



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management  
(Region 1)

**EIA REFERENCE NUMBER:** 16/3/3/2/F4/17/3004/19  
**NEAS REFERENCE:** WCP/EIA/0000560/2019  
**ENQUIRIES:** Ms. M. Schippers  
**DATE OF ISSUE:** 2019-08-02

The Director  
Saldanha IDZ Licensing Company (Pty) Ltd.  
24 Main Road  
**SALDANHA BAY**  
7395

**Attention: Mr. H. Marais**

Tel & Fax: (022) 714 0206

Dear Sir

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED DEVELOPMENT OF INFRASTRUCTURE FOR THE STORAGE OF DANGEROUS GOODS ON PORTIONS 4, 9, 12, 15 AND 16 OF FARM NO.197, PORTION 1 OF FARM NO.1139, FARM NO. 11943, THE REMAINDER OF FARM NO. 11945 AND PORTION 23 OF FARM NO. 127, SALDANHA INDUSTRIAL DEVELOPMENT ZONE, SALDANHA BAY.**

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 decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision 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, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

**ZAAHIB TOEFY**

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

Copies to: (1) Mr. J. Crowther (SLR Consulting )  
(2) Ms. N. Duarte (Saldanha Bay Municipality)

Fax: (021) 461 1120  
Fax: (022) 715 1518



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### ENVIRONMENTAL AUTHORISATION

**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) FOR THE PROPOSED DEVELOPMENT OF INFRASTRUCTURE FOR THE STORAGE OF DANGEROUS GOODS ON PORTIONS 4, 9, 12, 15 AND 16 OF FARM NO.197, PORTION 1 OF FARM NO.1139, FARM NO. 11943, THE REMAINDER OF FARM NO. 11945 AND PORTION 23 OF FARM NO. 127, SALDANHA INDUSTRIAL DEVELOPMENT ZONE ("IDZ"), SALDANHA BAY.**

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) and the Environmental Impact Assessment Regulations, 2014 as amended on 07 April 2017 ("NEMA EIA Regulations, 2014") the competent authority herewith **grants environmental authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred alternative described in the Final Environmental Impact Assessment Report ("EIAR") dated July 2019.

The granting of this Environmental Authorisation is subject to compliance with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Saldanha IDZ Licensing Company (Pty) Ltd.  
c/o Mr. H. Marais  
24 Main Road  
**SALDANHA BAY**  
7395

Tel & Fax: (022) 714 0206

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

**B. LISTED ACTIVITIES AUTHORISED**

The listed activities in terms of the NEMA EIA Regulations as amended on 07 April 2017.

Listed activities	Activity/Project description
<p>Listing Notice 2</p> <p>Activity Number: 4 Activity Description:</p> <p><i>The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.</i></p> <p>Activity Number: 6 Activity Description:</p> <p><i>The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding—</i></p> <ul style="list-style-type: none"> <li><i>(i) activities which are identified and included in Listing Notice 1 of 2014;</i></li> <li><i>(ii) activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i></li> <li><i>(iii) the development of facilities or infrastructure for the treatment of effluent, polluted water, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less; or</i></li> <li><i>(iv) where the development is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will not exceed 50 cubic metres per day.</i></li> </ul>	<p>The proposed development will entail the installation of infrastructure for the storage of dangerous goods with a combined capacity of approximately 600 000m<sup>3</sup></p> <p>The proposed development will require an Air Emissions License.</p>

The abovementioned is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development will entail the development of infrastructure for the storage of dangerous goods on Portions 4, 9, 12, 15 and 16 of Farm No.197, Portion 1 of Farm No.1139, Farm

No. 11943, Remainder of Farm No. 11945 and Portion 23 of Farm No. 127, Saldanha IDZ, Saldanha Bay. The combined storage capacity will be approximately 600 000m<sup>3</sup>. The storage capacity for the initial phase will be approximately 283 000m<sup>3</sup>. An Air Emissions Licence will be required for the proposed development.

### C. PROPERTY DESCRIPTION AND LOCATION

The proposed development will be located on Portions 4, 9, 12, 15 and 16 of Farm No.197, Portion 1 of Farm No.1139, Farm No. 11943, Remainder of Farm No. 11945 and Portion 23 of Farm No. 127, Saldanha IDZ, Saldanha Bay.

