



REFERENCE: 16/3/3/1/B3/38/1030/18
NEAS REFERENCE: WCP/EIA/0000419/2018
ENQUIRIES: Arabel McClelland
DATE OF ISSUE: 2018 -11- 23

Board of Directors
Distell Group Limited
The James Sedgwick Distillery
54 Distillery Road
WELLINGTON
7655

Attention: Ms. Elinda Du Toit

Tel: (021) 809 7324
Email: EDutoit@distell.co.za

Dear Madam

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): PROPOSED ESTABLISHMENT OF A CO₂ RECOVERY PLANT AND THE STORAGE OF PRESSURISED CO₂ AT DISTELL'S JAMES SEDGWICK DISTILLERY, WELLINGTON

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment 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 National Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully


DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. B. Solik (ERM)
(2) Ms. C. Winter/Mr. S. Reece (Drakenstein Municipality)

Email: Bredon.Solik@erm.com
Fax: (021) 870 1523

REFERENCE: 16/3/3/1/B3/38/1030/18
NEAS REFERENCE: WCP/EIA/0000419/2018
ENQUIRIES: Arabel McClelland
DATE OF ISSUE: 2018 -11- 23

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): PROPOSED ESTABLISHMENT OF A CO₂ RECOVERY PLANT AND THE STORAGE OF PRESSURISED CO₂ AT DISTELL'S JAMES SEDGWICK DISTILLERY, WELLINGTON

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 Department herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the preferred Alternative and preferred Technology Alternative, as described in the Basic Assessment Report ("BAR"), dated August 2018.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Distell Group Limited
c/o Ms. Elinda Du Toit
The James Sedgwick Distillery
54 Distillery Road
WELLINGTON
7655

Tel: (021) 809 7324
Email: EDutoit@distell.co.za

6th Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 2660 Fax: +27 21 483 3098
E-mail: Arabel.McClelland@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 -</p> <p>Activity Number: 14</p> <p><i>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</i></p>	<p>The installation of two CO₂ storage tanks with an equivalent capacity of 62m³, with a total storage capacity of 124m³, and associated infrastructure.</p>

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 as it relates to the development:

The establishment of a CO₂ recovery plant and storage of pressurised CO₂ at the existing James Sedgwick Distillery, located in Wellington, where the plant will be housed within an existing building. The proposal comprises the following infrastructure:

- A CO₂ recovery unit;
- Two vertical vacuum-insulated CO₂ storage tanks (each with a 61.7 ton capacity, equivalent to 62m³);
- Remote actuated valve control for CO₂ storage tanks;
- A cooling water system with closed loop cooling tower;
- A truck filling station;
- A carboscan unit;
- A CO₂ mass flow transmitter for condenser vent gas flow;
- An O₂ analyser for final CO₂ product;
- A supervisory control and data acquisition interface; and
- Piping and valves.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on the Remainder of Erf no. 6526, Wellington.

The co-ordinates of the new storage tanks are:

Latitude (S)	Longitude (E)
33° 38' 38.09" South	18° 59' 3.61" East

The SG digit code is: C05500100000652600000

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Environmental Resources Management Southern Africa (Pty) Ltd
c/o Mr. Brendon Solik
1st Floor, Building 32
The Woodlands Office Park
Woodland Drive
WOODMEAD
2148

Tel: (011) 798 4300

Fax: (011) 804 2289

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 and preferred Technology Alternative, described in the BAR, dated August 2018, on the site as described in Section C above.
2. The holder must commence with the listed activity on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **10 years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring 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.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or 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 information in order 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.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.

- 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
- 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder, and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above 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.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit (quarterly for the duration of the construction phase) and submit Environmental Audit Reports to the Competent Authority (once every six months during the construction phase). The final Environmental Audit Report must be submitted to the Competent Authority (six months after operation commenced).

The holder must, within 7 days of the submission of the report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. Prior to commencement of the operational phase of the plant, the Emergency Response Plan for the facility must be updated to reflect the addition of the CO₂ recovery plant and measures to isolate or safely shut down the plant in the event of an emergency. A copy of the updated Emergency Response Plan must be submitted to the Department prior to operation of the plant.

