



REFERENCE: 16/3/3/1/A2/36/3007/22
NEAS REFERENCE: WCP/EIA/0001036/2022
DATE: 03 August 2022

The Board of Directors
WasteMart (Pty) Ltd
P. O. Box 430
GATESVILLE
7766

Attention: Mr. N. Marthinus

Tel: 0860 456 786

E-mail: nazier@wastemart.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED LIQUID WASTE TREATMENT FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF NO. 40269 AND A PORTION OF ERF NO. 166374, SAND INDUSTRIA.

1. With reference to the above application, the Department hereby notifies you of its decision to grant the Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to:

- (1) L. Eichstadt (RMS)
- (2) R. Samaai (City of Cape Town: ERM)

E-mail: larry@rmsenviro.co.za

E-mail: rashaad.samaai@capetown.gov.za



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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED LIQUID WASTE TREATMENT FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF NO. 40269 AND A PORTION OF ERF NO. 166374, SAND INDUSTRIA.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Layout Alternative, described in the Basic Assessment Report ("BAR"), dated April 2022.

The granting of this Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF this Environmental Authorisation

WasteMart (Pty) Ltd
%Mr. N. Marthinus
P. O. Box 430
GATESVILLE
7766

Tel: 0860 456 786
E-mail: nazier@wastemart.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. AUTHORISED ACTIVITIES

Listed Activity	Activity/Project Description
Listing Notice 1 of the EIA Regulations, 2014 (as amended)– Activity Number: 14 The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of dangerous goods, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	The proposed development entails the storage and handling of hazardous waste oil and solvents before undergoing a liquid waste treatment process with volumes exceeding 80 cubic metres.

The abovementioned list is hereinafter referred to as “**the listed activity**”.

The holder is herein authorised to undertake the following alternative that includes the listed activity relating to the development:

The establishment of a liquid waste storage and treatment facility which includes the storage and handling of waste oil and solvents on Erf No. 40269 and a Portion of Erf No. 166374, Sand Industria.

The proposed treatment facility would receive raw waste oils and waste solvents from various industries for beneficial treatment enabling refined materials to be reused. The proposed treatment and recycling process will include a series of physical separation and evaporation steps that remove free water and particulates from the oil or solvents. The proposal entails the following components:

- Buildings (the site has a main office building for administration purposes a small area for servicing of equipment. The main office building also houses a small laboratory space);
- 21 aboveground storage tanks with a total capacity of 350 cubic metres of product. All of the storage tanks will be fully bunded as per industrial specifications;
- Bunded Storage Area for the storage of oils and solvents in flow bins and barrels; and
- Effluent Handling - The proposed liquid waste treatment facility proposes to process approximately 278 cubic metres (260 tons) of used oil per month and 43 cubic metres (50 tons) of used solvents+ water per month.

A Waste Management License Application has been submitted to the Department of Forestry, and Fisheries and the Environment in order to obtain authorisation for the waste management activities triggered by the facility.

Access will be gained via Silica Road, which runs along the boundary of Erf 40269, Sand Industria.

The total development footprint will be approximately 2920.55m² in extent.

C. SITE DESCRIPTION AND LOCATION

The proposed development is located at an existing storage facility owned and managed by Wastemart (Pty) Ltd on Erf No. 40269 and a Portion of Erf No. 166374 and is located within the built-up area of Sand Industria. The entire site consists of hardened concrete surfaces.

The site co-ordinates:

Latitude (S)	33°	59'	35.52''
Longitude (E)	18°	32'	21.16''

The SG digit codes:

Erf No. 40269, Sand Industria	C01600070004026900000
Erf No. 166374, Sand Industria	C01600070016637400000

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Resource Management Services
c/o Mr. L. Eichstadt
P. O. Box 4296
DURBANVILLE
7551

Tel.: 021 975 7396
Cell: 082 444 2630
E-mail: larry@rmsenviro.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated April 2022 on the site as described in Section C above.
2. Authorisation for the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority

This Environmental Authorisation is granted for–

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity for the construction phase, must be concluded.
4. The authorised activity must only be carried out at the site described in Section C above in terms of the approved "Environmental Management Programme" ("EMPr").
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1. notify all registered Interested and Affected Parties of –
 - 6.1.1. the outcome of the application;
 - 6.1.2. the reasons for the decision;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date of issue of the decision;
 - 6.2. draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
 - 6.3. draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4. provide the registered Interested and Affected Parties with:
 - 6.4.1. the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2. name of the responsible person for this Environmental Authorisation,
 - 6.4.3. postal address of the holder,
 - 6.4.4. telephonic and fax details of the holder,
 - 6.4.5. e-mail address, if any;
 - 6.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 10, 11 and 15.

