

## Regulatory Framework Permit with introductory note

Environment Protection Act (CAP. 549)  
Industrial Emissions (Framework) Regulations (S.L. 549.76).  
Industrial Emissions (Integrated Pollution Prevention and Control) Regulations (S.L. 549.77).  
Industrial Emissions (Large Combustion Plants) Regulations, S.L. 549.78

Installation:

**Delimara Power Station**

Permit Holders:

**Enemalta plc (C65836)**  
**Triq Belt il-Hazna**  
**Marsa MRS 1571**  
**MRS 1571**

**ElectroGas Malta Ltd. (C60775)**  
**Block D,**  
**Ta' Monita Residence**  
**Piazza off St. Joseph Street,**  
**Marsaskala, MSK 1050**

**D3 Power Generation Ltd. (C66510)**  
**Enemalta Building**  
**Triq Belt il-Hazna**  
**Marsa MRS 1571**

Approved Documents:

Permit number  
IP 0002/21 – framework document

Sub-permit numbers

IP 0002/21/i – ElectroGas Malta Ltd.  
IP 0002/21/ii – D3 Power Generation Ltd.  
IP 0002/21/iii – Enemalta plc.

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## Introductory note

The following Permit is issued under Regulation 7 of the Industrial Emissions (Framework) Regulations, (S.L. 549.76) (“the Industrial Emissions (Framework) Regulations”) to operate an installation carrying out activities covered by the description in Section 1.1 in Schedule 1 of the Industrial Emissions (IPPC) Regulations (S.L. 549.77), to the extent authorised by the Permit, i.e.

**“Combustion of fuels in installations with a total rated thermal input of 50 MW or more”.**

Aspects of the operation of the installation which are not specifically regulated by conditions in the Permit may also be subject to the condition implied by Regulation 8 of the Industrial Emissions (IPPC) Regulations, which require the Permit Holder/s to use the best available techniques for preventing or, where that is not practicable, reducing emissions from the installation.

Conditions marked with a “∞” shall be construed as conditions which are to be enforced by the Authority responsible for such an issue.

Techniques include both the technology used and the way in which the installation is designed, built, maintained, managed, operated and decommissioned.

In some sections, the Permit conditions require the Permit Holder to use Best Available Techniques (BAT), in each of the aspects of the management of the installation, to prevent and where that is not practicable to reduce emissions. These conditions do not explain what is BAT.

A non-technical description of the installation is given in the application, but the main activity of the installation is as follows:

- **Generation of electrical energy through the combustion of natural gas, and gasoil**

Note that the Permit requires the submission of certain information to the Competent Authority as per subsequent specific conditions. In addition, the Competent Authority has the power to seek further information at any time under Regulation 11 of the Industrial Emissions (Framework) Regulations, provided that it acts reasonably.

<b>Other IPPC Permits relating to this installation</b>		
<b>Permit holder</b>	<b>Permit Number</b>	<b>Date of Issue</b>
<i>Not applicable</i>		
<b>Superseded Licences/Authorisations/Consents relating to this installation</b>		
<b>Holder</b>	<b>Reference Number</b>	<b>Date of Issue</b>
<i>Enemalta Corporation</i>	IP 0002/07/A	29 March 2010
<i>Enemalta Corporation</i>	IP 0002/07/B	6 December 2011
<i>Enemalta Corporation</i>	IP 0002/07/C	23 July 2012
<i>Enemalta Corporation</i>	IP 0002/07/D	17 September 2013
<i>Enemalta plc</i>	IP 0002/07/E	01 April 2014
<i>Enemalta plc</i>		
<i>ElectroGas Malta Ltd.</i>	IP 0002/07/F	11 January 2017
<i>D3 Power Generation Ltd</i>		
<i>ElectroGas Malta Ltd</i>	IP 0002/07/Fi	11 January 2017
<i>D3 Power Generation Ltd</i>	IP 0002/07/Fii	12 January 2017
<i>Enemalta plc</i>	IP 0002/07/Fiii	11 January 2017
<i>Enemalta plc</i>		
<i>ElectroGas Malta Ltd.</i>	IP 0002/07/G	22 September 2017
<i>D3 Power Generation Ltd</i>		

<i>ElectroGas Malta Ltd</i>	IP 0002/07/Gi	22 September 2017
<i>D3 Power Generation Ltd</i>	IP 0002/07/Gii	22 September 2017
<i>Enemalta plc</i>	IP 0002/07/Giii	22 September 2017

## Multiple Operator installations

As indicated in Regulation 6(3) of S.L. 549.76, a permit may regulate several parts of an installation operated by different Permit Holders. The importance of integrating the operations of each technical unit stems from the definition of “installation” in the provisions of S.L. 549.76, where this is defined as “a stationary technical unit within which one or more activities listed in the regulations concerning integrated prevention and control or in the regulations concerning organic solvents are carried out, and any other directly associated activities on the same site which have a technical connection with these activities and which could have an effect on emissions and pollution”.

In accordance to guidance provided by the Commission, an activity is considered to be a directly associated activity with a Schedule 1 activity if it shares common features, for example: it is part of the same industrial complex; it operates in the same or a related sector; or operates with some collective aspects such as site security.

This installation is therefore being regarded as a multi-Operator installation.

## Functions of the permit

This Permit consists of four main parts which have been structured so as to include:

- **The Regulatory Framework Permit** addressing the obligation of all Permit Holders and coordinating these obligations due to the nature of the facility as a multi-operator installation (IP 0002/21).
- **Subsidiary Permit 1** addressing the operation carried out by ElectroGas Malta Ltd (IP 0002/21/i);
- **Subsidiary Permit 2** addressing the operations carried out by D3 Power Generation Ltd. (IP 0002/21/ii).
- **Subsidiary Permit 3** addressing the operations carried out by Enemalta plc.(IP 0002/21/iii)

## Variations to the Permit

This Permit may be varied at any time in the future. If any of the Permit Holders wants any of the Conditions of either the regulatory framework or to the Permit Holder specific Subsidiary Permit to be changed, a formal application must be submitted to the Competent Authority. When such an application is submitted to the Authority for its consideration, the decision shall be carried out in consultation with the other Permit Holders within this multi operator installation

The **Status Log** within the Introductory Note to any such Variation Notice will include summary details of this Permit, variations issued up to that point in time and state whether a consolidated version of the Permit has been issued.

Any change in operations shall only be implemented following the granting of a variation of the permit by the Authority.

## Surrender of the Permit

Before this Permit can be wholly or partially surrendered, an Application for the surrender of the Permit has to be made to the Competent Authority by any of the Permit Holders. For the application to be successful, the Permit Holder(s) requesting this surrender must

be able to demonstrate to the Competent Authority that there is no pollution and/or public health risk and that no further steps are required to return the site to a satisfactory state.

The Permit Holder(s) shall retain all responsibility for management and activities within the site until the Authority officially approves the permit surrender in writing.

### Transfer of the Permit or part of the Permit

Upon the joint application of a Permit Holder and a proposed transferee, the Permit Holder(s) may request to transfer an environmental permit. The permit shall not be transferred from the Permit Holder without prior approval from the Authority. Upon the Authority's decision to transfer the permit to the transferee, all rights, obligations, liabilities shall subsist onto the transferee.

### Public Registers

This IPPC Permit and application are available to the public through the Competent Authority in accordance with the requirements of the Industrial Emissions (IPPC) Regulations. The applicant has made a request for certain information of a commercial nature to be withheld from the public. ERA has been supplied with all this information and has accepted the request of the applicant, because it was deemed to be commercially confidential. Alternative text which provides relevant information but does not include the confidential information has however been included in the application.

### Status Log

Detail	Date	Comment
<i>Application IP 0002/07</i>	Received 05 February 2007	Not 'duly made'
<i>Response to request for information</i>	Request dated 16 June 2007	Response dated July 2007
<i>Report on boiler conversion for emission reduction</i>	PDS submitted 24 April 2008	Request for further information dated 14 July 2008. Further information submitted 24 September 2008
<i>Noise survey</i>	Report submitted 25 July 2008	
<i>Application 'duly made'</i>	27 April 2009	
<i>Response to request for information</i>	Request dated 27 April 2009	Response received 18 May 2009 Consolidated version received 18 May 2009
<i>Public consultation</i>	Commenced on 21 May 2009	Concluded on 20 June 2009
<i>Re-classification of the phase 1 boilers (from 380 to 332 MW<sub>TH</sub>)</i>	Official letter dated 28 September 2009 plus supporting documents.	
<i>Permit A determined</i>	01 October 2009	
<i>Permit A issued</i>	29 March 2010	
<i>Application for variation of permit to include diesel engines</i>	Application received on 11 February 2010	

<b>Detail</b>	<b>Date</b>	<b>Comment</b>
<i>Response to request for information</i>	Request dated 19 April 2010	Response received 31 May 2010, 17 June 2010 and 26 July 2010
<i>Response to request for information</i>	Request dated 17 September 2010	Response received 12 May and 2 June 2011
<i>Response to request for information regarding NOx emissions</i>	Request dated 24 June 2011	Response received 4 July 2011
<i>Response to request for information regarding socio-economic assessment</i>	Requests dated 24 June, 4 July and 18 July 2011	Response received on 4 August 2011
<i>Response to request for information</i>	Request dated 5 July 2011	Response received on 22 July, 27 July 2011.
<i>Correspondence regarding flue gas volume calculations</i>	Information submitted by Enemalta on 30 June, 8 and 29 July 2011 and 29 August 2011	Request accepted on 4 August 2011
<i>Request for variations to existing permit</i>	Received on 29 July 2011	
<i>Request for consolidated application</i>	Request made on 26 July 2011	Consolidated application received on 17 August (draft) and 23 August 2011 (final)
<i>Air dispersion model</i>	Report submitted on 24 August 2011	
<i>Updated cooling water dispersion modelling study</i>	Received on 7 September 2011	
<i>Public consultation</i>	Started on 24 August 2011	Concluded on 7 October 2011
<i>Renewal and variation B determined</i>	5 December 2011	
<i>Permit B issued</i>	6 December 2011	Permit expires on 6 December 2015 A consolidated permit is being issued
<i>Public consultation on proposed extension to condition 2.2.1.7.9 from September 2012 to June 2013</i>	Started on 17 May 2012	Concluded on 18 June 2012
<i>Variation C determined</i>	12 July 2012	
<i>Permit C issued</i>	23 July 2012	Permit expires on 6 December 2015 A consolidated permit is being issued
<i>Public consultation on proposed extension for HFO use from June 2013 to March 2014</i>	Started on 28 June 2013	Concluded on 28 July 2013
<i>Variation D determined</i>	5 September 2013	
<i>Permit D Issued</i>	17 September 2013	Permit expires on 6 December 2015 A consolidated permit is being issued

<b>Detail</b>	<b>Date</b>	<b>Comment</b>
<i>Public consultation on the determination of the choice of fuel for DPS6</i>	Started on 11 February 2014	Concluded on 12 March 2014
<i>Variation E determined</i>	27 March 2014	
<i>Permit E issued</i>	1 April 2104	Permit expires on 6 December 2015. A consolidated permit is being issued.
<i>Permit extended</i>	1 December 2015	From 06 December 2015 to 06 June 2016
	30 May 2016	From 06 June 2016 to 6 December 2016
	02 December 2016	From 06 December 2016 to 06 June 2017
<i>Request for variations to existing permit by Electrogas Malta Ltd.</i>	13 November 2014	
<i>Request for variations to existing permit by D3 Power Generation Ltd.</i>	20 February 2015	
<i>Request for renewal and variations to existing permit by Enemalta plc.</i>	4 June 2015	
<i>Responses to request for information</i>	Electrogas Malta Ltd	From 13 November 2014 to 17 October 2016
	D3 Power Generation Ltd	From 20 February 2015 to 17 October 2016
	Enemalta plc	From 4 June 2015 to 17 October 2016
<i>Application Duly made</i>	Electrogas Malta Ltd	18 October 2016
	D3 Power Generation Ltd	18 October 2016
	Enemalta plc	18 October 2016
<i>Public Consultation</i>	Between 19 October 2016 and 27 November 2016	Public consultation extended by 10 days from the original end date of 17 November 2016.
<i>Permit F Determined</i>	19 December 2016	
<i>Permit F Issued</i>	11 January 2017	Permit Expires: 19 December 2020
<i>Request for partial surrender to existing permit by Enemalta plc.</i>	12 April 2017	
<i>Responses to request for information</i>	11 May 2017	
<i>Application Duly made</i>	5 July 2017	
<i>Public Consultation</i>	Between 10 July 2017	Concluded 24 July 2017
<i>Permit G Determined</i>	25 August 2017	

<b>Detail</b>	<b>Date</b>	<b>Comment</b>
<i>Permit G Issued</i>	22 September 2017	Permit expires: 25 August 2021
Permit G extension	9 July 2021	Validity expires: 25 February 2022
<i>Application IP 0002/21</i>	12 February 2021 26 February 2021 25 February 2021 and 9 December 2021	<i>EGM; variation and renewal</i>  D3PG; renewal  <i>ENE; renewal and variation</i>
<i>Regulatory consultation</i>	<i>between 23rd April 2021 – 7th May 2021 and between 1st June 2021 – 8th June 2021 and 25th October 2021 – 8th November 2021</i>	
<i>Public Consultation</i>	<i>Commenced on 17 December 2021</i>	<i>Concluded on 02 January 2022</i>
<i>Application Determined</i>	18 February 2022	

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**End of Introductory Note**

## Permit

Industrial Emissions (Framework) Regulations, S.L.549.76;  
 Industrial Emissions (Integrated Pollution Prevention and Control) Regulations, S.L. 549.77;  
 Industrial Emissions (Large Combustion Plants) Regulations, S.L. 549.78

Permit number  
**IP 0002/21**

### Approved Documents:

**IP 0002/21/DOC1**  
**IP 0002/21/DOC2**  
**IP 0002/21/DOC 3**

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under Regulation 7 of the Industrial Emissions (Framework) Regulations, 2013 (S.L. 549.76) ("the Industrial Emissions (Framework) Regulations"), hereby authorises:

**Ing. Jonathan Scerri & Ing. Trustin Farrugia Cann obo Enemalta plc. (C65836)** (hereinafter "the Permit Holder" and/or "the Permit Coordinator" unless specifically mentioned) Of / Whose Registered Office (or principal place of business) is at **Triq Belt il-Hazna, Marsa, MRS1571, Malta**

**Stephen Burton obo ElectroGas Malta Ltd. (C60775)** (hereinafter "the Permit Holder" unless specifically mentioned) Of / Whose Registered Office (or principal place of business) is at **Block D, Ta' Monita Residence, Piazza off St. Joseph Street, Marsascala, MSK 1050**

**Xun Cheng obo D3 Power Generation Ltd (C66510)** (hereinafter "the Permit Holder" unless specifically mentioned) Of / Whose Registered Office (or principal place of business) is at **Enemalta Building, Triq Belt il-Hazna, Marsa MRS 1571, Malta**

to operate specified plant described in the Framework Permit and Subsidiary Permits 1, 2 and 3 of this Permit at the installation at:

**Delimara Power Station, Delimara, Marsaxlokk, MXK 1220**

to the extent authorised by and subject to the conditions of this Regulatory Framework Permit and in the Permit Holder specific Subsidiary Permits included in this Permit.

This permit is valid until the expiry of the permit which is **4 year/s** from the 'permit granted' date below. An application for renewal is to be submitted at least **nine (9) months** prior to expiry of the permit.

Environment and Resources Authority		Permit Granted:  10/05/2022
<b>APPROVAL</b>		
Board No.154	Held on 18/02/22	
		
Chairman _____	Secretary _____	

**Authorised to sign on behalf of the Competent Authority**

## Conditions

### 1 General

The Permitted Installation shall, subject to the conditions of this Permit, be managed, controlled and operated as described in the IPPC Application, or as otherwise previously agreed in writing by the Authority. This Permit shall be interpreted in accordance with Section 7 or as otherwise defined in S.L. 549.76 and S.L. 549.77.

#### 1.1 Permitted Activities

1.1.1 The Permit Holder/s is authorised to carry out the activities and the associated activities specified in Table 1.1.1. This table covers the extent of permitted activities for each Permit Holder and any directly associated activities sharing common infrastructure between the Permit Holders.

1.1.2 Permitted activities specific to each Permit Holder are included in each Permit Holder/s respective Subsidiary Permit.

<b>Activity listed in Schedule 1 of the Industrial Emissions (IPPC) Regulations / Associated Activity</b>	<b>Description of specified activity</b>	<b>Limits of specified activity</b>	<b>Extent of responsibility</b>
Section 1.1: Combustion installations with a rated thermal input exceeding 50 MW	Generation of electrical energy through the combustion gasoil.  Installation consists of two open cycle gas turbines (DPS2 and DPS3), two combined cycle gas turbines (DPS4 and DPS5)	From receipt of fuel to delivery of utility.	Enemalta plc.
	Generation of electrical energy through the combustion of Natural Gas  Installation consists of three Combined cycle gas turbines (DPS 7)	From receipt of fuel to delivery of utility.	Electrogas Malta Ltd.(EGM)

	<p>Generation of electrical energy through the combustion of Natural Gas and gasoil</p> <p>Installation consists of four medium-speed combined cycle dual fuel (natural gas and gasoil) diesel engines (DPS6 – diesel engines 5 to 8).</p> <p>Installation consists of four medium-speed combined cycle single fuel (natural gas) diesel engines (DPS6 – diesel engines 1 to 4).</p>	From receipt of fuel to delivery of utility.	D3 Power Generation Ltd. (D3PG)
Associated activity of fuel handling and storage	Handling and storage of Natural Gas	<p>a) From receipt of fuel to storage within the Floating Storage Unit to delivery to the Regasification Plant.</p> <p>b) From storage within the Floating Storage Unit to offshore liquefied natural gas bunkering to third parties.</p>	ElectroGas Malta Ltd.
	Handling and storage of heavy fuel oil	From receipt of the fuel and storage in tank farm and from tanks to tanker barge/third parties	Enemalta plc.
	Handling and storage of gasoil	From receipt of the fuel and storage in tank farm from Enemalta plc. at	D3 Power Generation Ltd.

		tie-in point TP4.D3 to combustion in the diesel engines 5 to 8 and the 3.85MW <sub>th</sub> auxiliary boiler of D3PG	
		From receipt of fuel and storage in tank farm to combustion in DPS 2 to 5, 4.15MW <sub>th</sub> auxiliary boiler of Enemalta and delivery of utility to D3PG at tie in point TP4.D3 Transfer from tanks to tanker barge/third parties	Enemalta plc
Associated activity of regasification and gas pressure reduction	Operation of a regasification plant and a gas reducing station	From receipt of liquefied natural gas from the floating storage unit to delivery to D3PG (DPS6) and DPS 7	ElectroGas Malta Ltd.
Associated activity of utilities	Sea water pre-treatment plant.	From intake of sea water from Marsaxlokk Bay to dosing and delivery of utility.	Enemalta plc
	Sea water discharge into Hofra Iz-Zghira	From receipt of waste water from own operations, D3PG and Electrogas operated plant to the discharge of the water.	Enemalta plc
	Provision of evaporated and demineralised water	From the generation of utility to distribution through metered tie-in point to D3PG, EGM and own use.	Enemalta plc.
	Provision of fire-fighting water	External system: From intake of seawater from Marsaxlokk Bay to delivery and distribution through metered tie-in point to	Enemalta plc.

