

## Lengthy talks on Malta's Environment draw to a close

On Tuesday, October, 1, 2002, Malta closed negotiations on the vast but sensitive area of the environment. Talks lasted for more than a year and entered into significant technical aspects.

By Elaine Cordina, MIC Information Officer

### ISSUES THAT CONCERN YOU

These issues concern you and they are directly affected by EU membership:

- Maghtab and Qortin, ■ Marsa Power Station ■ Qajjenza gas-bottling plant ■ Air Pollution from transport
- Hunting and trapping ■ Dumping of sewage into the sea ■ Quality of drinking water ■ Noise Pollution



### Water quality

1. Quality of drinking water to improve: nitrates, flouride in water to be reduced by end of 2005.
2. Sewage will no longer be dumped into the sea unless it is treated.
3. Waste water treatment plants in Malta and Gozo to be completed by end of 2007.
4. Industry to adapt to EU rules on dumping of dangerous substances in sea by March 2007.

### Major accidents

1. Gas bottling plant at Qajjenza, Birżebbuġa to close down, since it is a reseditail area
2. New gas plant with EU standards to be built in Benghisa.



### Waste management

1. Maghtab and Qortin landfills to close by end 2003.
2. Recycling target for packaging waste to be reached by end of 2005.
3. Recycling target for plastic packaging to be reached by end of 2009.
4. Ban of soft drinks in plastic bottles till end of 2007.
5. New environmentally-friendly bottling system to be introduced by end of 2007.



### Hunting and trapping

1. Bird hunting will continue in Spring.
2. Bird trapping will also continue.
3. Bird hunting at sea will continue as well.
4. A full captive breeding system to maintain tradition of bird-keeping by end of 2007.
5. No new trapping licences until end of 2007.
6. Current licence holders will not be affected.
7. An ORNIS Committee will be established.

### Air quality

1. Delimara power station to adapt to EU standards on dust emissions by end of 2005.
2. Marsa power station to adapt to EU standards by accession or closes down.
3. Leaded petrol to be phased out by end of 2002.
4. Tanker fleet to adapt to EU standards on VOC gas emissions by end of 2007.
5. Malta to use part of EU quota for HCFC gases.
6. Methyl bromide to be phased out by end of 2005.



**Leaded petrol will be phased out by end 2002**

We have often looked at the environment in an abstract way thinking that it was just about litter on the ground. True, the environment includes that. But much more. We are now becoming increasingly aware that the environment is directly related to the state of our health.

Over the years, the EU developed a vast range of rules that affect the environment. Today, the EU has more than 200 laws on environmental standards in different areas.

Early in the negotiating process, it quickly emerged that Malta's state of the environment lagged behind EU standards. In some cases, considerably. This picture was confirmed in a number of studies that were conducted on the impact of membership on our environment. These studies are available to the public from [www.mic.org.mt](http://www.mic.org.mt)

### Malta's negotiating position

During negotiations, Malta's stance was to commit itself to adopt EU standards but, where necessary, to request sufficient time to adapt. Agreement was reached on most of these requests. But not on all and in some cases Malta had to withdraw requests altogether or reduce them. Moreover, Malta requested the EU to provide financial support so that we can undertake the necessary financial investment to upgrade our environmental standards. One particularly controversial issue was hunting. Here, Malta sought to strike a balance between the hunting lobby that is keen on its traditional hobby and the wider interests of the general public.

### Chronology

|                     |                  |
|---------------------|------------------|
| Screening of laws   | November 1999    |
| Negotiations opened | June 2001        |
| Negotiations closed | October, 1, 2002 |

### Your rights

- To have access to information related to the environment
- To participate in decision-making
- To get a remedy if your rights are not respected

### The Air that you breathe

Transport has become a main source of air pollution. Many of us face this every day when walking in the street or waiting in traffic. Other sources of air pollution include power stations. All this affects our health and over the years, respiratory problems have increased. This has not just a human cost but also a financial cost in the health sector. EU law attacks air pollution by limiting it at source and by making these limits legal binding. In other words, they must be respected. Here is how:

### Leaded petrol

Lead in leaded petrol ends up in the air that we breathe. Under EU law, leaded petrol must be phased out in favour of unleaded. On this issue, Malta initially requested a transition period until the end of 2007. However, it subsequently decided to withdraw this request and bring forward its plans to phase out leaded petrol in Malta by the beginning of 2003. Most cars in Malta still run on leaded petrol. But these will now be able to buy lead-replacement petrol directly at petrol stations.

