

CONSULTEES' COMMENTS ON EIA REPORT

A. Occupational Health and Safety Authority (Email dated 29th March 2021)

Comments	Response from EIA Coordinator
<p>The employer at this place of work shall ensure that:</p> <p>A. All work activities comply with the requirements of Act XXVII of 2000 and all relevant OHS regulations;</p> <p>B. One or more persons having the necessary aptitude, capabilities, competence and training shall be designated to assist the employer in undertaking the measures which are required to be taken in relation to the protection of occupational health and safety and the prevention and control of occupational risks, as per LN 36 / 2003;</p> <p>C. ALL work activities falling under one's responsibilities are covered by a suitable, sufficient and systematic risk assessment carried out as per LN 36 / 2003 and other relevant OHS regulations. Without prejudice to the legal obligations of an employer, this risk assessment shall, inter alia, refer to:</p> <p>(i) The measures to be taken against risks from manual handling of loads as per LN 35 / 2003;</p> <p>(ii) Protection against exposure to chemical agents at work as per LN 227 / 2003 including, but not limited to measures against inhalable dusts and metals;</p> <p>(iii) The measures to protect workers from risks from exposure to the sun;</p> <p>(iv) The required emergency prevention, preparedness and response arrangements including first aid and firefighting measures;</p> <p>(v) Protection against physical agents at work including but not limited to risks from noise and vibration;</p> <p>(vi) Traffic management;</p> <p>(vii) Protection of workers from risks of electrocution as required by LN 44 of 2002;</p> <p>(viii) Personal protective clothing / equipment to be used by workers;</p> <p>(ix) Suitable welfare facilities to be made available for staff;</p> <p>(x) The required health and, or safety signs and;</p> <p>(xi) Training and competence of workers to perform the assigned tasks;</p> <p>This risk assessment shall also make reference to the necessary health surveillance that is required wherever there is</p>	<p>Noted. These comments have been referred to the Applicant.</p>

<p>revealed an identifiable occupational disease or adverse health condition related to the work involved OR the likelihood that a disease or condition may occur under the particular conditions of work, as per LN 36/ 2003 and other applicable OHS regulations. Employers shall ensure that all prevention and mitigation measures are implemented and enforced. Employees shall cooperate with their employers in implementing all health and safety measures.</p> <p>D. All work equipment complies with the relevant provisions of LN 293 / 2016, including where applicable, by ensuring that work equipment is duly examined by a competent person and a report of such examination is kept by the employer and (where applicable) also sent to OHSA and;</p> <p>E. Any intended construction related works comply with the relevant provisions of LN 88 / 2018.</p>	
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B. Civil Protection Department (Email dated 29th March 2021)

Comments	Response from EIA Coordinator
<p>With reference to your correspondence, note that the applicant shall provide the fire safety report including the drawings clearly addressing the measures and provisions of fire safety. Note that the report shall be adhering to the relevant fire safety guidelines and standards. Failing to adhere to such guidelines and standards, the CPD objects to the proposal.</p>	<p>Noted. These comments have been referred to the Applicant.</p>

C. Superintendence of Cultural Heritage (Email dated 27th March 2021)

Comments	Response from EIA Coordinator
<p>Cultural Heritage Context</p> <p>The site of the proposed development is located Outside Development Zone within the limits of Birzebbuga. The site itself is a disused agricultural field, characterised by extensive soil cover and bound by traditional rubble walls.</p> <p>The area, outside the development zone is characterised mainly by rural activity, though the Hal Far and Benghisa area is a virtual palimpsest of historical activity, marked even by military activity into the 20th century, creating a legible and very significant cultural landscape. The area has wealth of historical hamlets, as indicated even by the surviving cluster of scheduled historical buildings, approximately 300 metres to the east of the proposed development site. Other hamlets including Hal Arrig, are less evident and their location is not clearly recorded. The long history of human activity gives the area has a degree of archaeological potential. The survival of significant cultural heritage remains within the site footprint cannot be excluded.</p> <p>Proposal</p> <p>The project is described as the “Relocation of existing Savina fuel station in Victoria, Gozo (License No. MRA/K-PRS26) with a new fuel station in Birzebbuga Malta including car wash, class 4D shop, mechanical Shop, tyre service vulcanizer garage and valeting garage”.</p> <p>Review of results identified in the Environment Impact Assessment</p> <p>The Superintendence has assessed the data gathered and compiled in the technical reports entitled Non-Technical Summary, Coordinated Assessment and the Technical Appendices on the Cultural Heritage, noting also the Project Description Statement.</p> <p>The Superintendence is immediately constrained to comment on the Cultural Heritage section at 8.3 in the Project Description Statement. The statement is factually correct in stating that there are no listed cultural properties within the site and that the nearest scheduled property is at an approximate distance of 300 metres from the proposed development. Nevertheless, any implication that the site is devoid of cultural features would be incorrect, since even casual observation confirms the presence of traditional fields, bound by long-standing rubble walls.</p> <p>Heritage Assessment</p> <p>In reviewing the Technical Appendices on the Cultural Heritage and the Co-ordinated Assessment, the Superintendence notes with satisfaction the comprehensive compilation of cultural heritage features within the site, within the area of influence and within the general area. This compilation of information results both from desktop research and from</p>	<p>The SCH’s reference to Section 8.3 of the Project Description Statement (PDS) in respect of the EIA Report is not clear. Nevertheless, the cultural heritage section of the EIA Report (Chapter 7) makes clear that, whilst there are no scheduled cultural heritage features located within or in the immediate vicinity of the Scheme site, there are a number of important recorded cultural heritage features located within and in the immediate proximity of the site (see paragraphs 7.51 and 7.52 of Volume 1).</p> <p>The SCH’s comments have been referred to the Applicant.</p>

