

Initial Scoping Report

As per MECP requirements for the SEA for Malta's Waste Management Plan (WMP) 2021-2030

Initial Scoping Report

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1.0 Introduction

AIS Environment has been commissioned by the Ministry for Energy, Climate Change and Planning (MECP) through the public procurement system (MECP 147/2020) to carry out a Strategic Environmental Assessment (SEA) on a new Waste Management Plan (WMP) for the Maltese islands. This plan defines Malta's policy direction for sustainable waste management practices to ensure that the country can meet and exceed the EU Directives and targets of 2021-2030.

The WMP for 2021-2030 will replace the previous plan which defined Malta's objectives in the sector for the period of 2014 to 2020. The SEA will be carried out in accordance with local legislation S.L.549.61 (STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS). Since the SEA will be carried out in parallel with the drafting of the WMP measures, the SEA will act as a fundamental tool to influence the policy makers in the right direction with regards to environmental concerns.

In line with the conditions of the tender, the project will be divided into two main stages:

- » Stage 1: The Scoping Stage
 - 1.1 Kick off meeting
 - 1.2 Inception report
 - 1.3 Initial scoping report for consultation
 - 1.4 Finalised scoping report
- » Stage 2: The Strategic Environmental Assessment
 - 2.5 Interim SEA report
 - 2.6 Finalised SEA report

1.1 Objectives of the Scoping Report

The aim of the scoping report is to provide a general background to the project and to outline the way forward for the Strategic Environmental Assessment of MECP 147/2020. The SEA will be compiled in relation to the WMP 2021-2030; the purpose of this report is to determine the potential environmental impacts of the WMP for consultation.

The report will first summarise the SEA process and the overall vision of the WASTE MANAGEMENT PLAN. It will then outline the methodology that will be used to complete the phases involved in the SEA. The six deliverables, which were agreed in the tender document, are outlined in Table 1.

Table 1: Deliverables and related activities

Stage		Deliverable	
1	SEA Scoping Stage	1	Kick off meeting
		2	Inception report
		3	Initial scoping report for consultation
		4	Finalised scoping report
2	Strategic Environmental Assessment	5	Interim SEA report
		6	Finalised SEA report

This report will act as a guide for the various stages that are required to complete a successful SEA of the WASTE MANAGEMENT PLAN.

2.0 Strategic Environmental Assessment

2.1 What is an SEA?

An SEA is a process that is designed to safeguard the environment by including environmental considerations in the development of policy, plans and programmes. It is a decision-making tool that helps ensure that any policy introduced has taken into account its wider environmental implications. A number of alternatives are assessed to ensure that the most appropriate measures are implemented.

The SEA process involves intensive consultation with stakeholders to ensure that all impacts and view-points are considered and evaluated. Overall, the SEA aims to achieve a holistic approach to help countries strive towards achieving sustainable development through the implementation of environmentally sustainable practices and policies.

2.2 SEA Legislation

The need to carry out an SEA is delineated in the EU Directive 2001/42/EC of 27th June, 2001. This EU Directive is transposed into Maltese legislation in S.L. 549.61 (STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS) of the Environment Protection Act (CAP. 435).

An SEA is required when a policy or programme is expected to have a significant effect upon the environment. The SEA is applicable to all policies/programmes that relate to agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning and land use, which will set a precedent for the consent of future development projects.

2.3 The SEA Process

The first step in the SEA process is referred to as scoping. The scoping phase sets out the context for the assessment and methodology, and defines the scope of the SEA. Once the main visions of the policy have been determined, it is necessary to identify those environmental aspects that will have the largest role to play in the specific policy, in accordance with Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment. Thus, the environmental concerns related to the Policy as well as the key stakeholders shall be identified and discussed in the SEA initial Scoping Report.

The first period of stakeholder consultation is arranged in order to help identify all the environmental aspects that should be considered. Once these have been identified, the most prominent and relevant factors are selected to be used for the basis of the assessment process. The scoping process also involves the identification of EU, regional and national policies that need to be considered when designing the new policy. This is important to ensure that all policies are working together to achieve sustainable development and that they do not contradict one another.