### Emissions you do not see

Gas emissions, known as volatile organic compound (VOCs), seep out of storages where petrol is kept, whether terminals or even petrol stations. VOCs are a health risk and EU law regulates this risk by controlling VOC emissions. In order to adopt this law, certain structural changes are required in Malta to introduce pipes for vapour recovery. Petrol bowsers must also have bottom loading facilities.

To be able to adapt, Malta requested extra time until the end of 2004 with regard to its fleet of bowsers. The request was accepted.

### ***Marsa and Delimara Power Stations***

Combustion plants, such as power stations, emit a number of dangerous substances such as nitrogen oxide and dust, which if not controlled, affect our respiratory system. EU law limits these emissions. The Delimara Power Station is mostly in line with EU standards, except for the levels of dust. On this point, Malta requested a transition period until the end of 2005 to reduce these emissions to EU levels. Malta's request was accepted. Malta's request applies only to the Delimara Power Station. This means that the Marsa Power Station must be in line with EU standards on emissions by membership or else it will have to be closed down altogether. Compliance of the Marsa station will be achieved through the use of low-sulphur oil at Marsa together and a greater shift in load to the Delimara power station. By membership, Malta will also draw up a programme to reduce other emissions, such as sulphur dioxide.

### **Ozone depleting substances**

The ozone layer absorbs some of the potentially harmful ultra-violet (UV) radiation from the sun which can cause skin cancer and damage vegetation. EU countries are obliged to phase out ozone-depleting substances such as chlorofluorocarbons (CFCs) and hydro fluorocarbons (HCFCs). Malta initially made two negotiating requests on this law. One in relation to HCFCs. The other was for another transition period until end of 2008 to phase out methyl bromide.

With regards to HCFCs, Malta will now be allocated a portion of the EU's quota which will more than cover Malta's current allocation. Once this was achieved, Malta could withdraw its request because it was no longer necessary. On methyl bromide, the main issue for Malta was the use of this substance for soil sterilisation. Malta will now phase out methyl bromide by the end of 2005 which is the timeframe that is already allowed under EU law. The transition period was therefore withdrawn.

### **Quality of Water**

From recent statistics, we know that industry alone uses 53% of the world's water resources. Agriculture use 26% and households 19%. Water resources are not just limited. They are also often polluted. This is the reason why the EU has drawn up a water policy based on the need to regulate the use of water as a scarce resource and to improve the quality of drinking water, bathing water as well as water used in agriculture.

### ***Drinking Water***

The EU sets high standards on drinking water. The levels of dangerous substances in water must be reduced. On this law, Malta requested a transition period until end of 2005 to take the necessary action to reach targets on nitrates and fluoride. It had also originally requested a similar period to reduce conductivity, chloride, sodium, sulphate and iron. This latter request was withdrawn because EU standards on these substances are indicative and not compulsory. However, Malta will still reach targets for conductivity, chloride, sodium, sulphate by the end of 2006 and for iron by the end of 2007. Malta's request was therefore limited to just the level of nitrates and fluoride which will be reduced by the end of 2005. This request was accepted. Malta is already in line with EU standards on microbiological agents in water.

### ***Quality of Sea Water***

Certain substances in sea water, particularly those resulting from the discharge of sewage can cause stomach infections and other illnesses. EU law contains two lists: one with substances that cannot be present in all sea water at all and another with substances that may be present only in limited quantities.



**Delimara power station to adapt to EU standards on dust emissions by 2005**

In Malta, samples are collected from 87 localities in Malta and Gozo where bathing is permitted every week. Recent reports show that the quality of bathing water is improving.

### ***Treatment of Sewage***

In Malta we still use dump sewage into the sea without treating it first. Clearly, this affects negatively the quality of our bathing water and can lead to health problems. Under EU law this cannot be done. Sewage must be treated before it can be disposed. In order for sewage to be treated, there needs to be the necessary infrastructure to collect the sewage, separate it from other substances that can be re-used, such as second-class water that can be used for irrigation, and remove any other substances that can be pollute the sea. During negotiations Malta asked a transition period until March 2007 to set up the necessary collection systems and waste water treatment plants. This request was accepted.