Management of activities

10. The draft Construction and Operational Environmental Management Programme ("EMPr") (dated April 2022) submitted as part of the application for Environmental Authorisation must be amended to include the following.

- 10.1. In accordance with the recommendations of the MHI Risk Assessment, an Emergency Response Plan must be compiled by a suitably qualified person and must be included in the OEMPr.
11. The updated EMPr must be submitted to the competent authority for approval before the commencement of construction activities.
12. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
13. The EMPr must be included in all contract documentation for all phases of implementation.
14. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

15. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.
The ECO must–
 - 15.1. be appointed prior to commencement of any land clearing or construction activities commencing;
 - 15.2. ensure compliance with the EMPr and the conditions contained herein; and
 - 15.3. keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

Environmental audit reports

16. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid-
 - 16.1. ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 16.2. submit at least two environmental audit reports to the competent authority during the construction phase. The holder must submit the first audit report within four (4) months after commencement of the construction phase and another audit report within six (6) months after completion of the construction period; and
 - 16.3. submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
17. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must –

- 17.1. provide verifiable findings, in a structured and systematic manner, on–
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and

- (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 17.2. identify and assess any new impacts and risks as a result of undertaking the activity;
 - 17.3. evaluate the effectiveness of the EMPr;
 - 17.4. identify shortcomings in the EMPr;
 - 17.5. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 17.6. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development;
 - 17.7. include a photographic record of the site applicable to the audit; and
 - 17.8. be informed by the ECO reports.
18. The holder must, within 7 (seven) calendar days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

- 19. The storage tanks must be designed, installed and managed in accordance with the relevant South African National Standards ("SANS") codes.
- 20. The requirements of the Occupational Health and Safety Act, 1993 (No. 85 of 1993) must be adhered to.
- 21. The waste oil and solvents received must be stored in tanks within bunded areas on site.
- 22. All Firefighting equipment must be present on site and adhere to the Oil Industry standards.
- 23. Surface and ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
- 24. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
- 25. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape ("HWC"). Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

F. GENERAL MATTERS

- 1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.

2. If the holder does not commence with the listed activity within the period referred to in Condition 3 this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.

3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
 - 3.1. Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:
 - 4.1. Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

5. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.

2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
 - a) Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - b) Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the Organ of State must submit their

responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel.: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 03 AUGUST 2022

Copied to:

(1) L. Eichstadt (RMS)
(2) R. Samaai (City of Cape Town: ERM)

E-mail: larry@rmsenviro.co.za
E-mail: rashaad.samaai@capetown.gov.za

ANNEXURE 1: LOCALITY MAP



Figure 1: Aerial Photograph indicating the location of the proposed development on Erf No. 40269 and a portion of Erf No. 16637, Sand Industria

