Comments on the Environmental Impact Assessment (EIA) and Appropriate Assessment (AA)

12th May 2020

PA 8757/17: Construction of the Malta-Italy gas pipeline EU Project of Common Interest, including a terminal station at Delimara Power Station, an onshore HDD route through Delimara Peninsula and the laying of an offshore 22" diameter pipeline up to the median line between Delimara, Malta and Gela, Sicily.

Consultees' Comments on EIA Report (14th March 2020 – 15th April 2020)

A. Regulator for Energy and Water Services (email dated 24th March 2020

Comments
The Regulator for Energy and Water Services has no further comments.

B. Occupational Health & Safety Authority (email dated 26th March 2020

Comments
The pipeline terminal will be located adjacent to an existing upper tier COMAH site. In this respect the major accident prevention policy, safety report and internal emergency plan of the Delimara power station will have to be revised to take into account this new development which, in case of an accident, could have a domino effect. Moreover, the gas terminal will be connected directly to the infrastructure within the power station to supply natural gas to D3 and D4. Currently the whole Delimara site is considered as one COMAH establishment with two operators, Enemalta and Electrogas, storing gasoil, HFO and LNG. Both operators had submitted their safety report, major accident prevention policy and internal emergency plan and coordinated reports covering the whole site. With the introduction of the natural gas terminal, these documents will have to be revised to take into account additional hazards posed by this installation within the Delimara power station perimeter. If the intention is to remove the LNG FSU from its current location, it is required that the revised documents consider this scenario and also the transition period when the gas pipeline and the FSU are both on site. The applicant is required to take every measure and precaution, in collaboration with the other operators within the Delimara site, to minimise the risks of an accident and, or mitigate the consequences of an accident during construction, installation and commissioning. The applicant shall abide by all relevant Occupational Health and Safety legislation in the execution and operation of the terminal.

C. Superintendence of Cultural Heritage (email dated 9th April 2020)

Comments
The area subject to this project extends across a large area of the Delimara peninsula and reaches up to the median line between Malta and Sicily in Maltese Territorial waters.

The Delimara Peninsula and the sea separating Malta and Sicily are archaeologically sensitive areas owing to their long history of maritime activity. Archaeological remains and cultural heritage features recorded at the Delimara Peninsula include Punic ruins, salt pans, Knights' period fortifications and Fort Delimara.

Recorded offshore remains in close proximity to the site include ashlar blocks at Marsaxlokk Bay, lead anchor stocks off Delimara Bay, several shipwrecks and aircraft wrecks, ceramic scatters, unexploded ordinance amongst other remains.

Proposal
The project entails the construction of the Malta-Italy gas pipeline including a terminal station at Delimara, the reclamation of land at Marsaxlokk Bay, an onshore HDD route through Delimara Peninsula and the laying of an offshore 22" diameter pipeline up to the median line between Delimara, Malta and Gela, Sicily.

Review of results identified in the Environment Impact Assessment
The Superintendence assessed the data gathered and complied in the technical reports entitled Architectural, Archaeological, Historical & Cultural Heritage and related Material Assets and Visual amenity in relation to an Environmental Impact Assessment.

Heritage Assessment
The conducted field-walking surveys resulted in the identification of salt pans and rubble walls within the site. However, in view that the onshore construction method involves the boring of a micro tunnel at a level of 10-30m below ground level, the project should not affect any potential cultural heritage features situated on or immediately below the surface.

Offshore studies carried out within the site resulted in the identification of about five features of cultural heritage importance which consist of an airplane wing and wrecks. The identified remains are not located on the proposed pipeline route. The positioning of the catenaries and the formation of a suitable anchoring pattern will be considered in relation to their proximity to the Underwater Cultural Heritage targets. A qualified archaeologist is to be present in the event of construction or the laying of pipeline within 500 metres of an Underwater Cultural Heritage target. The methodology as proposed is acceptable from a cultural heritage point of view.

Given the above, the Superintendence approves the proposed mitigation and monitoring measures.

Visual Impact
The Superintendence notes that the proposed terminal station will be located on the southern end of the Delimara Power Station complex. The station will be visible mainly from the area in front of Fort Delimara. The whole of Delimara peninsula is designated as an Area of High Landscape Value in the context of the coastal cliffs (G.N. 400 of 1996).

Whilst the Superintendence is generally opposed to drastic changes which affected views and vistas to and from national monuments and scheduled/protected areas, given that the terminal is an extension to an already committed area, and is related to a project of national infrastructure, the Superintendence does not object to the proposal.

