A.L. 24 tal-2011

ATT DWAR L-AMBJENT U L-IPPJANAR TAL-IŻVILUPP (KAP. 504)

Regolamenti ta' l-2011 li jemendaw ir-Regolamenti dwar Pjan ta' Azzjoni fil-Qasam tal-Politika ta' l-Ilma

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 28(1) ta' l-Att dwar Awtorità ta' Malta dwar ir-Riżorsi, u bl-artikoli 2, 61, 64 u 66 ta' l-Att dwar l-Ambjent u l-Ippjanar tal-Iżvilupp, il-Prim Ministru flimkien mal-Ministru għar-Riżorsi u Affarijiet Rurali, wara konsultazzjonijiet ma' l-Awtorità ta' Malta dwar ir-Riżorsi u l-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar, għamlu dawn ir-regolamenti li ġejjin:-

Titolu.

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2011 li jemendaw ir-Regolamenti dwar Pjan ta' Azzjoni fil-Qasam tal-Politika ta' l-Ilma, u dawn għandhom jinqraw u jiftiehmu ħaġa waħda mar-Regolamenti ta' l-2004 dwar Pjan ta' Azzjoni fil-Qasam tal-Politika ta' l-Ilma, hawn iżjed 'il quddiem imsejjħa "ir-regolamenti prinċipali".

A.L. 194 ta' l-2004.

Għan.

2. (1) Dawn ir-regolamenti jipprovdu għall-implimentazzjoni f'Malta u Għawdex ta' *Standards* ta' Kwalità Ambjentali (EQS) għal sustanzi prijoritarji u ċerti kontaminanti oħrajn, bil-għan li jinkiseb *status* kimiku tajjeb tal-ilma tal-wiċċ, billi jittrasponu d-Direttiva 2008/105/KE tal-Parlament Ewropew u tal-Kunsill tas-16 ta' Diċembru, 2008, dwar *standards* ta' kwalità ambjentali fil-qasam tal-politika tal-ilma, li temenda u sussegwentement tħassar id-Direttivi tal-Kunsill 82/176/KEE, 83/513/KEE, 84/156/KEE, 84/491/KEE, 86/280/KEE u jemendaw d-Direttiva 2000/60/KE tal-Parlament Ewropew u tal-Kunsill.

(2) Dawn ir-regolamenti jistabbilixxu wkoll kriterji minimi ta' prestazzjonijiet tekniċi għal metodi ta' analiżi li għandhom jiġu applikati mill-awtorità kompetenti meta jsir monitoraġġ ta' l-istat tal-ilma, tas-sediment u tal-bijota, kif ukoll regoli biex jipprovaw il-kwalità tar-riżultati analitiċi, billi jittrasponu d-Direttiva tal-Kummissjoni 2009/90/KE tal-31 ta'

Lulju 2009 li tistipula, skont id-Direttiva 2000/60/KE tal-Parlament Ewropew u tal-Kunsill, speċifikazzjonijiet tekniċi għall-analiżi u l-monitoraġġ kimiku tal-istat tal-ilma.

Jemenda l-użu tal-kelma "Anness" fir-regolamenti prinċipali.

3. Fir-regolamenti prinċipali minflok il-kelma "Anness" kull fejn din tinsab għandha tidħol il-kelma "Skeda".

Jemenda r-regolament 4 tar-regolamenti prinċipali.

4. Minnufih wara s-subregolament (8) tar-regolament 4 tar-regolamenti prinċipali, għandu jiżdied dan is-subregolament ġdid li ġej:

"(9) L-awtorità kompetenti ma tkunx qed tikser l-obbligi tagħha taħt dawn ir-regolamenti bħala riżultat tal-qbiż tal-limitu ta' EQS fl-ilmijiet kostali, jekk tista' turi li:

(a) dan kien dovut minħabba sors ta' tniġġis barra l-ġurisdizzjoni nazzjonali tagħha; u

(b) minħabba f'tali tniġġis transkonfini hija ma setgħetx tieħu miżuri effettivi sabiex tikkonforma ma' l-EQS rilevanti; u

(ċ) hija kienet applikat l-mekkaniżmi ta' koordinazzjoni previsti fi qbil internazzjonali rilevanti u, skond kif ikun adatt, kienet ħadet vantaġġ mid-dispożizzjonijiet tas-subregolamenti (4), (5) u (6) ta' dan ir-regolament, għal dawk il-mases ta' ilma affettwati mit-tniġġis transkonfini; u

(d) fiċ-ċirkostanzi previsti f'punt (a) hawn fuq, l-awtorità kompetenti għandha tikkomunika sommarju tal-miżuri meħuda f'relazzjoni mat-tniġġis transkonfini fil-pjanijiet rilevanti ta' l-immaniġġar tal-*catchment* ta' l-ilma kif stabbilit fis-subregolament (3) tar-regolament 12 ta' dawn ir-regolamenti.".

Jemenda r-regolament 8 tar-regolamenti prinċipali.

5. Minflok is-subregolament (3) tar-regolament 8 tar-regolamenti prinċipali għandu jidħol dan li ġej:

"(3) L-awtorità kompetenti għandha ssegwi l-ispeċifikazzjonijiet tekniċi u l-metodi standardiżżati għall-analiżi u l-monitoraġġ ta' l-istatus ta' l-ilma, skont il-kundizzjonijiet ta' Skedi V u XI.".

6. Minflok it-titolu "1.3 Identifikazzjoni ta' Pressjonijiet" fi Skeda II li tinsab mar-regolamenti prinċipali, għandu jidħol it-titolu "1.4 Identifikazzjoni ta' Pressjonijiet" u minnufih wara dan it-titolu għandu jiżdied dan li ġej:

Jemenda Skeda II li tinsab mar-regolamenti prinċipali.

"Inventarju ta' Emissjonijiet, Rilaxx u Telf:

1. L-awtorità kompetenti għandha tistabilixxi inventarju skont regolament 5 u regolament 8 ta' dawn ir-regolamenti, skont ir- Regolamenti ta' l-2007 dwar l-Obbligazzjonijiet ta' Rappurtaġġ lir-Reġistru Ewropew dwar ir-Rilaxx u t-Trasferiment ta' Inkwinanti (A.L. 152 ta' l-2007), skont permessi ambjentali u/jew permessi tal-operat maħruġa mill-awtorità kompetenti relevanti u skont data oħra disponibbli, li jinkludi mapep, jekk disponibbli, tal-emissjonijiet, ir-rilaxx u t-telf tas-sustanzi prijoritarji u l-kontaminanti kollha elenkati fil-Parti A, tat-Tabella 1 ta' Skeda IX għad-distrett tal-*catchment* ta' l-ilma fit-territorju nazzjonali, inklużi l-konċentrazzjonijiet tagħhom ta' sediment u bijota, hekk kif ikun adatt. Sabiex jiġi stabilit u mantenut l-inventarju ta' emissjonijiet, rilaxx u telf, l-awtorita' kompetenti tista' ssaqsi għal kwalunkwe informazzjoni li tħoss neċessarja minn kwalunkwe installazzjoni.

2. Il-perjodu ta' referenza għall-istima tal-valuri tal-kontaminanti li għandhom jitniżżlu fl-inventarji msemmija f'punt (1) hawn fuq għandu jkun ta' sena waħda bejn l-2008 u l-2010. Madankollu, għas-sustanzi prijoritarji jew il-kontaminanti koperti bir-Regolamenti ta' l-2004 dwar Prodotti għall-Ħarsien tal-Pjanti (A.L. 115 ta' l-2004), l-entrati jistgħu jiġu kkalkolati bħala l-medja tas-snin 2008, 2009 u 2010.

3. L-inventarji għandhom jiġu aġġornati bħala parti mir-reviżjonijiet tal-analiżi speċifikati skont is-subregolament (2) tar-regolament 5 ta' dawn ir-regolamenti. Il-perjodu ta' referenza fl-inventarji aġġornati, għall-istabbiliment ta' valuri għandu jkun is-sena ta' qabel ma jkollha titlesta dik l-analiżi. Għas-sustanzi prijoritarji jew il-kontaminanti koperti bir-Regolamenti ta' l-2004 dwar Prodotti għall-Ħarsien tal-Pjanti, l-entrati jistgħu jiġu kalkolati bħala l-medja tat-tliet snin ta' qabel it-tlestija ta' dik l-analiżi. L-inventarji aġġornati għandhom jiġu publikati fil-

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pjanijiet aġġornati ta' l-immaniġġar tal-*catchment* ta' l-ilma kif stabbilit fis-subregolament (5) tar-regolament 12 ta' dawn ir-regolamenti.".

Jemenda Skeda VII li tinsab mar-regolamenti prinċipali.

