Notice of Variation

Environmental Permit

Environment Protection Act (CAP. 549)

Variation number
EP 0035/09/V2

Permit number
EP 0035/09

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549) and applicable subsidiary legislation referred to in this permit, hereby authorises:

Ms. Claire Zammit Xuereb on behalf of AX Hotel Operations p.l.c. (hereinafter "the Permit Holder"), Company Registration number: **C 40905**

whose Registered Office is at:

AX Group, AX Business Centre
Triq id-Difiża Ċivili
Mosta MST 1714

to operate an installation at:

AX Sunny Coast Resort & Spa
Dawret il-Qawra
Qawra SPB 1981

This variation is valid until the expiry of EP 0035/09 which is **four (4) years** from the 'Permit granted' date below. An application for renewal is to be submitted at least **six (6) months** prior to the expiry of EP 0035/09.

Signed	Date
[redacted] Perit Vincent Cassar Chairperson	Permit granted: 09/09/2021 First variation notice granted: 22/03/2023 Second variation notice granted: 10.05.2023

Authorised to sign on behalf of the Competent Authority

Introductory Note

The enclosed Notice of Variation shall be read in conjunction to the Permit with reference EP 0035/09 and Variation Notice EP 0035/09/V1 and shall take effect as of the date indicated on the covering page.

The Authority is hereby varying Section 1, Section 2, Schedule 1, Schedule 4 and Schedule 5 of the Environmental Permit (EP 0035/09) as specified hereunder.

Section 1 – General

The status log shall be replaced by the following:

Detail	Date
EP 0035/09 granted	9th September 2021
EP 0035/09/V1 granted	23rd March 2023
Determination of EP 0035/09/V2	5th May 2023
EP 0035/09/V2 granted	As per covering page

Table 1.1.1 shall be amended to read as follows:

Table 1.1.1 – Permitted Activities		
Activity	**Description of specified activity**	**Limits of specified activity**
Hospitality, leisure and tourism	Accommodation, gym, spa, hair & beauty and restaurants	From receipt of raw materials required for amenities to disposal to associated wastes
Associated activity of utilities	Three (3) boilers to produce steam and hot water	From receipt of fuel to delivery of utility
	One (1) generator to produce power	From receipt of fuel to delivery of energy
	One (1) reverse osmosis plant	From receipt of sea water to delivery of utility and discharge to sea
	Cooling water system (chillers)	From receipt of cooling water from the mains, to discharge of cooling water to sewer
	One (1) indoor pool	From receipt of fresh water and treatment to discharge to sewer
	Two (2) outdoor pools	From receipt of sea water and treatment to discharge of chlorinated backwash to sea

	Four (4) grease traps	From generation of contaminated wastewater from kitchens to disposal of treated water to sewerage system and dispatch offsite of waste grease by registered waste carrier for disposal or recovery at an authorised facility
Loading and storage of fuel	Delivery, storage and use of fuel for the operation of a combustion plant	From receipt of diesel to storage and burning of fuel in the combustion plant
Maintenance workshop	General maintenance	From maintenance/repair activity to appropriate recovery/disposal of any waste created

Section 1.5 – Improvement Programme

Table 1.5.1 shall be replaced by the following:

Table 1.5.1 – Improvement Programme

Reference	Requirement	Deadline
3	a. Submission of a revised Environmental Monitoring Programme requested under Improvement Programme Item no. 1, in line with condition 2.1.32 for the Authority's approval	Within one (1) month of the granting of the Variation Notice
	b. Implementation of the revised Environmental Monitoring Programme	As per timeframes specified in the approved revised Environmental Monitoring Programme

Section 2 – Operating conditions

2.1 – Emissions

Condition 2.1.19 and Table 2.1.2 shall be amended as follows:

2.1.19 Discharges to the marine environment shall only take place through the discharge points specified in Table 2.1.2, as marked in Schedule 4, as per description in the submitted Environmental Permit application with reference EP 0035/09 and Variation application with reference EP 0035/09/V2.

Table 2.1.2: Discharge points to the marine environment

Emission point reference[1]	Source	UTM Coordinates (Easting, Northing)
E1	Outdoor pool backwash and overflow	35° 57' 08.6" N 14° 25' 28.8" E
E2	Reverse osmosis brine discharge	35° 57' 8.6148" N 14° 25' 29.1576" E

[1] According to Section 6 of the Environmental Permit application and Section 2 of the Variation application

Conditions 2.1.21, 2.1.22 and Table 2.1.3 shall be amended as follows:

2.1.21 The Permit Holder shall carry out monitoring for the parameters listed in Table 2.1.3 prior to discharge to sea.

2.1.22 Monitoring of E1 and E2 (as per Table 2.1.3) prior to discharge to sea shall be carried out on an annual basis. Sampling with replicates shall take place at least three (3) times during the year and is to reflect seasonal and operational variations (i.e. winter, summer, and summer peak).