It is however suggested that if the operational use permits, possible visual mitigation measures are adopted to lessen the impact.

Conclusion and conditions
The Superintendence is in agreement with the results of the Environment Impact Assessment.

When consulted during the planning process of application PA/08757/17, the Superintendence will recommend the folllowing:

- archaeological monitoring conditions;
- possible visual mitigation measures of the proposed terminal.

D. Department for Health Regulation - Environmental Health Directorate (email dated 15th April 2020)

Comments

With reference to Environmental Impact Assessment dated March 2020 regarding subject indicated in caption, kindly be informed that this Directorate would like to submit the following comments/recommendations regarding this proposal.

The justification proposed for this development is to supply Malta with a reliable source of natural gas and hence remove the need of the FSU. The Directorate has no objection with this regard. However, the Directorate is concerned with the effects that this project might have on the bathing areas present opposite the scheme. Bathing season is from third week of May till the end of October. It is of high importance that all the monitoring and mitigation measures identified are implemented to prevent the risk of sea water contamination from the excavation, construction, land reclamation and operation of these proposal.

Should this proposal be accepted, the applicant is to adopt best practice methods together with good site practices and ensure compliance with Environmental Management Construction Site Regulations during all phases of construction and land reclamation. Moreover, applicant is to implement all proposed mitigation measures to cause the least nuisance and mitigate adverse air pollution (from dust dispersal and emissions from vehicles and machinery), noise and vibration impacts on sensitive receptors in the Area of Influence, sea water and on the general public. Hence the importance of drawing up and implementation of a Construction Management Plan to ensure adherence to proper site management practices to address groundwater, sea water and surface water pollution, to mitigate other adverse construction impacts, including construction traffic impacts and to ensure safety measures. Monitoring of construction works is also highly recommended to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project.

All the vehicles that will be used on shore and offshore in relation to the construction, land reclamation and operation phase of the proposal have to be in good working condition and adopt good working practiced preventing that any oil, fuels and lubricants reach the, ground, surface and sea water. Adequate preventive measures are to be taken regarding the potential oil spill from machinery used during construction and operation.

Safe and proper handling of raw materials on site should also be ensured. Chemicals, oils and lubricants are to be placed in enclosed containers to prevent any leakage on ground and sea Adequate preventive measures are to be taken regarding the potential oil spill from machinery/vehicles used during construction and operation phase to prevent the contamination

of ground water, surface water and seawater.

All necessary mitigation measures are to be implemented during the construction phase to reduce the level of air pollution. All mitigation measures to control dust must be carried out with caution to prevent runoff ending in the sea water. Measures to ensure that surface run-off, water used for dust control, water used for wheel washing and general cleaning are to be adopted and maintained during construction and operational phase.

If water spraying is used as a dust suppression technique to limit dust emissions it must be treated with chlorine to prevent risk from Legionaries disease. It is to be noted that uncontrolled periodic spraying of excavated material with water to mitigate dust emissions may result in the production of run-off slurry that would flow down slope and pool in low-lying areas. Similar effect may result from washing vehicle wheels with sprinklers and hence further mitigation measures or else other de-dusting systems are to be considered. In the case that a mist cannon is used as dust suppression equipment, water in cannon must be first class and treated with chlorine. It is of utmost importance that mitigation measures with respect to air quality are implemented so as to significantly reduce the impacts on public health resulting from the deterioration of air quality.

Any water disposal and/or overflowing at sea from the construction, land reclamation and operational phase is to be free from contaminates and particles. All the necessary monitoring and mitigation measures are to be implemented.

All the necessary mitigation measures during the construction and operation phase of the project are to be implementing to prevent and/or reduce the level of noise and vibration pollution in the surrounding area.

With regards to waste generated during the construction works the developer is to abide to the proposed waste management plan and waste handling procedures as per the current Waste Management Policy. It is recommended that all proposed mitigation measures, including those proposed for the operation and maintenance phase, are to be strictly implemented by the applicant to mitigate to the maximum any possible adverse impacts on public health and sea water. Operators are to make sure that good practice and the necessary measures are taken in account to prevent any littering from anthropogenic materials and/or remain in the sea from construction land reclamation and operation of the scheme. Monitoring and mitigation measures are to be adopted.

Second class water collected in reservoir is not to be used for human consumption.

Mobile toilets present on scheme should be supplied with a wash hand basin and adequate source of ventilation and light. The wash hand basin should be supplied with potable water. These must be regularly emptied by licensed person to prevent that foul water ends on the ground, and sea.