		D3PG, EGM and own use.  Internal system: From water reservoirs to delivery and distribution through metered tie-in point to D3PG, EGM and own use	
	Provision of potable water	From receipt of potable water from mains system to distribution through metered tie-in point to D3PG, EGM and own use.	Enemalta plc.
	Foul water management	From receipt of own foul water and from D3PG's cesspits to on-site storage and connection to main sewerage network.	Enemalta plc.
	Oily-water management	From receipt of own oily-water and treated oily water from D3PG to further polishing and discharge.	Enemalta plc.
	Rainwater management	From receipt of rainwater from own operational area, EGM and D3PG to final discharge points to sea.	Enemalta plc
	Auxiliary steam	From generation of auxiliary steam by D3PG to delivery to Enemalta for HFO tanks space heating and for fresh water production	D3 Power Generation ltd.
		From generation of auxiliary steam by Enemalta for HFO tanks space	Enemalta plc

		heating and for fresh water production	
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## 1.2 Site

- 1.2.1 The activities authorised under condition 1.1.1 shall not extend beyond the installation site boundary, as outlined in purple on the Site Plan in Schedule 1A to this Permit.
- 1.2.2 The activities authorised under condition 1.1.1 addressing specific Permit Holders shall not extend beyond the operational boundaries as outlined in the Site Plan in Schedule 1B to this Permit.

### Site Security

- 1.2.3 Site security systems shall be implemented at all times during the subsistence of this Permit, the objective of which shall be to prevent access which is not authorised either by the Permit Holder(s) or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded.
- 1.2.4 Where any updates to the port security documents of each of Enemalta plc. and ElectroGas Malta Ltd. requested by Transport Malta result in changes to standard operating procedures adopted, Enemalta plc and ElectroGas Malta Ltd. shall ensure that these are implemented within the timeframes requested by Transport Malta.
- 1.2.5 Condition 1.2.4 is without prejudice to obligations on the Permit Coordinator in his dual role as Permit Holder arising from the relevant Subsidiary Permit.

## 1.3 Information to the public

- 1.3.1 Where relevant and as described by condition 1.3.1. in the respective subsidiary permit, the Permit Holders shall make emission data (most recent hourly, daily, diurnal and monthly average values and/or results of the most recent discontinuous measurement) publicly available via the Internet not later than 24 hours after the production of such data or unless otherwise agreed upon in writing with the Authority.
- 1.3.2 The Local Councils most affected by emissions from the installation, including Birżebbuġa, Marsaxlokk and Żejtun, may jointly and in agreement with both the Authority and the Permit Holder establish independent ambient air monitoring systems to monitor for levels of particulate matter, nitrogen oxides, sulphur dioxide, carbon monoxide, as well as any other parameters that may be agreed with the Authority at the expense of the Permit Holder.
- 1.3.3 The Local Councils most affected by emissions from the Delimara Power Station including Birżebbuġa, Marsaxlokk and Żejtun may jointly and in agreement with the Authority, jointly appoint an independent expert to assist in the interpretation of the emission data made publicly available pursuant to condition 1.3.1.

## 1.4 Overarching Management Conditions

- 1.4.1 The Permit Holders shall implement and maintain the approved Environmental Management System (EMS) ISO 14001:2015, and an organisational structure, and allocate resources that are sufficient to achieve compliance with the limits and conditions of this Permit.

- 1.4.2 Each Permit Holder shall submit (including as part of the EMS) the following reports annually as part of the Annual Environmental Report of the site, according to the timeframe specified in condition 3.2 of the respective subsidiary permit.
- i. Environmental Policy containing the installation's environmental objectives and targets;
  - ii. Environmental Management Programme report (for the reporting year);
  - iii. Environmental Management Programme proposal (for the following year).
- 1.4.3 All plant, equipment and technical means used in operating the Permitted Installation shall be maintained in good operating condition and without causing polluting emissions, potentially polluting leaks and spillages. The Permit Holder shall keep maintenance records as per section 2.13.
- 1.4.4 Each Permit Holder shall ensure that the EMS applicable to plant regulated through each Subsidiary Permit is coordinated with those established by the other Permit Holders within the installation.
- 1.4.5 As part of the EMS, each Permit Holder shall ensure that auditing procedures are inclusive of all other Permit Holders within the installation. Any corrective actions arising from such audits shall be discussed with other Permit Holders and the Authority, especially where these have an effect on any other Permit Holder at the installation
- 1.4.6 Each Permit Holder shall ensure that no development and/or consequent operation of the plant would impede further development for use of natural gas, both supplied through pipeline or in liquid form, as major fuel for use in electricity generation.
- 1.4.7 The Permit Holders shall carry out mutual audits on an annual basis on standard operating procedures adopted by each of the Permit Holders which are emplaced to ensure adherence with the conditions of this Permit and each of the Subsidiary Permits applicable. The mutual audit shall be carried out in line with the approved document IP 0002/21/DOC1. Such mutual audits shall be aimed at:
- i. Ensuring that the operations of any other Permit Holder within the installation are either compatible with those of the auditing Permit Holder
  - ii. Identifying any amendments to such procedures which are required in order to ensure that procedures adopted by one Permit Holder do not impede the operations of the other Permit Holders within the installation
- 1.4.8 Further to condition 1.4.7, the mutual audits shall be carried out in line with procedures and environment management systems as per ISO 14001.
- 1.4.9 In order to fulfil the obligations stipulated in condition 1.4.7, all Permit Holders within the installation shall provide all the necessary information requested by the Permit Coordinator as may be required. Any follow up actions as agreed between all Permit Holders and the Authority following such Audits shall be disclosed to the Authority by the Permit Coordinator and followed up by the Permit Holders within the timeframe approved by the Authority.

## **1.5 Improvement Programme**

- 1.5.1 The Permit Holders, acting through the Permit Coordinator, shall complete the improvements specified in Table 1.5.1 by the date specified in that table, and the

Permit Coordinator shall send written notification of the date of completion of each requirement to the Authority on [ced.coast@era.org.mt](mailto:ced.coast@era.org.mt) within 10 working days of the completion of each such requirement.

<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
5	a) Submission of a revised monitoring methodology proposal for Land and Groundwater monitoring, based on the results of Site Report 2018-2021 for approval by the Authority including timeframes for implementation b) Submission of the monitoring report	a) Within 12 months from the granting of the permit b) As agreed by the Authority
6	Submission of a Coordinated Outline Decommissioning Plan.	Within 22 months from the granting of the permit
7	Submission of Air dispersion model	Within 3 months from the granting of the permit
8	Submission of marine ecological monitoring method statement	Within 5 months from the deadline for submission of the report as per condition 2.5.31

## 1.6 Operational Changes

- 1.6.1 Permit Holders shall seek the Authority's written agreement to any operational change as defined by S.L. 549.77 and its amendments, by sending to the Authority: written notice of the details of the proposed change, including an assessment of its possible effects (including changes in emissions and waste production) on risks to the environment and public health from the Permitted Installation; any relevant supporting assessments and drawings; and the proposed implementation date.
- 1.6.2 Any such change shall not be implemented until agreed to in writing by the Authority. As from the agreed implementation date, the Permit Holders shall operate the Permitted Installation in accordance with that change, and relevant provisions in the Application shall be deemed to be amended.
- 1.6.3 In reviewing the request and taking its decision, the Authority may discuss any such operational changes with the other Permit Holders of the facility if it deems that any of these changes may impact on the operations of any of the other Permit Holders.
- 1.6.4 In case any further modification in the piping and instrumentation of the facilities is deemed necessary which could have significant consequences for major-accident hazards in relation to the information provided in the Coordinated Safety Report it should be notified in detail to the COMAH Authority in advance of that modification (according to regulation 9 of the COMAH Regulations S.L. 424.19).<sup>∞</sup>
- 1.6.5 The Director of Environment and Resources and any officials to whom this role is delegated are hereby authorized to make decisions on variations to this permit that do not constitute a substantial change in the operations, permit or approved

documents. No variations may be undertaken under this clause should these require any statutory consultation or further studies.

## **1.7 Off-site conditions**

- 1.7.1 The Permit Holder(s) shall ensure that no chemicals or waste escape to the environment especially when transporting such materials offsite or onsite.

## **1.8 Role of Co-ordinator**

### **General Provisions**

- 1.8.1 Section 1.8. regulates the role of the Permit Coordinator. The provisions of section 1.8, and the role of the Permit Coordinator, shall apply only in relation to any infrastructure which is held in common between the Permit Holders unless specifically stated otherwise.
- 1.8.2 The Permit Coordinator shall be responsible for the maintenance, monitoring, record keeping and reporting on issues related to any common infrastructure with the other Permit Holders up to the tie-in points detailed in Schedules 2A, 2B and 2C and obligations detailed in the relevant sections below, as may be required by the Authority from time to time and as required in terms of this Framework Permit. These shall be submitted to the other Permit Holders on a monthly basis.
- 1.8.3 The Permit Coordinator shall adopt the notification record keeping procedures detailed in each of the subsequent sections of this Framework Permit and as detailed in the AER in Schedule 4 of this Framework Permit.
- 1.8.4 The Permit Holders shall be jointly responsible to ensure that the Permit Coordinator is provided with all the necessary information and assistance to carry out as detailed herein, and any lack of adherence by the Permit Coordinator to the terms and provisions of this Permit where these result from the lack of cooperation by any of the Permit Holders within the installation, shall be considered to be a lack of adherence to this Permit by the respective Permit Holder in default and **not** by the Permit Coordinator;
- 1.8.5 Each Permit Holder shall undertake to provide any information, data, and satisfy any request reasonably put forward by the Permit Coordinator, as may be required in order for the Permit Coordinator to satisfy the Operators' and the Permit Coordinator's obligations towards the Authority. In the event that any Permit Holder does not satisfy any reasonable request put forward to it by the Permit Coordinator, the Permit Coordinator is to bring this to attention of the Authority (in writing).
- 1.8.6 Any incidents or exceedances taking place in the common infrastructure shall be at the responsibility of the Permit Holder giving rise to such incident or exceedance.
- 1.8.7 In the event of there being any incident or exceedance of any emission limit value stipulated in the Permit in the common infrastructure, the Authority retains the right to request any further information from the Permit Holders and/ or from the Permit Coordinator in order to determine which Permit Holder may be responsible for any such matters, and this as may be required or determined by the Authority. In such an event the procedure established in Schedule 6 shall be adopted.

### **Coordination of monitoring**

- 1.8.8 As detailed in the subsequent sections the Permit Coordinator shall be responsible for the coordination and monitoring of specific activities at the installation related to any common infrastructure with the other Permit Holders.
- 1.8.9 All Permit Holders making use of the common infrastructure operated and monitored by the Permit Coordinator as listed in Table 1.1.1 shall provide all the necessary information to the Permit Coordinator as may be required and requested in order to ensure full compliance with the permit conditions.
- 1.8.10 Prior to connection to any common discharge point to the environment which is monitored and coordinated by the Permit Coordinator, all Permit Holders shall carry out independent monitoring of any parameters stipulated in the relevant part of this permit or of the subsidiary permits issued to the specific Permit Holders.
- 1.8.11 Any independent monitoring data collected as per the requirements of condition 1.8.10 shall be reported to the Authority on an annual basis or within the timeframe stipulated by the Authority as part of the Annual Environment Report of each subsidiary permit.

## **2 Operating Conditions**

### **2.1 General Conditions**

- 2.1.1 The conditions and obligations of this Permit including the subsidiary permits are without prejudice to any other regulation, code of practice, conditions or requirements requested by other Authorities or entities, including but not limited to, the Planning Authority, the Occupational Health and Safety Authority, Transport Malta, the Regulator for Energy and Water Services (REWS) and the Environmental Health Directorate.
- 2.1.2 This Permit including the subsidiary permits is granted saving third party rights. The Permit Holder/s is not excused from obtaining any other permission required by law.
- 2.1.3 In these conditions and their interpretation, all terms shall have the same meaning as that assigned to them in CAP549 Environment Protection Act and its subsidiary legislation.
- 2.1.4 A copy of this Permit and the subsidiary permits shall be available at all times at the site office, including any variation notices of amendments to it.
- 2.1.5 The Permitted Installation shall be managed, controlled, supervised and operated by staff that are aware of the importance of environmental protection and suitably trained on the requirements of this Permit and the subsidiary permit. All staff shall be provided with adequate training and written operating instructions to enable them to effectively carry out their duties. Such training shall be recorded and maintained in line with Section 2.14.
- 2.1.6 The Permit Holder(s) have the sole responsibility to ascertain compliance with legal obligations, permit conditions and to undertake activities on and off site in line with good environmental practices at all times.
- 2.1.7 The Permit Holder(s) are to be fully liable and responsible for managing the site in all its various aspects and to supervise the full adherence with all the conditions of this permit.
- 2.1.8 All persons have a duty of care to protect the environment. The Permit Holder(s) shall become familiar with their legal obligations and good environmental practice.

- 2.1.9 The Permit Coordinator shall maintain a register of third party complaints. The register shall record the details of the complainant(s) if available, the date, source and nature of the complaint and the corrective action undertaken, where such action proves necessary.
- 2.1.10 The Authority may carry out regular pre-set or unannounced compliance or monitoring checks that vary in frequency according to the site's compliance with the permit conditions and safeguarding of natural assets. Any checks or audits carried out by the Authority shall be made at the Permit Holder/s financial expense at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate.
- 2.1.11 The Authority's representatives may inspect and photograph any part of the site and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records. The Permit Holder/s shall also provide all the necessary assistance to enable the Authority to take samples if necessary.
- 2.1.12 The Authority may request additional monitoring and/or review of operational practices and any commission audits/reports as deemed necessary to address any circumstances that may affect the quality of the surrounding environment at the expense of the Permit Holder(s).
- 2.1.13 In case of any monitoring requirements specified in this permit, there shall be provided safe means of access to enable sampling/monitoring to be carried out by the Authority or by a third party if deemed necessary.
- 2.1.14 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.
- 2.1.15 The Authority may add, amend, delete or substitute any of the conditions of this permit and the subsidiary permit/s after notifying the Permit Holder/s of its intention and after describing the changes to the Permit Holder/s. This is without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 2.1.16 The validity of this permit is for four (4) years from the date of the permit granting. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least nine months prior to the expiry of the permit. The permit will be considered renewed once the official renewed permit is granted by the Authority.
- 2.1.17 The Bank Guarantee listed in condition 2.1.1 in the respective subsidiary permit and in condition 2.1.18 of this Permit shall remain in place for the duration of validity of this permit and shall only be released upon confirmation of full compliance with the permit conditions by the Authority.
- 2.1.18 This Permit is issued against a Bank Guarantee of € 1,150,000 by Enemalta plc. This guarantee will have to be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 2.1.19 The Authority may take part or all of the bank guarantee if the Permit Holder/s fails to take the necessary action, or fails to fulfil his legal obligations under the Act or its subsidiary legislation thereof, in cases of non-compliance with these permit conditions, or in cases where environmental integrity is threatened. This bank guarantee is without prejudice to any environmental liabilities incurred by the Permit Holder through failure to adhere with permit conditions or any other works/activity carried out on site. Should the Authority forfeit the Bank Guarantee either in part or in full, the Permit Holder shall ensure that this is replenished

without undue delay, in any case not exceeding 2 months from the date of forfeiture.

- 2.1.20 In cases where the bank guarantee does not cover the expenses incurred by the Authority to take any remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred within.
- 2.1.21 Without prejudice to condition 2.1.20, the Authority may take any action deemed necessary including but not limited to the suspension of any activity/operation until investigations are concluded.
- 2.1.22 The site shall be maintained in a tidy condition, free from litter and waste (whether arising from own activities or external sources).
- 2.1.23 The Permit Holders shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.
- 2.1.24 Any incident including accidental release of liquid, solid or gaseous materials from the site shall be reported not later than within 24 hours to ERA, without prejudice to the emergency plan of the installation and Health and Safety Procedures

## **2.2 Emissions to air**

### **General conditions**

- 2.2.1 Waste gases from the combustion plants within the Delimara Power Station shall be discharged in a controlled manner by means of a stack.
- 2.2.2 In order to ensure compliance with S.L. 549. 59 the Authority reserves the right to impose any additional conditions it deems necessary on the Permit Holders.
- 2.2.3 The Authority and the Permit Coordinator shall be notified by the Permit Holder of substantial changes in the type of fuel used or in the mode of operation of the installation. The Authority shall then determine whether the monitoring requirements laid down in section 2.2 of the respective Subsidiary Permits are still adequate or require adaptation.
- 2.2.4 The Permit Holders shall ensure that all operations on-site shall be carried out in a manner such that air emissions do not result in significant impairment of, or significant interference with amenities or the environment or in a public health risk beyond the site boundary.
- 2.2.5 The Permit Holders shall monitor continuously the speed and the direction of the wind at the site. The results of this monitoring shall be presented in the form of a wind rose as part of the AER. In addition, any meteorological data collected by the operator shall be made available to the Authority upon request.
- 2.2.6 Should the Permit Holder intend to install additional equipment or carry out significant changes to existing plant or equipment which could contribute to the existing emissions to air (e.g. boiler, etc.) from the installation, the Authority's Authorisation shall be sought prior to installation and operation of this equipment.
- 2.2.7 The addition of an additional combustion plant within the installation may require air dispersion modelling studies to be carried out by the Authority at the expense of the operator to ensure that the overall emissions from the installation do not exceed 3% of the limit values in annex 7 of S.L.549.59.