Following the feedback received during stakeholder consultations, the initial scoping report has been updated to showcase the level of detail that will be included in the SEA process. The finalised scoping report shall entail a definition of the rationale of the assessment, a

review of prior public consultations, identification and engagement of stakeholders, discussions on key stakeholder comments, replies to stakeholder consultations and analysis of recommendations.

After the scoping stage, the next stage involves the compilation of the Environmental Report. This comprises of assessing the role of the identified environmental factors in the formulation of the new policy. The first stage is to carry out extensive research to establish the present conditions (baseline) and trends of each of the specific environmental factors.

Once this has been established for each factor, it is possible to go on to assess the effect that the policy will have upon each of the environmental factors. The policy writing process involves the consideration of a number of alternatives. The impact of each of the individual environmental factors is assessed for each of the alternatives being considered in the policy design process. The significance of each impact is assessed in terms of whether it is positive or negative; permanent or temporary and short, medium or long term. Secondary, cumulative and synergistic impacts are also considered.

After the assessment stage, the issue of environmental monitoring is tackled. Practical monitoring schemes are proposed for each of the identified environmental factors. Consultation with local authorities is required at this stage to establish what monitoring programmes are already in place to avoid duplication. The monitoring methods are also determined at this stage, which enables the initiation of monitoring as soon as the policy is implemented. If necessary, the monitoring programme also allows prompt action to be taken if the policy proves to be ineffective.

Once a thorough assessment of all the proposed measures and their impacts has been made, the environmental consultant is in a position to provide an overall assessment of the effectiveness of the alternatives in the proposed policy. At this stage the consultant also takes the opportunity to provide recommendations about the policy measures being assessed and any other relevant information that should be considered in the future.

Public and stakeholder consultation plays a very important role throughout the duration of the SEA process. They are regularly consulted to ensure that all viewpoints are being considered and that the proposed measures within the policy are appropriate. Communication between the policy makers and the environmental consultants is also vital to ensure that the best possible policy is developed. The communication between these two bodies must be two way and reciprocal.

Once the Environmental Report and policy has been finalised, the responsible authority is obliged to provide an Adoption Statement that informs all competent authorities, the public and affect EU member states that the policy has been implemented. The statement must outline:

- » How environmental factors were considered in the drafting of the policy;
- » A summary of the consultations and findings presented in the Environmental Report; and
- » Justifications for choosing the final policy measures.

When the finalised policy has been implemented and is being followed, it is important that the monitoring programme suggested in the Environmental Report is executed. The monitoring is an important aspect to the process to ensure that the policy is having the desired effect and is not leading to any unforeseen adverse environmental effects.

3.0 Description of the Plan

3.1 Objectives

The WMP will serve as the overarching framework for the setting and implementation of Malta's targets in the waste sector throughout the period of 2021 to 2030. The plan is currently being drafted and will be presented to the Cabinet for approval in the coming weeks.

The plan will consist of topic papers which address five aspects of waste management in Malta. These include waste collection (regionalisation), waste prevention, waste treatment infrastructure, extended producer responsibility (EPR) and commercial waste. The objectives of the three topic papers which have been made available are to:

- 1) Outline initiatives to facilitate the prevention of waste and reuse of material
- 2) Identify shortfalls in the waste management capacity and propose development for its improvement
- 3) Enact measures to improve extended producer responsibility.

The finalised WMP will explore three scenarios in which the measures presented in the five topic papers are implemented to various degrees.

- » The first scenario is the 'do nothing scenario' in which Malta maintains a relatively low rate of source separation, leading to an increase in the amount of RDF which is landfilled.
- » The second scenario seeks compliance with waste targets, where all the measures presented in the WMP are taken into account and thereby achieving Malta's targets in recovery and recycling and in diversion of waste from the landfill.
- » The full export of waste is considered in the third scenario, in which MSW and RDF are exported and in which Malta is fully reliant on foreign countries.

3.2 Background

The compilation of the WMP is required by Article 28 of the WASTE FRAMEWORK DIRECTIVE and is to describe the current waste situation in the nation, define the objectives of the sector and formulate strategies on how such objectives will be met. This WMP will be the third such publication for Malta. The first report published after Malta's accession to the EU devised the management plan for 2008 to 2012, while the second version of the report defined Malta's strategy for 2014 to 2020.