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. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that 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.
4. 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.

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.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014, or any relevant legislation that may be applicable at the time.

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 on which 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 I&APs, 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 on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs 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 I&AP and the Organs 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: 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 Jaap de Villiers (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 also 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 Jaap.DeVilliers@westerncape.gov.za.


5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@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



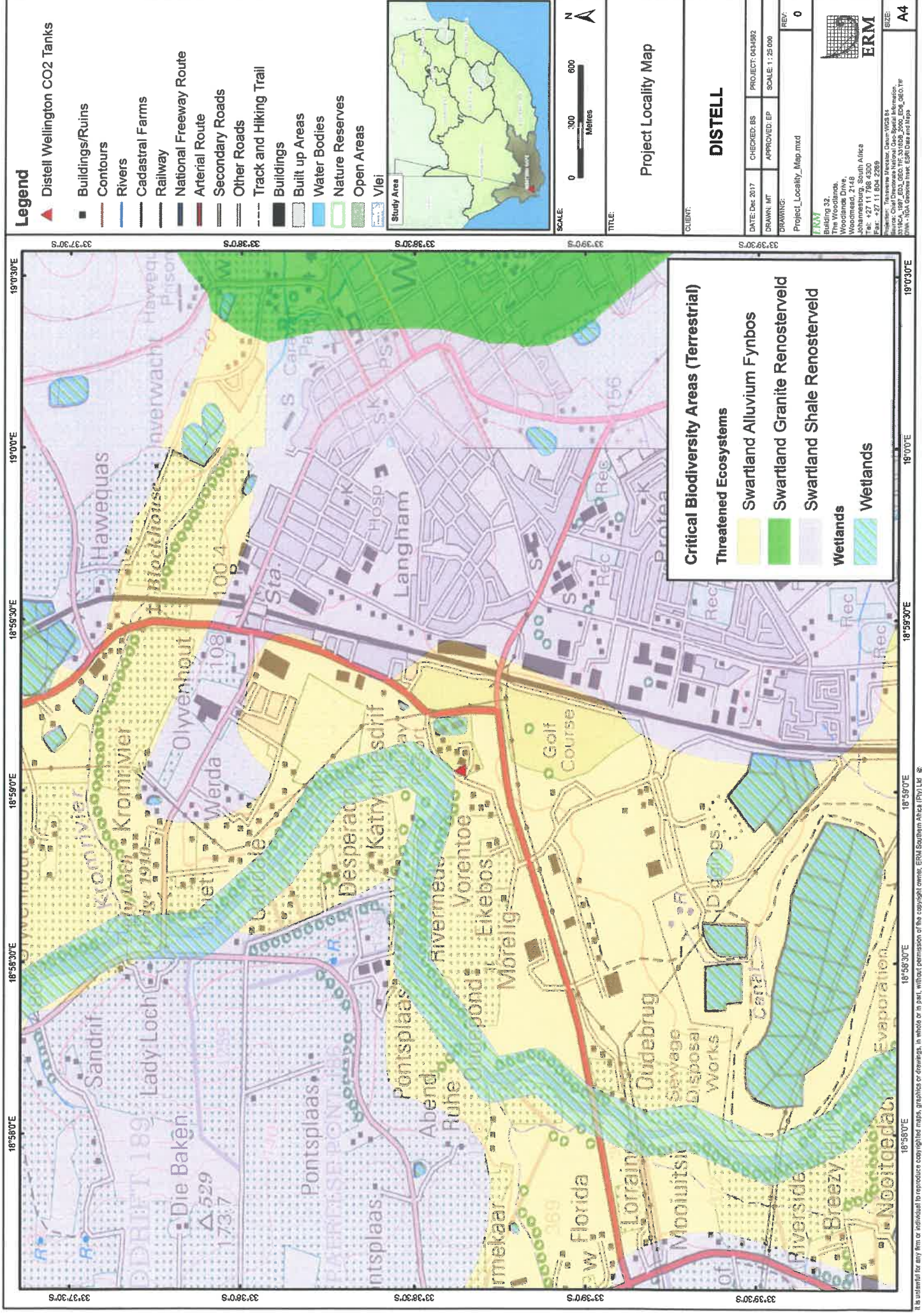
MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 23/11/2018