## **Air Dispersion Modelling**

- 2.2.8 The Permit Coordinator, in collaboration with the Permit Holders of the installation shall submit the dispersion modelling study in line with Approved DOC IP0002/21/DOC2 as agreed by the Authority, using the data from the plant's air emissions monitoring systems, and ambient air monitoring data from Žejtun and Marsaxlokk (including the data collected as required by 2.2.9). The updated studies shall assess the dispersion of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and shall estimate the likelihood of there being any exceedances of the relevant limits laid down by S.L. 549.59 especially but not limited to the most sensitive receptor(s) in the prevailing wind direction within a 15 km radius.
- 2.2.9 The Authority may request the Permit Coordinator to coordinate the assessment of air quality in Marsaxlokk by coordinating the daily monitoring of PM<sub>10</sub> and PM<sub>2.5</sub> at a location in Marsaxlokk to be agreed with the Authority, in accordance with the standards specified in S.L. 549.59. Monitoring shall be carried out under representative conditions. Any meteorological data utilised by the consultant shall be generated in situ. The results of such monitoring shall be submitted as part of the Monthly and Annual Environmental Reports, in the formats specified in Schedule 4.
- 2.2.10 The Authority may waive the obligation to carry out ambient air monitoring referred to in conditions 2.2.9 depending on the outcome of results of the air dispersion model referred to in improvement programme item 7 in Table 1.5.1
- 2.2.11 The following conditions shall apply over and above any other condition in the permit:
- i. Upon request by the Authority, a Monitoring Committee shall be set up, which shall be chaired by the Authority, one representative of Enemalta plc, and one representative and technical advisor from each of the local councils of Birżebbuġa and Marsaxlokk. Each member, including the Chairman, shall have one vote.
  - ii. The Committee shall meet at least once every month. Any member of the Committee may request the Chairman to convene any other meetings of the Committee and the Chairman shall convene such a meeting within 7 days from such a request.
  - iii. The air quality data referred to in condition 2.2.8- 2.2.9 shall be supplied to the Authority from the consultant every two weeks (by not later than two weeks after the last sampling date for each monthly period) and published on the Permit Coordinator's website.

## **Emissions to Air from Specified Points: Emergency Considerations**

- 2.2.12 In the case of an interruption in the supply of low sulphur fuel due to a serious shortage, the Director of Environment Protection may allow a suspension for a maximum of six (6) months from the obligation to comply with the emission limit values for sulphur dioxide.
- 2.2.13 The Director of Environment Protection and Delimara 3 Power Generation Ltd. shall be immediately notified about any interruptions in the supply of low-sulphur LNG and gasoil.
- 2.2.14 Notwithstanding condition 2.2.12 in case of emergency the Permit Holder is obliged to use the fuel having the lowest sulphur content available at the time so as to ensure to the fullest extent possible that the ambient levels specified in S.L. 549.59 and subsequent amendments are not exceeded.

- 2.2.15 The use of reagents for abatement of emissions is strictly prohibited unless otherwise approved in writing by the Authority.
- 2.2.16 Under no circumstance shall the cumulative unabated operation in any twelve-month period exceed 120 hours-
- 2.2.17 The Director of Environment Protection shall be notified about any malfunction or breakdown of the abatement equipment within 24 hours as per Section 7 of this Permit.
- 2.2.18 The Director of Environment and Resources may allow exceptions to the 24 hours and 120 hours in 2.2.17 and 2.2.16 respectively in cases where in the Director's judgement:
- i. there is an overriding need to maintain energy supplies.
  - ii. the plant with the breakdown would be replaced for a limited period by another plant which would cause an overall increase in emissions.
- 2.2.19 The Operator shall keep together in a log book all notifications compiled after.
- i. the occurrence of any malfunction to the abatement equipment,
  - ii. an interruption in the supply of low-sulphur fuel

The log book shall be made available for inspection upon request

### **Emission Ceilings for atmospheric pollutants**

- 2.2.20 This section applies to all combustion plants operated by the Permit Holders and regulated through the subsidiary permits.
- 2.2.21 The Permit Holders shall provide all the necessary data to the permit coordinator in order to ensure fulfilment of the obligations highlighted in conditions 2.2.25 - 2.2.26.
- 2.2.22 The Permit Holders shall ensure that any data requested by the Permit Coordinator is provided within the timeframes agreed upon between both parties to ensure that no submission deadlines elapse.
- 2.2.23 The Competent Authority reserves the right to reduce these ceilings further particularly but not solely:
- i. In the event of there being a new entrant on the power production market in Malta;
  - ii. If it transpires that due to unforeseen circumstances the contributions of other sectors to the National Ceilings as per S.L 549.32 have been underestimated or if it transpires that sectors which also contribute to the total annual loads of these pollutants have been ignored;
  - iii. In the event of further reductions to Malta's ceilings.
  - iv. If it is decided that such a decision is in the national interest
- 2.2.24 The ceilings listed in Table 2.2.25 shall expire on the 31 December 2029.

## Monitoring activities assigned responsibility to the Permit Coordinator

- 2.2.25 Enemalta plc., as the Permit Coordinator and the entity responsible for dispatch of operations of the different plants within this installation and as the Permit Holder of another power plant located on a separate site, shall ensure that the total annual loads of sulphur dioxide (SO<sub>2</sub>), carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub> as NO<sub>2</sub>), dust (PM<sub>2.5</sub>) and ammonia (NH<sub>3</sub>) from the Marsa Power Station and Delimara Power Station together shall not exceed the ceilings specified in Table 2.2.25 or any other annual ceilings as may be amended by the Authority from time to time.

<b>Pollutant</b>	<b>Total Annual Load in kilo tonnes</b>
Sulphur Dioxide (SO <sub>2</sub> )	1.23
Nitrogen Oxides (NO <sub>x</sub> )	1.85
Dust (PM <sub>2.5</sub> )	0.2
Ammonia ( NH <sub>3</sub> )	0.33

- 2.2.26 Enemalta plc. is to forward to the Authority:
- i. By not later than end of September of each year, a detailed plan indicating how the installation will be operated in the following year in order to comply with the ceilings in Table 2.2.25. The measures communicated in this plan shall be to the satisfaction of the Authority.
  - ii. By not later June for each reporting year each permit holder shall provide a report in the format specified in Schedule 4 on the actual loads of SO<sub>2</sub>, NO<sub>x</sub>, PM<sub>2.5</sub> and NH<sub>3</sub> emitted from the respective plant at Delimara during the previous year
- 2.2.27 The measures to be included in the plan as per Condition 2.2.26 shall also take into account that Enemalta plc, in its dual role as Operator of specified plants within this installation and as the entity responsible for dispatch of operations of the different plants within this installation, currently also operates another power plant which is located on a separate site and which is also covered by the requirements of the Industrial Emissions (IPPC) Regulations.

## 2.3 Discharges to sewers<sup>∞</sup>

- 2.3.1 The Permit Holders shall abide by the conditions of any Sewer Discharge Permit from the Water Services Corporation (WSC). The Permit Holder shall also abide by the provisions of the Sewer Discharge Control Regulations (S.L. 545.08).
- 2.3.2 The Permit Holders shall ensure that monitoring exercises are carried out at locations stipulated by the WSC.
- 2.3.3 Where any of the parameters stipulated by the WSC are exceeded, the Permit Holder shall ensure that any follow up actions requested by the WSC are implemented.
- 2.3.4 Further to condition 2.3.3, the Authority shall be notified of any such instances and all actions carried out included in the AER of the installation in the format specified in AER as per the respective subsidiary permit.

- 2.3.5 Cesspits shall be well maintained and certified by an independent warranted engineer every 4 years to ensure that these are:
- i. maintained in such a manner so as not to allow any leakages or spillages to the surrounding environment, and safely contain the type of waste that they are designated to store.
  - ii. Underground pipe work linking all cesspits is also maintained in such a way so as not to allow any leakages
  - iii. Appropriately ventilated to avoid the accumulation of explosive, toxic or corrosive gasses.
  - iv. The area surrounding the cesspit is impervious and laid to fall towards the cesspit.
- 2.3.6 With the exception of sanitary waters, the Permit Holder/s shall not discharge any waste waters into the sewers or cesspits unless explicitly permitted by the Water Services Corporation.

### **Coordination of Discharge to Sewer**

- 2.3.7 Conditions 2.3.8 – 2.3.11 apply to discharges into the sewer as a result of connections to the sewer discharges from Enemalta plc. and D3 Power Generation Ltd.
- 2.3.8 The Permit Coordinator shall ensure that all discharges to the sewer abide by the conditions of any Sewer Discharge Permit from the Water Services Corporation (WSC).
- 2.3.9 In implementation of condition 2.3.8, the Permit Coordinator shall ensure that during monitoring exercises carried out by Enemalta plc, D3 Power Generation Ltd. shall also carry out a coordinated monitoring exercise at the tie in point TP 11 as per drawing in Schedule 2B.
- 2.3.10 Where any of the parameters stipulated by the WSC are exceeded, the Permit Coordinator shall ensure that any follow up actions requested by the WSC are implemented by both Enemalta plc. and D3 Power Generation Ltd..
- 2.3.11 With the exception of sanitary waters, Enemalta plc. and D3 Power Generation Limited shall ensure that no process wastewaters are discharged to the sewer through common discharge locations.

## **2.4 Discharges to groundwater**

- 2.4.1 No emission from the Permitted Installation shall give rise to the introduction into groundwater of any substance as per requirements of Protection of Groundwater against Pollution and Deterioration Regulations (S.L.549.53)
- 2.4.2 The operations of the installation shall not hinder the achievement of good chemical and quantitative status of groundwater as prescribed under the Water Policy Framework Regulations (S.L. 549.100).

## **2.5 Emissions to Marine Water**

### **Emissions to Marine Water from Specified Points: General Considerations**

- 2.5.1 Waste waters shall not be discharged into marine water unless from the sources, for those release points specified by the Table 2.4.1 of the respective subsidiary permit.

- 2.5.2 Dry outlets and release points whose sources are unidentified shall be securely and permanently disconnected from the discharge pipe-work. Furthermore, the Permit Holders shall not discharge any waste waters through these outlets.
- 2.5.3 The Permit Holder/s shall monitor and analyse each substance according to the frequencies specified in Table 2.5.3 of this Permit and in accordance with condition 2.4.2 in the subsidiary permit unless stated otherwise.

No.	Parameter	Emission limit value (annual average)	Measurement methodology	Monitoring frequency
1	Flow	-	Flow meter	Continuous or calculated
2	pH	6-10	pH meter	Continuous
3	Temperature	8 °C above marine water	Digital thermometer	Continuous
4	Biological oxygen demand (BOD5)	25 mg/L	EN ISO 5815-1:2019	Annual
5	Total Nitrogen	10 mg/L	EN ISO 20236:2021	Quarterly
6	Phosphorous compounds as total phosphorous, as per EN ISO 15681	1 mg/L	EN ISO 15681:2005	Annual
8	Chlorine dioxide and oxidants (given as chlorine)	0.3 mg/L	DIN 38408-5	Quarterly
9	Arsenic	5 µg/L	ISO 17294-2:2016	Quarterly
10	Cadmium <sup>1</sup>	0.2 µg/L	ISO 17294-2:2016	Quarterly
11	Chromium (Total)	0.5 mg/L	ISO 17294-2:2016	Every six months
12	Copper	0.5 mg/L	ISO 17294-2016	Quarterly
13	Lead	1.3 µg/L	ISO 17294-2:2016	Quarterly
14	Mercury	0.05 µg/L	EN ISO 17852:2008	Every six months
15	Nickel	8.6 µg/L	ISO 17294-2:2016	Quarterly

<sup>1</sup> Tests from the cooling water outfall for cadmium, chromium, copper, nickel, lead and zinc shall be carried out on composite samples consisting of samples of equal size taken at monthly intervals and blended prior to analysis, in accordance with ISO 5667-3:2003 or equivalent.

16	Tin	1.0 mg/L	ISO 17294-2: 2016	Annual
17	Vanadium	4 mg/L	ISO 17294-2: 2016	Annual
18	Zinc	0.5 mg/L	Method 3125B, AWWA/APHA, 20 <sup>th</sup> Ed, 1999	Every six months
19	Total petroleum hydrocarbons	5 mg/L	ISO 9377-2: 2000	Every six months
20	Tributyl tin compounds (tributyltin cation; CAS number 36643-28-4)	0.0002 µg/L	EN ISO 17353: 2005	Quarterly
21	Total Suspended Solids	35 mg/L	EN 872:2005	Annual
22	Benzene (CAS number 71-43- 2)	8 µg/L	EN ISO 15680:2003	Quarterly
23	PAHs as follows:			
	Benzo(a)pyrene	1.7 X 10 <sup>-4</sup> µg/L	EN ISO 17993:2003	Annual
	Benzo(b)fluoranthene, Benzo(k)fluoranthene	Sum of 2 PAHs: 0.03 µg/L	EN ISO 17993:2003	Annual
	Benzo(g,h,i)- perylene, Indeno(1,2,3- cd)-pyrene	Sum of 2 PAHs: 0.002 µg/L	EN ISO 17993:2003	Annual
24	C10-C13 chloroalkanes (CAS number 85535-84-8)	0.4 µg/L	EPA 8270D:2007	Annual
25	Polychlorinated biphenyls (CAS number 1336-36-3)	3 µg/L	USEPA method 8082, EA method 174 and 5109631	Annual

- 2.5.4 The Permit Holder/s shall ensure that monitoring for discharges to the marine environment prior to connection to the tie-in points specified in Table 2.5.19 of this Permit and Table 2.4.1 of the respective Subsidiary Permit shall be carried out in the locations agreed upon with the Authority and on the dates and times specified by the Permit Coordinator.
- 2.5.5 The methodology employed shall be as specified in the Table 2.5.3 or equivalent. Should an alternative standard be used by the Permit Holders the Authority is to be duly notified before sampling and analysis is carried out. All Limits of Detection (LOD) and Limits of Quantification (LOQ) per standard method used must be listed in the AER. The results shall be submitted as part of the AER.
- i. Where a method with a detection limit appropriate for the emission limit value in Table 2.5.3 is not available, the Authority may allow a method with a higher detection limit to be used instead. Samples taken shall be

representative. This shall be communicated by the Permit Coordinator to the Authority and approved by ERA prior to application of the method.

- ii. The Permit Holder/s should use standard methodologies which would achieve the required LoQs, subject to agreement on such methodologies with ERA prior to their application. The Authority may also communicate alternative methodologies once these are available-

- 2.5.6 The Permit Holders shall follow the procedure outlined in condition 2.5.25.
- 2.5.7 In case of any exceedances of the emission limit values in Table 2.5.3, either through the individual monitoring carried out in the location agreed upon with the competent authority or as highlighted by the Permit Coordinator through the procedure laid down in condition 2.5.26 of this Permit, the Permit Holders shall as part of the AER submit an action programme to the Authority aimed at achieving these emission limits. This plan shall be coordinated through the Permit Coordinator.
- 2.5.8 The source of any exceedance reported in the template as part of the AER of the respective subsidiary permit and/or as per procedure outlined in Schedule 6 of the Regulatory Framework Permit shall be substantiated by any investigations carried out to identify the source and any corrective action taken to mitigate such an exceedance. Upon implementation of the corrective action there shall be additional monitoring exercise so as to verify that emissions are returned to the permitted ELVs following the implementation of the action programme specified in condition 2.5.7 of this Permit.
- 2.5.9 Further to condition 2.5.8, the Permit Holder/s within the installation may be requested by the Authority to assess the possibility of designating a mixing zone in the vicinity of the discharge points in line with the procedures specified in Schedule IX(3)“Mixing Zones” in S.L. 549.100.
- 2.5.10 No substance shall be discharged in a manner, or at a concentration which following initial dilution, causes tainting of fish or shellfish.
- 2.5.11 The Permit Holders shall maintain a logbook in which all substances within the facility are listed. The Permit Holder shall retain Safety Data Sheets of such substances. These shall be submitted to the Authority upon request.
- 2.5.12 The Authority may change monitoring parameters and frequencies as it considers appropriate, depending on the monitoring results submitted by the Permit Holders and on the information provided by the Permit Holders on the type of chemicals which may be utilised for the operation of the installation. The Authority may require monitoring for absorbable organic halogens (AOX) should the Permit Holders start using organic halogenated compounds.
- 2.5.13 The use of micro biocides is strictly prohibited unless approved in writing by the Authority. This shall not apply to the use of hydrogen peroxide or ozone.
- 2.5.14 The Permit Holders shall not use any of the priority substances in the field of water policy listed in Schedule 7 at the Permitted Installation.
- 2.5.15 For the following priority hazardous substances;
  - i. Benzo(a)pyrene
  - ii. Benzo(b)fluor-anthene
  - iii. Benzo(k)fluor-anthene
  - iv. Benzo(g,h,i)-perylene
  - v. Indeno(1,2,3-cd)-pyrene

- vi. C10-C13 chloroalkanes
- vii. Cadmium
- viii. Mercury
- ix. Tributyltin compounds
- x. Dioxin and dioxin-like compounds (including PCDDs, PCDFs and PCB-DL)

The Permit Holder shall ensure that there is no detection of these substances in the effluent discharge. In case any of these priority hazardous substances are detected, the permit holder shall take appropriate measures to ensure that the discharge does not contain any of these substances.

- 2.5.16 The operations of the installation shall not hinder the achievement of good status for surface water as required under the Water Policy Framework Regulations, S.L.549.100 and the Permit Holders shall implement all the necessary mitigation measures should deterioration in the ecological and chemical status of the water bodies as monitored by the Competent Authorities is attributed to the operation of the installation.

### **Discharges to Marine Water: General Monitoring Conditions**

- 2.5.17 All sampling carried out by the Permit Holder/s with the scope of monitoring compliance with the conditions listed in this Permit and the respective subsidiary permit shall be carried out according to the standards listed in Table 2.5.17 or equivalent.