The two previous plans sought to align Malta's waste management strategy with the waste hierarchy ideology which seeks to reduce waste diverted to the landfill by recovering energy from waste, promoting recycling, reuse of products and by reducing the amount of waste produced. The plans promoted the introduction of the producer responsibility principle in which manufacturers, importers, distributors and retailers will assume responsibility of the waste generated by the marketed products. The second WMP (2014-2020) also detailed various measures specific for Malta's priority waste streams, with the aims of reducing

waste generation and promoting source-separation in order to improve recycling while reducing landfilling of waste.

The strategies and measures defined in the third WMP will need to address the revised waste proposals of the EU including:

- » A common EU target for recycling 65% of municipal waste by 2030;
- » A common EU target for recycling 75% of packaging waste by 2030;
- » A binding landfill target to reduce landfill to maximum of 10% of municipal waste by 2030;
- » A ban on landfilling of separately collected waste;
- » Promotion of economic instruments to discourage landfilling;
- » Simplified and improved definitions and harmonised calculation methods for recycling rates throughout the EU;
- » Concrete measures to promote re-use and stimulate industrial symbiosis – turning one industry's by-product into another industry's raw material;
- » Economic incentives for producers to put greener products on the market and support recovery and recycling schemes (e.g. for packaging, batteries, electric and electronic equipment, vehicles).

4.0 Methodology

4.1 Stage 1: The Scoping Stage

The scoping phase of the SEA process is crucial as it provides the base for the entire assessment process. It is the phase that identifies the environmental factors that will be assessed in relation to the measures proposed in the WASTE MANAGEMENT PLAN, which will be compared to the current environmental baseline. The assessment will be conducted by defining the objectives of the SEA and by proposing criteria and indicators to determine the impact of the WMP.

The environmental baseline and SEA criteria defined in this report for measuring the impact of the implementation of the WMP are based on the measures defined in the topic papers which have been made available. These measures are subject to change when the remaining documents are made available by the MECP.

4.1.1 *Environmental Baseline and the Impacts of WMP Measures*

The first step involved reviewing the list of measures stipulated in the topic papers on waste prevention, waste treatment infrastructure, extended producer responsibility (EPR). During the reviewing process, the key environmental themes were listed as follows:

- » Air quality
- » Biodiversity
- » Climate change
- » Cultural heritage
- » Energy & Water
- » Human health
- » Landscape
- » Transportation and Infrastructure
- » Waste and resource management

The SEA Directive does not specifically require the use of objectives or indicators; however these are identified as the way in which environmental effects can be described, analysed and compared. SEA objectives state what is intended, and the plan's performance against objectives is normally measured by indicators. The SEA objectives are different and separate from the policy objectives, although the two influence each other and may overlap. SEA indicators are measurements of temporal trends, which will be used to ascertain the success of the implementation of the policy against various SEA objectives.

The environmental issues, criteria and indicators associated with each theme have been identified as outlined in Table 2. The baseline conditions from the reported data sources will be used to account for the relevant themes identified. Subsequently, each measure will be assessed qualitatively to identify the potential environmental impact on each environmental theme. The inter-relationships between the themes, as well as secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative impacts of the policy will also be addressed.

Table 2: The relevant environmental themes, criteria and indicators

Theme	SEA objective		Criterion	SEA Indicator	Data source
Air quality	1	Minimise adverse effects and improve air quality	Ensure that the national air quality issues and emission limit values are not breached	Concentrations of atmospheric pollutants and emissions	ERA/NSO
			To improve the quality of air		
Biodiversity	2	Maintain and safeguard protected habitats and species and improve their status	Maintain and safeguard the conservation of designated areas	Status of protected habitats and species of flora and fauna	ERA
			Maintain and safeguard other important habitats which are not officially protected yet	Status of other habitats, including valleys and watercourses	ERA
			Maintain and safeguard environmental factors essential to ecosystems	Status of environmental factors, including coastal water, groundwater, geology and soil	ERA
Climate change	3	Reduce Malta's vulnerability to climate change	Conserve energy and promote renewable sources	Annual mean air temperature	ERA/Malta Airport MetOffice/NSO
				Annual total precipitation	
				Concentrations of greenhouse	

