



environmental affairs

29 MAY 2014

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

DEA Reference: 14/12/16/3/3/2/704

Enquiries: Mr Vincent Chauke

Tel: 012 310 3859 Fax: 012 320 7539 E-mail: VChauke@environment.gov.za

Jonathan Crowther
CCA Environmental (Pty) Ltd
PO Box 10145
Caledon Square
CAPE TOWN
7905

Fax: 021 461 1120

Tel: 021 461 1118

PER FACSIMILE / MAIL

Dear Sir/Madam

**PROPOSED EXPLORATION DRILLING IN THE ORANGE BASIN DEEP WATER LICENCE
AREA OFF THE WEST COAST OF SOUTH AFRICA**

The letter dated 28 May 2014 from this Department refers.

Please note that the project reference number has been changed from **14/12/16/3/3/2/693** to **14/12/16/3/3/2/704**. Please include the new reference number, as listed, on all documents and correspondence submitted to the Department.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely


Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement
Department of Environmental Affairs

Letter signed by: Ms Mmatlala Rabothata

Designation: Environmental Officer: Integrated Environmental Authorisations

Date: 29/05/14



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

06 JUN 2014

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NEAS Reference: DEA/EIA/0002146/2013

DEA Reference: 14/12/16/3/3/1/1063

Enquiries: Mr Vincent Chauke

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Mr Jonathan Crowther
CCA Environmental (Pty) Ltd
P O Box 10145
CALEDON SQUARE
7905

Fax: (021) 461 1120
Tel: (021) 461 1118/9

Dear Mr Crowther

APPLICATION FOR DEVIATION FROM THE PUBLIC PARTICIPATION REQUIREMENTS SECTION 54 (2)(A)(I) AND (II) OF THE NEMA ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS 2010: PROPOSED EXPLORATION WELL PROGRAMME IN THE ORANGE BASIN DEEP WATER LICENCE AREA OFF THE WEST COAST OF SOUTH AFRICA SITUATED IN THE NORTHERN CAPE AND WESTERN CAPE PROVINCE

The abovementioned application dated 11 April 2013 and received by the Department of Environmental Affairs on 15 April 2014 requesting to deviate from the public participation process (PPP), Section 54 (2)(a)(i) and (ii), the acknowledgement letter from this Department dated 06 May 2014, refers.

The purpose of this letter is to provide a response to your request to deviate from the public participation process, as stated in the application dated 11 April 2014.

You are hereby **granted** permission to deviate from regulation 54 (2)(a)(i) and (ii), stating that a notice board must be placed at a place conspicuous to the public at the boundary or on the fence of the site where the activity to which the application relates, is or is to be undertaken; and any alternative sites mentioned in the application.

However, from your motivation, it is clear that the site is not accessible as it is in the ocean. You may therefore deviate from this regulation as follows:

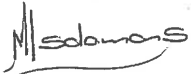
The posters announcing the proposed project and indicating the availability of the BID, DSR, FSR, Draft EIR and Final EIR must be erected at public libraries or municipal offices in Saldanha, Vredenburg, Lambert's Bay, Kleinsee, and Port Nolloth as well as in Springbok. The project must be advertised in the local, provincial and national newspapers in English, Afrikaans and isiXhosa.

Note that all interested and affected parties must be given a chance to comment on all correspondence and/or reports in terms of regulation 55 (2) and 56 (1-8) as well as regulation 57, Environmental Impact Assessment Regulations, 2010.

Also note that the project reference number has been changed from 14/12/16/3/3/1/1163 to 14/12/16/3/3/2/693. Please include the reference number as stated above on all documents and correspondence submitted to the Department.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely



Mr Ishaam Abader
Deputy Director General: Integrated Environmental Authorisations
Department of Environmental Affairs
Letter signed by: Ms Milicent Solomons
Designation: Director: Integrated Environmental Authorisations
Date: 23/05/2014.

cc	Mr Jan Willem Eggink	Shell South Africa Upstream BV	Fax: 021 413 1700
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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

23 MAY 2014

27/5/14

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DEA Reference: 14/12/16/3/3/1/1063

Enquiries: Ms Salome Mambane

Tel: 012 395 1823 **Fax:** 012 320 7539 **E-mail:** smambane@environment.gov.za

Jonathan Crowther
CCA Environmental (Pty) Ltd
P.O Box 10145
Caledon Square
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7905

Fax: 021 461 1120

Tel: 021 461 1118

PER FACSIMILE / MAIL

Dear Sir/Madam

ACKNOWLEDGEMENT OF RECEIPT OF AN AMENDED APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED EXPLORATION DRILLING IN THE ORANGE BASIN DEEP WATER LICENSE AREA OFF THE WEST COAST OF SOUTH AFRICA

The Department confirms having received the amended application form dated 11 April 2014 received by the Department on 15 April 2014 for environmental authorisation for the abovementioned project.