### ***Dangerous substances thrown into the sea***

EU countries are required not to dispose of dangerous substances into the sea. The sea must be monitored for dangerous substances. Some substances must be phased out altogether, whereas others must be reduced. Substances covered by this law include mercury, cadmium, mineral oils as well as synthetic materials which float, form suspensions or sink to the bottom. Malta requested a transition period lasting until March 2007 to have more time to adapt, particularly with regards to sewage dumped into the sea. This request was accepted and will apply with respect to the Marsa and Delimara power stations and to the sewage outfalls at Ras il-Hobż, iċ-Ċumnija and Wied Għammieq.

### ***Water used for agriculture***

The EU regulates the level of chemicals in the soil which mainly occurs through fertilisers or through waste. Since some of these chemicals, especially nitrates, do not evaporate, they are likely to remain into the water and find their way to the water that we drink, or in plants (some of which we also eat). Malta will apply these standards.

## **Waste Management**

Over two billion tonnes of waste are generated in the European Union every year. That puts it at a rate of over one kilogramme per person! The two main ways of disposing waste are landfilling and incineration. But incineration emits organic compounds into the air and hazardous substances into the surface water. Equally, not having a properly managed landfill may produce greenhouse gases and can lead to the leaching of pesticides, heavy metals and other dangerous substances into the soil. This is why EU countries agreed to put in place a waste management policy which places even landfill at the bottom of a wider plan which is based on four major principles: First, preventing waste. Secondly, applying the "polluter pays principle". Thirdly, forecasting major waste problems and fourthly, disposing waste as close as possible to the source that generated it.

Malta finalised a Solid Waste Management Plan which has now started to be implemented. It will be finalised by the year 2008.

### ***Maghtab and Qortin***

EU law requires member countries to have clear plans for waste management. Moreover, it also requires them to organise and manage rubbish dumps (landfills) in ways that would not pose risks to public health. It is evident that both our major landfills, Maghtab in Malta and Qortin in Gozo are not up to EU standards on landfills. Malta's Waste Management Plan already envisages the closing down of both these landfills and their replacement with new landfills that are run according to EU standards. Both Maghtab and Qortin will be closed by 2004. After that there will be one landfill in Gozo, only for inert waste, while the rest of the waste in Gozo will be transferred to Malta. In Malta there will be one landfill for inert waste and two other two engineered landfills, the locations of which is are still to be decided. One of the sites would be for domestic waste and the other for dangerous waste. Malta will start separating hazardous from non-hazardous waste by the end of 2003. On this issue, Malta did not need to negotiate anything specific with the EU because its plan are already in place and have started to be implemented.

O z d  
Layer  
Huntin

**Maghtab will be closed down by 2004**



***Disposal of hazardous waste, batteries, oils.***

EU law also deals with the disposal of particular types of waste, such as hazardous waste. There is also a law on the disposal of batteries, since most of these contain heavy metals. On this issue, Malta already has a free service offered by the Waste Management Strategy and Implementation Department within the Ministry for the Environment. The same can be said for the disposal of waste oils, which is the subject of another EU law. In Malta, Waste Oils Company Ltd. was set up with the primary aim of collecting, treating, and converting used lubricating and edible oils into fuel oil. EU law also deals with end-of-life vehicles and their disposal. On all these laws, Malta requested no transition period and will be in line.

***Packaging Waste***

A lot of waste is generated from packaging. EU law imposes tough targets for the recovery and recycling of packaging and packaging waste. Between fifty and sixty-five per cent of packaging waste by weight should be recovered while twenty-five to forty five per cent should be recycled. Moreover, a minimum of fifteen per cent of each different packaging material must be recycled.

Malta is still quite far from achieving these targets and at first requested to negotiate its own specific targets for recycling. Subsequently, Malta modified its request to a transition period until 2005 to reach the EU minimum twenty five per cent target to recycle all packaging waste, except plastics. This was accepted. On plastics, Malta obtained a much longer transition period until the end of 2009 to reach a fifteen per cent target for recycling.

Malta had also originally requested a transition period until the end of 2005 to adapt this law with regards to the setting up of return, collection and recovery systems. However, this request was withdrawn on the grounds that the existing re-use and recycling systems in Malta along with targets for each year should be enough to allow Malta to have such systems in place by the date of membership.