ANNEXURE 2: SITE DEVELOPMENT PLAN

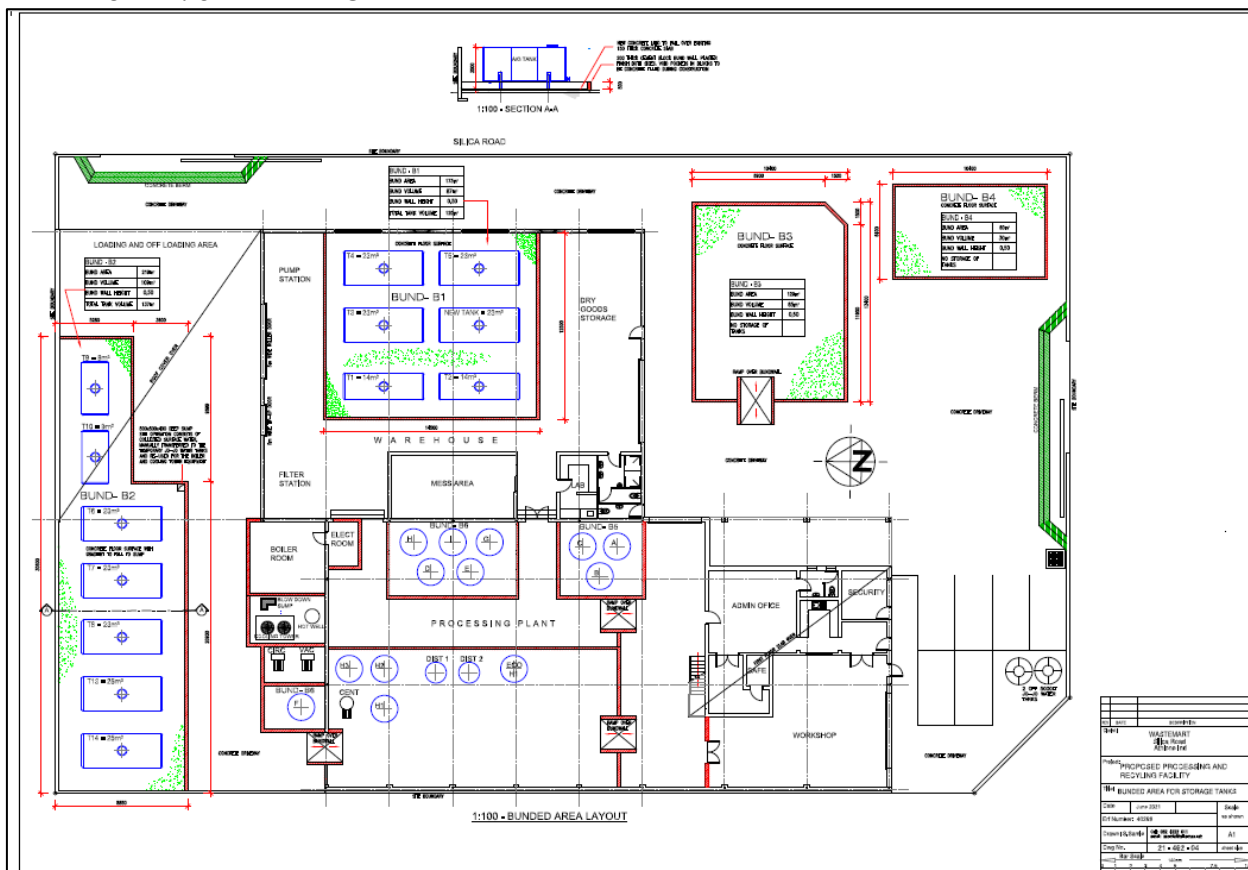


Figure 2: Site development map of Erf No. 40269, Sand Industria indicating the bunded areas and location of the aboveground storage tanks.