7. Minnufih wara l-punt 4 f'Taqsima B ta' Skeda VII li tinsab mar-regolamenti prinċipali, għandu jiżdied dan il-provvediment ġdid li ġej:

"5. deskrizzjoni ta' żoni ta' taħlit fejn dawn jiġu jdentifikati, komunikazzjoni ta' miżuri meħuda f'relazzjoni mat-tniġġis transkonfinali u aġġornament dwar l-inventarju ta' emissjonijiet, rilaxx u telf.".

Jemenda Skeda IX li tinsab mar-regolamenti prinċipali.

8. Skeda IX li tinsab mar-regolamenti prinċipali, għandha tiġi emendata kif ġej:

(a) minflok l-ewwel paragrafu għandu jidħol dan li ġej:

"Il-'valuri tal-limitu' stabbiliti fir-regolamenti li saru wara r-Regolamenti ta' l-2001 dwar it-Tniġġis Kaġunat bl-Iskargar ta' Ċerti Sustanzi Perikolużi fl-Ambjent ta' l-Ilma (Avviż Legali 213 ta' l-2001) għandhom ikunu kunsidrati valuri tal-limitu ta' emissjoni, għall-iskopijiet ta' dawn ir-regolamenti. Dawn huma stabbiliti fir-regolamenti li ġejjin:"; u

(b) minnufih fi tmiem ta' l-Iskeda msemmija, għandu jiżdied dan it-test ġdid li ġej:

"Emendi tal-A.L. 220 ta' l-2001, tal-A.L. 221 ta' l- 2001, tal-A.L. 219 ta' l-2001, tal-A.L. 218 ta' l-2001 u tal-A.L. 227 ta' l-2001:

1. Anness II tal-A.L. 220 ta' l-2001, tal-A.L. 221 ta' l- 2001, tal-A.L. 219 ta' l-2001 u tal-A.L. 218 ta' l-2001, rispettivament għandu jitħassar.

2. L-intestaturi B fit-Taqsimiet I sa XI tal-Anness II tal-A.L. 227 ta' l-2001 għandhom jitħassru.

***Standards* ta' Kwalità Ambjentali:**

1. L-awtorità kompetenti għandha tapplika l-EQS elenkati fil-Parti A tat-Tabella 1 inkluża hawn isfel, għal mases ta' l-ilma tal-wiċċ f'Malta u Għawdex, skont ir-rekwiżiti stabbiliti fil-Parti B tat-Tabella 1 inkluża hawn isfel.

2. Il-valuri ta' l-EQS fil-bijota mniżżlin hawn japplikaw minflok dawk stabbiliti fil-Parti A tat-Tabella 1 f'ċerti kategoriji ta' l-ilma tal-wiċċ:

(a) merkurju u t-taħlit tiegħu japplika EQS ta' 20 µg/kg;(b) eksaklorobenżin japplika EQS ta' 10 µg/kg;

(c) eksaklorobutadien japplika EQS ta' 55 µg/kg.

Dawn l-EQS huma għal tessuti tal-priża (piż bil-likwidu), bl-għażla tal-indikatur l-aktar adatt minn fost il-ħut, il-molluski, il-krustaċji u bijota oħra.

3. EQS oħrajn li m'humiex imsemmija f'punt (2) hawn fuq jistgħu jiġu applikati mill-awtorità kompetenti għas-sediment u, jew il-bijota għal sustanzi speċifikati. Dawn l-EQS għandhom joffru mill-inqas l-istess livell ta' protezzjoni bħall-EQS għall-ilma stabbilit fil-Parti A tat-Tabella 1.

4. Għas-sustanzi msemmija f'punti (2) u (3) hawn fuq, l-awtorità kompetenti għandha tiddedermina l-frekwenza ta' monitoraġġ fil-bijota u, jew is-sediment. Madanakollu, il-monitoraġġ mill-awtorità kompetenti għandu jsir mill-inqas darba fis-sena, sakemm il-konoxxenza teknika u l-ġudizzju espert ma jiġġustifikawx intervall ieħor. L-awtorità kompetenti għandha tapplika l-konoxxenza teknika u l-ġudizzju espert sabiex tiġġustifika r-raġunijiet u l-bażi għall-użu tal-metodi f'punti (2) u (3).

L-Analiżi għall-Perjodu fit-Tul għal Sustanzi Prijoritarji:

1. L-awtorità kompetenti għandha torganizza l-analiżi tat-tendenza għall-perjodu fit-tul ta' konċentrazzjonijiet ta' dawk is-sustanzi prijoritarji elenkati fil-Parti A tat-Tabella 1, li għandhom tendenza jakkumulaw fis-sediment u, jew fil-bijota, b'konsiderazzjoni partikolari mogħtija lis-sustanzi numru 2, 5, 6, 7, 12, 15, 16, 17, 18, 20, 21, 26, 28 u 30, abbażi tal-monitoraġġ tal-istatus tal-ilma mwettaq skont tar-regolament 8 ta' dawn ir-regolamenti.

2. Miżuri għandhom jittieħdu mill-awtorità kompetenti, soġġett tar-regolament 4 ta' dawn ir-regolamenti, immirati biex jassiguraw li tali konċentrazzjonijiet ma jiżdidux b'mod sinjifikattiv fis-sediment u, jew fil-bijota rilevanti.

3. L-awtorità kompetenti għandha tagħżel il-frekwenza ta' monitoraġġ tas-sediment u, jew fil-bijota sabiex ikun hemm data suffiċenti għall-analiżi tat-tendenza affidabbli għall-perjodu fit-tul. Il-monitoraġġ għandu jsir kull tliet snin, sakemm ma jintagħżilx intervall ieħor fuq bażi ta' informazzjoni teknika jew opinjoni ta' esperti.

Żoni ta' Taħlit:

1. Ħdejn il-punti ta' rilaxx, l-awtorità kompententi tista' tidentifika żoni ta' taħlit fejn il-konċentrazzjonijiet ta' kontaminant wieħed jew aktar mis-sustanzi elenkati fil-Parti A tat-Tabella 1 jistgħu jaċċedu l-EQS rilevanti, u dejjem jekk huma ma jaffettwawx il-konformità tal-kumplament tal-massa tal-ilma tal-wiċċ ma' dawk l-i*standards*.

2. Jekk jiġu identifikati żoni ta' taħlit, dawn għandhom jiġu inklużi fil-pjanijiet ta' immaniġġar tal-*catchment* ta' l-ilma magħmula skont ir-regolament 12 ta' dawn ir-regolamenti, u għandhom jinkludu deskrizzjoni ta':

(a) l-approċċi u l-metodoloġiji applikati biex jiġu definiti żoni bħal dawn; u

(b) miżuri meħuda bil-għan li titnaqqas il-firxa taż-żoni tat-taħlit fil-futur, bħal dawk skont is-subregolament (3k) tar-regolament 11 ta' dawn ir-regolamenti jew permezz ta' reviżjoni tal-permessi msemmija fir-Regolamenti ta' l-2002 għall-Prevenzjoni u l-Kontroll Integrati tat-Tniġġis (A.L. 234 ta' l-2002) jew ta' regolamenti preċedenti msemmija skont is-subregolament (3g) tar-regolament 11 ta' dawn ir-regolamenti.

3. L-awtorità kompetenti għandha tiżgura li meta jintagħżlu żoni ta' taħlit, il-firxa ta' kull żona tali hija:

(a) ristretta għall-viċinanza tal-punt ta' rilaxx;

(b) proporzjonata, b'konsiderazzjoni tal-konċentrazzjonijiet ta' kontaminanti fil-punt ta' rilaxx u tal-kondizzjonijiet dwar emissjonijiet ta' kontaminanti li jinsabu fir-regolamenti ta' qabel, bħal awtorizzazzjonijiet u, jew permessi, imsemmijin skont is-subregolament (3g) tar-regolament 11 ta' dawn ir-regolamenti u kull liġi nazzjonali rilevanti oħra, skont l-applikazzjoni tal-aħjar tekniki disponibbli u tar-regolament 10 ta' dawn ir-regolamenti, partikolarment wara li dawk ir-regolamenti ta' qabel jiġu riveduti.