Theme	SEA objective	Criterion	SEA Indicator	Data source
			gases	
Cultural heritage	4 Conserve and protect sites of architectural, archaeological and/or ecological importance from adverse impacts of infrastructural works	Conserve and protect sites of cultural heritage	Number of scheduled sites	PA
Energy and water	5 Reduce Malta's dependence on non-renewable sources of energy	Decrease Malta's dependence on non-renewable energy sources	Energy generation by type	Eurostat/EWA/ NSO/ Wasteserv
	Reduce energy consumption levels	To incentivise the reduction of energy consumption in water processing facilities	Energy consumption levels by type	
	Improve water quality	To improve the quality of primary water		
	Increase Malta's security of supply	Increase Malta's security of supply	Security of supply	
Human health	6 Protect and improve human health	Increase in quality of life through better air quality	Premature deaths attributable to air pollution	European Environment Agency/ NSO/ WHO
		Reduce occurrence of asthma in the Maltese population	Morbidity due to asthma	National Health Interview Survey
Landscape	7 Protect and improve the quality, integrity and distinctiveness of the landscape	Protection of the landscape	Status of landform and topography, landscape, the natural beauty and scenic amenity of the landscape	ERA

Theme	SEA objective	Criterion	SEA Indicator	Data source	
Transportation and infrastructure	8	Minimise environmental impacts arising from transportation of waste	Reduce the number of vehicles running on non-renewable fuel sources	Number of vehicles by type	EWA/ NSO/ TM/WSM
		Minimise environmental impacts arising from the development of new infrastructure	Area of land required for new waste infrastructure	Footprint	
Waste and resource management	9	Increase sustainable management of waste, waste preventions and minimisation practices	Promote prevention, re-use, recycling, recovery (energy)	Waste generation by type	MECP/ Wasteserv
		Improve the management of agricultural waste	Improve the manure and slurry management		
		Increase re-use, recycling and recovery wastes	Reduce waste disposal	Waste separation, recycling and disposal rates	
		Diversion from landfill	Reduce waste landfilling	Landfilling rates for various waste types	

4.1.2 Stakeholders

The SEA Focal Point, composed of a Chairperson and two other members, is the Competent Authority for the STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS 2010. The leading Ministry in the development of the WMP is the Ministry for the Environment, Climate Change and Planning.

In addition, the designated authorities to be consulted which, due to their particular environmental responsibilities, may be affected by the environmental effects of implementing plans as per SEA REGULATIONS (S.L. 549.61):

- » the Environment and Resources Authority (ERA)
- » Wasteserv Malta Ltd.

4.1.3 Stakeholder involvement

During the scoping stage of the SEA, AIS proposes a stakeholder engagement strategy with stakeholders identified in Section 4.1.2, prior to the submission of the finalised scoping report (Deliverable 1.4). The objectives of the stakeholder engagement strategy shall be guided by the following strategic objectives, so as to:

1. Ensure and support the right level of public consultation with regards to the scope of the project, the communication events should create awareness of:
 - a. Malta's 2021-2030 WMP
 - b. the process of the Strategic Environmental Assessment (SEA) of the WMP;
2. Focus on the efforts to involve and consult with the largest number of stakeholders and public groups possible to assess policy extensively and provide a most comprehensive SEA as possible;
3. Generate interest and debate within the Maltese community;
4. Discuss the proposed assessment methodologies and indicators;
5. Highlight the MECP's commitment as regards to the above points; and
6. Reinforce and illustrate the positive points achieved for/by MECP resulting from communication events.

At the scoping stage, all of the designated authorities outlined in (S.L. 549.61) and the MECP will be contacted by email for their feedback, prior to finalising the scoping report. In order to ensure and support the right level of public consultation with regards to the scope of the project, it is imperative that the contracting authority assists the project team in:

1. Raising public visibility for the MECP and its role vis-a-vis Malta's climate plan and energy requirements;
2. Targeting the right audiences;
3. Informing stakeholders of the SEA's outcomes through public consultation meetings
4. Achieving feedback from the stakeholders; and
5. Centralising communication effort to deliver a clear message by using effective means of public communication.

At Stage 2 of the Strategic Environmental Assessment, when compiling the environmental report, the full list of entities outlined in Section 4.1.2. along with the public will be invited

by email to attend a stakeholder consultation session, so that they can provide their feedback.

The venue for the stakeholders' session and other meetings will be at the MECP premises or at any venue organised by the Contracting Authority. It is assumed that meeting minutes will be collected by the MECP.