evident close inspection of the site

The Superintendence notes with particular favour:

- The identification of specific cultural heritage assets, described and evaluated on data capture cards, located within the site or within the immediate area of influence. The identification of the assets adds to the corpus of knowledge on the locality and permits a greater understanding of potential impacts.
- The contextualisation of the site within the cultural landscape, which is described and identified as a cultural heritage asset in its own right.

Impacts

The Superintendence notes the conclusions as concisely and clearly expressed in the Non-Technical Summary and is in agreement with these conclusions.

With regards to the cultural heritage, the Non-Technical Summary concludes that:

- The Scheme will have a major negative impact on a number of important recorded cultural heritage features (and) will result in the loss of a Grade A wall running through the site.
- ... given their proximity to the Scheme site, it is considered that the Scheme will have a major negative impact on (other) recorded cultural heritage features since there will be a significant change to their setting and to the cultural landscape context.
- The Scheme site itself is considered to have significant archaeological potential...especially in the context of the medieval village of Rañal Arrig. Hence, there is the potential for impacts on cultural heritage....

The Superintendence is in agreement with the concerns as raised at points 45, 46 and 47 of the summary.

The Superintendence is also in agreement with the concern raised at point 48 on Landscape and Visual Amenity, wherein the summary rightly states that:

- The impact on landscape character is considered to be of major significance in relation to the Rural Character Area: Local Landscape Tract (LLT), where the Scheme will introduce an urban element to an otherwise largely rural setting, and which will also affect the cultural landscape.

The Superintendence considers this matter as having direct bearing on the cultural landscape, which is to be considered a cultural asset, even in terms of the Cultural Heritage Act 2019.

Proposed Mitigation

In view of the information as compiled, the Superintendence is constrained to agree with the conclusion of the Co-

ordinated Assessment that the proposed development should be better sited at an alternative location, in view of the inevitable negative impact on the cultural heritage at this location.

The Superintendence has already expressed its concerns on this proposed development in its initial response to consultation by the Planning Directorate, uploaded on EApps at doc 55a on the 24th May 2019. In the light of the information compiled and the conclusions reached by this report, the Superintendence is even less favourable to the proposed development.

If the Planning Authority should decide to favourably consider this development, despite the strong arguments against it, suitable mitigation measures are to be implemented. These would include:

- Mitigation of visual impact through adequate design and reduction of volumes.
- Archaeological monitoring of works by approved archaeologists under the direction of the Superintendence.

Conclusion

The Superintendence again notes with satisfaction the compilation of data in the report and is in general agreement with its conclusion.

With regards to proposed mitigation, the report might be advised to clarify that the relocation of the proposed development to a less sensitive site would be greatly preferable to monitoring of works.

D. Environmental Health Directorate (E-mail dated 28th April 2021)

Comments	Response from EIA Coordinator
<p>With reference to environmental planning statement dated March 2021 regarding subject indicated in caption, please be informed that this Directorate would like to submit the following comments/recommendations regarding this proposal:</p> <p>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 the construction phase. Moreover, applicant is to implement all proposed mitigation measures so as to minimise any nuisance and mitigate adverse air (from dust dispersal and emissions from vehicles and machinery), noise and vibration impacts on sensitive receptors in the Area of Influence 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 so as to address groundwater 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 so as to ensure implementation of all necessary mitigation measures and adherence to work practices throughout all the phases of the project.</p> <p>Safe and proper handling of raw materials on site should also be ensured. Adequate preventive measures are to be taken regarding the potential accidental spillage of hazardous fluids, fuel and lubricants which are also to be well managed and adequately stored.</p> <p>Without mitigation measures fuel spillage or leakage during construction and operation, impacts on the land, groundwater, agricultural land and watercourse of nearby valley could be significant as any major spillages from organic fuels could infiltrate the rock or end up in the adjacent agricultural fields and result in contamination. The EHD notes that to minimise the risk of contamination through leakages into the rock below, the site will be sealed with geotextile material and covered with an impermeable layer of concrete to cover all the plant. Fuel tanks and pipes will be double sink, protected with mechanical damage and have a Class I interstitial leak detection system to EN 13160. Hence it is important that the necessary mitigation measures outlined in the EIA are adhered to.</p> <p>With regards to air (benzene and odour) emissions during the operation phase it is pertinent that the proposed vapour recovery systems (Stage IB and Stage II recovery) be installed in line with the relevant legislation so as to mitigate adverse impacts on sensitive receptors in the area. Moreover, the vapour recovery systems should be maintained regularly to ensure their effectiveness in abating emissions and odours. Hence the alternative for no mitigation measures should not be considered.</p> <p>Measures mentioned to ensure that surface run-off water from dust control, wheel washing, general cleaning and car wash facility are to be adopted and maintained during construction and operational phase. If measures to control dust are carried out by spraying water, it should be treated to prevent Legionaries diseases prior used. 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</p>	<p>Noted. These comments have been referred to the Applicant.</p>