Please note that the Department will respond to deviation request in due course

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely

Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement

Department of Environmental Affairs

Letter signed by: Ms Senisha Murugan

Designation: Control Environmental Officer: Integrated Environmental Authorisations

Date: 5/06/2014



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447, PRETORIA, 0001 - Fedsure Building, 315 Pretorius Street, PRETORIA

Ref No.: 12/9/11/

Enquiries: Ms Nosicelo Sinje

Tel: (012) 310 3739 Fax: (012) 310 3753. Email: nsinje@environment.gov.za
www.environment.gov.za

CCA Environmental
PO Box 10145
CALENDON SQUARE
7905

Fax No.: (021) 461 1120

Attention: Jonathan

PROPOSED EXPLORATION DRILLING PROGRAMME IN THE ORANGE BASIN DEEP WATER LICENCE AREA OFF THE WEST COAST OF SOUTH AFRICA (DEA REF: 14/12/16/3/3/1/1063): APPLICABILITY OF NEM:WA

Your letter dated 24 February 2014 has a reference;

The Department has reviewed your enquiry about the applicability of National Environmental Management: Waste Act (Act 59 of 2008) on the following activities:

- Incineration of certain non-toxic combustible wastes (e.g. galley waste);
- Flaring of oil or gas during flow testing;
- Discharge of sewage from drilling unit and support vessels;
- Discharge of galley waste from drilling unit and support vessels; and
- Discharge of drill cuttings from the drilling unit.

Please note the activities listed above are regulated through the National Environmental Management Integrated Coastal Management Act (Act 24 of 2008), therefore NEM:WA is not applicable.

Should you require further detailed information, please do not hesitate to contact this office.

Yours sincerely

Mr Mark Gordon

Deputy Director-General: Chemicals and Waste Management

Department of Environmental Affairs

Letter signed by: Mr. Bonginkosi Dlamini

Designation: Director: Licensing

Date: 11/03/2014



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

28 MAR 2014

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Reference: 14/12/16/3/1/1/3

Enquiries: Mr Vincent Chauke

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Mr Jonathan Crowther
CCA Environmental (Pty) Ltd
P O Box 10145
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Tel: 021 461 1118/9

Dear Mr Crowther

APPLICABILITY OF THE NEMA EIA REGULATIONS 2010: THE PROPOSED EXPLORATION WELL DRILLING PROGRAMME IN THE ORANGE BASIN DEEP WATER LICENSE AREA OFF THE WEST COAST OF SOUTH AFRICA, WESTERN CAPE PROVINCE

Your letter, dated 02 October 2013 and received by the Department on 27 January 2014 and the meeting held on 14 February 2014, refer.

Based on the information submitted to this Department on 27 January 2014 and the discussion held on 24 February 2014, the proposed development constitutes listed activities as defined in terms of the NEMA: EIA Regulations (GN R.544, 545 and 546 of 18 June 2010).

The following activities are applicable as defined in terms of the NEMA: EIA Regulations (GN R.544 and 545 of 18 June 2010):

Activity 18 GN R.544: *The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from (ii) the sea;*

- Since there will be a seafloor disturbance of more than 5 m³, this activity is applicable.

Activity 4 GN R.545: *The construction of facilities or infrastructure for the refining, extraction or processing of gas, oil or petroleum products with an installed capacity of 50 cubic metres or more, excluding facilities for the refining, extraction or processing of gas from landfill sites.*

- Exploration is regarded as extraction (should the exploration well encounter hydrocarbons, there will be extraction), the activity is applicable.

Activity 14 GN R.545: *The construction of an Island, anchored platform or any other permanent structure on or along the sea bed.*

- Since the preferred alternative would be to leave the wellhead(s) permanently on the seafloor, the activity is applicable.

