ERA in connection to the reporting responsibilities vis-a-vis the other 2 operators for E-PRTR reporting, the following instructions were communicated to Enemalta: "Enemalta's obligations as coordinator of the report is simply limited to the reporting of emissions from the outfall. All other operators are to submit individual	Noted, ERA will consider during the drafting of the permit.

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			reports regarding other data separately” Subclause 2.3.12.2.3 should be revised to include these instructions and clarify the responsibilities of each operator to submit an E-PRTR report for his plant.	
2.3.15	Land and groundwater investigations, Closure and Decommissioning		Land and groundwater monitoring is being carried out over the whole stie at Delimara hence including all 3 plants of the 3 operators at Delimara in the study. Method Statement has been approved by ERA. This is being carried out over a 4-year cycle. Up to now Phase 1 and Phase 2 of the monitoring have been completed. Due to COVID-19 restricions monitoring for Phase 3	Noted

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			had to be postponed to 2021 following approval from ERA. Phase 3 and Phase 4 of the monitoring should be carried out together in 2021.	
2.3.15.6	The investigations and reports compiled in compliance with conditions 2.3.15.1 to 2.3.14.4 2.3.15.4 shall be utilised to formulate a coordinated outline decommissioning plan		2.3.14.4 should read 2.3.15.4	Agreed
Supplementary Documents				
i. SOP 232 Rev 0 (Active)	Mutual Audit Planning, Conducting and Reporting (Active version)			Noted
ii. SOP 232 Rev 1 (Draft)	Mutual Audit Planning, Conducting and Reporting (draft version in approval cycle)			Noted