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. Even though these actions are deemed to be necessary to control dust emissions it is important to prevent possible impacts and nuisances from runoff.

Rain-water runoff from the area where a canopy cannot be constructed, it has to free from fuel, oils and lubricants prior reaching the street.

It is also pertinent that during the operation of the scheme all proposed mitigation measures are strictly implemented so as to mitigate all environmental risks especially through underground, surface and airborne pollution.

Waste management strategy should be adopted and implemented during the excavation / construction and operational phases so that all generated waste streams will be contained, separated and disposed of safely through the appropriate facilities and according to the necessary permits/licences. With regards to removal and disposal of any hazardous waste, adherence to regulatory codes and procedures and due diligence is important in view of public health and any adverse impacts on nearby sensitive receptors.

Generated wastes, cleaning chemicals, etc. from any temporary sanitary facilities for on-site workers should be properly disposed of. All water for human consumption and personal use at said facilities is to be adequate, potable and from an approved source (preferably from the Water Utility Supply i.e. Water Services Corporation).

Restrooms- Every restroom present in the premises 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. The wash hand basin must be connected to a waste water pipe that discharge on a gully trap situated in open area and connected with regular drains.

Reservoir-harvested rain-water should not be used for human consumption and/or personal hygiene. Reservoir overflow must be directly onto the street.

It is recommended that the necessary mitigation with regards to light pollution are carried out to avoid undesirable pollution effects on the neighbouring environment.

Noise mitigation measures to reduce the threshold limits of noise pollution arising from the carwash are to be adopted. This is to prevent the chance that it threshold limit of 55dB during the day and 45dB during the night outside a bedroom, (established by WHO 2000 guidelines), are exceed for the residential area of influences.

It is recommended that construction traffic follows established specific routes and adequate site management together with other measures such as storing or transporting creed sand and other loose building materials in containers with suitable covers which effectively 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. All other mitigation measures which may be necessary to minimise nuisances and adverse health impacts from construction traffic are to be implemented. Furthermore during the operation, traffic arrangements are to be adopted as indicated by the Road Safety Audit.

<p>All proposed mitigation measures regarding adverse impacts arising from this development during the construction and operation phase are to be implemented by applicant to mitigate any significant adverse health effects and nuisances on sensitive receptors in the Area of Influence and the general public. The possible health effects of any residual impacts that cannot be mitigated and the overall cumulative impacts should also be taken into consideration. Land use requirements during construction such as take up of major road leading to traffic build up and road safety issues in such a busy road should be included in the Environment Planning Statement.</p> <p>It is highly recommended that a Legionella risk assessment plan is adopted for the car wash area. This is due the fact that aerosols from the car wash can be a source of Legionnaires Diseases, as per LN 5 of 2006. Thus further information on the management of water sources to be used for the car wash has to be provided. A detailed plan as to how said water is to be treated and disinfected as to avoid the spread of Legionella bacteria through aerosols is to be provided. It is recommended that Legionella samples are taken every six months and tested in an accredited lab. If legionella sample result exceeds 1000cfu/litre the applicant is to inform the Environmental Health Directorate and necessary treatment is to be carried out. Moreover, any other unpredicted impacts and nuisances which may arise from this development and that may have a significant adverse effect on public health are to be immediately addressed by the applicant and the necessary mitigation measures taken.</p> <p>Complaints lodged by the public regarding any adverse impacts/nuisances should be immediately addressed by the applicant. All complaints lodged and actions taken are to be recorded and such records are to be readily available to the Competent Authorities when requested.</p> <p>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.</p> <p>Regarding any future plans for Scheme decommissioning, a full decommissioning plan should be prepared for approval by the relevant competent authorities.</p> <p>Risk of workers repeatedly exposed to benzene over long periods of time should be referred to OHSA</p>	
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E. Energy and Water Agency (Email dated 29th April 2021)

Comments	Response from EIA Coordinator
It is highly recommended that the project applicants look into possibility of using heat pump water heaters for efficient water heating.	Noted. These comments have been referred to the Applicant.

MEMBERS OF THE PUBLIC

A. Member of the public (Email dated 29th March 2021)

Comments	Response from EIA Coordinator
Bloody stupid!	Noted. These comments have been referred to the Applicant.