CC: (1) Mr. B. Solik (ERM)
(2) Ms. C. Winter/Mr. S. Reece (Drakenstein Municipality)

Email: Bredon.Solik@erm.com
Fax: (021) 870 1523

ANNEXURE 1: LOCALITY MAP



Legend

- ▲ Distell Wellington CO2 Tanks
- Buildings/Ruins
- Contours
- Rivers
- Cadastral Farms
- Railway
- National Freeway Route
- Arterial Route
- Secondary Roads
- Other Roads
- Track and Hiking Trail
- Buildings
- Built up Areas
- Water Bodies
- Nature Reserves
- Open Areas
- V/lei



SCALE: 0 100 200 300 400 500 600 Metres

TITLE: Project Locality Map

Critical Biodiversity Areas (Terrestrial)

- Threatened Ecosystems
 - Swartland Alluvium Fynbos
 - Swartland Granite Renosterveld
 - Swartland Shale Renosterveld
- Wetlands
 - Wetlands

CLIENT: DISTELL

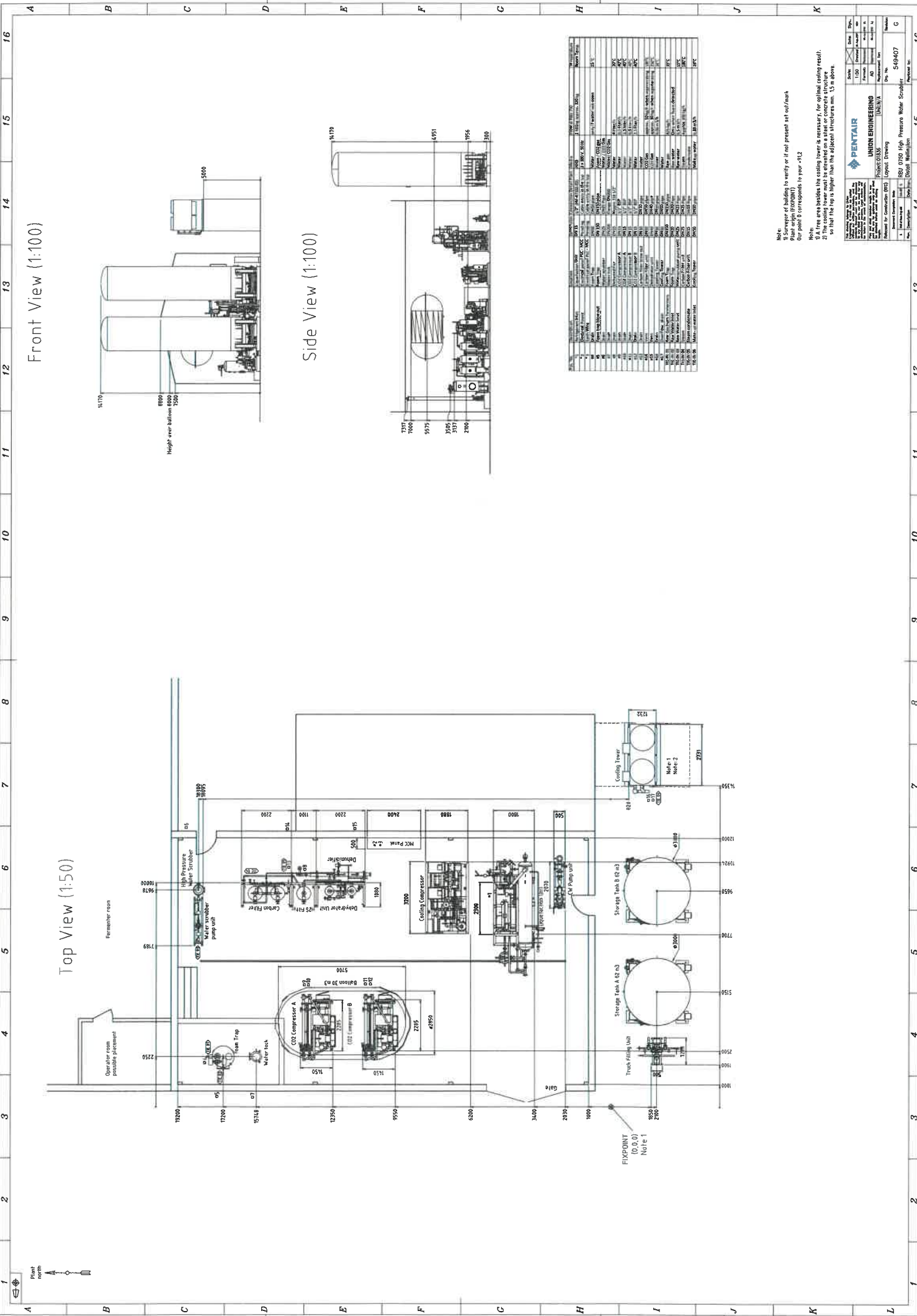
DATE: Dec 2017	CHECKED: BS	PROJECT: 043/982
DRAWN: MT	APPROVED: EP	SCALE: 1 : 25 000
DRAWING: Project_Locality_Map.mxd		REV: 0