Tabella 1:

Standards ta' Kwalita` Ambjentali Għal Sustanzi Prijoritarji u Ċerti Kontaminanti Oħrajn

PARTI A: STANDARDS TA' KWALITÀ AMBJENTALI (EQS)

AA : medja annwali
MAC : konċentrazzjoni massima permissibbli
Unità : [µg/l]

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Nru	Isem tas-sustanza	Numru CAS ([1])	AA-EQS ([2]) Ilmijiet tal-wiċċ 'il ġewwa mill-kosta ([3])	AA-EQS ([2]) Ilmijiet tal-wiċċ oħrajn ([4])	MAC-EQS ([5]) Ilmijiet tal-wiċċ 'il ġewwa mill-kosta ([3])	MAC-EQS ([5]) Ilmijiet tal-wiċċ oħrajn ([4])
(1)	Alaklor	15972-60-8	0,3	0,3	0,7	0,7
(2)	Antraċen	120-12-7	0,1	0,1	0,4	0,4
(3)	Atrażin	1912-24-9	0,6	0,6	2,0	2,0
(4)	Benżin	71-43-2	10	8	50	50
(5)	Difeniletere brominat ([6])	32534-81-9	0,0005	0,0002	mhux applikabbli	mhux applikabbli
(6)	Kadmju u t-taħlit tiegħu (skont il-klassijiet tal-ebusija tal-ilma) ([7])	7440-43-9	≤ 0,08 (Klassi 1), 0,08 (Klassi 1), 0,09 (Klassi 1), 0,15 (Klassi 1), 0,25 (Klassi 1)	0,2	≤ 0,45 (Klassi 1), 0,45 (Klassi 2), 0,6 (Klassi 3), 0,9 (Klassi 4), 1,5 (Klassi 5)	≤ 0,45 (Klassi 1), 0,45 (Klassi 2), 0,6 (Klassi 3), 0,9 (Klassi 4), 1,5 (Klassi 5)
(6a)	Tetraklorur tal-karbonju ([8])	56-23-5	12	12	mhux applikabbli	mhux applikabbli
(7)	C10-13 kloroalkani	85535-84-8	0,4	0,4	1,4	1,4
(8)	Klorfenvinfos	470-90-6	0,1	0,1	0,3	0,3
(9)	Klorpirifos (Klorpirifos-etil)	2921-88-2	0,03	0,03	0,1	0,1

(9a)	Pestiċidi miċ-ċiklodien: Aldrin (8) Dieldrin (8) Endrin (8) Isodrin (8)	309-00-2 60-57-1 72-20-8 465-73-6	∑ = 0,01	∑ = 0,005	mhux applikabbli	mhux applikabbli
(9b)	DDT totali (8) (9)	mhux applik abbli	0,025	0,025	mhux applikabbli	mhux applikabbli
	para-para-DDT (8)	50-29-3	0,01	0,01	mhux applikabbli	mhux applikabbli
(10)	1,2-Dikloroetan	107-06-2	10	10	mhux applikabbli	mhux applikabbli
(11)	Diklorometan	75-09-2	20	20	mhux applikabbli	mhux applikabbli
(12)	Di(2-etileksil)-ftalat (DEHP)	117-81-7	1,3	1,3	mhux applikabbli	mhux applikabbli
(13)	Diuron	330-54-1	0,2	0,2	1,8	1,8
(14)	Endosulfan	115-29-7	0,005	0,0005	0,01	0,004
(15)	Fluworanten	206-44-0	0,1	0,1	1	1
(16)	Eksaklorobenżin	118-74-1	0,01 (10)	0,01 (10)	0,05	0,05
(17)	Eksaklorobutadien	87-68-3	0,1 (10)	0,1 (10)	0,6	0,6
(18)	Eksakloroċikloħexan	608-73-1	0,02	0,002	0,04	0,02
(19)	Isoproturon	34123-59-6	0,3	0,3	1,0	1,0
(20)	Ċomb u l-komposti tiegħu	7439-92-1	7,2	7,2	mhux applikabbli	mhux applikabbli
(21)	Merkurju u l-komposti tiegħu	7439-97-6	0,05 (10)	0,05 (10)	0,07	t0,07
(22)	Naftalen	91-20-3	2,4	1,2	mhux applikabbli	mhux applikabbli
(23)	Nikil u l-komposti tiegħu	7440-02-0	20	20	mhux applikabbli	mhux applikabbli
(24)	Nonilfenol (4-Nonilfenol)	104-40-5	0,3	0,3	2,0	2,0
(25)	Oktilfenol ((4-(1,1’,3,3’-tetrametilbutil)-fenol))	140-66-9	0,1	0,01	mhux applikabbli	mhux applikabbli
(26)	Pentaklorobenżin	608-93-5	0,007	0,0007	mhux applikabbli	mhux applikabbli

(27)	Pentaklorofenol	87-86-5	0,4	0,4	1	1
(28)	Idrokarburi poliaromatiċi (PAH) ([11])	mhux applikabbli	mhux applikabbli	not applicable	mhux applikabbli	mhux applikabbli
	Benzo(a)piren	50-32-8	0,05	0,05	0,1	0,1
	Benzo(b)fluworanten	205-99-2	∑ = 0,03	∑ = 0,03	mhux applikabbli	mhux applikabbli
	Benzo(k)fluworanten	207-08-9				
	Benzo(g,h,i)perilen	191-24-2	∑ = 0,002	∑ = 0,002	mhux applikabbli	mhux applikabbli
	Indeno(1,2,3-cd)piren	193-39-5				
(29)	Simażin	122-34-9	1	1	4	4
(29a)	Tetrakloroetilen ([8])	127-18-4	10	10	mhux applikabbli	mhux applikabbli
(29b)	Trikloroetilen ([8])	79-01-6	10	10	mhux applikabbli	mhux applikabbli
(30)	Komposti ta' Tributiltin (katjonu ta' Tributiltin)	36643-28-4	0,0002	0,0002	0,0015	0,0015
(31)	Triklorobenżini	12002-48-1	0,4	0,4	mhux applikabbli	mhux applikabbli
(32)	Trikolorometan	67-66-3	2,5	2,5	mhux applikabbli	mhux applikabbli
(33)	Trifluralin	1582-09-8	0,03	0,03	mhux applikabbli	mhux applikabbli

(1) CAS: Chemical Abstracts Service.

(2) Dan il-parametru huwa l-EQS espress bħala valur medju annwali (AA-EQS). Sakemm ma jkunx speċifikat mod ieħor, dan japplika għall-konċentrazzjoni totali tal-isomeri kollha.

(3) L-ilmijiet tal-wiċċ 'il ġewwa mill-kosta jirreferu għall-ilma kollu qiegħed jew miexi fuq wiċċ l-art u mases tal-ilma relatati li jkunu artifiċjali jew modifikati ħafna.

(4) L-ilmijiet tal-wiċċ oħrajn jirreferu għall-ilma transizzjonali, l-ilma kostali, l-ilmijiet territorjali u mases tal-ilma relatati li jkunu artifiċjali jew modifikati ħafna.

(5) Dan il-parametru huwa l-EQS espress bħala l-konċentrazzjoni massima permessa (MAC-EQS). Fejn il-MAC-EQS huma mmarkati bħala "mhux applikabbli", il-valuri AA-EQS huma kkunsidrati bħala protettivi kontra apiċi ta' tniġġis għall-perijodu qasir f'rilaxx kontinwu, billi huma b'mod signifikattiv aktar baxxi mill-valuri miksubin abbażi ta' tossiċità qawwija.

(6) Għall-grupp ta' sustanzi prijoritarji koperti mid-difenileteri brominati (Nru 5) elenkati fid-Deċiżjoni 2455/2001/KE, huwa stabbilit EQS biss għan-numri tal-istess klassi 28, 47, 99, 100, 153 u 154.

(7) Għall-Kadmju u t-taħlit tiegħu (Nru 6) il-valuri EQS ivarjaw skont l-ebusija tal-ilma kif speċifikat f'ħames kategoriji ta' klassi (il-Klassi 1: < 40 mg $CaCO_3$/l, Klassi 2: 40 to < 50 mg $CaCO_3$/l, Klassi 3: 50 to < 100 mg $CaCO_3$/l, Klassi 4: 100 to < 200 mg $CaCO_3$/l u Klassi 5: ≥ 200 mg $CaCO_3$/l).

(8) Din is-sustanza mhijiex sustanza prijoritorja iżda waħda mill-kontaminanti l-oħrajn li għalihom l-EQS huma identiċi għal dawk stabbiliti fil-leġislazzjoni li kienet tapplika qabel it-13 ta' Jannar 2009.

(9) Id-DDT totali jikkonsisti mill-għadd tal-isomeri 1,1,1 -trikloro-2,2 bis (p-klorifenil) etan (Numru

CAS 50-29-3; Numru EU 200-024-3);1,1,1-trikloro-2 (o-klorofenil)-2-(p-klorifenil) etan (Numru CAS 789-02-6; Numru EU 212-332-5); 1,1-dikloro-2,2 bis (p-klorifenil) etilen (Numru CAS 72-55-9; Numru EU 200-784-6); u 1,1-dikloro-2,2 bis (p-klorifenil) etan (Numru CAS 72-54-8; Numru EU 200-783-0).