It is therefore drawn to your attention that the full Scoping/EIR process must be applied for the proposed development.

You are further advised to consider the following activities that may be potentially triggered by the proposed development:

Activity 16(vi) GN R.544: Since the area of interest for the drilling is 900 km² which is above the minimum threshold of 50 square metres, this activity may be triggered.

Activity 13 of GN R544 or 3 GN R.545: Should the proposed activity include the storage or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of between 80 m³ and 500 m³ or more than 500 m³, respectively.

Activity 5 and 26 GN R.545: Since the proposed development will release emissions to the air by combustion of diesel fuel, these activities may be triggered.

To determine whether an atmospheric emissions licence NEMAQA will be required, please liaise with:

Vumile Senene
Director: Air Quality Management Services
Branch: Climate Change and Air Quality
Department of Environmental Affairs
Tel: +27 (0) 12 310 3263
Fax: +27 (0) 12 322 5545
Email: vsenene@environment.gov.za

In order to establish whether an ICMA coastal discharge permit is required, please liaise with:

Nitasha Baijnath-Pillay
Directorate: Coastal Pollution Management
Department of Environmental Affairs
Branch: Oceans & Coasts
East Pier Building, 2 East Pier Rd,
V & A Waterfront
Cape Town
Tel: 021 - 819 2409
Email: Nbpillay@environment.gov.za

Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the competent authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

Yours faithfully



Mr Ishaam Abader
Deputy Director-General: Legal, Authorisations, Compliance & Enforcement
Department of Environmental Affairs
Letter signed by: Ms Milicent Solomons
Designation: Director: Integrated Environmental Authorisations
Date: 11/03/2014.



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Department:
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DEA Reference: 14/12/16/3/3/1/1063

Enquiries: Mmatlala Rabothata

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Jonathan Crowther
CCA Environmental (Pty) Ltd
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Fax: 021 461 1120

Tel: 021 461 1118

PER FACSIMILE / MAIL

Dear Mr Crowther

ACKNOWLEDGEMENT OF RECEIPT AND ACCEPTANCE OF A NEW APPLICATION FOR ENVIRONMENTAL AUTHORISATION (BASIC ASSESSMENT PROCESS) FOR THE PROPOSED EXPLORATION WELL PROGRAMME IN THE ORANGE BASIN DEEP WATER LICENSE AREA OFF THE WEST COAST OF SOUTH AFRICA IN NORTHERN CAPE AND WESTERN CAPE PROVINCE

The Department confirms having received the application form, details of EAP and Declaration of interest, project schedule and locality map for environmental authorisation for the abovementioned project submitted by you on 3 October 2013. You have submitted these documents to comply with the Environmental Impact Assessment Regulations, 2010. The Application is accepted.

Please note that the Department's application form template has been amended. The application form is current as of 1 October 2013. You are therefore requested to complete and submit the new application form which can be downloaded on the following link <https://www.environment.gov.za/documents/forms>

You are requested to submit one original signed hard copy as well as one scanned signed electronic copy of the new application form to the Department either prior to or along with the submission of the draft Basic Assessment Report. Please note that in future your application may be rejected in terms of Regulation 13(2)(b) should the application not be submitted on the Department's most recent application form template.

Please note that you are requested to submit the locality map indicating the provincial borders with respect to the activity location as well as the motivation in terms of Section 24C as to why the project should be handled by the Minister.

In terms of regulation 67 of the EIA Regulations, 2010 this application will lapse if the applicant (or the EAP on behalf of the applicant) fails to comply with a requirement in terms of the

regulations for a period of six months after having submitted the application, unless the reasons for failure have been communicated to and accepted by this Department.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely


Mr Ishaam Abader

Deputy Director-General: LACE

Department of Environmental Affairs:

Letter signed by: Ms Mmatlala Rabothata

Designation: Environmental Officer: Integrated Environmental Authorisations

Date: 17/10/13

CC:	Mr Jan Willem Eggink	Shell South Africa Upstream BV	Fax: 021 413 1700
	Julius Mutyourauta	NC DEANC	Fax :053 831 3530
	Zaahir Toefy	WC DEA&DP	Fax: 021 483 4372