

**Annex IV: Feedback received following the Statutory Consultation carried out for the application of variation of Delimara Power Station (IP0002/21) carried out between 23<sup>rd</sup> April 2021 – 7<sup>th</sup> May 2021 and between 1<sup>st</sup> June 2021 – 8<sup>th</sup> June 2021 and 25<sup>th</sup> October 2021 – 8<sup>th</sup> November 2021**

Comment received by:	Feedback	ERA reply and comment	Operator reply and comment	Feedback
<b>External Consultees Feedback</b>				
<b>Environmental Health Directorate</b>	<p>On the application IP0002/21/i</p> <ol style="list-style-type: none"> <li>With these variations the Directorate has no objection.</li> <li>Mitigation measures and monitoring programme to avoid / reduce any source of pollution (especially air and noise) are to be kept into practice.</li> <li>Mitigation measures and monitoring to prevent contamination of groundwater and sea water are to be adopted. In the case of any oil and/or fuel spill end into the sea, the applicants should immediately inform the Environmental Health Directorate since opposite to the scheme there are several bathing zones. A contingency plan for oil/ fuel spills at sea should also be put in place and all necessary training is to be provided to the relevant employees on how to handle such situations.</li> <li>It is recommended that no re-fuelling of oil and/ or fuel from offshore vehicles is carried out in poor weather conditions that could cause accidental discharge into the sea. The necessary mitigation measures and monitoring procedures are to be adopted.</li> </ol>	<ol style="list-style-type: none"> <li>Noted</li> <li>Noted</li> <li>Operator to take note, and to provide updated emergency response plan</li> <li>Operator to take note, and to provide updated emergency response plan</li> </ol>	<p>EGM reply: The updated ERP will be provided in August 2021 to reflect the updates in CERP which is currently at its final stages of review.</p> <p><b>Enemalta reply:</b></p> <p>Emergency response plans both for Enemalta SOP-152 as well as the coordinated response plan SOP-174 have been reviewed and updated by consultant. New revisions have been issued which have been forwarded to ERA with Annexes II and III</p>	<p>In document BAT 1 in 2.2 D3PG 2nd submission, page 37, Table in paragraph 11, it is to be noted that the Environmental Health Directorate should be notified for spills and not for fire accidents.</p>
<b>Regulatory for Energy and Water Services</b>	<ol style="list-style-type: none"> <li>On the application IP0002/21/i and On the application IP0002/21/ii <ol style="list-style-type: none"> <li>Reference is made to document Renewal DPS IPPC permit ENE IP 00002-07Giii which states: <i>Combustion of heavy fuel oil is no longer being carried out at DPS. However, the Heavy fuel oil tanks are being used to store Heavy fuel oil for 3<sup>rd</sup> parties. And "To include a new activity for bunkering of fuels". : "Currently the same type of fuel is being stored in the fuel tanks for the bunkering activity i.e. Heavy fuel oil is being stored in the HFO tanks and gasoil in Gasoil tanks. The QRA study and SOP-187 document on the "fuel transfer from tank farm to barge", also refer.</i></li> <li>The current Primary storage Facility Authorisation from the REWS needs to be amended according to the operations being proposed at DPS. The applicant should contact the REWS to be guided on what documents are needed for this material alteration.</li> <li>DPS should also be notified that any bunkering activity has to be covered by a relevant authorisation from REWS. The applicant should not embark on any primary storage facility changes or bunkering activities prior to the written approval or issue of the relevant REWS Authorisations.</li> </ol> </li> <li>REWS has no objection on the application for renewal by D3PG Ltd. with reference IP0002/21/ii.</li> </ol>	<p>EGM &amp; Enemalta to provide replies for Points raised for 1a till c</p>	<p>EG reply: EGM is not involved in HFO and gas oil storage for bunkering purposes. The safety elements with respect to EGM is catered for in the ERP.</p> <p><b>Enemalta reply:</b> <b>1a, 1b and 1c</b></p> <p>Following communications and clarifications with REWS on this subject matter it was concluded that the activity being carried out at Delimara was incorrectly referred to as "bunkering". This is not the case, and the activity should be referred to as "storage of HFO" or "storage of gasoil". In view that nothing is going to change vis-à-vis the storage activity there are no changes to be implemented. The only difference will be that the HFO being stored at Delimara tanks and gasoil in 1 gasoil tank</p>	<p>No comments</p>