Standard	Description
ISO 5667-1:2020	Water quality -- Sampling -- Part 1: Guidance on the design of sampling programmes and sampling techniques
ISO 5667-3:2018	Water quality -- Sampling -- Part 3: Guidance on the preservation and handling of water samples
ISO 5667-7: 1993	Water quality -- Sampling -- Part 7: Guidance on sampling of water and steam in boiler plants
ISO 5667-10:2020	Water quality -- Sampling -- Part 10: Guidance on sampling of waste waters
ISO 5667-14:2014	Water quality -- Sampling -- Part 14: Guidance on quality assurance of environmental water sampling and handling

- 2.5.18 The Permit Holder shall make sure that any sampling and chemical analysis is carried out by a laboratory accredited (or in the process of accreditation, as confirmed by the National Accreditation Body (NAB-Malta) or equivalent) to at least EN ISO 17025:2017 and preferably for each and every test listed in Table 2.5.3. The Permit Holder shall include a copy of the laboratory's accreditation certification in the AER of the respective subsidiary permit.

### **Coordination of emission to Marine Water**

- 2.5.19 Conditions 2.5.19 – 2.5.32 of this Permit shall only apply to discharges of waste waters from the sources specified in Table 2.5.19 and only from the sources for those release points specified by the Table 2.5.19.

<b>Table 2.5.19 - Emissions to Marine Water from common tie-in points.</b>				
<b>Outlet Number (as per Schedule 5)</b>	<b>External tie-in point reference</b>	<b>Details</b>	<b>UTM Co-ordinates<sup>2</sup></b>	
			<b>x-coordinate</b>	<b>y-coordinate</b>
<b>Point 1</b>	<b>TP21.D4</b>	Existing storm water overflow from Enemalta EGM treated interceptor discharge receiving floor washings and rainwater from CCGT area and runoff from waste management area.	459,647	3,965,869
<b>Point 2</b>	<b>TP13.D3</b>	Existing storm water overflow from Enemalta D3PG storm water from FOT area	459, 903	3,965,595
<b>Point 3</b>	<b>TP14.D3</b>	Enemalta oil interceptor (from HFO and gasoil tank area), water from fuel centrifugation and run-off from access road (near gasoil tank farm)  D3PG oil interceptor from fuel tank area and other plant run-off.	459,860	3,965,516
<b>Point 4</b>	<b>TP 18 D4 TP 18 D3</b>	Main outfall including water treatment, cooling systems, waste water from steam generation, waste water from boiler wash down/ blow down from Enemalta, D3PG and ElectroGas.	460,154	3,965,839

2.5.20 The Permit Coordinator shall be responsible for the monitoring of discharge points indicated in Table 2.5.19. All the Permit Holders shall provide the necessary information to the Permit Coordinator as required.

2.5.21 In accordance with condition 1.8.11, all Permit Holders covered by the relevant Subsidiary Permit shall ensure that monitoring for discharges to the marine environment prior to connection to the tie-in points specified in Table 2.5.19 shall be carried out in the locations agreed upon with the Authority and on the dates and times specified by the Permit Coordinator.

2.5.22 Monitoring of parameters 1 and 4-25 in Table 2.5.3 from points 1- 3 is required prior to discharge of waste water **only** in case of a spillage of fuel from any tank. Testing of total petroleum hydrocarbons shall however be carried out continuously whenever water from fuel centrifugation (or other forms of water removal) is being discharged. In the case of Point 4 monitoring shall take place as specified by 2.5.3

<sup>2</sup> Zone 33s, datum ED 50, ellipsoid – Hayford International.

- 2.5.23 No specified emission to water shall exceed the emission limit values set out in Table 2.5.3. The emission limits shall apply to the waste water at the point of discharge into the sea. There shall be no other emissions to water of environmental significance.
- 2.5.24 In case of any exceedances of the emission limit values in Table 2.5.3 during monitoring exercises or a request for investigation by the Authority, the Permit Coordinator shall apply the procedure outlined in Schedule 6.
- 2.5.25 The source of any exceedance reported in the template in Schedule 4 (AER) and as per procedure outlined in Schedule 6 shall be substantiated by any investigations carried out to identify the source and any corrective action taken to mitigate such an exceedance. Upon implementation of the corrective action there shall be additional monitoring exercise so as to verify that emissions are within the stipulated thresholds.
- 2.5.26 In case of any exceedances of the emission limit values in Table 2.5.3 and following the adoption of the procedure referred to in condition 2.5.25, the Permit Coordinator in collaboration with the Permit Holder(s) shall as part of the AER submit an action programme to the Authority aimed at achieving the stipulated emission limits.
- 2.5.27 An annual report summarising emissions to water from the discharge points listed in Table 2.5.19 shall be submitted to the Authority as part of the AER. The information contained in this report shall be prepared in accordance with format specified in Schedule 4 (AER).
- 2.5.28 Further to the requirement in condition 2.5.27, the Permit Holders shall follow the procedure outlined in condition 1.8.11.

### Sediment Monitoring

- 2.5.29 The Permit Coordinator in collaboration with the other Permit Holders shall carry out a monitoring survey of the sediments around the cooling water inlet and outlet in 2023 and every 3 years thereafter, in order to determine the impact of the installation on the marine environment.
- 2.5.30 The parameters to be analysed in the vicinity of the discharge point at il-Hofra z-Zghira (Discharge point 4) are as detailed in Table 2.5.30. The Permit Coordinator on behalf of the Permit Holders shall submit the monitoring methodology for ERA's approval prior to implementation. The methodology shall specify the monitoring station/s, the standard methods to be employed and the Limits of Quantification/Limits of Detection that will be used for the analysis of the contaminants:

<b>Parameter</b>		<b>Limit (mg/kg dw)<sup>3</sup></b>
1	Arsenic	–
2	Cadmium	0.3
3	Chromium	50
4	Copper	–
5	Lead	30
6	Mercury	0.3
7	Nickel	30

<sup>3</sup> For those contaminants where a threshold is not stipulated, comparison should be made to existing thresholds in other countries, ideally ones used in the Mediterranean region. <https://mcc.jrc.ec.europa.eu/documents/201909061143.pdf>

8	Zinc	-
9	Total Petroleum Hydrocarbons	-
10	Tributyltin compounds	0.005
11	C10-C13 chloroalkanes	-
12	Polychlorinated biphenyls	-

### Ecological Monitoring

- 2.5.31 The Permit Holders, acting through the Permit Coordinator shall carry out marine ecological surveys using the methodology agreed with the Authority as per improvement programme item 8 listed in Table 1.5.1 every three years. The monitoring for each assessment year shall be carried out during the summer months, preferably the same month, to assess the impact of the cooling water outfall on the habitat types and species listed in the Schedules of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44); including *Pinna nobilis*, and *Posidonia oceanica* beds and *Cymodocea nodosa* meadows, in the surrounding waters.
- 2.5.32 Any decline in the conservation status of the habitat types and species in the area, especially those listed in the Schedules of S.L 549.44, shall be immediately reported to the Authority, and followed up with proposals for mitigation measures, which shall be reviewed and agreed to by the Authority prior to their implementation. This information shall be included with the Annual Environmental Reports, in the format indicated in Schedule 4.

### Discharges to Marine Water: Requirements for Waste Water arising from Non-process Water

- 2.5.33 The Permit Holder/s shall carry out a visual examination of the surface water discharge daily and shall maintain a log of such inspections. The Permit Holder/s shall ensure that no visible oil layer is present in surface water prior to discharge either directly or through specified external tie in points. Surface water that appears contaminated shall be treated prior to discharge to seawater.
- 2.5.34 Surface run-off (rainwater) that might be contaminated by any spillage of fuel from fuel storage and handling shall be collected and treated prior to discharge.
- 2.5.35 In the event that any analyses or observations made on the quality or appearance of waste water from surface runoff should indicate that a contamination has taken place, the Permit Holder/s shall:
- i. Carry out an immediate investigation to identify and isolate the source of the contamination;
  - ii. Put in place measures to prevent further contamination and to minimise the effects of any contamination on the environment; and
  - iii. Notify the Authority as soon as is possible as per Section 7 of this Permit.

### Coordinated Discharges to Marine Water: Requirements for Waste Water arising from Non-process Water (from points 1, 2 and 3)

- 2.5.36 Each Permit Holder shall ensure that upon detection of spillages of fuel which will affect the discharge of effluent from points 1-3, the Permit Coordinator is immediately to be notified in order to carry out its obligations under 1.8.2, where applicable.
- 2.5.37 Each Permit Holder shall carry out a visual examination of the discharge prior to connection with the respective tie-in point as specified in Table 2.5.19. The Permit Coordinator shall also carry out daily visual examination of the final

discharge to surface water discharge and shall maintain a log of such inspections. Each Permit Holder as well as the Permit Coordinator shall ensure that no visible oil layer is present in surface water prior to discharge. Surface water that appears contaminated shall be treated prior to discharge to seawater.

- 2.5.38 All oily water separator system having a direct discharge point to a water body shall have a continuous hydrocarbon detector with alarm. For points 1-3, no discharge of wastewater is allowed if the emission limit value is exceeded. Detection of oily water from points 1-3 above the emission limit value shall be followed by immediate investigation and appropriate mitigation measures as per the procedure outlined in Schedule 6.
- 2.5.39 Each Permit Holder shall ensure that surface run-off (rainwater) that might be contaminated by any spillage of fuel from fuel storage and handling shall be collected and treated prior to discharge
- 2.5.40 In the event that any analyses or observations made on the quality or appearance of waste water from surface runoff should indicate that a contamination has taken place, each Permit Holder shall:
- i. Carry out an immediate investigation to identify and isolate the source of the contamination;
  - ii. Put in place measures to prevent further contamination and to minimise the effects of any contamination on the environment;
  - iii. Notify the Authority and the Permit Coordinator as soon as is possible as per Section 7 of this Permit.

## **2.6 Storage**

- 2.6.1 All storage areas (including for fuel, waste, chemicals, etc.) shall be rendered impervious to the materials stored therein. In addition, areas for storage of liquid hazardous materials shall be bunded, either locally or remotely, to a volume not less than the greater of the following
- i. 110% of the capacity of the largest tank or container within the bunded area.
  - ii. 25% of the total volume of substance which could be stored within the bunded area.
- Areas for storage of solid hazardous materials shall also have appropriate vehicle access control measures.
- 2.6.2 Drainage from bunded areas shall be diverted for collection and safe disposal, or appropriate treatment prior to discharge.
- 2.6.3 The integrity testing of any bunds for tanks/containers as required by condition 2.6.1 up to 25 m<sup>3</sup> must be carried out at least once every three years according to CIRIA 163, Construction Industry Research and Information Association Report 163 – Construction of Bunds for Oil Storage Tanks. The test must be carried out by an approved auditor and the inspection report and any ensuing certification must be included in the AER in the format specified in Schedule 2 of the respective subsidiary permit. Testing of bunds for wastes is not required if hazardous liquid wastes are stored on drip trays or prefabricated bunds.
- 2.6.4 For bunds of tanks as required by condition 2.6.1 greater than 25 m<sup>3</sup>, visual inspections shall be carried out at least weekly by a warranted engineer, who shall as a minimum examine the following elements:

- i. Identification of any cracks or faults in the bund walls or floors;
- ii. Whether the bund is holding rainwater during/after episodes of rain;
- iii. Whether drain holes are present in the bund which could lead to emissions (if this is the case, these would need to be sealed with waterproof cement or a material of at least equivalent impermeability);
- iv. The presence of any damp patches which could indicate cracks.

Any faults identified during the inspection must be followed by immediate action to remedy the situation. Such inspections must be recorded, together with any faults and remedial actions taken.

Such bunds shall also be certified annually by a warranted civil engineer.

- 2.6.5 The unloading of gasoil shall be supervised at all times and shall be undertaken in accordance with the standard operating procedure or as amended.
- 2.6.6 The pipes, pumps, valves and flanges forming part of the system which transfers gasoil from the delivery point to the tanks on site shall be certified to be leak-proof by an approved auditor at least once every three years. The inspection report and any ensuing certification must be included in the AER in the format specified in Schedule 2 of the respective subsidiary permit.
- 2.6.7 All personnel involved in the transfer of gasoil from vehicles to storage or from storage to the generating stations shall be trained in the oil spillage response plan. Records of such training shall be maintained and made available for inspection by Authority personnel.
- 2.6.8 The loading and unloading of other materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 2.6.9 All gasoil tanks shall be fitted with a high level alarm and, for fuel tanks used for internal gasoil transfer, a high-high liquid level alarm with automatic stoppage of pumps and automatic closure of valves in the event of a high-high level alarm, where this is operationally feasible.
- 2.6.10 All flanges and valves on over-ground pipes used to transport materials other than uncontaminated water, where no permanent provision for containment of leaks is provided, shall be subject to weekly visual inspection or otherwise monitored for leaks to the satisfaction of the Authority. All such inspections shall be recorded in a log which shall be available for inspection by the Authority.
- 2.6.11 All the flanges, valves and over-ground pipes listed in condition 2.6.10 shall be certified by an accredited auditor to be completely leak-proof at least once every three years or as per Permit Holder's standard operating procedures relating to maintenance, whichever comes first. Any ensuing inspection report shall be included in the AER in the format specified in Schedule 2 of the respective subsidiary permit.
- 2.6.12 Valves on bunds shall be maintained in closed position except during bund drainage. Drainage of water collecting in bunds shall be carried out under constant supervision. No discharges shall be undertaken from bunds where there is a visible film of oil on the bund water.
- 2.6.13 All the oil interceptors shall be monitored on a monthly basis and maintained to ensure efficient operation. A log of monitoring and interceptor waste removal shall be maintained on site for inspection.
- 2.6.14 All the oil interceptors shall be inspected by an accredited auditor at least once every three years. The accredited auditor shall amongst other things inspect the

interceptor for efficiency of operation. Any ensuing certification shall be included in the AER (Schedule 2) of the respective subsidiary permit.

## **2.7 Fugitive emissions of substances to air**

2.7.1 The Permit Holders shall use BAT so as to prevent or where that is not practicable to reduce fugitive emissions of substances to air from the Permitted Installation, in particular from the:

- i. process areas
- ii. storage areas, including solvent storage, raw materials (including fuel) storage and waste storage
- iii. buildings
- iv. pipes, valves and other transfer systems
- v. open surfaces

Provided always that the techniques used by the Permit Holder/s shall be no less effective than those described in the Application, where relevant

## **2.8 Fugitive emissions of substances to water and sewer**

2.8.1 The Permit Holders shall use BAT so as to prevent or where that is not practicable to reduce fugitive emissions of substances to water (other than groundwater) and sewer from the Permitted Installation, in particular from:

- All structures under or over ground
- Surfacing
- Storage areas
- Bunded areas.

2.8.2 The Permit Holders shall undertake all necessary measures and precautions to prevent spillage of raw materials, intermediates, products, waste and any other materials.

2.8.3 Connection points for fuel unloading must be appropriately contained. Any accidental release of substances shall be duly treated prior to discharge or disposed/recovered appropriately. Records shall be kept of such discharges, including the volume discharged.

2.8.4 Rainwater shall be segregated from all areas (including areas for fuel storage and raw materials) that are potentially contaminated.

2.8.5 Rainwater shall not be discharged into the sewer or cesspits.

2.8.6 The rate of flow into treatment chambers (e.g. interceptors) shall not exceed design capacity.

## **2.9 Waste recovery or disposal**

### **General considerations**

2.9.1 The Permit Holder shall use BAT in the design, maintenance and operation of all facilities for the storage and handling of waste on site such that there are no releases to water or land during normal operation and that emissions to air and risk of accidental release to water or land are minimised.

2.9.2 All operations concerning the management of waste are subject to the Waste Management Regulations (S.L.549.63) and the Waste Management (Activity Registration) Regulations (S.L. 549.45).

- 2.9.3 The Permit Holders shall be committed to reduce waste generation where possible
- 2.9.4 The Permit Holders are to prevent litter or other wastes escaping from the site boundaries, particularly during loading/unloading. Any such escape of waste shall be collected immediately upon detection.
- 2.9.5 All waste shall be stored within a designated and controlled storage area(s) prior to ultimate disposal. Waste to be recycled shall be stored in a designated container or area and shall not be mixed with other wastes.
- 2.9.6 Liquid and hazardous wastes shall be stored in a labelled, closed container(s) within a designated and controlled storage area(s) prior to ultimate disposal. Wastes of different natures and having different European Waste Catalogue codes as established by Commission Decision 2000/532/EC and any subsequent amendments should not be mixed in the same container.
- 2.9.7 Packaging and containers containing significant residual quantities of chemicals shall be regarded as hazardous waste and shall be disposed of in an appropriate manner.
- 2.9.8 On-site disposal of wastes by any means including burning, disposal to drain or surface water, burying or deposition on land is prohibited.
- 2.9.9 No storage of waste, equipment or materials is permitted on property outside the site premises.
- 2.9.10 No storage of waste destined for disposal is permitted for a period exceeding 12 months. No storage of waste destined for recovery is permitted for a period exceeding 3 years.
- 2.9.11 Off-site disposal or recovery of wastes may only take place at a facility licensed for that purpose

### **Transport**

- 2.9.12 Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:
  - i. Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.
  - ii. Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply; and
  - iii. Any other applicable legislation.
- 2.9.13 The Permit Holder shall make use of the services of a registered waste carrier for the transport of waste from the site in accordance with activity 38 of schedule 1 of S.L. 549.45, the Waste Management (Activity Registration) Regulations. Where the company removes wastes using its own transport the vehicle(s) must also be registered as a waste carrier in accordance with S.L. 549.45 or any statutory provisions or regulations amending or replacing them.
- 2.9.14 Movement of hazardous waste to authorised facilities shall be covered by a valid consignment permit obtainable from the Competent Authority. Each movement shall also be covered by a consignment note obtainable from the Authority.

- 2.9.15 Should the Permit Holder require the services of a waste broker, it shall be ensured that any such broker is a duly registered waste broker in accordance with S.L. 549.45.

