

The Executive Chairperson  
Planning Authority  
St. Francis Ravelin,  
Floriana

Date: 11 December 2019  
Our Ref: EA 00016/18

Dear Sir,

**Planning Ref.:** PA 08939/19  
**Description Proposal:** Redevelopment of Ex-Edible Oil Factory  
**Location:** Site at the Refinery, I-Ingiered, Marsa, Malta

**Environmental Impact Assessment Regulations, 2017 (S.L. 549.46)**

Reference is made to your consultation (doc. 27a) which ERA received on 6<sup>th</sup> November 2019.

ERA's recommendation and representation on the said development proposal are being lodged in its capacity as an external consultee and an interested party in accordance with the Development Planning Act and the Development Planning (Procedure for Applications and their Determination) Regulations, 2016 (L.N. 162 of 2016).

ERA notes that this development application is a similar proposal to PA 06748/17 on the same site; the latter was assessed by ERA and has since been withdrawn. Documents PA/06748/17/56d and PA/08939/19/1q have been compared and the difference noted between the two proposals is the shifting of gross floor areas from upper levels to lower in Block E and Block J, as a result of the receded levels.

EIA screening carried out for PA 06748/17 has determined that the proposal is not likely to have a significant effect on the environment to the point of warranting an EIA (doc PA/06748/17/66b). Through PA 06748/17, ERA had requested further studies for Air Quality and Noise (relating to traffic generated during operation) as well as Site Clearance and Land & Groundwater Contamination Investigations on 2<sup>nd</sup> May 2018 as at Doc PA/06748/17/66b. The EIA screening and the further studies for PA 06748/17 are still valid for the proposal under assessment.

To date, ERA has received and accepted method statements for the Air Quality Study, Waste Management of Site Clearance and 'Details of Work Plan for the Decontamination, Dismantling Removal, Packaging and Eventual Reuse or Authorised Disposal of the Respective Components Of Hazardous-Containing Equipment and Materials from the Ex-Edible Oil Plant, Marsa'. ERA has sent comments and is awaiting revised reports for other Site Clearance and Land & Groundwater Contamination Investigations.

Following the incident on site in October 2019, ERA requested updates on the damages which occurred as per the following:

1. Site plan showing the areas where the incident occurred;
2. Inventory of the equipment which was not yet dismantled and which has been affected by the incident; and
3. Status update on the remaining equipment to be dismantled together with submission of an update on the method statements which will need to be revised to take into consideration the impact of the resultant fire (including an updated list of wastes and respective classification following the incident).

The above are still pending. Furthermore, with regards to the currently ongoing review of the Land & Groundwater investigation Method Statements, ERA is emphasising that updates to the documentation are to take into consideration not only feedback already submitted by the Authority, but also the repercussions of the fire and the new developments to the current state of the site.

Any submissions currently pending (outlined above) are required for the further assessment of this development application.

Yours faithfully,

Ryan Busuttil

Assistant Environment Protection Officer  
f/Director Environment & Resources  
Environment and Resources Authority

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*Disclaimer*

*The above comments are being issued without prejudice to any additional issues which are regulated by ERA through any relevant environmental permitting and, or compliance mechanisms, as well as to any environmental considerations that may be beyond the scope of the application under consideration.*

*The above assessment is based on the information provided to ERA in the application. Should it result that such information is incorrect, incomplete or misleading, or in the event of any omissions, or subsequent modifications, amendments or changes to the proposal, application and/or related submissions, the above assessment (including any favourable consideration, lack of objection, any proposed conditions or lack thereof, or any other equivalent stance, etc.) may need to be reopened to ERA's satisfaction. ERA shall not take responsibility for comments, assessments or judgments based on information that is incorrect, incomplete, missing or misleading, and which is only discovered after its assessment, nor for any environmental impacts resulting from developments which it was not specifically consulted on. Furthermore, ERA also retains the right to take additional action should the information provided, or any incorrect, incomplete, missing or misleading details, be tantamount to fraud.*