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			pertain to a 3 <sup>rd</sup> party company and not to Enemalta. The current authorisation issued by REWS for the operation of a Primary Storage Facility, Delimara Power Station is still valid and can still be applied to the operation for storage of HFO and gasoil to 3 <sup>rd</sup> parties.	
<b>Water Services Corporation</b>	No objections from DPU however with respect to update provide by Enemalta the operation (storage and transfer of HFO and Gasoil) must be covered by a Public Sewer Discharge Permit.	Enemalta to reply	<b><u>Enemalta reply:</u></b>  Enemalta holds a DPU permit for Delimara Permit no. DMU 6465 issued by Water Services Corporation. This has been renewed annually over the past years as per obligations of S.L. 545.08.	
<b>OHSA</b>	As already communicated to the applicant, issues related to COMAH are to be included in the revised safety report which should be submitted this year, 2021. Furthermore the applicant shall abide by all relevant occupational health and safety regulations in particular updating of risk assessments due to new and, or modified work practices.	Enemalta & EGM to indicate by when safety studies will be submitted.	<p>EGM reply: The updated safety studies will be finalised and provided in August 2021.</p> <p><b><u>Enemalta reply:</u></b></p> <p>Enemalta DPS Safety Report is currently being reviewed.</p> <p>Once review is completed an updated Safety report will be issued.</p>	<p>EGM (FSU and Regasification) and Enemalta (Fuel storage) are classified as COMAH sites. They are inspected by the COMAH competent authority (CA) each year. A report is drawn up and a letter is sent to the operator with the issues identified and actions to be taken. ERA has access to these documents as it is part of the COMAH CA. Enemalta have submitted the internal emergency plan and coordinated emergency plan and are in the process of revising the safety report. The CA is awaiting confirmation from Enemalta whether it will revise the Coordinated Safety Report. EGM have submitted the internal emergency plan and safety report. Foreign consultants will have to be engaged to evaluate all these documents.</p> <p>Furthermore the applicant shall abide by all relevant occupational health and safety regulations under the Occupational Health and Safety Authority Act, Act XXVII of 2000, in particular revision of risk assessments to cater for any new or modified work practices.</p> <p><b><u>Enemalta reply:</u></b> Enemalta DPS Safety Report is currently being reviewed and is in the final stages prior to the issue of the draft version. Enemalta DPS Safety Report should be finalised by mid-January 2022.</p> <p><b><u>Coordinated Safety Report</u></b></p>

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				<p>This report is based on the operators' individual safety reports. Once Electrogas's and Enemalta's safety reports are issued, the consultant will start updating the DPS Coordinated Safety Report.</p> <p>It is envisaged that the DPS Coordinated Safety Report should be finalised by June 2022.</p>
Civil Protection Department	No feedback received	-		
EWA	No feedback received	-		
Transport Malta	No feedback received	-		
MCCAA	No feedback received	-		
Malta Resources Authority	No feedback received	-		
Planning Authority	No feedback received	-		
Internal Consultees Feedback				
Environmental Assessment Unit	<p>On the application IP0002/21/i</p> <p>In view of the variations proposed in the plant operated by EGM, a statement from the EIA Coordinator that carried out the EIA for the original development on the same site is required. This statement is to confirm or otherwise whether the proposed variations are such that they may have a significant impact on the environment and thus change the nature of the findings of the EIA undertaken for the proposal in the same area. Following the receipt of this statement and in line with Regulation 24(3) of the EIA Regulations (S.L. 549.46), ERA would be in a position to determine whether an EIA Update or a fresh EIA is required.</p>	Operator to take note	<p>EGM reply: Kindly refer to Annex 1 – EIA Statement</p>	<p>With respect to the submissions made by D3PG and EneMalta in relation to their application for a renewal of the permit, we have no comments from an environmental assessment perspective.</p> <p>With respect to the submissions made by EGM in relation to their application for variations to the permit, EAU have received a revised EIA Coordinator's Statement on 4 November 2021, addressing the variations as amended (excluding the upgrade of Siemens gas turbines). Following review of the referred documentation, we have no objection to the proposed variations from an environmental assessment perspective. The attached correspondence has been issued to the applicant, in which we have reiterated the previous assessment and conditions for PA/00021/14 and</p>