### **Records**

- 2.9.16 The Permit Holder shall ensure to keep records for every consignment of wastes removed from the Site indicating the EWC Code, description, quantities, date of removal, contractor name (including for transport), consignment note number (where applicable) and manner and place of final disposal/recovery.
- 2.9.17 Disposal certificates shall be kept on record and made available for inspection for a period of at least 3 years from date of their issue.
- 2.9.18 In the case of waste that is sent for treatment or recovery to another facility locally or abroad, the audit trail shall cover all waste from the point of generation or collection to the end recovery or disposal facility.
- 2.9.19 A summary record of the waste quantities removed from the site shall be made for each quarter of the reporting year (January-March, April-June, July-September and October-December) and shall be submitted to the Authority in the format specified in Schedule 3 of the Respective Subsidiary Permit within 1 month following the end of the quarter.
- 2.9.20 As part of the Annual Environmental Report for the installation, the Permit Holder shall produce a report on the off-site transfers of waste from the Permitted Installation over the previous calendar year, by end of June of each year, providing the information listed in the format specified in Schedule 2 of the respective subsidiary permit

### **2.10 Odour**

- 2.10.1 The Permit Holders shall use BAT so as to prevent or where that is not practicable to reduce odorous emissions from the Permitted Installation, in particular by:
- i. limiting the use of odorous materials;
  - ii. restricting odorous activities;
  - iii. controlling the storage conditions of odorous materials;
  - iv. controlling processing parameters to minimise the generation of odour;
  - v. optimising the performance of abatement systems;
  - vi. timely monitoring, inspection and maintenance;
  - vii. employing, where appropriate, an approved odour management plan.
- 2.10.2 There shall be no significant offensive odour, as perceived by an Authorised Officer of the Competent Authority, at sensitive locations.
- 2.10.3 In case of complaints from sensitive receptors regarding odours from the installation, the Authority may require the Permit Coordinator to assist with the investigation being carried out by the Authority to assess the potential source of such a complaint. The Authority may require the Permit Coordinator or the respective Permit Holder (where these are identified as the source of the complaint), to submit an odour management plan, which would include recommendations for abatement of the odour and timeframes for implementation.
- 2.10.4 In order to ensure compliance with condition 2.10.3 each respective Permit Holder within the installation shall provide the Permit Coordinator with any operational details which may be necessary for the Permit Coordinator to conduct the required investigations.

## **2.11 Emissions to Land**

- 2.11.1 There are no permitted discharges to land.
- 2.11.2 In the event of accidental contamination of land, the Permit Holders shall notify the Authority immediately, forward a decontamination plan and execute it within 1 week of the event.

## **2.12 Noise and Vibration**

- 2.12.1 The Permit Holders shall use BAT so as to prevent or where that is not practicable to reduce emissions of noise and vibration from the Permitted Installation, in particular by:
  - i. equipment maintenance, e.g. circulating pumps, extraction fans, compressors, silencers.
  - ii. use and maintenance of appropriate attenuation, eg. silencers, barriers, enclosures;
  - iii. appropriate timing and location of noisy activities and vehicle movements;
  - iv. periodic checking of noise emissions, either qualitatively or quantitatively; and
  - v. maintenance of building fabric
- 2.12.2 Emergency generators/alarms/sirens/release valves shall only be tested between the hours of 7.00 and 19.00 Monday to Friday and not on any Public Holiday.
- 2.12.3 The level of noise emitted from the installation at all operational times shall not exceed the background noise level by 5dB at the noise sensitive receptors, excluding during the use of emergency sirens and alarms and start-ups.

### **Noise Monitoring**

- 2.12.4 This section shall apply to:
  - i. The assessment of complaints at noise sensitive receptors resulting from noise emissions generated by the Permit Holder.
  - ii. The annual noise monitoring exercise required by subsequent conditions in this Permit.
- 2.12.5 Noise monitoring is to be carried out annually (or as otherwise agreed with the Authority), to ensure that the limits in condition 2.12.3 are not exceeded. Noise monitoring shall also be carried out upon commissioning of any new equipment which in the opinion of the Authority has the potential to significantly increase noise emissions from the installation. The Permit Holder/s shall submit to the Authority a method statement for carrying out a Noise Monitoring Survey in line with the Terms of Reference provided in Schedule 8. Once the method statement is approved by the Authority, the noise monitoring survey shall be initiated.
- 2.12.6 Such investigations and monitoring shall be carried out in collaboration with the other Permit Holders and where necessary led by the Permit Coordinator.
- 2.12.7 Records of noise monitoring resulting from investigations carried out shall be submitted to the Competent Authority in the format specified in Schedule 4. A detailed report shall also accompany such results. The report and accompanying results shall also be submitted as part of the AER.

- 2.12.8 Based on the results of the noise monitoring, the Permit Holder/s may be requested to submit a proposal for an action plan aimed at reducing noise from those sources which have resulted in significantly high noise levels.
- 2.12.9 The proposal for an action plan is to be submitted and approved by the Authority, which reserves the right to request any additional measures as deemed necessary.
- 2.12.10 As part of the AER, records of noise monitoring of the previous year shall be submitted to the Competent Authority by not later than end of June after the end of each reporting year, in the format specified in Schedule 4. A detailed report shall also accompany such results.
- 2.12.11 Further to conditions 2.12.6 to 2.12.10, the results of investigations which have identified a specific Permit Holder as the source of exceedances, together with the corrective actions taken by the Permit Holder shall be submitted as part of the AER in Schedule 4 of this permit

### **Coordination of Noise monitoring**

- 2.12.12 Following receipt of any complaints related to noise emissions or a request by the Competent Authority or a notification from any of the Permit Holders within the installation, the Permit Coordinator shall ensure that such complaints are investigated and where necessary accompanied by the necessary noise monitoring in accordance with the Approved Doc IP 0002/21/DOC 3. Such investigations and monitoring shall be carried out in collaboration with the other Permit Holders and where necessary led by the permit Coordinator.
- 2.12.13 In order to ensure compliance with condition 2.12.8, all Permit Holders within the installation shall provide the Permit Coordinator with any operational details which may be necessary for the Coordinator to conduct the required investigations.
- 2.12.14 The Permit Coordinator shall coordinate annual noise monitoring to ensure that emission limit values stipulated in the subsidiary permits are not exceeded.

### **2.13 Maintenance**

- 2.13.1 All plant and equipment used in operating the Permitted Installation shall be maintained in good operating condition.
- 2.13.2 The Permit Holder shall maintain a record of plant and equipment covered by condition 2.13.1, and for such plant and equipment:
- i. a written or electronic maintenance programme; and
  - ii. records of its maintenance.

### **2.14 Management and Technically Competent Person**

- 2.14.1 A copy of this Permit shall be available at the place of work, at all times, for reference by all staff carrying out work subject to the requirements of the Permit.

#### **Training**

- 2.14.2 The Permit Holder shall ensure that the part of the permitted Installation falling within the responsibility of each respective Permit Holder shall be supervised by staff who are suitably trained and fully conversant with the requirements of this Permit.

2.14.3 All staff shall be fully conversant with those aspects of the Permit conditions which are relevant to their duties and shall be provided with adequate professional technical development and training and written operating instructions to enable them to effectively carry out their duties.

2.14.4 The Permit Holder/s shall maintain a record of the skills and training requirements for all staff whose tasks in relation to the Permitted Installation may have an impact on the environment and shall keep records of all relevant training.

**2.14.5 Incidents and Complaints**

2.14.6 The Permit Holder/s shall maintain and implement written procedures for:

- i. Taking prompt remedial action, investigating and reporting to the Competent Authority actual or potential non-compliance with operating procedures or emission limits and if such events occur;
- ii. Investigating incidents, (including any malfunction, breakdown or failure of plant, equipment or techniques, down time, any short-term and long-term remedial measures and near-misses) and prompt implementation of appropriate actions; and
- iii. Ensuring that detailed records are made of all such actions and investigations.

2.14.7 Without prejudice to section 7, the Authority may request that within one month of the incident occurring or as otherwise agreed by the Authority, the Permit Holder shall submit a proposal to the Authority:

- i. Identify and put in place measures to avoid recurrence of the incident; and
- ii. Identify and put in place any other appropriate remedial actions

2.14.8 The Permit Holder/s shall record and investigate complaints concerning the specific permitted plant's effects or alleged effects on the environment and public health. The record shall give the date and nature of complaint, time of complaint, name of complainant (if given), a summary of any investigation and the results of such investigation and any actions taken.

2.14.9 As part of the AER of the Subsidiary Permit, the Permit Holder shall provide report on incidents and complaints in the format specified in Schedule 2. This shall also include incidents and complaints which were addressed collectively with the other Permit Holders or on an individual basis. These records shall also be made available upon request during any inspection on site

2.14.10 Details of incidents and complaints shall also be divulged to the other Permit Holders of the permitted installation.

**Incidents and Complaints coordination**

2.14.11 The Permit Coordinator shall maintain and implement written procedures for:

- i. Coordinating prompt remedial action, investigating as per the procedure detailed in Schedule 6, collating of the necessary data from all the Permit Holders and reporting to the Competent Authority actual or potential non-compliance with operating procedures or emission limits resulting from the installation as a whole;
- ii. Coordinating the investigation of incidents, (including any malfunction, breakdown or failure of plant, equipment or techniques, down time, any

short-term and long-term remedial measures and near-misses) and prompt implementation of appropriate actions where these are identified as resulting from the operations of the installation as a whole and ensuring that detailed records are made of all such actions and investigations.

- 2.14.12 The Permit Coordinator shall record and investigate complaints concerning the Permitted Installation's effects or alleged effects on the environment and public health. The record shall give the date and nature of complaint, time of complaint, name of complainant (if given), a summary of any investigation and the results of such investigation and any actions taken
- 2.14.13 As part of the AER of the Permitted Installation, the Permit Holder/s acting through the Permit Coordinator shall provide report on incidents and complaints in the format specified in Schedule 4.
- 2.14.14 In carrying out coordinated investigations as required by this Permit, the Permit Coordinator shall follow the investigation procedure as detailed in Schedule 6 of this Framework Permit.
- 2.14.15 All Permit Holders shall jointly establish procedures for the collection of information and data necessary for investigations under 2.14.11-2.14.12 and ensure that, once established, fully comply and collaborate with requests from the Permit Coordinator for information and data necessary for the investigation.

**Attendance of Technically Competent Person(s)**

- 2.14.16 The Permit Holder or one member of the staff shall be nominated as the Technically Competent Person (TCP) of the site. The TCP is responsible for the implementation of all the obligations stipulated in this permit including during inspections, must supervise the rest of the staff on site. In cases where the TCP is not the Permit Holder, the TCP shall be the Permit Holder's technical focal point for the implementation of the conditions of this permit.
- 2.14.17 Another member of staff shall be nominated as the delegate Technically Competent Person (delegate TCP). The TCP or delegate is to physically represent the Permit Holder during the times when the Permit Holder will not be available.
- 2.14.18 Attendance of the TCP(s) and delegate TCP at the Site shall be recorded in the Site diary on arrival and departure.
- 2.14.19 For the whole operational hours permitted for the Site under this Permit, the Technically Competent Person/s or his/their delegate shall be physically in attendance at the Site. The Technically competent Person/s or their delegate/s has/ve to be permanently present on site during generation of electrical energy. The Permit Holder is to provide details as to how he intends to provide this coverage in order to take into account unavoidable absences due to continuous operation, vacation or sick leave.
- 2.14.20 In the event of any short or long periods of leave of absence taken by the TCP or the delegate for a period exceeding 10 days, the Permit Holder is obliged to find a replacement for that member of staff without delay.
- 2.14.21 Where the Site has been notified to the Authority as being either non-operational or closed, the Technically Competent Person shall be capable of attending the Site within one hour.

**Changes in Technically competent Person(s) delegate(s)**

2.14.22 Where there are any changes/additions in technically competent management (person/s), including delegates, the name of any incoming person together with evidence that such person has the required technical competence and 24-hour contact details shall be submitted to the Authority in writing within 5 working days of the change in management.

2.14.23 In the event of the death, dismissal, resignation, leave, or of extended sick leave of the Technically Competent Management of the Site, the Permit Holder shall immediately inform the Authority, and prove to the Authority that the Permit Holder is actively seeking a replacement.

## **2.15 Coordination on safety<sup>∞</sup>**

2.15.1 The Permit Coordinator shall carry out any necessary updates to the Coordinated Safety Studies as requested and within the timeframes agreed upon with the COMAH Competent Authority.

2.15.2 Further to the provisions of Regulation 14 of S.L. 424.19 and without prejudice to the Permit Holder's responsibilities, the COMAH Competent Authority shall, if necessary, appoint individuals or set-up bodies to assist the competent authority at technical level at the expense of the Permit Holders.

## **2.16 Coordination of accident prevention and control<sup>∞</sup>**

2.16.1 In the case of an accident, each Permit Holder will be responsible for notifying the other Permit Holders and the Permit Coordinator of such an incident and each Permit Holder shall follow the procedures stipulated in the Internal Emergency Plan submitted by each Permit Holder.

2.16.2 In the case of an emergency situation within an individual operator plant or in an emergency escalated to a site level), the procedures and coordinated actions stipulated within the Coordinated Emergency Plan (CERP) shall apply. The operator shall ensure communication and coordination with the other operators and stakeholders together with the local area emergency response organisations and Authorities.

2.16.3 The level of application of the CERP shall be at least the communication of the emergency situation, with a possible escalation of the full activation of the CERP as detailed in the documentation.

2.16.4 The CERP shall be reviewed at least every three years or as soon as practicable after an accident, whichever is the earlier, and the Authority notified of the results of the review within 2 months of its completion.

2.16.5 The Permit Coordinator together with the Permit Holders covered by the respective Subsidiary Permits shall maintain and implement all health and safety measures in compliance with Act XXVII of 2000; Occupational Health and Safety Authority Chapter 424 and all relevant subsidiary legislation, in particular but not limited to implementation of the risk assessment which covers the operation of the whole installation.

2.16.6 The Permit Coordinator together with the Permit Holders covered by the respective Subsidiary Permits shall comply with the relevant provisions of the Control of Major Accident Hazards Regulations, (S.L. 424.19).

2.16.7 The Permit Coordinator together with the Permit Holders covered by the respective Subsidiary Permits is to keep the Authority updated on any major changes in operations that may impact on the health and safety of the employees.

- 2.16.8 All Permit Holders are to ensure that all Health and Safety documentation is freely available and provided upon request by either the Competent Authority or by the Occupational Health and Safety Authority.

<b>Table 2.17.1 – Infrastructure related to fire-fighting system</b>		
<b>Tie in point</b>	<b>Name</b>	<b>Description</b>
TP7.D3 TP7A.D4 TP7B.D4	Internal fire-fighting system	Freshwater stored within Enemalta's 330m <sup>3</sup> tank which is supplied from evaporated water tanks and distributed through metered tie-in point for own use, D3PG and EGM.
TP8.D3 TP8.D4	External fire-fighting system	Seawater taken from the intake of seawater from Marsaxlokk Bay to delivery and distribution through metered tie-in point to D3PG, EGM and own use.

## **2.17 Coordination of firefighting systems ∞**

- 2.17.1 Part 2.17 of this Permit shall only apply to firefighting infrastructure common to all Permit Holders as listed in Table 2.17.1.
- 2.17.2 The pipes, pumps, valves and flanges forming part of the fire-fighting system which transfers fire-fighting water from point of generation to distribution to the respective Permit Holder shall be certified by an approved auditor at least once every three years unless otherwise specified in the procedure to be adopted following the COMAH review carried out as part of this IPPC application. The inspection report and any ensuing certification must be included in the AER in the format specified in Schedule 4.

## **2.18 Energy Efficiency**

- 2.18.1 As part of the AER, the Permit Holders shall produce a report on the energy and fuel consumed at the plant permitted through this permit over the previous calendar year, providing the information listed in Schedule 2 of the respective subsidiary permit.
- 2.18.2 The Permit Holder shall maintain and operate the plant permitted through this permit so as to secure energy efficiency, in particular by;
- i. ensuring that the appropriate operating and maintenance systems are in place;
  - ii. ensuring that all plant permitted through this permit is adequately insulated to minimise energy loss or gain;
  - iii. ensuring that the type of lighting used is energy-efficient;
  - iv. ensuring that all appropriate containment methods (e.g. seals) are employed and maintained to minimise energy loss;
  - v. maintaining and implementing an energy management system which shall include the monitoring of main energy flows for each generating unit

- 2.18.3 The Authority may request the submission of an energy efficiency plan which targets areas for improving energy efficiency and identifies energy-saving techniques that are applicable to the activities and their associated environmental benefit, and prioritises them. The energy efficiency plan shall be submitted as part of the AER (Schedule 2) of the respective subsidiary permit.

## **2.19 Transport**

- 2.19.1 Independent of any Environment Management System, the Permit Holder shall be responsible for making use of the services of an ADR (The European Agreement concerning the International Carriage of Dangerous Goods by Road) certified carrier for transport of hazardous chemicals and hazardous wastes on land. ∞
- 2.19.2 The Permit Holder shall make use of the services of a registered waste carrier for the transport of waste from the site in accordance with S.L. 549.45

## **2.20 Ozone Depleting Substances and Fluorinated Greenhouse Gases**

- 2.20.1 No new equipment or components containing substances falling within the scope of EC Regulation No. 1005/2009 on substances that deplete the Ozone Layer & S.L. 549.58 on Substances that Deplete the Ozone Layer, shall be installed within the site.
- 2.20.2 All installation, maintenance and servicing of equipment containing Fluorinated Greenhouse Gases shall abide by the requirements of Regulation (EU) No 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No. 842/2006, Commission Implementing Regulation (EU) 2015/2066, Commission Regulation (EC) Nos 1516/2007, 304/2008, 306/2008 and S.L.427.94, Fluorinated Greenhouse Gases (implementing) Regulations.
- 2.20.3 The use of HCFCs in the maintenance and servicing, in particular refilling of such gases is prohibited. Installation of products and equipment whose function relies on such substances shall be prohibited.
- 2.20.4 Maintenance and servicing of equipment containing ozone depleting substances and fluorinated greenhouse gases shall be carried out in accordance with the legal provisions of Regulation (EU) No 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No. 842/2006 and its implementing acts and Regulation (EC) No. 1005/2009 on substances that deplete the Ozone Layer. All maintenance and servicing shall be reported in the format specified in Schedule 2 of the relevant subsidiary permit.
- 2.20.5 For all equipment installed on site utilising Ozone Depleting Substances or Fluorinated Greenhouse Gases, information pertaining to installation, maintenance and servicing shall be provided as prescribed in Schedule 2 of each respective subsidiary permit. When any equipment is replaced by new equipment, the Authority shall be notified in this regard and details provided on the new equipment installed.
- 2.20.6 Upon decommissioning of all equipment containing foam and insulation panels containing substances falling within the scope of EC Regulation No. 1005/09 on substances that deplete the Ozone Layer & S.L. 549.58 together with Regulation (EU) No. 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No.842/2006, the waste gas should be treated as hazardous waste and any foam containing components need to be disposed of at specialised facilities where possible ODS/F gas can be extracted prior to disposal.