Co-ordinates

Portion 4 of Farm No. 197

32°	59'	12.54"	South
17°	58'	50.24"	East

Portion 9 of Farm No. 197

32°	59'	31.13"	South
17°	58'	50.85"	East

Portion 12 of Farm No. 197

32°	59'	34.36"	South
17°	59'	13.89"	East

Portion 15 of Farm No. 197

32°	59'	49.71"	South
17°	59'	41.26"	East

Portion 16 of Farm No. 197

32°	59'	35.78"	South
17°	59'	44.00"	East

Portion 1 of Farm No. 1139

32°	59'	28.90"	South
17°	59'	40.97"	East

Remainder of Farm No. 11945

32°	58'	51.92"	South
17°	59'	10.90"	East

Farm No. 11943

32°	59'	22.80"	South
17°	58'	50.27"	East

Portion 23 of Farm No. 127

32°	59'	22.80"	South
17°	58'	50.27"	East

SG 21 digit codes are:

Portion 4 of Farm No. 197:  
C0460000000019700004

Portion 9 of Farm No. 197:  
C0460000000019700009

Portion 12 of Farm No. 197:  
C0460000000019700012

Portion 15 of Farm No. 197:  
C0460000000019700015

Portion 16 of Farm No. 197:  
C0460000000019700016

Portion 1 of Farm No. 1139:  
C04600000000113900001

Remainder of Farm No. 11945:  
C04600120001194500000

Farm No. 11943:  
C04600120001194300000

Portion 23 of Farm No. 127:  
C0460000000012700023

Refer to Annexure 1: Locality Map

hereinafter referred to as "the site".

#### **D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

SLR Consulting  
c/o Mr. J. Crowther  
P. O. Box 10145  
**CALEDON SQUARE**  
7905

Tel: (021) 461 1118

Fax: (021) 461 1120

#### **E. CONDITIONS OF AUTHORISATION**

##### **Scope of Authorisation**

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred Alternative described in the EIAR dated July 2019.
2. The holder must commence with the listed activities 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.

3. This Environmental Authorisation is granted for a period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
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 preferred 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. A minimum of seven calendar days notice, in writing, must be given to the competent authority before commencement of the development phase.
  - 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 13.

#### **Notification and administration of appeal**

7. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4 (2) –
  - 7.1. Notify all registered interested and affected parties 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 of issue of the decision;
  - 7.2. 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 detailed in section F below;
  - 7.3. Draw the attention of all registered interested and affected parties to the manner in which they may access the decision;
  - 7.4. Provide the registered Interested and Affected Parties with-
    - 7.4.1. the name of the holder (entity) of this Environmental Authorisation;
    - 7.4.2. the name of the responsible person for this Environmental Authorisation;
    - 7.4.3. the postal address of the holder;
    - 7.4.4. the telephonic and fax details of the holder;
    - 7.4.5. the e-mail address if any; and
    - 7.4.6. the 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.

## **Commencement**

8. The listed activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notified the registered I&APs of this decision.
9. 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.

## **Management of activity**

10. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved on condition that the following be included and must be implemented:
  - 10.1. The mitigation measures as included in the Section 7.4. of the EIAR with respect to marine impacts;
  - 10.2. The details and expertise of the Environmental Assessment Practitioner; and
  - 10.3. An Emergency Response Plan ("ERP"). The ERP must be compiled prior to commencement of the operational phase. The following, inter alia, must be adhered to in this regard:
    - 10.3.1. This ERP must be updated as and when required, to ensure the relevant and/or required emergency response procedures;
    - 10.3.2. All staff must be provided with the necessary emergency response training;
    - 10.3.3. Staff must be regularly reminded of their respective roles in emergencies; and
    - 10.3.4. Relevant signage must be erected at the facility warning staff and visitors of the hazards in relation to the goods stored on site.
11. An application for amendment to the EMPr must be submitted to the competent authority if any amendments are to be made to the EMPr other than those required by this Environmental Authorisation, and this may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.

