

[EIS Review Consultation] - EA 00014/13: Delimara Gas and Power - CCGT (Combined Cycle Gas Turbine Power Plant) and LNG (Liquified Natural Gas) Receiving, Storage and Regasification Facilities, at, Delimara, Marsaxlokk

DIN L-ART HELWA COMMENTS TO MALTA ENVIRONMENT & PLANNING AUTHORITY ON DRAFT ENVIRONMENTAL IMPACT STATEMENT

7th September 2013

1. EIA Directive 2011/92/EC requires a developer to provide, “*an outline of the main alternatives studied by the developer, and an indication of the main reasons for his choice, taking into account the environmental effects.*” Yet the draft EIS states that it will not assess any technological alternatives (eg. the supply of gas through a pipeline) since this project is a government policy decision. **The EIA Directive does not exempt a developer from assessing alternatives due to a policy decision. This argument would exempt all government projects from the EIA Directive, which is certainly not the case.** Furthermore, government policy on energy and with an impact on land use should first be assessed through the Strategic Environmental Assessment procedure and this has not yet been carried out. Further information on this issue can be viewed here: <http://dinlarthelwa.org/uncategorized/strategic-environmental-assessment-revision-of-national-energy-policy/>

2. The report states: “*Given that the operator of the CCGT plant/LNG facilities has not been selected yet, the level of details into which the above descriptions of the project and the project management arrangements is limited. However this Coordinator of this EIA submits that the research carried out by the individual ESR authors, their assumptions and the information provided to the EIA Team by Enemalta ensure that the submitted environmental information draw up an accurate picture of the environmental and social implications of the proposed development.*” (p.54)
Din l-Art Helwa does not agree that the environmental implications of the project are adequately assessed in this draft EIS. The limited level of detail leaves many questions unanswered, for example:
 - a. The EIS does not clearly present which of the three proposed layouts of the CCGT project at Delimara has the least overall environmental impact and which is the preferred option. **The EIS must include a clear comparison of all the environmental impacts of the various layouts being considered, to enable the best choice to be made.**
 - b. Besides the three proposed layouts, point 1.2.3.5 (p.52) indicates that the operator may propose yet another location for berthing facilities which will

require dredging and land reclamation for supply carriers to be accommodated, and notes that the research required for this option has already been carried out – **yet the details of this option are not included. This information must be provided for assessment and evaluation in this EIS.**

- c. The EIS states that it might be necessary to remove or relocate the existing Has-Saptan re-fuelling dolphin, but does not confirm whether this is the case or not. Point 4.3.12.10 (p.443) on the Has-Saptan dolphin is incomplete and ends mid-sentence. Information on this point may be relevant to choosing which layout option is preferable, in line with Regulation 20(10) of LN 114 of 2007. **The EIS must present a full analysis of the predicted cumulative/residual impact of the removal/re-location of the Has-Saptan re-fuelling dolphin, together with the alternatives for this dolphin and proposed mitigation measures, if any.**
- d. The Water Quality Assessment in the EIS notes that, “*limited detailed information is available of the required amounts of land reclamation, excavations or dredging.*” Information on these matters is relevant to choosing which layout option is preferable. **Detailed information on these points must be included for assessment in the EIS in line with Regulation 20(10) of LN 114 of 2007.**
- e. In its discussion of the disposal of the dredged material, the EIS states that, “*The level of confidence in assessing the significance of such impact is presently low. This is mainly due to insufficient data being available on the quality of sediments in the areas to be dredged. Since marine sediments are known to be quite a dynamic phase, sufficient samples will need to be collected to get a picture of the vertical and horizontal distribution of potential contaminants in such sediments. The TORs issued by MEPA for this EIS stipulate a total of 7 to 15 samples which need to be collected since the approximate amount of dredged material will amount to between 100,000 to 500,000 m³ (MEPA TORs Appendix 4, Table 1). Once this information is available, the likely environmental impact of disposal of such dredged samples at sea, will be more reliably determined, and subsequently, the most environmentally appropriate disposal option could be recommended*”.
- The Coordinator notes that, “*the unavailability of the data referred to by Axiak is a function of the level at which this EIS has been formulated. Given that the operator of the proposed development has not been selected yet, a detailed design of the structures required for the CCGT plant and LNG facilities are not available yet. Once the operator is selected and drawings prepared the data will evidently be available.*” (p. 302).
- Detailed information on this matter, together with data on the extent of material to be excavated and dredged, is relevant to choosing which layout option is preferable. **The EIS cannot be considered complete before this data is available for assessment, and the disposal method recommended, in line with Regulation 20(10) of LN 114 of 2007.**