(10) F'ċerti kategoriji ta' l-ilma tal-wiċċ, jekk l-awtorita` kompetenti ma tapplikax l-EQS għall-bijota, hija għandha tintroduċi EQS aktar stretti għall-ilma f'dawn il-kategoriji ta' l-ilma tal-wiċċ; sabiex jintlaħaq l-istess livell ta' protezzjoni bħall-EQS għall-bijota stabbilit fis-sezzjoni hawn fuq 'Standards ta' Kwalita` Ambjentali', punt (2). L-awtorita` kompetenti għandha tinnotifika lill-Kummissjoni u lill-Istati Membri, permezz tal-Kumitat imsemmi fl-Artikolu 21 tad-Direttiva 2000/60/KE, dwar ir-raġunijiet u l-bażi għall-użu ta' dan l-approċċ, l-EQS alternattivi għall-ilma stabbiliti, inkluż id-data u l-metodoloġija li biha nkisbu l-EQS alternattivi, u l-kategoriji tal-wiċċ tal-ilma li għalihom huma jkunu applikabbli.

(11) Għall-grupp ta' sustanzi prijoritarji ta' idrokarboni poliaromatiċi (PAH) (Nru28), huwa applikabbli kull EQS individwali, jiġifieri għandhom jintlaħqu l-EQS għall-Benzo(a)piren, l-EQS għall-għadd ta' Benzo(b)fluworanten u Benzo(k)fluworanten u l-EQS għall-għadd ta' Benzo(g,h,i)perilen u Indeno(1,2,3-cd)piren.

PARTI B: APPLIKAZZJONI TAL-EQS STABBILITI FIL-PARTI A

1. Il-kolonni 4 u 5 tat-tabella: Għal kull massa ta' ilma tal-wiċċ partikolari, li japplika l-AA-EQS tfisser li, għal kull punt ta' monitoraġġ rappreżentattiv fil-massa tal-ilma, il-medja aritmetika tal-konċentrazzjonijiet imkejla fi żmienijiet differenti matul is-sena, ma taqbiżx l-istandard.

Il-kalkolu tal-medja aritmetika, l-metodu analitiku użat u, fejn ma jkunx hemm ebda metodu analitiku adegwat li jissodisfa l-kriterji minimi ta' prestazzjoni, l-metodu tal-applikazzjoni ta' EQS għandhom ikunu f'konformità ma' atti implimentattivi li jadottaw speċifikazzjonijiet tekniċi għall-monitoraġġ kimiku u għall-kwalità tar-riżultati analitiċi, skont dawn ir-regolamenti.

2. Il-kolonni 6 u 7 tat-tabella: Għal kull massa ta' ilma tal-wiċċ partikolari, li japplika l-MAC-EQS tfisser li l-konċentrazzjoni mkejla f' xi punt ta' monitoraġġ rappreżentattiv fil-massa tal-ilma, ma taqbiżx l-istandard.

Madankollu, f'konformità mat-taqsima 1.3.4 tal-Skeda V ta' dawn ir-regolamenti, l-awtorita` kompetenti tista' tintroduċi metodi ta' statistika, bħal kalkolu perċentwali, sabiex jiġi żgurat livell aċċettabbli ta' fiduċja u preċiżjoni għad-determinazzjoni ta' konformità ma' l-MAC-EQS. Jekk tagħmel hekk, dawn il-metodi ta' statistika għandhom ikunu konformi mar-regoli dettaljati stabbiliti skont il-proċedura regolatorja msemmija fl-Artikolu 9(2) tad-Direttiva 2008/105/KE.

3. Bl-eċċezzjoni tal-kadmju, ċ-ċomb, il-merkurju u n-nikil (minn hawn 'il quddiem "metalli") l-EQS stabbiliti f'din l-Skeda huma espressi bħala konċentrazzjonijiet totali fil-kampjun kollu tal-ilma. Fil-każ ta' metalli, l-EQS jirreferi għall-konċentrazzjoni maħlula, jiġifieri l-fażi maħlula ta' kampjun tal-ilma miksuba b'filtrazzjoni permezz ta' filter 0.45 µm jew kull pretrattament ekwivalenti.

L-awtorita` kompetenti tista', meta tivvaluta r-riżultati ta' monitoraġġ ma' l-EQS, tieħu kont ta':

(a) konċentrazzjonijiet naturali tal-isfond għall-metalli u t-taħlit tagħhom, jekk dawn jimpedixxu l-konformità mal-valur tal-EQS; u

(b) l-ebusija, il-pH jew parametri oħrajn tal-kwalità tal-ilma li jaffettwaw il-bijodisponibbiltà tal-metalli.".

Jemenda Skeda X li tinsab mar-regolamenti prinċipali.

9. Minflok it-test fi Skeda X li tinsab mar-regolamenti prinċipali, għandu jidħol dan li ġej:

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“Skeda X

LISTA TA' SUSTANZI PRIJORITARJI FIL-QASAM TAL-POLITIKA TAL-ILMA

Numru	Numru CAS (1)	Numru EU (2)	Isem tas-sustanza prijoritarja (3)	Identifikat bħala sustanza perikoluża prijoritarja
(1)	15972-60-8	240-110-8	Alaklor	
(2)	120-12-7	204-371-1	Antraċen	X
(3)	1912-24-9	217-617-8	Atrażin	
(4)	71-43-2	200-753-7	Benżin	
(5)	mhux applikabbli	mhux applikabbli	Difeniletere brominat (4)	X (5)
	32534-81-9	mhux applikabbli	Pentabromodifeniletere (numri tal-istess klassi 28, 47, 99, 100, 153 u 154)	
(6)	7440-43-9	231-152-8	Kadmju u l-komposti tiegħu	X
(7)	85535-84-8	287-476-5	Kloroalkani, C_{10-13} (4)	X
(8)	470-90-6	207-432-0	Klorfenvinfos	
(9)	2921-88-2	220-864-4	Klorpirifos (Klorpirifos-etil)	
(10)	107-06-2	203-458-1	1,2-dikloroetan	
(11)	75-09-2	200-838-9	Diklorometan	
(12)	117-81-7	204-211-0	Di(2-etileksil)ftalat (DEHP)	
(13)	330-54-1	206-354-4	Diuron	
(14)	115-29-7	204-079-4	Endosulfan	X
(15)	206-44-0	205-912-4	Fluworanten (6)	
(16)	118-74-1	204-273-9	Eksaklorobenżin	X
(17)	87-68-3	201-765-5	Eksaklorobutadien	X
(18)	608-73-1	210-158-9	Eksakloroċikloħexan	X
(19)	34123-59-6	251-835-4	Isoproturon	
(20)	7439-92-1	231-100-4	Ċomb u l-komposti tiegħu	
(21)	7439-97-6	231-106-7	Merkurju u l-komposti tiegħu	X
(22)	91-20-3	202-049-5	Naftalen	
(23)	7440-02-0	231-111-14	Nikil u l-komposti tiegħu	
(24)	25154-52-3	246-672-0	Nonilfenol	X
	104-40-5	203-199-4	(4-(para)nonilfenol)	X
(25)	1806-26-4	217-302-5	Oktilfenol	
	140-66-9	mhux applikabbli	(4-(1,1’,3,3’-tetrametilbutil)-fenol)	
(26)	608-93-5	210-172-5	Pentaklorobenżin	X
(27)	87-86-5	231-152-8	Pentaklorofenol	
(28)	mhux	mhux	Idrokarburi	X

	applikabbli	applikabbli	poliaromatiċi	
	50-32-8	200-028-5	(Benzo(a)piren)	X
	205-99-2	205-911-9	(Benzo(b)fluworanten)	X
	191-24-2	205-883-8	(Benzo(g,h,i)perilen)	X
	207-08-9	205-916-6	(Benzo(k)fluworanten)	X
	193-39-5	205-893-2	(Indeno(1,2,3-cd)piren)	X
(29)	122-34-9	204-535-2	Simażin	
(30)	mhux applikabbli	mhux applikabbli	Komposti ta' Tributiltin	X
	36643-28-4	mhux applikabbli	Katjonu ta' Tributiltin	X
(31)	12002-48-1	234-413-4	Triklorobenżini	
(32)	67-66-3	200-663-8	Trikolorometan (kloroform)	
(33)	1582-09-8	216-428-8	Trifluralin	

(1) CAS: Chemical Abstracts Service.

(2) Numru-EU: L-Inventarju Ewropew ta' Sustanzi Kummerċjali Eżistenti (EINECS) jew il-Lista Ewropea ta' Sustanzi Kimiċi Notifikati (ELINCS).

(3) Fejn ikunu ntgħażlu gruppi ta' sustanzi, qed jiġu elenkati rappreżentattivi individwali tipiċi bħala parametri indikattivi (fil-parentesi u mingħajr numru). Għal dawn il-gruppi ta' sustanzi, il-parametru indikattiv għandu jiġi definit permezz tal-metodu analitiku.