## **Monitoring**

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO"), or site agent where appropriate to ensure compliance with the EMPr and the conditions contained herein.
14. A copy of the Environmental Authorisation and the EMPr, audit reports and compliance monitoring reports must be kept at the site office and must be made available to anyone on request.
15. 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 also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

### **Auditing**

16. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, 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.
  - 16.1. The audit reports 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);
  - 16.2. A first audit report must be submitted to the Competent Authority within three (3) months of commencement of the proposed development;
  - 16.3. A final audit report must be submitted to the competent authority within 6 months of commencement of operation;
  - 16.4. The audit reports must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management;
  - 16.5. The holder must, within 7 days of the submission of an audit report to the Competent Authority, notify potential and registered I&APs of the submission and make the report available to anyone on request; and
  - 16.6. If the audit reports are not submitted, the competent authority may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.

### **Specific conditions**

17. 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. 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.
18. The recommendations as contained in Section 12.2 of the Air Quality Impact Assessment Report (dated May 2019 and compiled by Airshed Planning Professionals) must be implemented. (Attached as Appendix A)
19. The dangerous goods storage containers and associated infrastructure must be installed and managed in accordance with the requirements of the Occupational Health and Safety Act No. 85 of 1993 (OHSA), the relevant SANS codes and Major Hazardous Installation Regulations and flammable-storage by-laws. The following proposed engineering design features that reduce risks must be implemented:
  - 19.1. A Major Hazardous Installation Risk Assessment must be conducted by a suitably qualified specialist prior to commencement of the proposed facility in accordance with the requirements of the Major Hazardous Installation ("MHI") Regulations. A



copy of the MHI Risk Assessment must be available on the site at all times for inspection by the relevant authorities.

- 19.2. The recommendations as contained in section 6 of the Risk Assessment Report (dated 11 May 2019 and prepared by Mr. M. P. Oberholzer of Riscom (Pty) Ltd.) must be implemented. (Attached as Appendix B)
20. Leak detection equipment must be installed in accordance with the relevant SANS codes.
21. 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 landfill licensed in terms of the applicable legislation.
22. All noise and sounds generated during the proposed development must comply with the relevant SANS codes and standards and the relevant noise regulations.
23. Dust suppression methods must be used to mitigate dust during development. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/or straw stabilisation, etc.) must be implemented instead.
24. Employment opportunities must be afforded to the local community (as far as possible).

#### **F. GENERAL MATTERS**

1. The holder is 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.
2. Any changes to, or deviations from the scope of the description set out 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 such information as it deems necessary 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.
3. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
4. The applicant must submit an application for amendment in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) of the Environmental Authorisation to the competent authority where any detail or scope with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.
5. 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.
6. Non-compliance with a condition of this Environmental Authorisation or EMPr may result in suspension of this Environmental Authorisation and may render the holder liable for criminal prosecution.

## G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder) must –
  - 1.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the Competent Authority of this decision.
2. An appellant (if NOT the holder) must –
  - 2.1. Submit an appeal in accordance with Regulation 4 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of the decision.
3. The holder (if not the appellant), the decision-maker, I&AP and 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. This appeal and 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 Marius Venter (Tel: 021 483 3721)  
Room 809, 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto: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 development or operation subsequent to development 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. ZAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: 02/08/2019

Copies to: (1) Mr. J. Crowther (SLR Consulting)  
(2) Ms. N. Duarte (Saldanha Bay Municipality)

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**FOR OFFICIAL USE ONLY:**

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ANNEXURE 1: LOCALITY MAP



## **ANNEXURE 2: REASONS FOR THE DECISION**

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The listed activities applicable in terms of the NEMA EIA Regulations as amended on 07 April 2017.
- b) The information contained in the application form dated 05 November 2018 and received by the competent authority on 31 January 2019, the EIAR received by the competent authority on 15 July 2019 and the EMPr submitted together with the EIAR;
- c) The assessment of the activities in the EIAR received by the competent authority on 15 July 2019;
- d) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- e) 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);
- f) The comments received from interested and affected parties and the responses provided thereon, as included in the EIAR received by the Department on 15 July 2019; and
- g) No visits were conducted where the proposed development will be located. The competent authority had sufficient information before it to make an informed decision.

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 which, according to the competent authority, were the most significant reasons for the decision, is set out below.

### **1. Public Participation**

The public participation process ("PPP") included, *inter alia*, the following:

- identification of and engagement with interested and affected parties;
- fixing a notice board at the site where the listed activities are to be undertaken;
- giving written notice to the owners of the land and owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities; and
- the placing of a newspaper advertisement in the 'Cape Times' on 22 March 2019 and the 'Die Burger' on 22 March 2019.