2.20.7 Where required, leak detection systems as per the legal provisions of Regulation (EU) No 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No. 842/2006 shall be installed and well maintained.

2.20.8 Any fixed or mobile refrigeration equipment (including refrigerated containers leased from third parties which are located on site for a period exceeding 6 months), shall also be included in the Ozone Depleting Substances Reporting required in the Schedule 2 (Annual Environmental Report).

## **2.21 Land and groundwater investigations, Closure and Decommissioning**

2.21.1 The Permit Holder/s shall maintain and operate the Permitted Installation so as to prevent or minimise any pollution risk, including the generation of waste, on closure and decommissioning in particular by;

- i. Attention to the design of new plant or equipment;
- ii. The maintenance of records of any events which have, or might have, impacted on the condition of the site along with any further investigation or remediation work carried out; and
- iii. The maintenance of a decommissioning plan to demonstrate that the installation can be decommissioned avoiding any pollution and public health risk and returning the site of operation to a satisfactory state

2.21.2 The Permit Holder/s shall maintain an Outline Decommissioning Plan for the installation. This Outline Decommissioning Plan shall at least include the following information.

- a) A draft waste management strategy which shall include:
  - i. The identification and characterisation of sources, types of wastes (including equipment, tanks, fuels and by-products);
  - ii. Criteria for segregation of wastes;
  - iii. Proposed treatment, conditioning, transport, storage and disposal/recovery methods;
  - iv. Potential reuse/recycling of such wastes.
- b) A qualitative assessment of the potential for contamination of land and groundwater pollution which might arise from the historical and current processes carried out at the installation.
- c) The identification of potential sources of emissions to the atmosphere, land and water (both seawater and groundwater) pollution which might arise from the decontamination process and corresponding

2.21.3 The Permit Holder/s shall carry out a full review of the outline Decommissioning Plan at least every 4 years.

- 2.21.4 The Permit Holder/s shall maintain an Outline Decommissioning Plan for the installation. This Outline Decommissioning Plan shall at least include the following information:
- 2.21.5 The Authority may request the Permit Holder/s to carry out additional land and groundwater monitoring.
- 2.21.6 The Permit Holder shall notify the Authority immediately upon a decision being taken to decommission all or part of the site, or planned cessation for a period greater than 6 months, of all or part of the permitted activities. The Authority may impose further requirements in the case of planned cessation for a period greater than 6 months.
- 2.21.7 The Permit Holder shall notify the Authority prior to ceasing operations permanently in part or full, whereby an application for cessation of operations shall be made to the Authority and shall include a decommissioning plan.

#### **Coordinated Land & Groundwater Monitoring**

- 2.21.8 All Permit Holders within the installation shall provide the Permit Coordinator or his appointed consultant with all the necessary information including existing testing results, studies and investigations carried out to date to ensure a coherent assessment addressing the entire installation.
- 2.21.9 With respect to the routine land and groundwater monitoring strategy as part of improvement programme Condition 1.5.1 item 5 in Table 1.5.1;
- i. The monitoring shall be carried out individually by each Permit Holder on monitoring points within their responsibility but submitted to the Authority through the Permit Coordinator.
  - ii. Prior to execution of the Coordinated Land & Groundwater Monitoring Report each Permit Holder shall submit for approval by the Authority a sampling strategy for its review. Each Permit Holder shall subsequently carry out any land and groundwater investigations as agreed with the Authority which will be utilised to produce a Coordinated Land & Groundwater Monitoring Report.
- 2.21.10 The land and groundwater monitoring strategy referred to in 2.21.8 shall fulfil these requirements:
- i. The list of the pollutants to be monitored.
  - ii. The location of the points for the sampling, the sampling methods, the handling of the samples, the pre-treatment/extraction of the analytes (where applicable) and the methods used in order to analyse the samples are clearly detailed.
  - iii. Samples will be analysed to the relevant EN or EN ISO standards or equivalent.
  - iv. Samples shall be managed by a lab accredited (or in the process of accreditation, as confirmed by the National Accreditation Body (NAB-Malta) or equivalent) to at least EN ISO 17025:2017 and preferably accredited for each and every analysis

2.21.11 Such a Coordinated Land & Groundwater Monitoring Report shall be composed of:

- i. The separate investigations and monitoring strategies carried out by the individual Permit Holders
- ii. An additional section consolidating and coordinating these three submissions together with an overall assessment of the installation as a whole.

**Coordinated Outline Decommissioning Plan**

2.21.12 As part of the improvement programme of the installation, the Permit Coordinator shall submit to the Authority a Coordinated Outline Decommissioning Plan addressing the entire installation within the timeframe specified in Condition 1.5.1. Table 1.5.1 Item 6 This Decommissioning Plan shall also address together any follow up actions arising from the land and groundwater risk assessment, baseline reports and monitoring strategy.

2.21.13 The Outline Decommissioning Plan shall at least include the information detailed below:

- i. The results of the coordinated baseline site report
- ii. Criteria identified in condition 2.21.2

2.21.14 The Coordinated baseline reports and routine monitoring reports referred to in condition 2.21.8 shall be utilised to formulate subsequent amendments to Coordinated Outline Decommissioning Plan required by 2.21.7.

2.21.15 Two years before the planned decommissioning of the whole installation the Permit Coordinator, in consultation with all the Permit Holders within the installation covered by the respective Subsidiary Permits shall submit to the Authority a full Decommissioning Plan which shall at least include all the following information:

- i. The results of any land and groundwater monitoring carried out to date as per the baseline report submitted from any subsequent routine land and groundwater monitoring.
- ii. A detailed monitoring programme which will illustrate how the Permit Holders will measure the current levels of various pollutant in the land in line with the monitoring requirements of the baseline report submitted as per condition 2.21.9 as per European Commission Guidance concerning baseline reports under article 22(2) of Directive 2010/75/EU on industrial emissions (2014/C 136/03).
- iii. A comparison between the monitoring submitted as part of the baseline report and the monitoring carried out as per condition 2.21.17(i), to assess whether significant pollution of land and groundwater by relevant hazardous substances has been caused by the installation.
- iv. The levels to which the site and any affected land and groundwater will have to be decontaminated to ensure that the site is returned to the state in the first monitoring carried out as part of the baseline report.
- v. Where the contamination of land and groundwater at the site poses a significant risk to human health or the environment as a result of the activities carried out by the Permit Holder, the Permit Holder shall submit a report indicating the actions to be taken for removal, control, containment or

reduction of relevant hazardous substances so that the site, taking into account its current or approved future use, ceases to pose such a risk.

- vi. The methods which will be used in order to decontaminate the land. Such methods may also include isolation
- vii. A detailed waste management strategy which shall include:
  - a) The identification and characterisation of sources, types and quantities of waste (including equipment, fuels, by-products such as ash, etc.);
  - b) Criteria for segregation of wastes;
  - c) Proposed treatment, conditioning, transport, storage and disposal/recovery methods;
  - d) Potential reuse/recycling of such wastes.
- viii. The identification of potential sources of emissions to the atmosphere, land and water (both seawater and groundwater) pollution which might arise from the decontamination process and corresponding mitigation measures to minimise the likelihood of such emissions.

2.21.16 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the installation in the permitted activity, the Permit Holders shall to the satisfaction of the Authority, decommission, render safe or remove for disposal/recovery, any land, subsoils, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution and that may pose a public health risk

2.21.17 Notwithstanding condition 2.21.18 of this Permit, the Permit Coordinator together with the other Permit Holders shall carry out a review of the Coordinated Outline Decommissioning Plan at least every 4 years.

2.21.18 The Permit Coordinator shall notify the Authority immediately upon a decision being taken to decommission the site of the installation.

2.21.19 The Permit Holders covered by the respective Subsidiary Permits shall inform the Permit Coordinator and the other Permit Holders of any decision being taken to decommission any plant falling within their responsibility in part or as a whole.

2.21.20 As part of the obligations arising from condition 2.21.18 a finalised version of the Site Closure Plan shall be submitted to the Authority for approval not later than 10 days after the Authority is notified of the intention to decommission the site.

2.21.21 The approved Decommissioning Plan shall be implemented within 18 months of final cessation or decommissioning of the Permitted activities or part thereof, or according to a timeframe as may be agreed with the Authority.

### **3 Records**

3.1 The Permit Holders shall ensure that all records required to be made by the Permit and any other records made by it in relation to the operation of the Permitted Installation shall:-

- i. be made available for inspection by the Authority at any reasonable time;
- ii. be supplied to the Authority on demand and without charge and in the format requested;
- iii. be legible;

- iv. be made as soon as reasonably practicable;
- v. indicate any amendments which have been made and shall include the original record wherever possible; and
- vi. be retained by the Permit Holder at the site office, or any other location agreed to with the Authority in writing, for a minimum period of 5 years from the date when the records were made., unless otherwise agreed in writing with the Authority.

#### **4 Coordination of reporting**

- 4.1 All reports and written and/or oral notifications required by this Framework Permit and notifications required by Regulation 7 of the Industrial Emissions (IPPC) Regulations shall be made and sent to the Authority using the contact details notified in writing to the Permit Holder by the Authority.
- 4.2 The Permit Coordinator shall submit to the Authority an AER of the previous year by not later than end of June of each year, providing the information listed in Schedule 4 of this Permit and in the format specified therein. The AER shall be forwarded to the Authority in electronic format.

#### **5 Greenhouse Gas Emissions Permit**

- 5.1 The conditions in this Framework Permit and in each Subsidiary Permit are without prejudice to any condition in the Greenhouse Gas Emissions Permit pursuant to S.L. 423.50 – European Union Greenhouse Gas Emissions Trading Scheme for Stationary Installations, Regulations, 2013.

#### **6 Audit & Inspection Fees**

- 6.1 As per provisions of Regulation 24 of S.L. 549.77, all inspection costs, whether for scheduled or additional inspections, shall be paid by the Permit Holder to the Competent Authority at a standard rate as communicated to the Permit Holder by the Authority.
- 6.2 The Competent Authority may engage consultancy services to obtain specialised expertise to obtain assistance in carrying out compliance audits (including monitoring and, or analysis of samples) and to carry out enforcement action. The cost of the consultancy services will be communicated to the Permit Holder(s) prior to the consultancy services being engaged and will be borne by the Permit Holder(s).
- 6.3 The COMAH Competent Authority reserves the right to request a fee to the Permit Holders<sup>4</sup> for any costs reasonably incurred in performing the functions referred to in sub-regulation (1) of regulation 14 of the COMAH regulations S.L. 424.19 in relation to the establishment concerned.
- 6.4 When requiring payment, the COMAH Competent Authority shall send or give to the Permit Holder a detailed statement of the work done and costs incurred including the dates of any visits to the establishment and the period to which the statement relates; and the fee, which shall be recoverable only as a civil debt, shall become payable one month after the statement has been sent or given.
- 6.5 The COMAH Competent Authority may also charge the Permit Holder other fees as specified in sub-regulations (6) and (7) of Regulation 14 of the COMAH regulations, S.L.424.19 for performing any other functions under these regulations. This may include, but shall not be limited to, any costs reasonably

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<sup>4</sup> Applicable to Enemalta plc.and ElectroGas Malta Ltd.

incurred by the competent authority in arranging for any emergency services to participate in the testing of the off-site emergency plan.

## **7 Notifications**

This section is without prejudice to any other notification requirement in this Permit.

- 7.1 The Permit Holders, acting through the Permit Coordinator, shall notify the Authority without delay of:-
- i. the detection of an emission of any substance which exceeds any limit or criterion in this Permit specified in relation to the substance;
  - ii. the detection of any fugitive emission which has caused, is causing or may cause significant pollution and/or a public health risk unless the quantity emitted is so trivial that it would be incapable of causing significant pollution and/or a public health risk or incapable of being detected;
  - iii. the detection of any malfunction, breakdown or failure of plant or techniques which has caused, is causing or has the potential to cause significant pollution and /or a public health risk; and
  - iv. any accident which has caused, is causing or has the potential to cause significant pollution and /or a public health risk.
  - v. the results of any investigation carried out in accordance with the procedure outlined in Schedule 6, so as to identify the source and/or the Permit Holder responsible for such exceedance.
- 7.2 The Permit Holders acting through the Permit Coordinator shall submit written confirmation to the Authority of any notification under condition 7.1, by sending.
- i the information listed in Schedule 3 to this Permit within 24 hours of such notification; and
  - iii the information listed regarding non-compliance incidents in Schedule 4 according to the timeframe specified in Condition 4.2;
- 7.3 The Permit Holders acting through the Permit Coordinator shall give written notification as soon as practicable prior to any of the following:
- i permanent cessation of the operation of part or all of the Permitted Installation;
  - ii cessation of operation of part or all of the Permitted Installation for a period likely to exceed 1 year; and
  - iii resumption of the operation of part or all of the Permitted Installation after a cessation notified under 7.3 (ii).
- 7.4 The Permit Holders acting through the Permit Coordinator shall notify the Authority, as soon as practicable, of any information concerning the state of the site which affects or updates that provided to the Authority as part of the Site Report submitted with the application for this Permit.
- 7.5 The Permit Coordinator shall notify the following matters to the Authority in writing within 10 working days of their occurrence. The holders of the respective

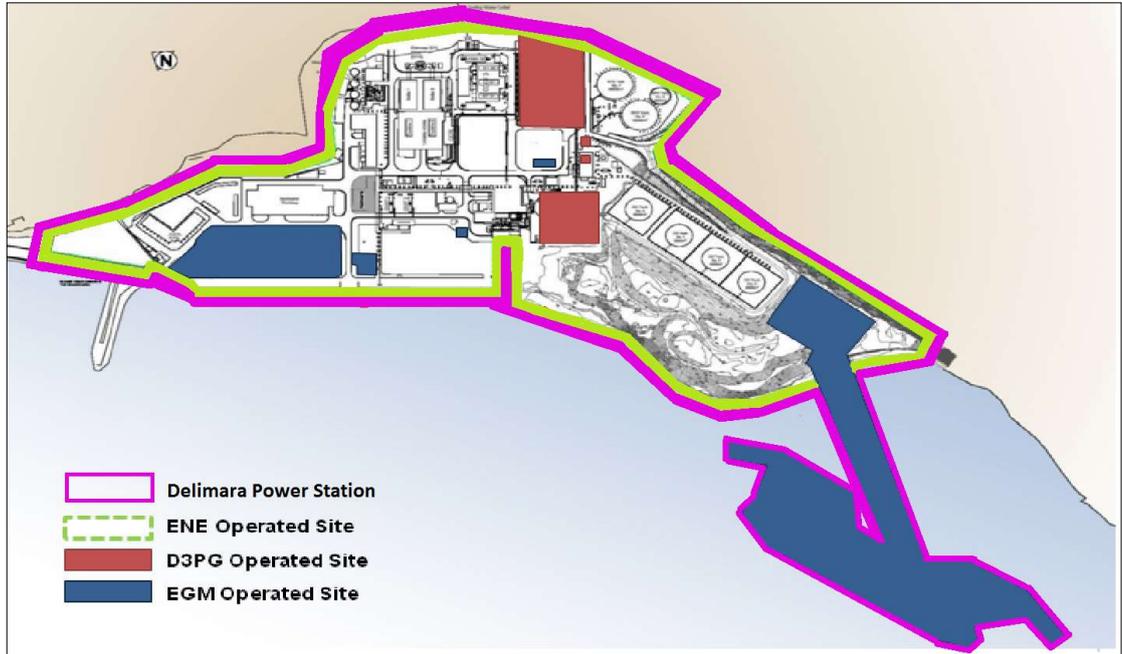
Subsidiary Permits shall notify the Permit Coordinator immediately on the following.

- i. Any change in the Permit Holder's trading name, registered name or registered office address;
- ii. Any change to particulars of the Permit Holder's ultimate holding company (including details of an ultimate holding company where a Permit Holder has become a subsidiary); and
- iii. Any steps taken with a view to the Permit Holder going into administration, entering into a company voluntary arrangement or being wound up.