(4) Dawn il-gruppi ta' sustanzi normalment jinkludu numru konsiderevoli ta' taħlit individwali. Attwalment, ma jistgħux jingħataw parametri indikattivi xierqa.

(5) Pentabromodifeniletere biss (numru CAS 32534-81-9).

(6) Il-fluworanten jinsab fil-lista bħala indikatur ta' idrokarboni poliaromatiċi oħra li huma aktar perikolużi.".

Iżid l-Iskeda ġdida XI mar-regolamenti prinċipali.

10. Minnufih wara Skeda X li tinsab mar-regolamenti prinċipali, għandha tiżdied din l-Iskeda XI ġdida li ġejja:

"Skeda XI

SPEĊIFIKAZZJONIJIET TEKNIĊI GĦALL-ANALIŻI U L-MONITORAĠĠ KIMIKU TAL-ISTAT TAL-ILMA

A: Definizzjonijiet

Għall-għan ta' dawn ir-regolamenti, għandhom japplikaw id-definizzjonijiet li ġejjin:

1. ‘il-limitu ta’ individwazzjoni’ tfisser is-sinjal tal-output jew il-valur tal-konċentrazzjoni li ‘l fuq minnu jista’ jiġi affermat, f’livell ta’ kunfidenza stabbilit, li kampjun huwa differenti minn kampjun null li ma fih l-ebda determinant ta’ interess;

2. ‘il-limitu ta’ kwantifikazzjoni’ tfisser multiplu tal-limitu ta’ individwazzjoni stabbilit f’konċentrazzjoni tad-determinant li jista’ jiġi stabbilit b’mod raġonevoli b’livell aċċettabbli ta’ reqqa u preċiżjoni. Il-limitu ta’ kwantifikazzjoni jista’ jiġi kalkulat bl-użu ta’ standard jew kampjun xieraq, u jista’ jinsab mill-punt ta’ kalibrazzjoni l-aktar baxx fuq il-kurva ta’ kalibrazzjoni, bin-null eskluż;

3. ‘inċertezza tal-kejl’ tfisser parametru mhux negattiv li jikkaratterizza d-dispersjoni tal-valuri ta’ kwantità attribwiti għal valur li għandu jitkejjel u, ibbażati fuq it-tagħrif li ntuża.

<u>B: Metodi ta’ analiżi</u>

L-awtorita` kompetenti għandha tiżgura li l-metodi kollha ta’ analiżi, inklużi metodi fil-laboratorji, fil-post u fuq l-Internet, użati għall-finijiet ta’ programmi ta’ monitoraġġ kimiku mwettqa skont ir-regolamenti prinċipali huma validati u dokumentati skont l-istandard MSA EN ISO/IEC-17025:2005 jew standards oħra ekwivalenti aċċettati f’livell internazzjonali.

Ċ: Kriterji minimi ta' prestazzjoni għal metodi ta' analiżi

1. L-awtorita` kompetenti għandha tiżgura li l-kriterji minimi ta' prestazzjoni għall-metodi kollha ta' analiżi huma bbażati fuq inċertezza tal-kejl ta' 50% jew taħt il-50% (k = 2) stmata fil-livell ta' standards ambjentali rilevanti ta' kwalità u f'limitu ta' kwantifikazzjoni daqs jew anqas minn valur ta' 30% tal-istandards ambjentali rilevanti ta' kwalità.

2. Fin-nuqqas ta' standard ambjentali rilevanti ta' kwalità għal parametru partikolari, jew fin-nuqqas ta' metodu ta' analiżi li jissodisfa l-kriterji minimi ta' prestazzjoni definiti f'punt Ċ(1) hawn fuq, l-awtorita` kompetenti għandha tiżgura li l-monitoraġġ jitwettaq bl-użu tal-aqwa tekniki disponibbli mingħajr ma jinvolvi spejjeż eċċessivi.

D: Kalkolu ta' valuri medji

1. Fejn l-ammonti ta' valuri fiżikokimiċi jew kimiċi li għandhom jitkejlu f'kampjun partikolari jkunu taħt il-limitu ta' kwantifikazzjoni, ir-riżultati tal-kejl għandhom jiġu ffissati għal nofs il-valur tal-limitu ta' kwantifikazzjoni konċernat għall-kalkolu tal-valuri medji.

2. Fejn valur medju kalkulat tar-riżultati tal-kejl imsemmija f'punt D(1) hawn fuq, ikun taħt il-limiti ta' kwantifikazzjoni, il-valur għandu jissemma bħala "anqas mil-limitu ta' kwantifikazzjoni".

3. Punt D(1) m'għandux japplika għall-valuri li għandhom jitkejlu li huma somom totali ta' grupp partikolari ta' parametri fiżikokimiċi jew valuri kimiċi

li għandhom jitkejlu, inklużi l-metaboliti u l-prodotti ta' degradazzjoni u ta' reazzjoni rilevanti tagħhom. F'dawk il-każijiet, riżultati taħt il-limitu ta' kwantifikazzjoni tas-sustanzi individwali għandhom jiġu ffissati għal żero.

E: Assigurazzjoni ta' kwalita' u kontroll

1. L-awtorita` kompetenti għandha tiżgura li laboratorji jew partijiet b'kuntratt ma' laboratorji japplikaw prattiki ta' sistema ta' ġestjoni ta' kwalità skont l-MSA EN ISO/IEC-17025:2005 jew standards oħra ekwivalenti aċċettati f'livell internazzjonali.

2. L-awtorita` kompetenti għandha tiżgura li laboratorji jew partijiet b'kuntratt ma' laboratorji jipprovaw il-kompetenzi tagħhom fl-analiżi ta' valuri fiżikokimiċi jew kimiċi rilevanti li għandhom jitkejlu billi:

(a) jipparteċipaw fi programmi ta' ttestjar ta' ħila li jkopru l-metodi ta' analiżi msemmija f'B: Metodi ta' analiżi f'din l-Iskeda, ta' valuri li għandhom jitkejlu f'livelli ta' konċentrazzjonijiet li jirrappreżentaw programmi ta' monitoraġġ kimiku mwettqa skont dawn ir-regolamenti; u

(b) janalizzaw materjali ta' referenza disponibbli li jirrapreżentaw il-kampjuni miġbura li fihom livelli xierqa ta' konċentrazzjonijiet relatati mal-istandards ta' kwalità ambjentali rilevanti msemmija f'punt Ċ(1) ta' 'Ċ: Kriterji minimi ta' prestazzjoni għal metodi ta' analiżi' kif inkluż f'din l-iskeda.

3. Il-programmi ta' ttestjar ta' ħila msemmija f'punt E(2a) hawn fuq għandhom jiġu organiżżati minn organiżżazzjonijiet akkreditati jew organiżżazzjonijiet rikonoxxuti internazzjonalment jew nazzjonalment li jissodisfaw ir-rekwiżiti

tal-gwida 43-1 ISO/IEC jew ta' standards oħra ekwivalenti rikonoxxuti f'livell internazzjonali.

Ir-riżultati ta' parteċipazzjoni f'dawk il-programmi għandhom jiġu evalwati abbażi ta' sistemi ta' punti definiti fil-gwida 43-1 ISO/IEC jew fl-istandard ISO-13528 jew fi standards oħra ekwivalenti aċċettati f'livell internazzjonali.

F: Dħul fis-seħħ ta' din l-Iskeda

L-awtorita` kompetenti għandha ssegwi l-ispeċifikazzjonijiet tekniċi u l-metodi standardiżżati għall-analiżi u l-immoniterjar ta' l-*status* ta' l-ilma, skont il-kundizzjonijiet f'din l-Iskeda XI, sa mhux aktar tard minn 7 snin mill-pubblikazzjoni ta' dawn ir-regolamenti.".

11. Ir-Regolamenti tal-2011 li jemendaw ir-Regolamenti dwar Pjan ta' Azzjoni fil-Qasam tal-Politika tal-Ilma huma b'dawn revokati.

Jirrevoka A.L. 16 tal-2011.

VERŻJONI ELETTRONIKA

L.N. 24 of 2011

ENVIRONMENT AND DEVELOPMENT PLANNING ACT (CAP. 504)

Water Policy Framework (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 28(1) of the Malta Resources Authority Act, and by articles 2, 61, 64 and 66 of the Environment and Development Planning Act, the Prime Minister and the Minister for Resources and Rural Affairs, after consultation with the Malta Resources Authority and the Malta Environment and Planning Authority, have made the following regulations:-

Citation.

L.N. 194 of 2004.