- f. The Water Quality Assessment states: *“Likewise, it is likely that during the construction phase, there will be increased maritime activity to and away from the DPS construction sites. It is yet unclear the extent to which excavation and demolition materials will be transported away from the site via sea transport.”* **This information must be provided and assessed in the EIS.**
 - g. Point 4.1.5.131 states: *“prediction of the impact of the development on the ecological status there is very difficult and with a low level of confidence given that any potential impacts will depend heavily on a number of factors and variables, including the present lack of detail on the exact nature of the works to be undertaken, the level of workmanship and supervision of works, application of precautionary procedures, the hydrodynamic regime of the area, duration of the works and time of the year when the works are carried out (due to the indirect influence on rainfall, wave action and sea currents) and mitigation measures, if any, that will be adopted.”* **Information on the exact nature of the works to be undertaken and other details must be available for assessment in the EIS, in line with Regulation 20(10) of LN 114 of 2007.**
 - h. In the Qualitative Risk Assessment, the EIS states that, *“The QRA is based on information and data strictly associated to the location, the site facilities and surroundings, listed below. Given that the operator has not been identified most of the data that is required was not available to Vaccari. For this reason expert estimations were required in order for the QRA to be carried out.”* (p.420). **The QRA should be carried out when more actual data is available for assessment, instead of estimations.**
 - i. The EIS notes that the FSU will need to discharge ballast water into Marsaxlokk bay during the unloading of LNG, but does not provide details of the predicted environmental impact or the relevant regulatory framework. Similarly, the discharge of bilge water is noted but not described in detail as the expected volumes *“are not available at this stage”*. **This information must be provided to assess the environmental impact of this activity in the EIS.**
 - j. Regulation 14(2) of LN 114 of 2007 stipulates that the EIS should describe the after-use of the development where the proposed development has a limited life. **This information is missing. It should be included in the EIS, irrespective of whether or not further details on decommissioning are provided in the environmental permit at a later stage, as the environmental permit and the EIA are not being carried out as a single procedure for this application.** This information may also have a bearing on which of the three layouts is considered to be preferable, as is also indicated in the Social Impact Assessment in this EIS, and the data is therefore also required in terms of Regulation 20(10) of LN 114 of 2007.
3. The EPS previously submitted by the same applicant (Enemalta) in its application for the submarine interconnector cable to Sicily states that the

Interconnector will enable the closure of the Marsa Power Station. The EPS for the Interconnector states that, *“Under the EU’s Large Combustion Plants Directive (LCPD) (EU Directive 2001/80/EC) the Marsa Power Station has exceeded its 20,000 allotted hours in 2011. The Marsa Power Station is not expected to be fully decommissioned before the undersea cable link is connected to the European Power Grid by 2013. At present, the Marsa Power Station provides 45% of the total electricity generating capacity on the Maltese Islands, and if this Power Station will be shut down at this time, this will create an insufficient capacity to meet the full demand for electricity.”* **In the assessment of alternatives the ‘Do Nothing/Zero Option’ should therefore not include the continued operation of the Marsa Power Station whose decommissioning is dependent on the Interconnector and not on this proposal for a CCGT plant and LNG facilities. For the same reason, any benefits of the new CCGT plant as presented in the EIS should be compared to a scenario which excludes the Marsa Power Station, which is due to be shut down as soon as the Interconnector is in place in 2013/14, well before this proposed CCGT plant is operational.**

4. The EIS indicates that NO_x air emission targets will be adhered to in line with the Gothenburg Protocol, as long as extensive use is made of ‘clean’ energy from the Interconnector, together with the two gas-fired plants (including Delimara3 extension). What is the expected utilisation rate of the Interconnector, year by year from 2014 to 2020? What is the estimated timeframe for the conversion of the Delimara3 extension to gas? **This information must be clearly presented in the EIS.**
5. The Project Description Statement states that the Delimara3 extension (when converted to gas) is only expected to have a utilisation rate of 50% once the proposed CCGT plant is operational. What are the expected utilisation rates of the proposed CCGT plant, the Interconnector, and the rest of the Delimara plants, from 2015 to 2020? What will be the “default pecking order” of the various power plants and the Interconnector? **This analysis must be included in the EIS.**
6. The Air Dispersion Modelling Study notes that in order to achieve ambient air targets reliably everywhere in the 20km model domain, emission reduction technologies or a 105 m stack would be required, instead of the proposed 75 meter stack (p.3). **Please clarify whether the proposed chimney is to be 105m high as recommended by the consultants, or whether emission reduction technologies will be used.** A 105 meter stack must be included in the visual impact assessment and in the photomontages, if this is the planned height of the stack.
7. Dredging should not be permitted during the bathing season, as is the case at the Freeport Terminal.

8. As already noted in a previous submission by Din l-Art Helwa (<http://dinlartelwa.org/uncategorized/delimara-power-station-dlh-response-to-eia-scoping/>), the overall environmental assessment of this project should include a Cost Benefit Analysis which takes into account the environmental costs of this proposal in comparison with the other technological alternatives. This analysis should be completed before a final decision is made on this application.