***Bottling of soft drinks***

Beverage bottles can add to the waste problem. Malta bans the bottling of soft drinks in plastic bottles, although bottling of mineral water in plastic is allowed. Soft drinks are only available in glass bottles or directly from kegs. The ban has the effect of limiting the production of waste because we use less plastic bottles. It is estimated that more than eighty million plastic bottles are kept out of the waste stream because of this ban. However, the ban also has the effect of protecting our local soft drinks industry against competition from imported soft drinks and of limiting consumer choice.

During negotiations, Malta originally requested to maintain its beverage container packaging regime and therefore retain its ban on import of soft drinks in plastic bottles. This request was not accepted because the EU insisted that Malta could still address waste problems using other means and that it was not a foregone conclusion that lifting the ban would lead to an increase in our waste stream. After negotiations on this point, it was agreed that Malta would keep the ban for a transition period until the end of 2007 giving it enough time to replace the current bottling system with a new environmentally-friendly system that will cover not only soft drinks but also other beverage types.



**Landfills must be in line with EU standards**



**Qajjenza gas bottling plant  
will be closed down**

### Noise

Noise pollution has also been targeted by EU law. Excessive noise can cause sleep disturbance, interference with communication or even mental health effects or noise-induced hearing impairments. EU laws regulate noise only in certain areas, such as noise emitted from vehicles, aeroplanes, machinery and equipment. Malta agreed to take on these standards.

Fireworks and places of entertainment are not covered by EU law and these are left in the hands of individual governments.

### Industry

There is a specific EU law that deals with industry. It applies an integrated approach to prevent and control pollution. Known as "IPPC", it tackles all highly polluting industrial activities. It seeks to minimise air, water and soil pollution from industrial installations by obliging them to adopt a list of measures to prevent pollution effectively. On this law Malta had initially asked for a transition period of one year to give time to those industries to adapt to this law on water pollution and the discharge of industrial effluent. However, this was later withdrawn because of the transition period obtained with respect to the disposal of dangerous substances into the sea, explained above.

### The Eco-label

This is a voluntary scheme for industry that encourages the production of environment-friendly products. It can be awarded for various product groups. In Malta, the Malta Standards Authority Act provides a legal framework for the recognition of the Eco-label.

### Major accidents / Qajjenza gas bottling plant

There have been many major accidents caused by the chemical industry at a huge cost in loss of lives. A law was therefore agreed among EU countries to prevent and control such accidents. This is known as the "Seveso Directive" and imposes requirements relating to safety management systems, emergency planning, land-use planning and a reinforcement of inspections to be carried out by EU countries.

In our case, the main issue was the gas bottling plant at il-Qajjenza. This plant is situated in a location which is now surrounded by a residential area and any accident can have very serious consequences. On this issue, Malta had originally requested a transition period until 2006 to upgrade the bottling plant to EU standards. However, due to the high costs involved for upgrading, it was decided that it would be better to construct a new plant altogether in another location. The new plant will be located in Benghajsa. As a result, Malta withdrew its request for a transition period because it was no longer necessary.

### Nature Protection

EU law seeks to protect wildlife species and their habitats. EU countries are required to identify special areas of conservation and draw up plans of how they intend to manage and preserve them. Malta's own regulations are already in line with this law. Malta has listed 17 species of flora and fauna as protected species. Moreover, 3.7% of Malta's territory has also been listed as nature protection reserves.

### **Hunting and trapping**

Hunting was one of the most controversial negotiating points in this area. Malta's position was that it should maintain the traditional patterns of hunting and trapping which evolved as a result of Malta's particular bio geographical circumstances. After thorough discussions on this issue, it was finally agreed that Malta will apply a derogation so that it continue to allow hunting in Spring. It will also continue to allow trapping. By the end of 2008, Malta will study the sustainability of trapping of the current species and in the meantime establish a full captive breeding system to maintain the traditional keeping of songbirds. A moratorium on new trapping licences is in place since August 2002 and will continue throughout the transitional period.