Table 2.1.3: Emission limits to the marine environment			
Emission point reference	**Parameter**	**Limit**	**Frequency**
E1	pH	6 - 10	Minimum of 3 sampling exercises with replicates per annum, taking into account seasonal and operational variations. Sampling with replicates shall take place in winter, summer, and summer peak.
	Total residual chlorine	0.3 mg/l	
	Total suspended solids (TSS)	35 mg/l	
	Temperature	5°C above ambient at outlet	
E2	pH	6 - 10	
	Total dissolved solids (TDS)	N/A (mg/l)	
	Salinity	N/A (psu)	
	Dissolved oxygen	N/A (% saturation O_2)	
	Temperature	5°C above ambient at outlet	

Conditions 2.1.32 and 2.1.33 shall be amended as follows:

2.1.32 The Permit Holder shall carry out environmental monitoring as per Schedule 5 to assess any impacts which may arise on the marine environment as a result of the reverse osmosis brine discharge (E2). This monitoring shall be carried out in line with the approved revised monitoring programme and within the timeframes approved by the Authority. The first monitoring exercise shall be carried out within one (1) month from the approval of the revised Environmental Monitoring Programme, together with a second monitoring exercise six (6) months prior to the expiry of the Permit. The timeframes for the implementation of the first and second monitoring exercises shall be specified in the Environmental Monitoring Programme. The second monitoring exercise shall also include a comparison with the findings of the first set of results.

2.1.33 The Permit Holder shall install a flow meter at each discharge point indicated in Table 2.1.2. These are to be maintained and calibrated as per manufacturer's specifications. Data from the flow meters shall be recorded and reported in line with Table S1.6.1 in Schedule 1 as part of the Annual Environmental Report.

Schedule 1 – Annual Environmental Report

S1.6 – Monitoring Data

Table S1.6.1 shall be replaced by the following:

S1.6.1 Emissions to the marine environment

Parameter	Emission point reference	Limit value	Standard methodology used	Total annual number of exceedances[1]	Concentration (annual average)	Unit	Total annual load	Unit	Flow rate (m^3/hr)
pH	E1, E2	6 - 10				-		-	
Total dissolved solids (TDS)	E2	N/A (mg/l)				(mg/l)		(mg/l)	
Total suspended solids (TSS)	E1	35 mg/l				mg/l		mg/l	
Salinity	E2	N/A (psu)				psu		psu	
Dissolved oxygen	E2	N/A (% saturation O_2)				% saturation O_2		% saturation O_2	
Temperature	E1, E2	5°C above ambient at outlet				°C		°C	
Total residual chlorine	E1	0.3 mg/l				mg/l		mg/l	

[1] If the total number of exceedances exceeds 0, the value of each of these exceedances (for the reporting year) must be submitted in a separate report, together with action taken to regularise the situation.

S1.7 – Submission of certificates and documentation

Condition number	Documentation
1.5.1	Improvement Programme items as per Table 1.5.1
2.1.6	Certification of good working condition for boilers B1, B2 and B3, and stand-by generator every two (2) years.[1]
2.1.24	Certificates of analyses and accreditation certificate of laboratory carrying out sampling and chemical analyses of E1 and E2.[2]
2.1.32	Submission of results for environmental monitoring.[3]
3.5.1	Submission of the Annual Environmental Report.

Schedule 4 – Layout plans

Schedule 4 shall be updated as follows:

[1] To be carried out in 2024 and submitted by March 2025 as part of the AER.
[2] To be submitted annually as part of the AER.
[3] To be submitted as per timeframes in the approved revised Environmental Monitoring Programme.