1. The title of these regulations is the Water Policy Framework (Amendment) Regulations, 2011 and they shall be read and construed as one with the Water Policy Framework Regulations, 2004 hereinafter referred to as "the principal regulations".

Scope.

2. (1) These regulations provide for the implementation in Malta and Gozo of Environmental Quality Standards (EQS) for priority substances and certain other pollutants, with the aim of achieving good surface water chemical status, by transposing Directive 2008/105/EC of the European Parliament and of the Council of 16th December, 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council.

(2) These regulations also establish minimum performance criteria for methods of analysis to be applied by the competent authority when monitoring water status, sediment and biota, as well as rules for demonstrating the quality of analytical results, by transposing Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water.

Amends use of the term "Annex" in the principal regulations.

3. For the word "Annex" in the principal regulations, wherever it occurs, shall be substituted the word "Schedule".

Amends regulation 4 of the principal regulations.

4. Immediately after sub-regulation (8) of regulation 4 of the principal regulations, there shall be added the following new sub-regulation:

"(9) The competent authority shall not be in breach of its obligations under these regulations as a result of any excess of an EQS in coastal waters, if it can demonstrate that:

(a) the excess was due to a source of pollution outside its national jurisdiction;

(b) it was unable as a result of such transboundary pollution to take effective measures to comply with the relevant EQS;

(c) it had applied the coordination mechanisms set out in relevant international agreements and, as appropriate, taken advantage of the provisions of sub-regulations (4), (5) and (6) of this regulation, for those water bodies affected by transboundary pollution; and

(d) in the circumstances set out in point (a) above, the competent authority shall communicate a summary of the measures taken in relation to transboundary pollution in the relevant water catchment management plans as laid down in sub-regulation (3) of regulation 12 of these regulations."

5. For sub-regulation (3) of regulation 8 of the principal regulations, there shall be substituted the following:

Amends regulation 8 of the principal regulations.

"(3) The competent authority shall adhere to technical specifications and standardised methods for analysis and monitoring of water status in accordance with the requirements of Schedules V and XI.".

6. Immediately after the heading "1.4 Identification of Pressures" in Schedule II to the principal regulations, there shall be added the following new item:

Amends Schedule II to the principal regulations.

"Inventory of Emissions, Discharges and Losses:

1. The competent authority shall establish an inventory, including maps, if available, of emissions, discharges and losses of all priority substances and pollutants listed in Part A, Table 1 of Schedule IX on the basis of the information collected in accordance with regulation 5 and regulation 8 of these regulations, the European Pollutant Release and Transfer Register Reporting Obligations Regulations, 2007 (L.N. 152 of 2007), environmental permits and/or operational

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permits as issued by the relevant competent authority and other available data, for the water catchment district lying within the Maltese territory, including their concentrations in sediment and biota, as appropriate. In fulfilling the requirement to establish and maintain the inventory of emissions, discharges and losses, the competent authority may request any further information it deems necessary from any relevant installation.

2. The reference period for the estimation of pollutant values to be entered in the inventories referred to in point (1) above shall be one year between 2008 and 2010. However, for priority substances or pollutants covered by the Plant Protection Products Regulations, 2004 (L.N. 115 of 2004), the entries may be calculated as the average of the years 2008, 2009 and 2010.

3. The inventories shall be updated as part of the reviews of the analyses specified in sub-regulation (2) of regulation 5 of these regulations. The reference period for the establishment of values in the updated inventories shall be the year before that analysis is to be completed. For priority substances or pollutants covered by Plant Protection Products Regulations, 2004, the entries may be calculated as the average of the three years before the completion of that analysis. The updated inventories shall be published in the updated water catchment management plans as laid down in sub-regulation (5) of regulation 12 of these regulations.".

Amends Schedule VII to the principal regulations.

7. Immediately after item 4 in Part B of Schedule VII to the principal regulations, there shall be added the following new item:

"5. a description of the designation of any mixing zones, a communication of the measures in relation to transboundary pollution and the updated inventory of emissions, discharges and losses.".

Amends Schedule IX to the principal regulations.

8. Schedule IX to the principal regulations shall be amended as follows:

(a) for the first paragraph thereof, there shall be substituted the following:

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"The 'limit values' established under the regulations following the Pollution Caused by Certain Dangerous Substances Discharged into the Aquatic Environment Regulations, 2001 (L.N. 213 of 2001) shall be considered emission limit values for the purposes of these regulations. They are established in the following regulations:"; and

(b) immediately at the end of the said Schedule there shall be added the following new provisions:

"Amendments to L.N. 220 of 2001, L.N. 221 of 2001, L.N. 219 of 2001, L.N. 218 of 2001 and L.N. 227 of 2001:

1. Annex II of L.N. 220 of 2001, L.N. 221 of 2001, L.N. 219 of 2001 and L.N. 218 of 2001, respectively shall be deleted.

2. Heading B in Sections I to XI of Annex II to L.N. 227 of 2001 shall be deleted.

Environmental Quality Standards:

1. The competent authority shall apply the EQS laid down in Part A of Table 1 below to bodies of surface waters in Malta and Gozo, in accordance with the requirements laid down in Part B of Table 1 below.

2. The following EQS for biota shall apply instead of those laid down in Part A of Table 1 in certain categories of surface water:

(a) mercury and its compounds an EQS of 20 μg/kg applies;

(b) hexachlorobenzene an EQS of 10 μg/kg applies;

(c) hexachlorobutadiene an EQS of 55 μg/kg applies.

These EQS are applicable for prey tissue (wet weight), choosing the most appropriate

indicator among fish, molluscs, crustaceans and other biota.

3. EQS other than those mentioned in point (2) above may be applied by the competent authority for sediment and/or biota for specified substances. These EQS shall offer at least the same level of protection as the EQS for water set out in Part A of Table 1.

4. For substances mentioned in points (2) and (3) above, the competent authority shall determine the frequency of monitoring in biota and/or sediment. However the competent authority shall undertake monitoring at least once every year, unless technical knowledge and expert judgment justify another interval. The competent authority shall apply its technical knowledge and expert judgment to justify the reasons and basis for using the methodologies in points (2) and (3).

Long-term Analysis for Priority Substances:

1. The competent authority shall arrange for the long-term trend analysis of concentrations of those priority substances listed in Part A of Table 1 that tend to accumulate in sediment and/or biota, giving particular consideration to substances numbers 2, 5, 6, 7, 12, 15, 16, 17, 18, 20, 21, 26, 28 and 30 on the basis of the monitoring of water status carried out in accordance with regulation 8 of these regulations.

2. Measures shall be taken by the competent authority aimed at ensuring, subject to regulation 4 of these regulations that such concentrations do not significantly increase in sediment and/or relevant biota.

3. The competent authority shall determine the frequency of monitoring in sediments and/or biota so as to provide sufficient data for a reliable long-term trend analysis. Monitoring should take place every three years, unless technical knowledge and expert judgment justify another interval.

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Mixing Zones:

1. Adjacent to the points of discharge, the competent authority may designate mixing zones where the concentrations of one or more substances listed in Part A of Table 1 may exceed the relevant EQS within such mixing zones and provided they do not affect the compliance of the rest of the body of surface water with those standards.

2. If mixing zones are designated, the water catchment management plans as required by regulation 12 of these regulations, shall include a description of:

(a) the approaches and methodologies applied to define such zones; and

(b) measures taken with a view to reducing the extent of the mixing zones in the future, such as those pursuant to sub-regulation (3k) of regulation 11 of these regulations or by reviewing permits referred to in the Integrated Pollution Prevention and Control Regulations, 2002 (L.N. 234 of 2002) or prior regulations referred to in sub-regulation (3g) of regulation 11 of these regulations.

3. The competent authority shall ensure that the extent of any designated mixing zone is:

(a) restricted to the proximity of the point of discharge;

(b) proportionate, having regard to the concentrations of pollutants at the point of discharge and to the conditions on emissions of pollutants contained in the prior regulations, such as authorizations and/or permits, referred to in sub-regulation (3g) of regulation 11 of these regulations and any other relevant national law, in accordance with the application of best available techniques and regulation 10 of these regulations, in particular after those prior regulations are reviewed.