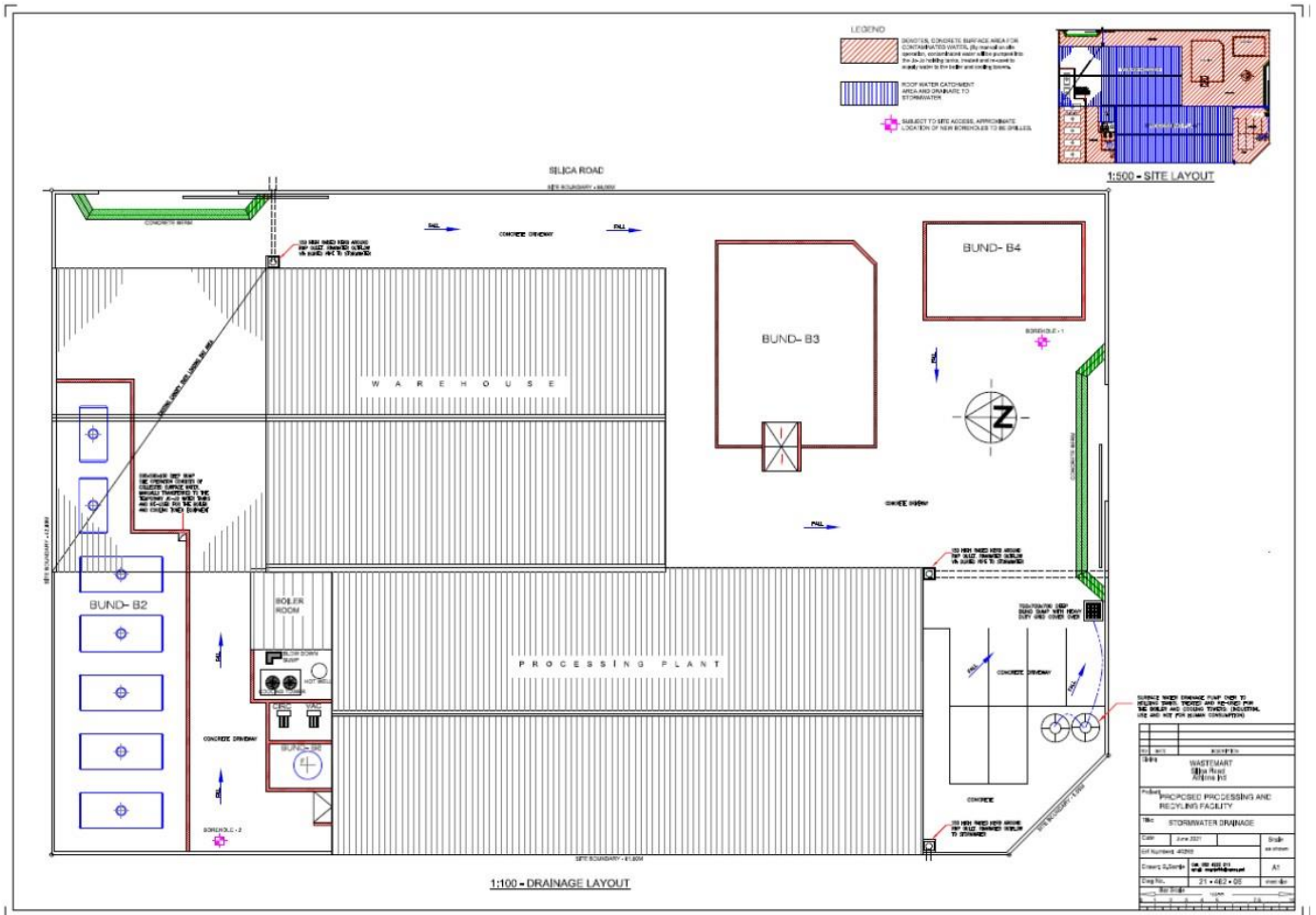


Figure 3: Stormwater Drainage Layout (illustrating location of monitoring boreholes)

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated February 2022, the BAR and the EMPr submitted together with the final BAR on 14 April 2022;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA;
- d) The comments received from Interested and Affected Parties and responses to these, included in the BAR dated April 2022;
- e) The site visit undertaken on 16 September 2021 by officials from this Department's Directorate: Development Management Region 1, this Department's Directorate: Air Quality Management, this Department's Directorate: Waste Management and the City of Cape Town.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with Interested and Affected Parties ("I&APs");
- fixing notices at the site where the listed activity will be undertaken;
- E-mail notifications were utilised to notify all potential and registered I&APs including the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity, about the availability of the report with reminders sent to submit comments;
- the placing of a newspaper advertisement in the "Athlone News" and "Die Burger" newspapers on 2 February 2022; and
- the application phase draft BAR was made available to I&APs for public review and comment from 7 February 2022 until 9 March 2022.

2. Alternatives

The preferred alternative entails the proposed establishment of a liquid waste treatment facility which includes the storage and handling of waste oil and solvents on Erf No. 40269 and a Portion of Erf No. 166374, Sand Industria.

The proposed facility would receive raw waste oils and waste solvents from various industries for beneficial treatment enabling refined materials to be reused. The proposed treatment and recycling process will include a series of physical separation and evaporation steps that remove free water and particulates from the oil or solvents. The proposal entails the following components:

- Buildings;
- 21 aboveground storage tanks with a total capacity of 350 cubic metres of product. All of the storage tanks will be fully bunded as per industrial specifications;
- Bunded Storage Area for the storage of oils and solvents in flow bins and barrels; and
- Effluent Handling- The proposed liquid waste treatment facility proposes to process approximately 278 cubic metres (260 tons) of used oil per month and 43 cubic metres (50 tons) of used solvents + water per month.