### **The COST of EU environmental standards**

Everyone agrees that environmental should be improved. But this comes at a significant financial cost. In Malta's case this could run into hundreds of millions in investment over a number of years. For instance, in the field of solid waste management alone, the estimated costs run into some 70 million Maltese liri (EUR 168 million). This burden would normally have to be shouldered by tax-payers. However, in the context of negotiations, Malta requested EU financial support. EU funds have helped to pay for several environmental projects in many EU countries, ranging from water desalination (reverse osmosis) plants to waste recycling plants and projects to monitor and con-

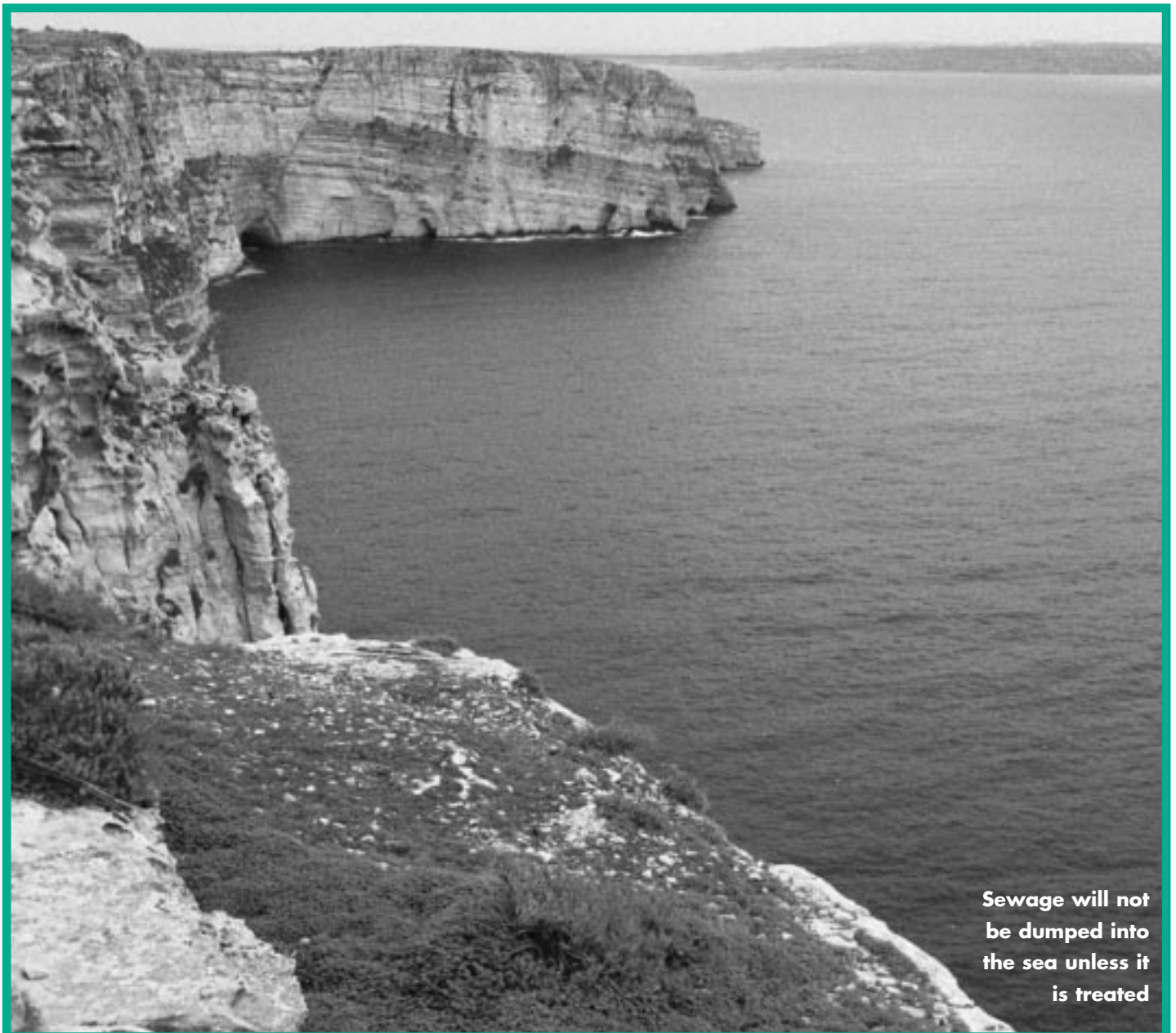
trol air quality. Malta argued that since its level of economic development is low when compared to EU countries, it should benefit significantly from EU funds, in particular from funds that support environmental projects. This issue is still being discussed in negotiations on EU funding which were left to the end. However, even before membership, Malta will obtain EU pre-accession funding to build its first waste-water treatment plant in Gozo. The project will cost around EUR8 million and the EU may cover around 40% of the cost, or EUR3 million.