Table 1:

Environmental Quality Standards for Priority Substances and Certain Other Pollutants

PART A: ENVIRONMENTAL QUALITY STANDARDS (EQS)

AA: annual average
MAC: maximum allowable concentration
Unit: [μg/l]

(1)	(2)	(3)	(4)	(5)	(6)	(7)
No	Name of substance	CAS number ([1])	AA-EQS ([2]) Inland surface waters ([3])	AA-EQS ([2]) Other surface waters ([4])	MAC-EQS ([5]) Inland surface waters ([3])	MAC-EQS ([5]) Other surface waters ([4])
(1)	Alachlor	15972-60-8	0,3	0,3	0,7	0,7
(2)	Anthracene	120-12-7	0,1	0,1	0,4	0,4
(3)	Atrazine	1912-24-9	0,6	0,6	2,0	2,0
(4)	Benzene	71-43-2	10	8	50	50
(5)	Brominated diphenylether ([6])	32534-81-9	0,0005	0,0002	not applicable	not applicable
(6)	Cadmium and its compounds (depending on water hardness classes) ([7])	7440-43-9	≤ 0,08 (Class 1), 0,08 (Class 2), 0,09 (Class 3), 0,15 (Class 4), 0,25 (Class 5)	0,2	≤ 0,45 (Class 1), 0,45 (Class 2), 0,6 (Class 3), 0,9 (Class 4), 1,5 (Class 5)	≤ 0,45 (Class 1), 0,45 (Class 2), 0,6 (Class 3), 0,9 (Class 4), 1,5 (Class 5)
(6a)	Carbon-tetrachloride ([8])	56-23-5	12	12	not applicable	not applicable
(7)	C10-13 Chloroalkanes	85535-84-8	0,4	0,4	1,4	1,4
(8)	Chlorfenvinphos	470-90-6	0,1	0,1	0,3	0,3
(9)	Chlorpyrifos (Chlorpyrifos-ethyl)	2921-88-2	0,03	0,03	0,1	0,1

(9a)	Cyclodiene pesticides: Aldrin ([8]) Dieldrin ([8]) Endrin ([8]) Isodrin ([8])	309-00-2 60-57-1 72-20-8 465-73-6	∑ = 0,01	∑ = 0,005	not applicable	not applicable
(9b)	DDT total ([8]) ([9])	not applicable	0,025	0,025	not applicable	not applicable
	para-para-DDT ([8])	50-29-3	0,01	0,01	not applicable	not applicable
(10)	1,2-Dichloroethane	107-06-2	10	10	not applicable	not applicable
(11)	Dichloromethane	75-09-2	20	20	not applicable	not applicable
(12)	Di(2-ethylhexyl)-phthalate (DEHP)	117-81-7	1,3	1,3	not applicable	not applicable
(13)	Diuron	330-54-1	0,2	0,2	1,8	1,8
(14)	Endosulfan	115-29-7	0,005	0,0005	0,01	0,004
(15)	Fluoranthene	206-44-0	0,1	0,1	1	1
(16)	Hexachloro-benzene	118-74-1	0,01 ([10])	0,01 ([10])	0,05	0,05
(17)	Hexachloro-butadiene	87-68-3	0,1 ([10])	0,1 ([10])	0,6	0,6
(18)	Hexachloro-cyclohexane	608-73-1	0,02	0,002	0,04	0,02
(19)	Isoproturon	34123-59-6	0,3	0,3	1,0	1,0
(20)	Lead and its compounds	7439-92-1	7,2	7,2	not applicable	not applicable
(21)	Mercury and its compounds	7439-97-6	0,05 ([10])	0,05 ([10])	0,07	0,07
(22)	Naphthalene	91-20-3	2,4	1,2	not applicable	not applicable
(23)	Nickel and its compounds	7440-02-0	20	20	not applicable	not applicable
(24)	Nonylphenol (4-Nonylphenol)	104-40-5	0,3	0,3	2,0	2,0
(25)	Octylphenol ((4-(1,1’,3,3’-tetramethylbutyl)-phenol))	140-66-9	0,1	0,01	not applicable	not applicable
(26)	Pentachloro-benzene	608-93-5	0,007	0,0007	not applicable	not applicable
(27)	Pentachloro-phenol	87-86-5	0,4	0,4	1	1
(28)	Polyaromatic hydrocarbons (PAH) ([11])	not applicable	not applicable	not applicable	not applicable	not applicable
	Benzo(a)pyrene	50-32-8	0,05	0,05	0,1	0,1
	Benzo(b)fluor-anthene	205-99-2	∑ = 0,03	∑ = 0,03	not applicable	not applicable
	Benzo(k)fluor-anthene	207-08-9				

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	Benzo(g,h,i)-perylene	191-24-2	∑ = 0,002	∑ = 0,002	not applicable	not applicable
	Indeno(1,2,3-cd)-pyrene	193-39-5				
(29)	Simazine	122-34-9	1	1	4	4
(29a)	Tetrachloro-ethylene (8)	127-18-4	10	10	not applicable	not applicable
(29b)	Trichloro-ethylene (8)	79-01-6	10	10	not applicable	not applicable
(30)	Tributyltin compounds (Tributhyltin-cation)	36643-28-4	0,0002	0,0002	0,0015	0,0015
(31)	Trichloro-benzenes	12002-48-1	0,4	0,4	not applicable	not applicable
(32)	Trichloro-methane	67-66-3	2,5	2,5	not applicable	not applicable
(33)	Trifluralin	1582-09-8	0,03	0,03	not applicable	not applicable

(1) CAS: Chemical Abstracts Service.

(2) This parameter is the EQS expressed as an annual average value (AA-EQS). Unless otherwise specified, it applies to the total concentration of all isomers.

(3) Inland surface waters refer to all standing or flowing waters on the surface of the land and related artificial or heavily modified water bodies.

(4) Other surface waters refer to transitional waters, coastal waters, territorial waters and related artificial or heavily modified water bodies.

(5) This parameter is the EQS expressed as a maximum allowable concentration (MAC-EQS). Where the MAC-EQS are marked as "not applicable", the AA-EQS values are considered protective against short-term pollution peaks in continuous discharges since they are significantly lower than the values derived on the basis of acute toxicity.

(6) For the group of priority substances covered by brominated diphenylethers (No 5) listed in Decision No 2455/2001/EC, an EQS is established only for congener numbers 28, 47, 99, 100, 153 and 154.

(7) For cadmium and its compounds (No 6) the EQS values vary depending on the hardness of the water as specified in five class categories (Class 1: < 40 mg $CaCO_3$/l, Class 2: 40 to < 50 mg $CaCO_3$/l, Class 3: 50 to < 100 mg $CaCO_3$/l, Class 4: 100 to < 200 mg $CaCO_3$/l and Class 5: ≥ 200 mg $CaCO_3$/l).

(8) This substance is not a priority substance but one of the other pollutants for which the EQS are identical to those laid down in the legislation that applied prior to 13 January 2009.

(9) DDT total comprises the sum of the isomers 1,1,1-trichloro-2,2 bis (p-chlorophenyl) ethane (CAS number 50-29-3; EU number 200-024-3); 1,1,1-trichloro-2 (o-chlorophenyl)-2-(p-chlorophenyl) ethane (CAS number 789-02-6; EU number 212-332-5); 1,1-dichloro-2,2 bis (p-chlorophenyl) ethylene (CAS number 72-55-9; EU number 200-784-6); and 1,1-dichloro-2,2 bis (p-chlorophenyl) ethane (CAS number 72-54-8; EU number 200-783-0).

(10) For certain categories of surface water, if the competent authority does not apply EQS for biota, stricter EQS for water shall be introduced in these categories of surface water; in order to achieve the same level of protection as the EQS for biota set out in the section above ‘Environmental Quality Standards’, point (2). The competent authority shall notify the Commission and the Member States, through the Committee referred to in Article 21 of Directive 2000/60/EC, of the reasons and basis for using this approach, the alternative EQS for water established, including the data and the methodology by which the alternative EQS were derived, and the categories of surface water to which they would apply.

(11) For the group of priority substances of polyaromatic hydrocarbons (PAH) (No 28), each individual EQS is applicable, i.e. the EQS for Benzo(a)pyrene, the EQS for the sum of Benzo(b)fluoranthene and Benzo(k)fluoranthene and the EQS for the sum of Benzo(g,h,i)perylene and Indeno(1,2,3-cd)pyrene must be met.

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PART B: APPLICATION OF THE EQS SET OUT IN PART A

1. Columns 4 and 5 of the table: For any given surface water body, applying the AA-EQS means that, for each representative monitoring point within the water body, the arithmetic mean of the concentrations measured at different times during the year does not exceed the standard.

The calculation of the arithmetic mean, the analytical method used and, where there is no appropriate analytical method meeting the minimum performance criteria, the method of applying an EQS must be in accordance with implementing acts adopting technical specifications for chemical monitoring and quality of analytical results, in accordance with these regulations.

2. Columns 6 and 7 of the table: For any given surface water body, applying the MAC-EQS means that the measured concentration at any representative monitoring point within the water body does not exceed the standard.

However, in accordance with section 1.3.4 of Schedule V to these regulations, the competent authority may introduce statistical methods, such as a percentile calculation, to ensure an acceptable level of confidence and precision for determining compliance with the MAC-EQS. If it does so, such statistical methods shall comply with detailed rules laid down in accordance with the regulatory procedure referred to in Article 9(2) of Directive 2008/105/EC.