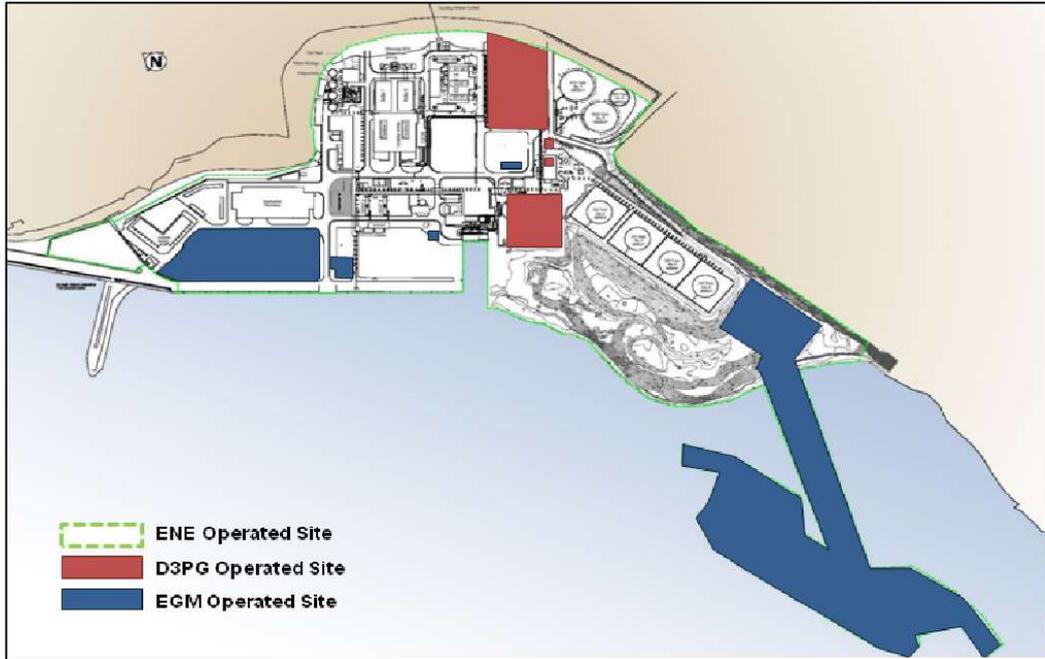
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**Schedule 1A**  
**Installation Site Boundary**  
**(outlined in purple)**

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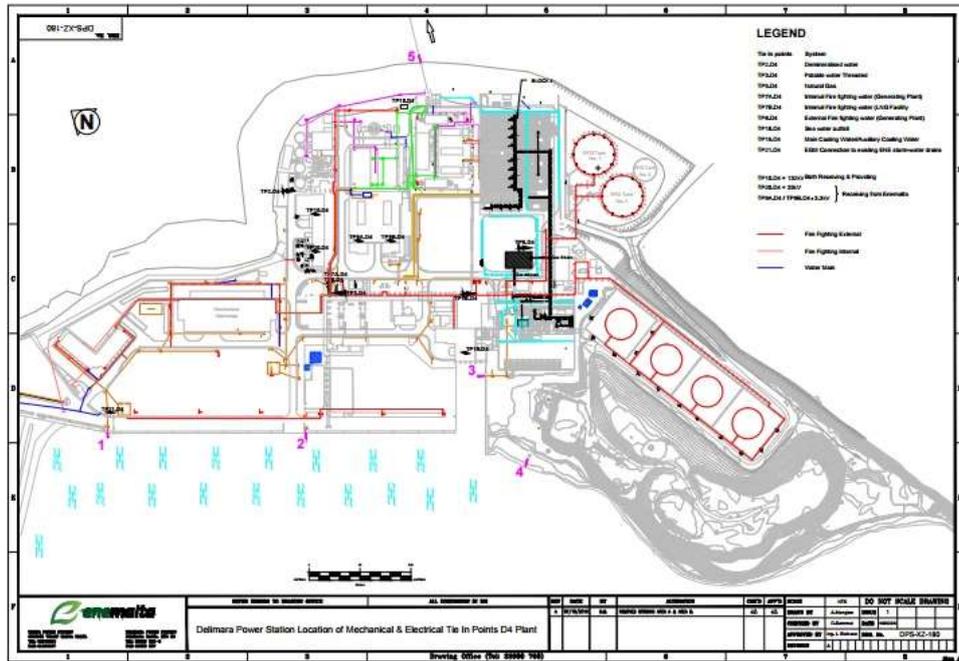


**Schedule 1B**  
**Operational boundaries for individual Permit Holders**



## Schedule 2A

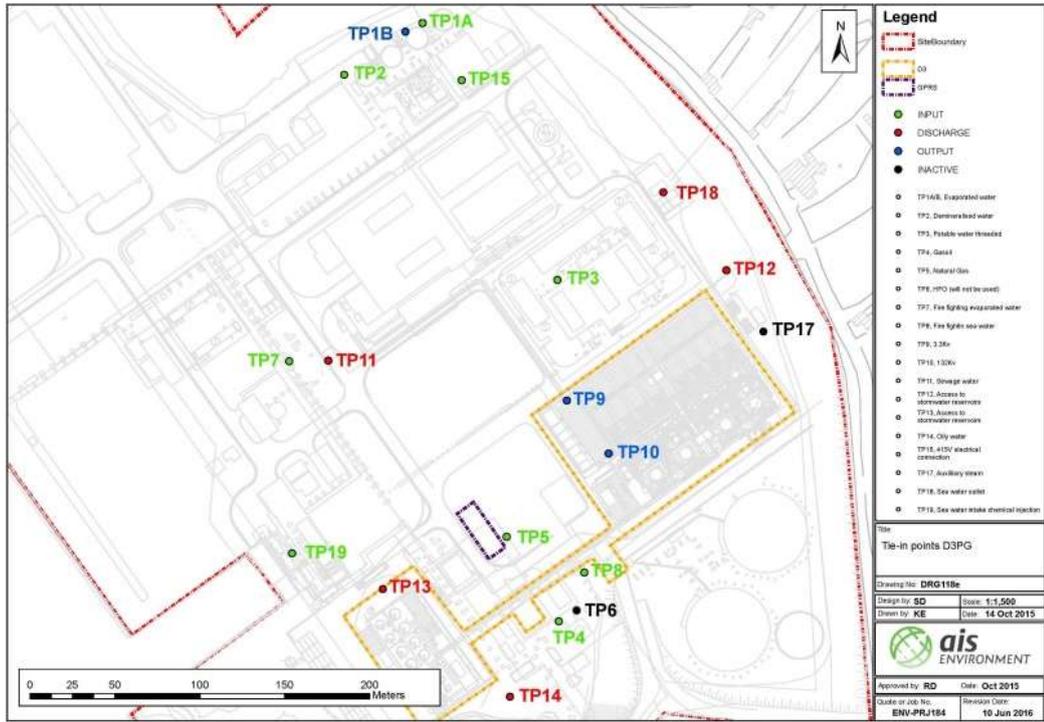
### Tie-in points between Enemalta plc. and Electrogas Malta Ltd.





### Schedule 2C

## Tie-in points between D3 Power Generation Ltd. And Electrogas Malta Ltd – TP 5 only.



### Schedule 3

#### Notification of abnormal emissions

This page outlines the information that the Permit Holder must provide to satisfy conditions 7.1 and 7.2 of this Permit.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the Industrial Emissions (IPPC) Regulations.

#### Part A

Permit Number	
Name of Permit Holder	
Location of Installation	
Location of the emission	
Time and date of the emission	

Substance(s) emitted	Media (e.g. air, groundwater)	Best estimate of the quantity or the rate of emission (include units)	Time between which the emission took place

<b>Measures taken, or intended to be taken, to stop the emission</b>	
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#### Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment and any public health risk or harm which has been or may be caused by the emission.	
The dates of any unauthorised emissions from the installation in the preceding 24 months.	

Name <sup>5</sup>	
I.D. Card No./Passport No.	
Post	
Signature	
Date	

<sup>5</sup> authorised to sign on behalf of Operator

## Schedule 4

### Annual Environmental Report

**Important note**

By this submission, you confirm that you give your explicit consent for the entire contents of this Annual Environment Report to be made available on the Authority's public website.

**S4.1 Introduction**

IPPC Permit Number	
Reporting Year	
Name and location of Site	
Brief description of activities at the site	

**S4.2 Environment Management System & Reporting**

Please attach a supporting document with the following:

- |   |          |
|---|----------|
| 1. Environmental Policy containing the installation's environmental objectives and targets; | Tick (✓) |
| 2. Environmental Management Programme report (for the reporting year);                      |          |
| 3. Environmental Management Programme proposal (for the following year);                    |          |

**S4.3: Ambient Air Quality Monitoring**

Sampling location	
Number of PM <sub>10</sub> daily samples taken during reporting year	
Number of PM <sub>2.5</sub> daily samples taken during reporting year	
Number of samples analysed for arsenic, cadmium, nickel, lead and vanadium during reporting year	

	PM <sub>10</sub> (µg/m <sup>3</sup> )	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
<b>Annual limit value (in accordance with S.L. 549.59)</b>	40	25
<b>Annual average measurement</b>		
<b>Highest recorded measurement during reporting year</b>		
<b>Daily limit value (in accordance with S.L. 549.59)</b>	50	n/a
<b>Number of exceedances of daily limit value</b>		n/a

Sampling dates	Monitoring result (specify units)				
	Arsenic	Cadmium	Nickel	Lead	Vanadium
<b>Average</b>					

Note: In the table above, underline values which exceed the target/limit values specified in S.L 549.59

Name of laboratory carrying out sampling and measurement	
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Additional documentation to be submitted:

Accreditation certificate(s) of laboratory  Tick (✓)

**S4.4 Emissions to Marine Water for common Discharge Points (as per table 2.5.19)****S4.4.1 Emissions to Marine Water: Physical and Chemical Monitoring***ONE REPORT PER OUTLET TO BE SUBMITTED*

Name of outlet and reference number: \_\_\_\_\_

No.	Parameter	Limit (annual average)	Standard methodology used	Concentration (annual average) <sup>1</sup>			Total annual mass emissions		
				Units	Previous year	Present year	Units	Previous year	Present year
1	Flow			-	-	-			
2	pH								
3	Temperature								
4	Biological oxygen demand (BOD5)								
5	Total Nitrogen								
6	Phosphorous compounds as total phosphorous, as per EN ISO 15681								
8	Chlorine dioxide and oxidants (given as chlorine)								
9	Arsenic								
10	Cadmium								
11	Chromium (Total)								
12	Copper								
13	Lead								
14	Mercury								
15	Nickel								
16	Tin								
17	Vanadium								
18	Zinc								
19	Total petroleum hydrocarbons								

<sup>1</sup> Exceedances are to be clearly highlighted in red.

No.	Parameter	Limit (annual average)	Standard methodology used	Concentration (annual average) <sup>1</sup>			Total annual mass emissions		
				Units	Previous year	Present year	Units	Previous year	Present year
20	Tributyl tin compounds (tributyltin cation; CAS number 36643-28-4)								
21	Total Suspended Solids								
22	Benzene (CAS number 71-43-2)								
23	PAHs as follows:								
	Benzo(a)pyrene								
	Benzo(b)fluor-anthene, Benzo(k)fluor-anthene								
	Benzo(g,h,i)-perylene, Indeno(1,2,3-cd)-pyrene								
24	C10-C13 chloroalkanes (CAS number 85535-84-8)								
25	Polychlorinated biphenyls (CAS number 1336-36-3)								

Name of laboratory where tests in this section have been carried out	
Is this laboratory accredited (certified) for the above tests?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional documentation to be submitted:

Accreditation certificate(s) of laboratory  Tick (✓)

Were there any exceedances in the present reporting year?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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If yes, one of the following is also to be submitted:

Action programme aimed at achieving emission limits  Tick (✓)  
Document designating a mixing zone following the procedures specified in Schedule IX(3) "Mixing Zones" in S.L.549.100.

**S4.4.2 Emissions to Marine Water: Ecological Monitoring**

<b>Date on which survey was carried out:</b>	
Did the survey reveal a decline in the conservation status of any of the habitat types and species in the area, especially those listed in the Schedules S.L 549.44?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional documentation to be submitted:

Ecological survey for reporting year

Proposals for mitigation measures (only required if the survey revealed a decline in the conservation status)

Tick (✓)


**S4.5 Co-ordinated Noise monitoring<sup>i</sup>**

Monitoring point <sup>ii</sup>	Date sampled	Time sampled	Operating conditions	Noise measurement	Units	Other comments (if any)

Additional documentation to be submitted:

Map showing monitoring points	Tick (✓)
Detailed noise report <sup>iii</sup>	<input type="checkbox"/>

<sup>i</sup> Noise monitoring shall be carried out according to BS 4142:1997.

<sup>ii</sup> Monitoring points should be labelled using a unique code, and should be suitably sited. A corresponding labelled map showing the location of each monitoring points shall be submitted.

<sup>iii</sup> The detailed noise report should include information about the various monitoring points chosen, an analysis of the results and suggestions for improvement (if applicable).

**S4.6 Incidents and Complaints**

**S4.6.1 Non-Compliance Incidents during Reporting Year**

Date of incident	Brief description of Incident	Cause	Corrective action

Total number of non-compliance incidents for previous year:

Total number of non-compliance incidents for current reporting year:

**S4.6.2 Complaints made by the public**

Date of complaint	Description of complaint	Actions taken

Total number of complaints for previous year:

Total number of complaints for current reporting year:

**S4.7 Co-ordinated Land monitoring**

Land monitoring carried out in (year):

Land monitoring due in (year)

*If land monitoring was due in current reporting year:*

Sampling date/s	<input type="text"/>
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Additional documentation to be submitted:

Land monitoring programme	<input type="checkbox"/>
Land monitoring results	<input type="checkbox"/>
Accreditation certificates of laboratory	<input type="checkbox"/>

Tick (✓)



## S4.9 Air emissions

### Reporting of SO<sub>2</sub> and NO<sub>x</sub> loads

#### SO<sub>2</sub> load

Period	Projected load <sup>i</sup>	Actual load	Revised projected load
	tonnes	tonnes	tonnes
January – March			
April – June			
July – September			
October – December			
<b>Total annual load</b>			

#### NO<sub>x</sub> load

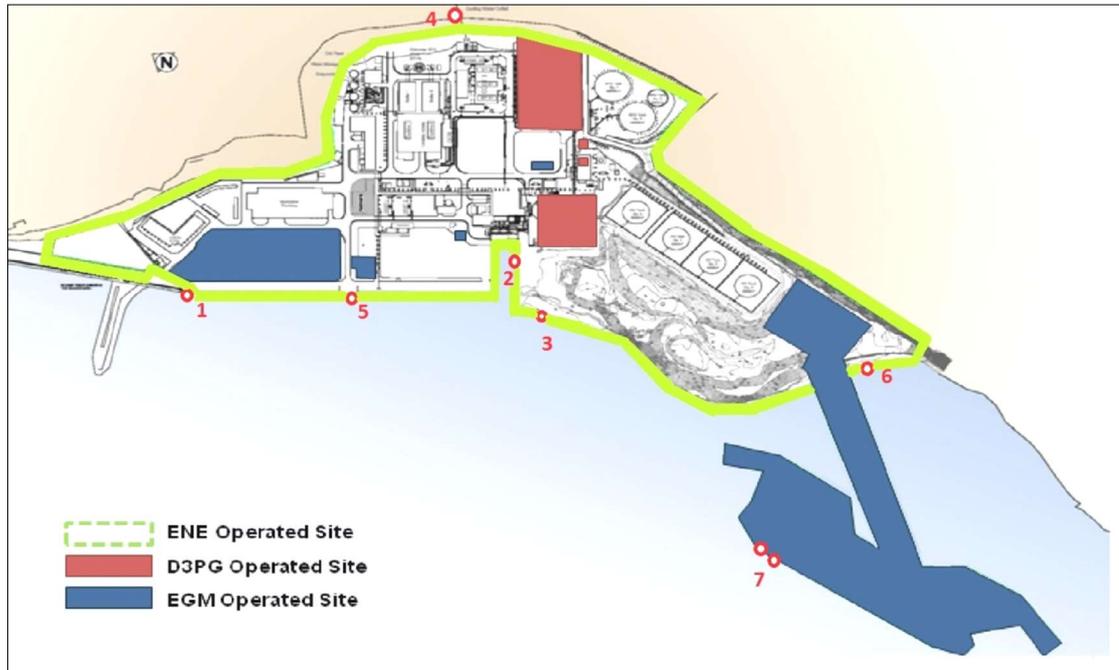
Period	Projected load	Actual load	Revised projected load
	tonnes	tonnes	tonnes
January – March			
April – June			
July – September			
October – December			
<b>Total annual load</b>			

<sup>i</sup> As submitted to the Authority in September of previous year

### Schedule 5

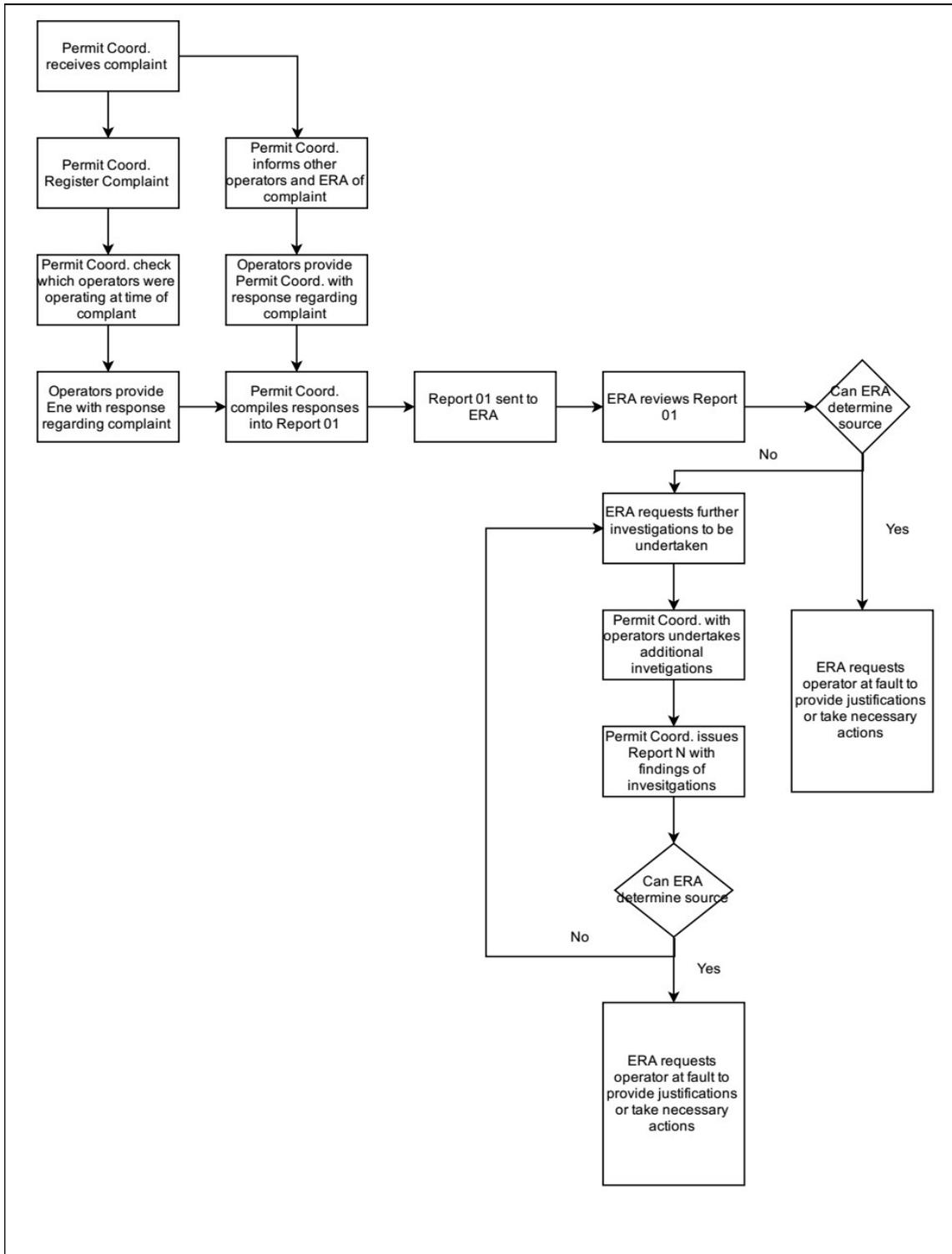
### Emission points to sea from the Installation

*(Outlet points refer to Specified Points in Table 2.5.19 and other points as per relevant section in the Subsidiary Permits)*



### Schedule 6

## Procedure for reporting complaints and exceedances



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**Schedule 7**


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**List of Priority Substances and Certain Other Pollutants in the field of Water Quality**


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Alachlor	Hexachloro-cyclohexane
Anthracene	Isoproturon
Atrazine	Naphtalene
Brominated diphenylether	Nonylphenol
Carbon tetrachloride	Octylphenol
Chlorpyriphos	Pentachloro-benzene
Chlorfenvinphos	Pentachloro-phenol
Aldrin	Simazine
Dieldrin	Tetrachloroeythlene
Endrin	Trichloroethylene
Isodrin	Trichloro-benzenes
DDT	Trichloro-methane
1,2-Dichloroethane	Trifluralin
Dicholoromethane	Dicofol
Di(2-ethylhexyl)-phthalate	Perfluorooctane sulfonic acid and its derivatives
Diuron	Quinoxyfen
Endosulfan	Aclonifen
Fluoranthene	Bifenox
Hexachloro-benzene	Cybutryne
Dichlorovos	Cypermethrin
Heptachlor and heptachlor epoxide	Hexabromo-cyclododecane
	Terbutryn

## **Schedule 8**

### **Terms of Reference for Noise Monitoring**

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#### **1. Introduction**

The noise monitoring shall be carried out by the Operator. A consultant that is either an accredited Acoustic expert or qualified professional Engineer and is approved by ERA according to the following criteria shall be commissioned who will propose a monitoring procedure for measuring noise levels within and around the installation as described in section 2 below.