ERM
 33 Theiling Street,
 Woodlands Drive,
 Johannesburg, South Africa
 Tel: +27 11 786 4300
 Fax: +27 11 604 2288
 Email: ermafrica@erm.com
 Website: www.erm.com
 ERM is a member of the ERM Group of Companies. For more information, please contact your local ERM office.

SIZE: A4

It is unlawful for any firm or individual to reproduce copyrighted maps, graphics or drawings, in whole or in part, without permission of the copyright owner, ERM Southern Africa (Pty) Ltd.

ANNEXURE 2: SITE PLAN



Front View (1:100)

Side View (1:100)

Top View (1:50)

Item No.	Part Name	Qty	Material	Remarks
1	CO2 Compressor A	1	Carbon Steel	
2	CO2 Compressor B	1	Carbon Steel	
3	Storage Tank A	1	Carbon Steel	
4	Storage Tank B	1	Carbon Steel	
5	Trunk Filling Unit	1	Carbon Steel	
6	CV Pump Unit	1	Carbon Steel	
7	CO2 Filling Unit	1	Carbon Steel	
8	CO2 Filling Unit	1	Carbon Steel	
9	CO2 Filling Unit	1	Carbon Steel	
10	CO2 Filling Unit	1	Carbon Steel	
11	CO2 Filling Unit	1	Carbon Steel	
12	CO2 Filling Unit	1	Carbon Steel	
13	CO2 Filling Unit	1	Carbon Steel	
14	CO2 Filling Unit	1	Carbon Steel	
15	CO2 Filling Unit	1	Carbon Steel	
16	CO2 Filling Unit	1	Carbon Steel	

Note:
 1. Operator at building to verify or if not present set out/mark
 our point & corresponds to your #12

Note:
 1. If A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ

PENTAIR
 UNION ENGINEERING
 PROJECT: 01/25
 LAYOUT: DRAWING
 DATE: 05/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

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 24 May 2018, the EMPr submitted together with the BAR on 22 August 2018, and the additional information received by the Department on 1 November 2018 and 22 November 2018;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR, dated August 2018; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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 I&APs;
- the placing of a newspaper advertisement in the 'Paarl Post' and 'Cape Times' on 24 May 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activity on 24 May 2018;
- placement of notice boards, on 24 May 2018, at the property entrance where the listed activity is to be undertaken;
- making the draft BAR available to I&APs for public review from 24 May 2018;

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

The proposed development is intended to feed into the current operations of the existing distillery. Therefore, as a result of the nature of the project, location, activity, design and operation alternatives were not considered feasible and not investigated further.