Necessary permits for the construction of cesspit must be obtained. Said cesspit must be registered with the Superintendent for Public Health and any other relevant authorities. Cesspit is to be double skin and leak proof. It must be emptied on a regular basis by a licensed liquid waste collector person and make sure that it does not overflow onto the street and sea.

It is recommended that light dispersion is to be controlled to avoid undesirable pollution effects on the neighbouring environment is highly recommended both during the construction and

operation phase.

It is recommended that construction traffic follows established specific routes and adequate site management together with other measures such as storing or transporting constructional waste properly covered to prevent dispersal of dusts, washing of wheels and other dust control measures are taken to mitigate adverse dust impacts and nuisances from heavy vehicles during transportation. No water or liquid substance should drip from the vehicles transporting wet construction material from on shore and offshore. All other mitigation measures which may be necessary to minimise nuisances and adverse health impacts from construction traffic are to be implemented.

Any other unpredicted impacts and nuisances which may arise and that may have a significant adverse effect on public health should be immediately addressed by the developer and the necessary mitigation measures taken.

A pollution incident control plan should also be in place. Records of all pollution incidents, especially regarding potential pollution of the surrounding environment, are also to be kept and reported to the respective authorities accordingly. Operators should also be made responsible for the cleaning of any construction and operation material, fuel, and oil slick that may reach the shoreline especially at the official bathing areas during the official bathing season.

A Decommissioning plan for the removal of the FSU to be set up. A full decommissioning plan should be prepared for approval by the relevant competent authorities.

All relevant complaints lodged should be investigated and remedial action taken immediately. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.

1. Comments received from the public (14th March 2020 – 15th April 2020)

Individual	Comments
Individual (email dated 6th April 2020)	I am hereby recommending that a Social Impact Assessment is carried out. A social impact assessment reviews the social effects of development and social change, both intended and not. The International Association for Impact Assessment defines an SIA as the process of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions and any social change processes invoked by those interventions. Such changes may range from natural disasters to population growth and from policy interventions to singular development projects. Consequently, SIAs investigate the effects on people's everyday lives in terms of culture, politics, community, health, well-being, aspirations, needs, rights and responsibilities, to name a few. They provide data for policymaking, which is based on evidence. Social impacts under assessment should include all those things relevant to people's everyday life. This may include one's culture, community, political context, environment, health, well-being, personal and property rights as well as fears and aspirations. Social impact assessments can help verify the consequences and impacts of development proposals in relation to the communities involved. Hence, a basic starting point for such assessments should be the compilation of a community profile. A social impact assessment that does not understand the society in question is practically worthless. This can help bring about genuine processes of engagement between communities, developers and authorities as well as identify and implement mitigation measures and compensation mechanisms. As things stand in Malta, various developers do quite the opposite, often causing huge inconvenience to residents and leaving a mess behind in surrounding infrastructure. Various methods, both quantitative and qualitative could be used within social impact assessments. The former refers to generalisable data especially through numbers, while the latter produce in-depth data on matters. Research methods in SIAs may therefore include surveys of concerned populations who are asked questions on their perceptions of the change in question. Ethnographic methods may involve a deeper look into everyday practices of people, while elite interviews may verify the advice, concerns and interpretations of persons who are experts or who have experience in the respective field under analysis. Methods may also involve the analysis of discourse on the subject in question,

	for example by looking at what is being pronounced in the public sphere, whether by the public, civil society, political actors, the media and the like. SIAs should involve the participation of different stakeholders, ideally through mixed research methods. Some other factors which should be included in social impact assessments include the consideration of reasonable alternatives to development proposals as well as comparative analysis of similar development proposals and related good or bad practices. Analytic indicators should be provided and the entire process should be subject to peer review by independent experts in the field. Social impact assessments should not be one-off exercises which are rubber-stamped by authorities without any sense of critical engagement. To the contrary, they should be ongoing processes which engage with various stakeholders and which report back so as to ensure effective policy processes. They should also use complementary research methods so as to ensure reliable and valid data. Recommendations and mitigation measures could therefore be in place, and these would be based on social-scientific evidence. It is also important that SIAs are peer-reviewed. This means that if a study is being carried out by a team of social scientists, this should be scrutinised by other independent social scientists. This could help identify shortcomings, conflicts and possible improvements to the same SIA. Such ongoing processes should also take account of changes in the social context in question, such as cumulative impacts of other developments. For example, a social impact assessment that focuses on one development but ignores another development in the region is not realistic.