A Waste Management License Application has been submitted to the Department of Forestry, Fisheries and the Environment in order to obtain authorisation for the waste management activities triggered by the facility.

Site Alternatives

No other site alternatives were investigated and considered for the proposed liquid waste treatment facility on Erf No. 40269 and a portion of Erf No. 166374, Sand Industria.

This is based on the following reasons:

- The area is zoned for Industrial Use and is suited to accommodate the proposed development.
- There are no environmental features of a sensitive nature on site, as the site is transformed.

The alternatives considered were Activity Alternatives, Layout Alternatives and the “No-go” Alternative.

Layout Alternative (herewith authorised)

The components of the proposed development will be located on the respective properties as follows:
Erf No. 40269, Sand Industria

- administrative buildings;
- liquid waste treatment processing facility and its' associated infrastructure;
- liquid waste and beneficiated product storage areas; and
- with two access-controlled points.

Erf No. 166374, Sand Industria

- waste residue treatment area; and
- additional storage area.

Technology Alternatives for the Liquid Waste Processing

The proponent investigated the solvent recovery process by considering the Best Developed Available Technology. This alternative which entails the treatment and recycling of used oils by a heating, settling and a filtration process is preferred as reasonable and feasible, when compared to “thermal cracking” process. The thermal cracking liquid waste treatment is not preferred, as it requires a significant capital investment and has increased cost implications due to the requirement of a high energy demand.

Technology Alternatives for Residual Waste Treatment and Treatment

The proponent further investigated the treatment of residual sludge as waste with a moisture content exceeding 40% cannot be disposed of at a landfill site. The residual sludge will be treated with the aid of an absorbent sawdust mixture which will then be disposed of at a registered hazardous waste landfill site.

“No-Go” Alternative (Rejected)

The “no-go” alternative implies that the “status quo” would remain and the facilitation of liquid waste treatment processing would not be available. This alternative is not preferred as the current operation of the site would be less efficient and will not address the need for the onsite treatment of the liquid waste streams of WasteMart (Pty) Ltd. Since the proposed development will not result in any high negative impacts, the “no-go” alternative is not warranted.

3. Impact Assessment and Mitigation measures

3.1 Need and Desirability

The proposed establishment of a liquid waste storage and treatment facility on Erf No. 40269 and a portion of Erf No. 166374, Sand Industria will take place at an existing storage facility located within an area zone as Industrial. Due to the increasing demand for the treatment of liquid waste and disposal of waste with a moisture content exceeding 40%, the establishment of the liquid waste storage and handling facility be beneficial to WasteMart (Pty) Ltd and other waste carriers in the surrounding area. The availability of the proposed facility will increase the regional profit of the company, and specifically the local economy. The proposal allows for the optimal use of land located in an area zoned for industrial use rather than obtaining a new undeveloped property.

The proposed treatment facility would receive raw waste oils and waste solvents from various local suppliers for beneficial treatment enabling the refined materials to be reused. These liquid waste products if not treated, would otherwise be sent to the Vissershok Hazardous Waste Disposal Site for treatment and final disposal. The diversion of these liquid waste streams away from a landfill is therefore of significant benefit to the environment in general and also the commercial and industrial sectors that make use of the refined materials.

3.2 Planning Context

The site is located within an urban area within Sand Industria with the surrounding land uses being industrial. The proposed liquid waste storage and treatment facility will be located on transformed properties located within a built-up industrial area. The proposed development will support economic enterprise within the industrial area by catering to the demand to treat liquid waste emanating from the various liquid waste streams in the vicinity, therefore, improving the efficiency of the business to function optimally.

3.3 Stormwater and Groundwater Impacts

The proposed liquid waste storage and treatment facility will be established on hardened surfaces. However, the site is located, approximately 170m of the City of Cape Town's groundwater abstraction infrastructure (Hanover Park Wellfield) and within a strategic water resource area which has been zoned by the Department of Water and Sanitation as having a high susceptibility for aquifer contamination. Due to the nature of the proposed development, the location within an established industrial area and the vulnerability of the aquifer, the City of Cape Town: Bulk Water Management Department have noted the necessity of incorporating incident management and pollution monitoring, as part of the operational aspect of the proposed development. A groundwater specialist (GEOSS (Pty) Ltd.) was consulted to assist with establishing the best location for the groundwater monitoring boreholes.