The person(s) undertaking the “on field monitoring” shall be in possession of a certification for the collection of data.

The noise monitoring and impact study report shall be compiled and reviewed by a person who is in possession of a:

- (a) Bachelors degree in Acoustics, **or**
- (b) Bachelors degree in any of the following: Physics, Architecture, Civil Engineering or Engineering, Environmental Health, Environmental Science/Management, Occupational Health and Safety, **and** an MQF Level 7 specialisation in Acoustics, **or**
- (c) Bachelors degree in any of the following: Physics, Architecture, Civil Engineering or Engineering, Environmental Health, Environmental Science/Management, Occupational Health and Safety **and** in addition the consultant must be at least an associate member of the Institute of Acoustics or be employed by an organization who are members of the Association of Noise Consultants or equivalent grade of Membership of a professional body for those working in acoustics and noise in any one of the EU member states or any other reputable professional body to the satisfaction of ERA, **or**
- (d) Certification for the collection of data, such as “Certificate of Competence in Environmental Noise Measurement” issued by the Institute of Acoustics (IoA) or any other equivalent qualification issued by a comparable Professional Association dealing with acoustics in any one of the EU and EEA Member States or any qualifications issued by an educational institution to the satisfaction of ERA **and** five (5) years experience in noise measurements and assessments.

Copies of such qualifications and certification shall be submitted to ERA prior to the monitoring proposal.

The consultant, in collaboration with ERA, may, where applicable need to consult and seek advice from the Local Council during the selection of the sensitive receptors.

#### **2. Content of monitoring study**

The monitoring study should address the following issues:

- 1. A description of the installation – this shall include a description of all processes carried out on site and related equipment and infrastructures.
- 2. A description of the surrounding areas – this shall include identification of the types of activities, whether residential or commercial, roads and other amenities. These shall be location-specific taking into account their location with respect to the site.

3. Identification of the main sources of noise and vibration – this shall include all processes on site, including aspects such as transport noise on site, plant equipment, mechanical operations, etc (amongst others) and their times of operation.
4. Identification of the closest noise sensitive receptors – this shall be carried out after assessing the noise levels in the plant's perimeter and in the other locations identified in point 2 above under normal operating conditions of the plant. The various monitoring points shall be identified with a unique code and an analyses of the ambient noise to which each monitoring point is subjected to.
5. Environmental Noise Study – this shall include details of the standards used for measurements, equipment used including calibration details and certificates, resultant measurement data, assessment methods and complaints significance scale. The study is to be carried out according to the latest revisions of ISO1996 and the rating of industrial noise affecting residential areas shall be according to the latest revisions of BS4142. The study should include perimeter noise levels, baseline noise study of sensitive receptor sites, noise impact on site sensitive receptors including day and night background levels.

The data compiled for both day and night is a typical representation of the current situation at all receptor points and the measurement time interval is sufficient enough to obtain representative value of a typical background when the specific noise source will be operating. For facilities that operate continuously for 24 hours, it may be appropriate to measure at a time when all other noises have subsided. If it is possible 'specific noise' is estimated by measuring the noise level with and without the facility running.

6. The monitoring shall be performed exclusively using a calibrated type 1 sound level meter conforming to BS 6698/IEC 61672 Class 1. The use of type 2 sound level meters or less is not considered acceptable and will not be considered. The sound level meter, calibrator and microphone must hold a valid current calibration certificate from an accredited laboratory (ex. UKAS)
7. Prior to the initial data collection and at the end of the monitoring day, all acoustic instrumentation system such as the sound level meters are calibrated, and checked immediately before and after each series of monitoring readings. Results must be within  $\pm 1.0\text{dB}$ , otherwise discarded and read again.
8. As a basis for the collection of background data, monitoring shall be carried out during a period when there are no operations at the facility. If this is not possible, operations are to be temporarily suppressed during readings. If this is still not possible, a measurement at an alternative location where the residual sound is comparable to the assessment location(s) with justifications shall be provided.

In case that operating conditions of the site are significantly different during the day, evening or night periods, the measurement procedure will be repeated for those periods of day/evening or night. Therefore, information from the operator is requested prior to the commencement of the measurements. If the information requested is not provided in time, the Consultants will assume that the site operates uniformly during the day, evening and night periods and measure during the daytime only. However, baseline noise levels would still need to be measured at the nearest noise sensitive locations at night in order to determine the impact.

9. The background noise measurements shall be accompanied by a critical listening of all the other noise sources present in the background. Due to certain acoustic features such as tonality, impulsivity and intermittency the inclusion of specific noise level plus any adjustment for the different noise characteristic features, the rating level, L<sub>Ar</sub>, Tr

should be reported in accordance with BS 4142:2014, and any revision thereof, depending on the subjective assessment made while taking the readings.

10. Monitoring shall consider seasonal variations including but not limited to the occurrence of the fireworks and any other similar typical seasonal predominant noise sources. The recommended time periods over a twenty-four hour period are categorized in terms of daytime, from 0700-2300 hrs (LAeq,[16hrs]) and night-time period from 2300 – 0700 hrs (LAeq[8hrs]).
  11. For the propagation of noise from the power plant, the use of ISO 9613, ISO 8297: 1994, ISO 3744:2010 and ISO 3746:2010; and any revision thereof (as per the interim methods of the Environmental Noise Directive 2002/49/EC) is strongly recommended.
  12. In the case of multi-operator installations where the evaluation and monitoring needs to distinguish between the impact caused by different or interconnected operators within the same installation, the application of the following standards is deemed necessary: standard ISO8297: 1994 and any revision thereof, and ISO37XX series or specifically ISO 9614-2:1996.
  13. Impact assessment of noise events on noise sensitive receptor site – this shall include an assessment according to the guidelines BS 4142:2014, ISO1996 and ISO9613 or any other standard and any other standard methodology stipulated by the Authority. A summary of the data obtained after the study has been carried out in relation to the noise sensitive receptors identified above shall be submitted.
  14. Conclusions and Mitigation measures – this shall include a summary report of findings from the noise monitoring study including the impact assessment of noise events on noise receptors sites and any remedial action and/or mitigation measures to be implemented by the operator in order to reduce impacts resulting from the site of operation.
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## Schedule 9 Interpretation

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In this Permit, the following expressions shall have the following meanings assigned to them, except where the context otherwise requires. All other terms shall have the same meaning as that assigned to them in the Industrial Emissions (Integrated Pollution Prevention and Control) Regulations (S.L. 549.77), or any statutory provisions or regulations amending or replacing them:

In this Permit, the following expressions shall have the following meanings:-

- 1        “*AER*” means the Annual Environmental Report.
- 2        “*Application*” means the application for this Permit, together with any response to a notice served under Regulation 5 to the Industrial Emissions (IPPC) Regulations and any operational change agreed under the conditions of this Permit.
- 3        “*Authorised Officer*” means any officer of the Authority authorised in writing pursuant to the Environment Protection Act 2016 to exercise any of the powers specified therein.
- 4        “*Background concentration*” means such concentration of that substance as is present in:

Where the Permitted Installation uses no significant amount of supplied or abstracted water, the precipitation onto the site water supplied to the site where more than 50% of the water used at the site is directly abstracted from ground or surface water on site, the abstracted water; the precipitation onto the site.

- 5        “*BAT*” means best available techniques, which means the most effective and advanced stage of development of activities and their methods of operation which indicates the practical suitability of particular techniques to prevent and where that is not practicable to reduce emissions and the impact on the environment as a whole. For these purposes: “available techniques” means “those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced in Malta, as long as they are reasonably accessible to the operator”; “best” means “in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole” and “techniques” “includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.”
- 6        “*Bi-annual*” means twice per year with at least five months between tests.
- 7        “*BREF*” means the latest version of the BAT reference document published by the European Commission.

- 8        “*Combustion plant*” or “*plant*” means any technical apparatus in which fuels are oxidised in order to use the heat thus generated. Where two or more separate plants are installed in such a way that their waste gases are *de facto* discharged through a common stack, the combination formed by such plants shall be regarded as a single unit;
- 9        “*Composite sample*” shall refer to a sample which is taken continuously over a given period, or a sample consisting of several samples taken either continuously or discontinuously over a given period;
- 10       “*CEM*” means continuous emission monitor
- 11       “*CEN*” means Comité Européen de Normalisation
- 12       “*Certification*” means a procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements. Certification can apply to instruments, equipment and/or personnel.
- 13       “*Continuous measurement*” means measurement using an automated measuring system permanently installed on site.
- 14       “*Conditions*” means the Conditions of the Framework Permit and the Subsidiary Permits.
- 15       “*COMAH Competent Authority*” means the Authorities and prescribed in the COMAH Regulations.
- 16       “*Decommissioning*” means ceasing the use of the Permitted Installation, or part thereof, including decontaminating and dismantling the equipment to such an extent that it can no longer be used.
- 17       “*Direct discharge*” shall refer to the introduction into marine waters and internal coastal water of any effluent;
- 18       “*Diesel engine*” shall mean an internal combustion engine which operates according to the diesel cycle and uses compression ignition to burn fuel;
- 19       “*Effluent*” shall refer to any discharge of water or waste water that can no longer be used as it is for the application it was originally intended;
- 20       “*Engineer*” for engineering works specified in these conditions, means a person who works in the relevant branch of engineering and possesses a warrant to carry out the profession of an engineer in Malta.
- 21       “Emission limit value”
- a) for discharges to air: means the permissible quantity of a substance contained in the waste gases from the combustion plant which may be discharged into the air during a given period; it shall be calculated in terms of mass per volume of the waste gases expressed in mg/Nm<sup>3</sup>, assuming an oxygen content by volume in the waste gas of 3 % in the case of liquid fuels used in boilers and 15 % in the case of gas turbines;
- b) for discharges to marine waters: shall refer to the limit value given in Schedule I to these permit conditions;

- 22 “*Flue*” means a compartment or division of a stack for conveying waste gases from the combustion plant to the outer air.
- 23 “*Flue-gas*” means a mixture of combustion products and air leaving a combustion chamber and being directed up a stack to be emitted.
- 24 “*Fugitive emission*” means an emission to air or water (including sewer) from the Permitted Installation which is not controlled by an emission or background concentration limit under conditions 2.7, 2.8 of this Permit.
- 25 “*Fuel*” means any solid, liquid or gaseous combustible material used to fire the combustion plant with the exception of waste;
- 26 “*Gas oil*” means any petroleum-derived liquid fuel falling within CN code 2710 00 67 or 2710 00 68, or any petroleum-derived liquid fuel which, by reason of its distillation limits, falls within the category of middle distillates intended for use as fuel and of which at least 85 % by volume (including losses) distils at 350°C by the ASTM D86 method;
- 27 “*Gas turbine*” means any rotating machine which converts thermal energy into mechanical work, consisting mainly of a compressor, a thermal device in which fuel is oxidised in order to heat the working fluid, and a turbine;
- 28 “*Groundwater*” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.
- 29 “*GJ . Mg<sup>-1</sup>*” means gigajoule per megagramme;
- 30 “*Industrial Emissions (IPPC) Regulations*” means the Industrial Emissions (Integrated Pollution Prevention and Control) Regulations (S.L.549.77) and words and expressions defined in the Industrial Emissions (IPPC) Regulations shall have the same meanings when used in this Permit save to the extent they are specifically defined in this Permit. It shall include any future amendments or superseding legislation.
- 31 “*Installation*” means the stationary technical unit (composed of one or more plants) where combustion of fuels (the main activity) is taking place, and any other directly associated activities on the same site which have a technical connection with the main activity and which could have an effect on emissions and pollution;
- 32 “*ISO*” means International Standards Organisation
- 33 “*Marine waters*” shall refer to the waters which are outside the limit defined by coastal waters up to the limit delineated by the limit of territorial waters;
- 34 “*mg.Nm<sup>-3</sup>*” means milligramme per normal metre cubed;
- 35 “*Mg.month<sup>-1</sup>*” means megagramme per month;
- 36 “*Monitoring*” includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.

- 37 “*Nominal capacity*” has the same meaning as in the Industrial Emissions (Framework) Regulations (549.76).
- 38 “OTNOC” means operation other than normal operating conditions, excluding start-up and shut-down and periods of abnormal operation.
- 39 “*Permit*” means this Framework Permit (IP0002/21/) together with the Subsidiary Permits (IP0002/21/i, IP0002/21/ii, IP0002/21/iii), and the terms “Framework Permit” and “Subsidiary Permit” shall be defined accordingly.
- 40 “*Permitted Installation*” means the activities and the limits to those activities described in Table 1.1.1 of this Permit.
- 41 “*Periodic measurement*” means measurement at specified time intervals using manual or automated methods.
- 42 “*Periodic sampling*” means discrete / individual / separate / discontinuous / grab / spot sampling - individual samples taken in batches or that are time or effluent-volume dependent.
- Three formats can be identified:
- periodic time-dependent sampling – discrete samples of equal volume are taken at equal time intervals;
  - periodic flow-proportional sampling – discrete samples of variable volumes are taken at equal time intervals;
  - periodic samples taken at fixed flow intervals – discrete samples of equal volume are taken after the passage of a constant volume
- 43 “*Qualified random sample*” shall refer to a composite sample of at least five random samples taken over a maximum period of two hours at intervals of no less than two minutes and blended;
- 46 “*Random sample*” shall refer to a single sample from a waste water flow;
- 47 “*Shut -down period*” means the period of time taken to shut down;
- 48 “*Sewer*” means “*Public sewerage system*” means the sewerage system owned by the Water Services Corporation.
- 50 “*Sensitive receptor*” means an area which needs special protection, such as residential areas; areas where human activities are carried out
- 51 “*Staff*” includes employees, directors or other officers of the Permit Holder, and any other person under the Permit Holder’s direct or indirect control, including contractors.
- 52 “*Surface water*” means inland waters, except groundwater; transitional waters and coastal waters.
- 53 “*Technically Competent Person*” means a person possessing the qualifications, experience and technical competence to abide by the conditions of the Permit.

- 54 “*Technically Competent Management*” means the Technically Competent Person or Persons in control of the day-to-day activities authorised by the Permit and carried on at the Site.
- 55 “*The Authority*” or “*the Competent Authority*” or “*ERA*” means the Environment and Resources Authority or such other body or person as the Minister responsible for the environment may by order in the Gazette prescribe.
- 56 “*Permit Coordinator*” means Enemalta plc. or any other Permit Holder as may be determined jointly by the Permit Holders and the Authority from time to time.
- 57 “*The Permit Holder*” means:  
- in relation to the Framework Permit each of Enemalta plc, Electrogas Malta Limited, and D3 Power Generation Limited acting jointly unless otherwise specified;  
- in relation to any Subsidiary Permits as follows:  
For IP 0002/21/i – ElectroGas Malta Ltd.  
For IP 0002/21/ii – D3 Power Generation Ltd.  
For IP 0002/21/iii – Enemalta plc.
- 58 “*The Regulations*” means the Industrial Emissions (Integrated Pollution Prevention and Control) Regulations (S.L. 549.77) and any regulations amending or replacing them.
- 59 “*The Site*” means the land, structures, combustion plants and equipment situated at the Delimara Power Station and in relation to which this Permit relates and as further detailed in Condition 1.2 of this Framework Permit and the relevant section in the Subsidiary Permits to which the permit relates.
- 60 “*Total nitrogen*” shall refer to the sum of total Kjeldahl nitrogen (organic N + NH<sub>3</sub>), nitrate V (NO<sub>3</sub><sup>-</sup>) – nitrogen and nitrate III (NO<sub>2</sub><sup>-</sup>) – nitrogen;
- 61 “*TSP*” means Total Suspended Particulates;
- 62 “*Valid half-hourly average*” means a half-hourly average is considered valid when there is no maintenance or malfunction of the automated measuring system.
- 63 “*Waste*” has the same meaning as in regulation 4 the Waste Regulations (549.63).
- 64 “*Waste gases*” means gaseous discharges containing solid, liquid or gaseous emissions; their volumetric flow rates shall be expressed in cubic metres per hour at standard temperature (273 K) and pressure (101,3 kPa) after correction for the water vapour content, hereinafter referred to as (Nm<sup>3</sup>/h);
- 65 “*Year*” or “*reporting year*” means calendar year ending 31 December.
- 66 “*% w/w*” means percentage weight by weight

Where a minimum limit is set for pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

Unless otherwise stated, any references in this Permit to concentrations of substances in emissions into air means:-

- i. In relation to gases from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 3% dry for liquid and gaseous fuels, 6% dry for solid fuels; and/or.
- ii. In relation to gases from non-combustion sources, the concentration at a temperature of 273K and at a pressure of 101.3 kPa, with no correction for water vapour content

Where any condition of this Permit refers to the whole or parts of different documents, in the event of any conflict between the wording of such documents, the wording of the document(s) with the most recent date shall prevail to the extent of such.

**END OF PERMIT**