Schedule 4

Site Layout Plans

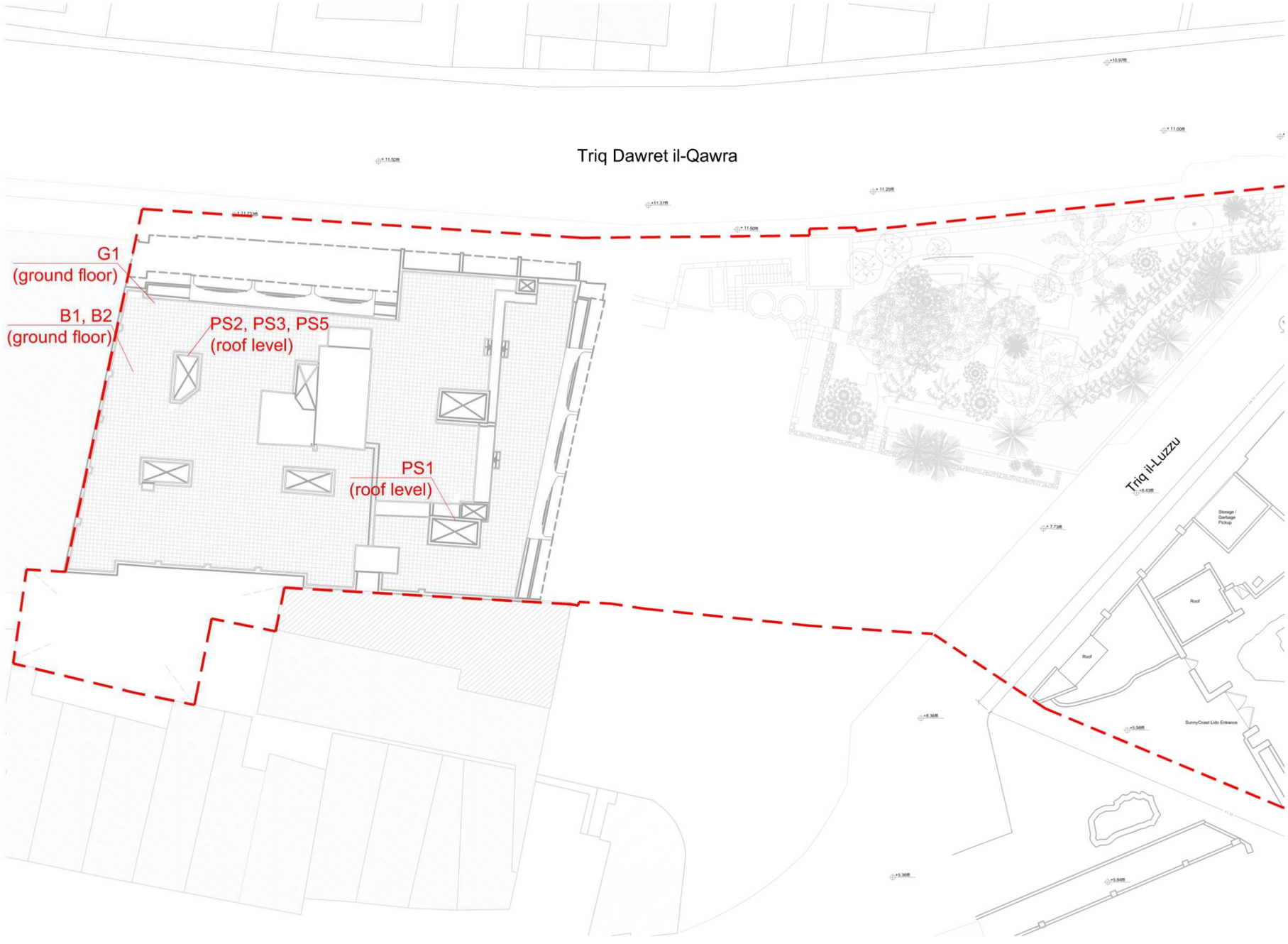

Fig. 4.1: Site of permitted installation, showing the permitted building outlined in red, for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

Fig. 4.2: Site of permitted installation, showing the permitted building outlined in red, for the carrying out of the activities specified in condition 1.1.1. The extent of the site boundary is indicative and shall not be used for interpretation purposes.

Schedule 5 shall be amended as follows:

Schedule 5

Environmental Monitoring Programme

Environmental Monitoring is hereby being requested to be carried out within the marine area subject to the discharge of brine reject waters. This monitoring shall be carried out at the frequency indicated in condition 2.1.32. The revised monitoring programme should enable:

i. Assessment of any changes in condition or health status of *Posidonia oceanica* meadows and other habitats of conservation interest and their associated species, located in close proximity to the discharge point, preferably on the basis of indicators applied for the purpose of assessing status in terms of both the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44) and the Water Policy Framework Regulations (S.L. 549.100);
ii. Assessment of water quality parameters to support the assessment of ecological condition; and
iii. Observation of the establishment/extent of non-indigenous species in the vicinity of the discharge point that might be affecting the status of the above-mentioned habitat types.

The following details need to be provided for the assessments undertaken:

i. The area to be monitored, including any monitoring stations;
ii. The monitoring methodologies;
iii. The frequency of monitoring; and
iv. The water quality parameters to be monitored.

END OF NOTICE