The Department is satisfied that the PPP 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 management and mitigation measures have been considered in this environmental authorisation and in the EMPr to adequately address significant concerns raised.

### **2. Alternatives**

#### Preferred Alternative (herewith authorised)

The preferred alternative will entail the development of infrastructure for the storage of dangerous goods on Portions 4, 9, 12, 15 and 16 of Farm No.197, Portion 1 of Farm No.1139, Farm No. 11943, Remainder of Farm No. 11945 and Portion 23 of Farm No. 127, Saldanha IDZ, Saldanha Bay. The combined storage capacity will be approximately 600 000m<sup>3</sup>. The storage capacity for the initial phase will be approximately 283 000m<sup>3</sup>. An Air Emissions Licence will be required for the proposed development.

## "No-Go" Alternative

The "no-go" alternative will result in the status quo being maintained. The preferred alternative will not result in unacceptable environmental impacts, therefore the "no-go" alternative was not warranted.

### **3. Impacts, assessment and mitigation measures**

#### 3.1. Activity Need and Desirability

Many services in the African oil and gas industry are currently being supplied from distant locations due to challenges associated with the movement of goods, lack of infrastructure and lack of skills. A large service base equipped with the necessary infrastructure and service providers is required in the region to meet the needs of industry and since the port of Saldanha is strategically located to service the needs of the western, southern and eastern African oil and gas sector, the proposed development is needed. Fuel storage within the Saldanha Industrial Development Zone ("IDZ") will further strengthen the area's importance as a fully functional oil and gas service complex.

The proposed development is in line with the objectives of the Saldanha Bay Integrated Development Plan and the Spatial Development Framework (dated Feb 2011).

#### 3.2. Biophysical Environment

The area has already been cleared for the development of the IDZ which obtained an Environmental Authorisation from the competent authority on 16 November 2015. The facilities for the storage of dangerous goods will be located within the same area.

#### 3.4. Air Emissions

According to the Air Quality Impact Assessment Report (dated May 2019 and compiled by Airshed Planning Professionals), impacts on human health associated as a result of the initial phase of the proposed development have been identified as being of very low to medium negative significance. Overall dust impacts will be of low negative significance.

#### 3.5. Risks

According to the Risk Assessment Report, (dated 11 May 2019 and prepared by Mr. M. P. Oberholzer of Riscom (Pty) Ltd.) the risks associated with the proposed development are fires and explosions. The specialist indicated that these risks can be mitigated to acceptable levels.

A number of incident scenarios were simulated, taking into account the prevailing meteorological conditions of the surrounding region. However, no fatal flaws were found that would prevent the project from continuing to the detailed design phase of the project. The specialist supported the proposed development on condition that the recommended measures provided in the Risk Assessment Report are implemented. These recommended measures have been included in the conditions of this Environmental Authorisation.

#### 3.6. Noise Impacts

All noise and sounds generated during the development phase of the proposed development will comply with the relevant SANS codes and standards. Furthermore, noise impacts will be mitigated by the implementation of the conditions in this Environmental Authorisation and the EMPr.

### 3.7. Impact Assessment and significance rating

#### Impact Assessment and significance rating

- 3.7.1. Potential air emissions associated with the proposed development have been identified in the EIAR as being of very low to medium negative significance after mitigation. Potential impacts will be minimised by the implementation of the conditions of the Environmental Authorisation and the EMPr.
- 3.7.2. Potential fire/explosion impacts as result of the proposed development have been identified in the EIAR as being of low negative significance after mitigation. Potential impacts will be minimised by the implementation of the conditions of the Environmental Authorisation and the EMPr.
- 3.7.3. Potential pollution of the marine environment as a result of the proposed development has been identified in the EIAR as being of low negative significance after mitigation. Potential impacts will be minimised by the implementation of the conditions of this Environmental Authorisation and the EMPr.
- 3.7.4. Potential soil and groundwater pollution as a result of the proposed development have been identified in the EIAR as being of low negative significance after mitigation. Potential impacts will be minimised by the implementation of the EMPr and conditions of this Environmental Authorisation.

#### **National Environmental Management Act Principles**

The National Environmental Management Act 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.

The development will result in both negative and positive impacts.

#### Negative Impacts Include:

- Potential air quality impacts;
- Potential pollution of the marine environment;
- Potential soil and groundwater contamination; and
- Dust and noise impacts during the development phase.