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				PA/00022/14, which remain valid. No additional conditions are being proposed from our end, following these proposed variations																								
Biodiversity & Water Unit	On the application IP0002/21/i  BWU has no further comments on point on point C3.4	Noted.		No further comments																								
Air & Waste  Air Quality Team	On IP 0002/21/i  Would it be possible and feasible to report NMVOCs.  On IP 0002/21/iii  No comments from an AQ perspective  On IP 0002/21/ii  Would it be possible and feasible to report NMVOCs and the heavy metal emissions (BC, CO, Pb, Cd, Hg, As, Cr, Cu, Ni, Se, Zn), in view that an IP 0002/21/i	Kindly note that this requirement is required by BAT4, request is being on a voluntary basis.   Kindly note TVOC and metals will be included in permit in event that the engines fire gas oil as required by BAT4.	EGM reply: EGM deems that the current monitoring is adequate.	Regarding EGM, we would like to request the flue gas volume in m³ for CCGT 51, CCGT 52, and CCGT 53, as this is needed to calculate the CO emission load.  Additionally, we also like to request the yearly operating hours per turbine/engine, for all power stations  Enemalta reply: <table><tr><td>Operating hours</td><td>2018</td><td>2019</td><td>2020</td></tr><tr><td></td><td></td><td></td><td>**</td></tr><tr><td>D2</td><td>11hrs 37min</td><td>173hr30min</td><td>463hr 39min</td></tr><tr><td>D3</td><td>18hrs 55min</td><td>85hrs 58min</td><td>474hr 46min</td></tr><tr><td>D4</td><td>304hr48min</td><td>364hr21min</td><td>1811h56min</td></tr><tr><td>D5</td><td>300hr23min</td><td>427hr48min</td><td>1690h00min</td></tr></table>  **In 2020 Enemalta’s gas turbines had to operate continuously for the first 3 months of the year to replace the missing capacity from the interconnector when this was damaged in December 2019.  So the year 2020 does not reflect the normal operating hours for Enemalta’s gas turbines	Operating hours	2018	2019	2020				**	D2	11hrs 37min	173hr30min	463hr 39min	D3	18hrs 55min	85hrs 58min	474hr 46min	D4	304hr48min	364hr21min	1811h56min	D5	300hr23min	427hr48min	1690h00min
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Air & Waste  Waste Management Team	On the application IP0002/21/i  <u>Annex 12 - Waste Management</u> : The waste generated from the oily water separator at the re-gasification site is being classified under the EWC codes 16 01 14*/16 01 15. However such codes refer to anti-freeze fluid wastes from dismantling of end-of-life vehicles or from vehicle maintenance. Hence clarifications or alternative codes which better describe the waste and activity generating such waste are needed.	EGM to reply	EGM reply: The waste generated from the oily water separator at the re-gasification plant will use codes EWC 13 05 03* ‘interceptor sludges’ or code EWC 13 05 07* ‘oily water from oil water separators.	The waste management plan for the D3PG (i.e. the document titled <i>EMSP 04-02-GWM_2 General Waste Management</i> ) should indicate the fate of the waste according to EWC code. Similarly, the waste management plan submitted for the ENE (i.e. the document titled <i>SOP-088 Waste Management Plan</i> ) should also indicate the final fate of the waste generated.  Enemalta reply:  Enemalta has to select its waste contractors through a tender process which stipulates that the cheapest compliant offer is to be awarded the tender. Hence waste contractors vary from one contract to another and so the final destination of the waste especially hazardous																								

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				<p>waste will vary according to the contractor that is awarded the tender.</p> <p>However, SOP-088 Waste Management Plan on Page 10 states that waste carriers and waste management facilities are to be permitted by the local authority and <u>in the case of hazardous waste that shall be shipped abroad, the contractor shall have all the required authorisations from local and foreign authorities where the waste shall be in transit up to its final destination.</u></p> <p>Prior to the award of a tender checks are carried out to see that the final destination of the waste by the contractor who is awarded the contract shall be to permitted facilities both locally and abroad.</p>
<b>Air &amp; Waste Noise</b>	<p>It is recommended that the requirement that the upcoming noise monitoring consider noise from the bunkering operations. Taking into account the same 4 monitoring locations considered for the complaint monitoring study, and then depending on the outcome of the study, frequency of the noise monitoring for such operations will be determined accordingly.</p>	EGM to reply	EGM reply: Kindly note that noise monitoring is considered by Enemalta. Kindly refer to statement from EIA team, provided in Annex 1.	<p>Please find the following feedback from noise aspect:</p> <ol style="list-style-type: none"> <li>1. In accordance with Annex 16, section 5.10, once method statement is submitted to ERA this will be reviewed in order to confirm methodology and that the MP locations chosen are in line with previous monitoring sessions at DPS, and in addition, a copy of the EIA is to be forwarded in order to confirm location sites chosen during the EIA</li> <li>2. Furthermore in doc: <i>Annex III Statutory Consultation feedback DPS - EGM reply 7th July 2021</i>; in the noise comment relating to the consideration of noise from bunkering operations, EGM comment states : '<i>Kindly note that noise monitoring is considered by Enemalta. Kindly refer to statement from EIA team, provided in Annex 1.</i>' - can you forward us this statement as we could not trace this.</li> </ol>
<b>Compliance &amp; Enforcement</b>	No objections on latest amendments provide by Enemalta. Moreover there are no comments with respect to the status of the improvement programme items for IP0002/07/Gi , IP0002/07/Gii & IP0002/07/Giii	-		
<b>Environmental Permitting:</b>	There are no comments from a TFS perspective	-		