Two (2) groundwater monitoring boreholes will be drilled, as recommended by the City of Cape Town. These monitoring boreholes are primarily required for incident management monitoring. The location of the groundwater monitoring boreholes were included in the stormwater drainage layout plan. The necessary groundwater monitoring guideline document that should be followed and a reasonable groundwater monitoring frequency are also reflected in the respective EMPR's.

The design of the stormwater infrastructure will ensure that no contaminated stormwater will be discharged into the stormwater reticulation system. A Stormwater Management Plan will be submitted to the City of Cape Town for approval as part of the land use approval application. Further, potential off-site pollution risks will also be mitigated due to the need for an on-site contaminated stormwater management system which is also clearly illustrated in the stormwater drainage layout plan, included in the BAR.

3.4 Air Quality Impacts

An Atmospheric Impact Assessment Report dated 4 April 2022 as compiled by Soundscape Consulting (Pty) Ltd was undertaken to assess the potential air quality impacts associated with the proposed development. Based on the findings of the report, it is noted that the proposed liquid waste treatment process will consist primarily of volatile organic compounds released from the storage tank and associated infrastructure. Due to the nature of the proposed development, an Atmospheric Emissions License is required. In the correspondence from the City of Cape Town: Community Services and Health Specialised Environmental Health- Air Quality Management Unit dated 4 March 2022 and 11 March 2022, it is noted that the proposed development does not include appliance and abatement equipment control technology in response to the impact management of the fugitive emissions and offensive odours. Although impact management actions related to odour management have been included in the draft EMPr, the unit further noted that a Fugitive Emissions Management Plan will be required should the application for an Atmospheric Emission Licence be approved by the Competent Authority, as specified in Regulation 20 of Listing Notice No. 893, as amended. The specialist's recommendations have been included in the OEMPr.

3.5 Fire, Health and Safety Impacts

The most significant impact of the proposed development is the potential health and safety risks. A MHI Risk Assessment was undertaken by ISHECON Chemical Process Safety Engineers, to assess the health and safety risks associated with the proposed development. The findings of the MHI Risk Assessment Report dated 30 January 2022 indicates that the facility is classified as a major hazard installation, as certain occurrences may impact the surrounding community outside of the site boundaries. Based on the report, the proposed facility *will produce boiler fuel oil by recycling waste oils and redistill waste solvents to produce high-purity toluene and ethyl acetate*. Further, there are no developing conflicts for this site. The EMPr includes the mitigation measures recommended by the Major Hazard Installation Risk specialist. The recommendations include the requirement of post-construction MHI risk assessment to be undertaken once the site has been constructed. With the implementation of the mitigation measures, the likelihood of an event occurring is low. The proposed development will be located within the property boundary of an existing storage facility and the potential fire, health and safety risk impact was identified as being of low negative significance post mitigation.

3.6 Heritage impacts

The impact of the proposed development on heritage resources is low, and the likelihood of archeological material being found during earthworks is low as the proposed construction works will take place within an existing transformed property.

3.7 Biophysical impacts

All proposed construction activities will take place on Erf No. 40269 and a portion of Erf No. 166374, Sand Industria, which are transformed properties with hardened surfaces. No watercourses or indigenous vegetation are located on the site and no biophysical impacts are anticipated.

3.8 Dust and Odour impacts

Construction activities (mainly construction vehicles transporting materials to the site) will generate noise and associated volumes of dust during weekly construction hours. The EMPr includes dust and noise control measures that will be implemented on site and at areas of high dust generation. The recommendations made by the air quality specialist in terms of odour management has been referenced in the draft EMPr (to be amended and submitted to this Department as per Condition 10 of this EA).

The development will result in negative and positive impacts

Negative impacts:

- Potential Fire, Health and Safety risks;
- Potential Groundwater Impacts; and
- Odour impacts during the operational phase.

Positive impacts:

- Contributes positively to the local economy;
- Availability of efficient liquid waste processing within the Cape Town area thereby improving the accessibility to waste carriers of the surrounding community; and
- The development will provide additional employment opportunities.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;

- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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