Audio and video recordings are highly recommended to ensure that all stakeholder and public comments are properly reviewed and considered throughout the duration of the SEA process. Such recordings would facilitate the compilation of the meeting minutes, and corroborate the notes made in the minutes.

4.2 Stage 2: Compilation of the Environmental Report

4.2.1 Structure of the report

The Environmental Report will be written in accordance with the guidelines set out in Schedule I of S.L.549.61 and include the following:

- (a) an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes;*
- (b) the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;*
- (c) the environmental characteristics of areas likely to be significantly affected;*
- (d) any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;*
- (e) the environmental protection objectives, established at international, European or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;*
- (f) the likely significant effects on the environment, including on issues such and biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects;*
- (g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;*
- (h) an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties, such as technical deficiencies or lack of know-how, encountered in compiling the required information;*
- (i) a description of the measures envisaged concerning monitoring in accordance with regulation 11;*
- (j) a non-technical summary of the information provided under the above*

4.2.2 Methodology

Table 3 outlines the stages involved in the compilation of the Environmental Report.

Table 3: Stages involved in the Environmental Report

Stage	Description
1	Environmental baselines
2	Policies
3	Potential environmental issues
4	Impact assessment
5	Assessment of alternatives
6	Recommendations
7	Monitoring proposals

Stage 1 of the Environmental Report will involve a thorough literature review of any existing and available information relevant to this study within the AoS. The following sources of information/data have been identified:

- » The Strategic Plan for the Environment and Development (SPED, 2015)
- » The National Environmental Policy;
- » The National Biodiversity Strategy and Action Plan;
- » The Flora, Fauna and Natural Habitats Protection Regulations and related regulations
- » Natura 2000 Management Plans and Conservation Orders issued by ERA;
- » The Waste Management Plan;
- » The Water Catchment Management Plan;
- » The Bathing Water Quality Regulations;
- » The Air Quality Plan for the Maltese Islands;
- » The Limitation of Emissions of Certain Atmospheric Pollutants Regulations, in view of the specific emission ceilings for Malta; and

- » The environmental policies of the Strategic Plan for the Environment and Development
- » The National Strategy for the Environment for 2050 defined the report Wellbeing First, A Vision for Malta's Environment published by ERA;
- » Single-Use Plastic Products Strategy for Malta 2020-2030
- » Construction and Demolition Waste Strategy for Malta, 2020-2025 – Managing Construction & Demolition Resources
- » Any other relevant literature sources

A number of alternatives for the WMP measures will be identified and justified. A thorough assessment of the alternatives shall be carried out, comparing each of the alternative options and the zero option (do-nothing scenario).

The significance of the environmental impacts will be assessed in Step 4, in line with the guidelines provided in Section 2 of Schedule II of S.L.549.61:

- (a) the probability, duration, frequency and reversibility of the effects,*
- (b) the cumulative nature of the effects,*
- (c) the transboundary nature of the effects,*
- (d) the risks to human health or the environment (e.g. due to accidents),*
- (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),*
- (f) the value and vulnerability of the area likely to be affected due to:*
 - i. special natural characteristics or cultural heritage,*
 - ii. exceeded environmental quality standards or limit values,*
 - iii. intensive land-use,*
- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.*

Impacts on the themes highlighted in Table 2 will be assessed as part of the SEA process and presented in Environmental Report. For each environmental theme, the impact assessment will be presented in tabular format, as indicated in Table 4. The matrix will summarise the strategy alternatives being considered, the significance of the impacts and the timeframe of the impacts.

Table 4: Final assessment matrix

Environmental Theme:														
	Effect	Probability	Duration	Frequency	Reversibility	Cumulative effects	Transboundary effects	Risks	Magnitude	Spatial extent	Value and vulnerability	Effect on protected areas	Significance	Justification
Policy alternative 1:	Proposed measures													
Criterion/measure 1														
Criterion/measure 2														
Criterion/measure 3														
Policy alternative 2:	Modifications to the measures as recommended													
Criterion/measure 1														
Criterion/measure 2														
Criterion/measure 3														
Policy alternative 3:	Zero-option													
Criterion/measure 1														
Criterion/measure 2														
Criterion/measure 3														