Preferred Alternative (Herewith authorised)

To meet the applicant's needs, the proposal comprises the establishment of a CO₂ recovery plant and storage of pressurised CO₂ at the existing James Sedgwick Distillery, located in Wellington, where the plant will be housed within an existing building. The proposal comprises the following infrastructure:

- A CO₂ recovery unit;
- Two vertical vacuum-insulated CO₂ storage tanks (each with a 61.7 ton capacity, equivalent to 62m³);
- Remote actuated valve control for CO₂ storage tanks;
- A cooling water system with closed loop cooling tower;
- A truck filling station;
- A carboscan unit;
- A CO₂ mass flow transmitter for condenser vent gas flow;
- An O₂ analyser for final CO₂ product;
- A supervisory control and data acquisition interface; and
- Piping and valves.

Initially two primary technologies were considered for the cleaning of the raw gas from the distillery, to remove acetaldehyde, methanol and ethanol, as a component of the scrubber solutions for the plant:

Technology Alternative

Use of liquid CO₂ as a scrubber solution to clean raw gas.

The use of this alternative in isolation is not preferred as although the technology reduces water consumption during the process, it is less cost effective given the purpose of the installation is for a more feasible source of CO₂ gas for operations.

Technology Alternative 2

Use of a water scrubber to clean raw gas.

This alternative is not preferred as it uses significantly more water, which is problematic given water scarcity in the Western Cape and future predictions of reduced availability of water resources.

Preferred Technology Alternative (herewith authorised)

Use of a combination of a CO₂ and water scrubber through the incorporation of a High Pressure Water Scrubber to clean the raw gas.

This alternative is preferred as it presents a feasible and cost effective technology that will reduce water consumption, reuse water sourced from a water recovery unit within the existing distillery and still ensure an adequate and cost effective supply of CO₂.

"No-Go" Alternative

The "no-go" option was also investigated and was not preferred as the *status quo* at the facility would persist. If the no-go option was implemented, the Distell operation in the Western Cape would be severely impacted and would not address the need for a supply of CO₂. This in turn would affect both production and the feasibility of the facility, which would in turn impact product distribution, the local economy and employment market.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

A lack of food grade CO₂ supply for the beverage industry in the Western Cape over the last 10 years has negatively affected the applicant's operations. Current supply in the Western Cape has declined and become unreliable. This has in turn negatively impacted scheduled production of carbonated beverages. The distillery in Wellington became a viable alternative to source CO₂ as the whiskey fermentation process occurs throughout the year, which produces CO₂ as a by-product. The facility therefore provides a more reliable supply of CO₂ for bottling sites elsewhere within the Western Cape enabling the applicant to meet consumer demands.

3.2 Biophysical Impacts

The site of the proposed new CO₂ recovery plant is an existing operational distillery on the western edge of Wellington. The site has been completely transformed and the plant and tanks will be installed on concrete surfaces and within an existing building. Limited biophysical impacts are therefore anticipated. Furthermore, a Screening Assessment undertaken by ERM confirmed that the plant will not result in any significant off-site consequences as the screening study showed that the CO₂ dangerous dose results do not extend beyond the site boundary.

The development will result in both negative and positive impacts.

Negative Impacts:

- There will be an increase in noise and dust impacts during the construction phase, however, mitigation measures for these impacts are included in the EMPr.
- A minor increase in truck trips will be generated by the new facility, thus resulting in a minor increase in traffic for the surrounding road network.
- Health and safety impacts associated with the risks of working with hazardous substances.

Positive impacts:

- Employment opportunities will be created during the construction and operational phases of the development.
- Availability of CO₂ will aid operations at the facility and provide a more reliable supply to bottling sites in the Western Cape, thereby enabling the applicant to meet consumer demands.
- Procurement of goods and services will enhance the local economy both directly and indirectly.

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.

-----END-----