3. With the exception of cadmium, lead, mercury and nickel (hereinafter "metals") the EQS set up in this Schedule are expressed as total concentrations in the whole water sample. In the case of metals the EQS refers to the dissolved concentration, i.e. the dissolved phase of a water sample obtained by filtration through a 0,45 μm filter or any equivalent pre-treatment.

The competent authority may, when assessing the monitoring results against the EQS, take into account:

(a) natural background concentrations for metals and their compounds, if they prevent compliance with the EQS value; and

(b) hardness, pH or other water quality parameters that affect the bioavailability of metals.".

Amends Schedule X to the principal regulations.

9. For Schedule X to the principal regulations there shall be substituted the following:

"Schedule X

LIST OF PRIORITY SUBSTANCES IN THE FIELD OF WATER POLICY

Number	CAS number (1)	EU number (2)	Name of priority substance (3)	Identified as priority hazardous substance
(1)	15972-60-8	240-110-8	Alachlor	
(2)	120-12-7	204-371-1	Anthracene	X
(3)	1912-24-9	217-617-8	Atrazine	
(4)	71-43-2	200-753-7	Benzene	
(5)	not applicable	not applicable	Brominated diphenylether (4)	X (5)
	32534-81-9	not applicable	Pentabromodiphenylether (congener numbers 28, 47, 99, 100, 153 and 154)	
(6)	7440-43-9	231-152-8	Cadmium and its compounds	X
(7)	85535-84-8	287-476-5	Chloralkanes, C_{10-13} (4)	X
(8)	470-90-6	207-432-0	Chlorfenvinphos	
(9)	2921-88-2	220-864-4	Chlorpyrifos (Chlorpyrifos-ethyl)	
(10)	107-06-2	203-458-1	1,2-dichloroethane	
(11)	75-09-2	200-838-9	Dichloromethane	
(12)	117-81-7	204-211-0	Di(2-ethylhexyl)phthalate (DEHP)	
(13)	330-54-1	206-354-4	Diuron	
(14)	115-29-7	204-079-4	Endosulfan	X
(15)	206-44-0	205-912-4	Fluoranthene (6)	
(16)	118-74-1	204-273-9	Hexachlorobenzene	X
(17)	87-68-3	201-765-5	Hexachlorobutadiene	X
(18)	608-73-1	210-158-9	Hexachlorocyclohexane	X
(19)	34123-59-6	251-835-4	Isoproturon	
(20)	7439-92-1	231-100-4	Lead and its compounds	
(21)	7439-97-6	231-106-7	Mercury and its compounds	X
(22)	91-20-3	202-049-5	Naphthalene	
(23)	7440-02-0	231-111-14	Nickel and its compounds	
(24)	25154-52-3	246-672-0	Nonylphenol	X
	104-40-5	203-199-4	(4-nonylphenol)	X
(25)	1806-26-4	217-302-5	Octylphenol	
	140-66-9	not applicable	(4-(1,1',3,3'-tetramethylbutyl)-phenol)	
(26)	608-93-5	210-172-5	Pentachlorobenzene	X
(27)	87-86-5	231-152-8	Pentachlorophenol	
(28)	not applicable	not applicable	Polyaromatic hydrocarbons	X
	50-32-8	200-028-5	(Benzo(a)pyrene)	X
	205-99-2	205-911-9	(Benzo(b)fluoranthene)	X
	191-24-2	205-883-8	(Benzo(g,h,i)perylene)	X
	207-08-9	205-916-6	(Benzo(k)fluoranthene)	X

	193-39-5	205-893-2	(Indeno(1,2,3-cd)pyrene)	X
(29)	122-34-9	204-535-2	Simazine	
(30)	not applicable	not applicable	Tributyltin compounds	X
	36643-28-4	not applicable	(Tributyltin-cation)	X
(31)	12002-48-1	234-413-4	Trichlorobenzenes	
(32)	67-66-3	200-663-8	Trichloromethane (chloroform)	
(33)	1582-09-8	216-428-8	Trifluralin	

(1) CAS: Chemical Abstracts Service.

(2) EU number: European Inventory of Existing Commercial Substances (Einecs) or European List of Notified Chemical Substances (Elincs).

(3) Where groups of substances have been selected, typical individual representatives are listed as indicative parameters (in brackets and without number). For these groups of substances, the indicative parameter must be defined through the analytical method.

(4) These groups of substances normally include a considerable number of individual compounds. At present, appropriate indicative parameters cannot be given.

(5) Only Pentabromobiphenylether (CAS-number 32534-81-9).

(6) Fluoranthene is on the list as an indicator of other, more dangerous polyaromatic hydrocarbons.".

Adds new Schedule XI to the principal regulations.

10. Immediately after Schedule X to the principal regulations, there shall be added the following new Schedule:

"**Schedule XI**

TECHNICAL SPECIFICATIONS FOR CHEMICAL ANALYSIS AND MONITORING OF WATER STATUS

A: Definitions

For the purpose of these regulations, the following definitions shall apply:

1. 'limit of detection' means the output signal or concentration value above which it can be affirmed, with a stated level of confidence that a sample is different from a blank sample containing no determinand of interest;

2. 'limit of quantification' means a stated multiple of the limit of detection at a concentration of the determinand that can reasonably be determined with an acceptable level of accuracy and precision. The limit of quantification can be calculated using an appropriate standard or sample, and may be obtained from the lowest calibration point on the calibration curve, excluding the blank;

3. 'uncertainty of measurement' means a non-negative parameter characterizing the dispersion of the quantity values being attributed to a measurand, based on the information used.

B: Methods of analysis

The competent authority shall ensure that all methods of analysis, including laboratory, field and on-line methods, used for the purposes of chemical monitoring programmes carried out under these regulations are validated and documented in accordance with MSA EN ISO/IEC-17025: 2005 standard or other equivalent standards accepted at international level.

C: Minimum performance criteria for methods of analysis

1. The competent authority shall ensure that the minimum performance criteria for all methods of analysis applied are based on an uncertainty of measurement of 50 % or below (k = 2) estimated at the level of relevant environmental quality standards and a limit of quantification equal or below a value of 30 % of the relevant environmental quality standards.

2. In the absence of relevant environmental quality standard for a given parameter, or in the absence of method of analysis meeting the minimum performance criteria set out in point C(1) above, the competent authority shall ensure that monitoring is carried out using best available techniques not entailing excessive costs.

D: Calculation of mean values

1. Where the amounts of physico-chemical or chemical measurands in a given sample are below the limit of quantification, the measurement results shall be set to half of the value of the limit of quantification concerned for the calculation of mean values.

2. Where a calculated mean value of the measurement results referred to in D(1) above, is below the limits of quantification, the value shall be referred to as "less than limit of quantification".

3. Point D(1) shall not apply to measurands that are total sums of a given group of physico-chemical parameters or chemical measurands, including their relevant metabolites, degradation and reaction products. In those cases, results below the limit of quantification of the individual substances shall be set to zero.

E: Quality assurance and control

1. The competent authority shall ensure that laboratories or parties contracted by laboratories apply quality management system practices in accordance with MSA EN ISO/IEC-17025:2005 or other equivalent standards accepted at international level.

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2. The competent authority shall ensure that laboratories or parties contracted by laboratories demonstrate their competences in analysing relevant physico-chemical or chemical measurands by:

(a) participation in proficiency testing programmes covering the methods of analysis referred to in ‘B: Methods of analysis’ of this Schedule of measurands at levels of concentrations that are representative of chemical monitoring programmes carried out under these regulations; and

(b) analysis of available reference materials that are representative of collected samples which contain appropriate levels of concentrations in relation to relevant environmental quality standards referred to in point C(1) of ‘C: Minimum performance criteria for methods of analysis’ as included in this Schedule.

3. The proficiency testing programmes referred to in point E(2a) above shall be organised by accredited organisations or internationally or nationally recognised organisations which meet the requirements of ISO/IEC guide 43-1 or of other equivalent standards accepted at international level.

The results of participation in those programmes shall be evaluated on the basis of the scoring systems set out in ISO/IEC guide 43-1 or in the ISO-13528 standard or in other equivalent standards accepted at international level.

F: Coming into effect of this schedule

The competent authority shall adhere to the technical specifications and standardised methods for analysis and monitoring of water status, as per requirements in this Schedule XI, at the latest 7 years from the publication of these regulations.”.

Reveokes L.N. 16 of 2011.

11. The Water Policy Framework (Amenedment) Regulations, 2011 are hereby revoked.

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — *Published by the Department of Information (doi.gov.mt) — Valletta*
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — *Printed at the Government Printing Press on recycled paper*

Prezz/*Price*
€1.49