#### Positive impacts Include:

- The proposed development will create some temporary and permanent employment opportunities;
- The proposed development will contribute to the economy; and
- The proposed development will strengthen the area's importance as a fully functional oil and gas service complex.

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 activities 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 activities can be mitigated to acceptable levels.

You are reminded of the 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."*

-END



**APPENDIX A**

RECOMMENDATIONS AS CONTAINED IN THE AIR QUALITY IMPACT ASSESSMENT REPORT (DATED MAY 2019 AND COMPILED BY AIRSHED PLANNING PROFESSIONALS)

- The significance of vehicle movement on the "access" road related to decommissioning operations, inhalation health and nuisance impacts are considered "very low"; reducing to "insignificant" with mitigation.

## 12.2 Air Quality Recommendations

To ensure the lowest possible impact on AQSRs and environment it is recommended that the air quality management plan as set out in this report should be adopted. This includes:

- The mitigation of loading and offloading facilities; resulting in the management of associated air quality impacts;
- Locating future facilities with a high VOC and benzene emission potential away from the boundary of the project;
- Future facilities will be required to apply for a new AEL and may be required to an air quality impact study for an AIR;
- Ambient air quality monitoring; and
- Implementation of the reporting procedures.

Based on these findings and provided the measures recommended are in place, it is the specialist opinion that the project may be authorised.

## **APPENDIX B**

RECOMMENDATIONS AS CONTAINED IN THE RISK ASSESSMENT REPORT, (DATED 11 MAY 2019 AND PREPARED BY MR. M. P. OBERHOLZER OF RISCOM (PTY) LTD.)

## 6 RECOMMENDATIONS

As a result of the risk assessment study conducted for the proposed SBIDZ facility in number of events were found to have risks beyond the site boundary. These risks could be mitigated to acceptable levels with design mitigation or buffer zones between the respective facilities, other facilities and institutions and the general public

RISCOM did not find any fatal flaws that would prevent the project proceeding to the detailed engineering phase of the project.

RISCOM would support the project with the following conditions:

- Pipeline containing hazardous materials e.g. fuel pipelines from the harbour to the facility, be properly specified and to be contained in a servitude;
- Activities of individual facilities being carried outside/external to the SBIDZ, such as rail loading, unless justified by the proponent with regards to safety to the environment and public;
- Individual facilities within the SBIDZ to be assessed in compliance to all statutory requirements including the Occupational health and Safety Act and its regulations, National Environmental Management Act, National Buildings Regulations and the Buildings Standards Act etc prior to acceptance by the SBIDZ and local government;
- Compliance with applicable SANS codes, i.e. SANS 10087, SANS 10089, SANS 10108, etc.;
- Incorporation of applicable guidelines or equivalent international recognised codes of good design and practice into the designs;
- Completion of a recognised process hazard analysis (such as a HAZOP study, FMEA, etc.) on the proposed facility prior to construction to ensure design and operational hazards have been identified and adequate mitigation put in place;
- Full compliance with IEC 61508 and IEC 61511 (Safety Instrument Systems) standards or equivalent to ensure that adequate protective instrumentation is included in the design and would remain valid for the full life cycle of the bulk storage facility:
  - Including demonstration from the designer that sufficient and reliable instrumentation would be specified and installed at the facility;
- Preparation and issue of a safety document detailing safety and design features reducing the impacts from fires, explosions and flammable atmospheres to the MHI assessment body at the time of the MHI assessment:
  - Including compliance to statutory laws, applicable codes and standards and world's best practice;
  - Including the listing of statutory and non-statutory inspections, giving frequency of inspections;
  - Including the auditing of the built facility against the safety document;
  - Noting that codes such as IEC 61511 can be used to achieve these requirements;
- Demonstration by owners or their contractor that the final designs would reduce the risks posed by the installation to internationally acceptable guidelines;
- Signature of all terminal designs by a professional engineer registered in South Africa in accordance with the Professional Engineers Act or Built Environmental Act, who takes responsibility for suitable designs;

- Completion of an emergency preparedness and response document for on-site and off-site scenarios prior to initiating the MHI risk assessment (with input from local authorities);
- Final acceptance of the facility risks with an MHI risk assessment that must be completed in accordance to the MHI regulations:
  - Basing such a risk assessment on the final design and including engineering mitigation.