### **The BENEFITS of EU environmental standards**

The most significant benefit from adopting EU environmental standards is improved public health and a lower incidence of health risks. There is also an improvement in terms of the aesthetic appearance of the country, including the countryside. This translates into a better quality of life. But there is also a direct financial benefit. This is derived from lower financial costs relating to management of the environment and spending on public health care if high environmental standards are applied.

The European Commission produced a study on the financial benefits that the candidate countries can gain if they apply EU standards. In Malta's case, this study concluded that we could save around 10 million euros a year if environmental laws are properly implemented.

A copy of this study is available from: <http://europa.eu.int/comm/environment/enlarg/benefit.htm>



**Sewage will not  
be dumped into  
the sea unless it  
is treated**

## NEGOTIATIONS ON THE ENVIRONMENT

| NEGOTIATIONS ON  | MALTA REQUESTED  | OUTCOME   |
|------------------|--|---|
| ↓<br>AIR QUALITY | ↓<br>Transition period until end of 2007 to phase out leaded petrol  | ↓<br>WITHDRAWN. Leaded petrol to be phased out by end 2002.   |
|                  | Transition period until end of 2004 to adapt our tanker fleet on VOC emissions.  | YES   |
|                  | Transition period until end of 2005 to bring the Delimara Power Station in line on dust emissions.   | YES   |
| WATER QUALITY    | Transition period until end of 2005 to control presence of nitrates, fluoride, chloride, sodium, sulphate, iron in our drinking water.   | YES. Nitrates and fluoride in water will be reduced by end 2005. Request withdrawn on conductivity, chloride, sodium, sulphate and iron where EU standards can be reached on a more gradual basis.  |
|                  | Transition period until March 2007 of six years to allow industry to adapt to EU rules on dumping of dangerous substances into the sea.  | YES   |
|                  | Transition period until March 2007 to complete waste water infrastructure  | YES   |
| WASTE MANAGEMENT | Transition period until end 2005 to set up return, collection and recovery systems for used packaging and packaging waste  | WITHDRAWN. Re-use and recycling systems plus targets for each year in place   |
|                  | Request to negotiate special targets for recovery and recycling of packaging waste for Malta. Later changed to a request to reach overall recycling target by end of 2005 and by end of 2009 for plastics. | YES. Transition period until end 2005 to reach the overall recycling target and until end 2009 for the recycling of plastics.   |
|                  | Special arrangement to retain soft drinks bottling regime. Later changed to transition period till end 2007.   | YES. Transition period until end of 2007 was agreed to keep ban of bottling of soft drinks in plastic bottles until a new environmentally-friendly bottling regime is introduced.   |
| INDUSTRY         | Transition period until 2005 for industry to adapt to rules on discharge of dangerous substances in the sea  | WITHDRAWN. Industry already covered by transitional period obtained specifically on discharge of dangerous substances in the sea.   |
| MAJOR ACCIDENTS  | Transition period until 2006 for the relocation of the gas bottling plant at Qajjenza.   | WITHDRAWN. Instead, Malta will close down the Qajjenza gas-bottling plant to avoid risks to surrounding residential area. A new one will be built in Bengħajsa.   |
| OZONE LAYER      | Transition period until end of 2008 to phase out methyl bromide and special arrangement with regards to HCFCs.   | WITHDRAWN. With regards to HCFCs, Malta will be able to use part of the EU's quota. Methyl bromide will be phased out by end 2005.  |
| HUNTING          | To maintain the traditional patterns of hunting and trapping which have evolved as a result of Malta's particular bio-geographical circumstances.  | YES. Malta will apply a derogation to continue to allow hunting in Spring. It will also continue to allow trapping. By end 2008, Malta will establish a full captive breeding system to maintain traditional trapping. A moratorium on new trapping licences was introduced in August 2002 and will apply throughout the transitional period. |