

SCOPING AND ENVIRONMENTAL IMPACT REPORTING (S&EIR) PROCESS AND WATER USE LICENCE (WUL) APPLICATION PROCESS FOR HI-FOS (PTY) LTD PROPOSED PHOSPHORIC ACID PLANT, STANDERTON, MPUMALANGA

Aim of the Project

The proponent applying for environmental authorisation (EA) and a WUL is Hi-Fos (Pty) Ltd (Hi-Fos). The proponent proposes the construction and operation Phosphoric Acid Plant.

The following EAs are required:

- EA for activities identified in terms of GNR 984 (4 December 2014);
- Atmospheric Emissions Licence (AEL) for activities identified in terms of GNR 839 (22 November 2013); and
- A WUL in terms of the NWA.

Purpose of this Document

Terra Pacis Environmental (Pty) Ltd (Terra Pacis) has been appointed as the independent environmental assessment practitioner (EAP), to manage the process. This process includes the consultation with parties that may be affected by, or have an interest, in the project. These parties are referred to as interested and affected parties (I&APs).

Purpose of this document:

- Provide background information regarding the project.
- Provide an outline of the process being followed.
- Inform members of the public of their rights and responsibilities regarding participation in certain parts of the process.
- Assist the public to formulate their comments in a manner that will ensure that they can be afforded due attention in certain parts of the process.

Kindly complete the attached form and return it to the relevant Terra Pacis representative before 8 December 2016.

Background Information

Location

The proposed site is located off R23 approximately 27km from Standerton on Portion 4 of the farm Holfontein 399 in the Mpumalanga Province.

The proposed site falls within the jurisdiction of the Lekwa Local Municipality, which forms part of the greater Gert Sibande Municipality. The location of proposed site as illustrated in Figure 1.

Existing Land Use

The current land use of the proposed site is agricultural.

Surrounding Land Uses

The land use surrounding the proposed site is industrial (brickworks) and agricultural.

What does the Project Entail?

Existing Factory

Sonskyn Kunsmis (Pty) Ltd (Sonskyn) supplies liquid and blended solid fertilizers to farms in the area of Standerton Mpumalanga. In this regard Sonskyn purchase raw materials from suppliers throughout Southern Africa to produce the liquid fertilizer.

The solid raw materials currently used are potassium chloride, urea, mono-ammonium phosphate (MAP 33), limestone ammonium nitrate (LAN) and zinc sulphate. Liquid raw materials used are phosphoric acid and ammonium nitrate solution. These materials are presently dissolved in water and filtered to produce the liquid fertilizer formulations.

In addition raw material in the form of solid granules are blended in a scroll mixer to give solid granular fertilizer formulations.

Objective and Description of the Project

The objective of the project is to construct and operate the following:

- Phosphoric Acid Plant.
- Calcium Ammonium Nitrate (CNX) Plant.
- Pure Mono Ammonium Phosphate Plant (MAP 39).
- Mono Ammonium Phosphate (MAP 33).

And to move the Granular Fertilizer Blending Plant from Sonskyn Kunsmis (Pty) Ltd in Standerton to the new site.

One of the raw materials, phosphoric acid, is becoming increasingly difficult to procure. Accordingly Hi-Fos is investigating the construction of a phosphoric acid plant and auxiliary plants to manufacture phosphoric acid, CNX, MAP 39 and MAP 33 for their own use and for sales.

Trailblazer Technologies (Pty) Ltd (TBT), a chemical engineering design company, approached Hi-Fos with the Nitrophos Process technology in this regard. The proposed Phosphoric Acid Plant would produce phosphoric acid from phosphate rock sourced from Phalaborwa and nitric acid from Sasol.

The calcium nitrate (CN4) as produced by the Phosphoric Acid Plant has a low melting point and is difficult to handle. It may have application as a liquid fertiliser (calcium nitrate liquid (CNL)) but will be converted to calcium ammonium phosphate (CNX) in the CNX Plant. CNX has a higher melting point and no significant handling problems.

The phosphoric acid produced by the Phosphoric Acid Plant is combined with anhydrous ammonia to produce mono ammonium phosphate (MAP 39) for sales. By-products from the process are magnesium ammonium phosphate (MagAmP) solution and the mother liquor from the crystalliser which are fed to the MAP 33 process.

In the MAP 33 process the mother liquor and the MagAmP from the MAP 39 process are blended with phosphoric acid and anhydrous ammonia to form MAP 33 solution. The MAP 33 solution is fed to a spray drier and a granulator to produce granular MAP 33 for blending into granular fertiliser formulations.

The existing Granular Fertiliser Blending Plant will be relocated from the Sonskyn Kunsmis (Pty) Ltd in Standerton. The MAP 33 potash and LAN granules are blended according to the required recipe to produce the various fertiliser blends required for the market.

The various plants can operate in either a continuous or batch mode. They will run during the farming season, April to January, at 5500 hours per annum (h/a).

The first phase of the project is expected to cost 8 million rand with construction taking 6 to 7 months

Delegated Lead Authorities

The delegated lead authorities responsible for administering and implementation of the relevant legislation are:

- The Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET) – delegated lead authority for authorisation of the application for EA for activities listed in terms of GNR 984 (4 December 2014);
- Gert Sibande District Municipality - delegated lead authority for the authorisation the AEL for activities identified in terms of GNR 839 (22 November 2013); and
- The Department of Water and Sanitation (DWS) – delegated lead authority for the authorisation of a WUL.

Key Milestones

The following key milestones are anticipated:

- October 2016 to November 2017 – Obtain environmental authorisation.
- December 2017 to December 2018 - Construction of the phosphoric acid plant.
- December 2018 onwards – Operating of the phosphoric acid plant.

Environmental Authorisation

EA in terms of section 24(2) and 24D of the NEMA is required for the following listed activities identified in terms of GNR 983 (4 December 2014):

- Activity 24:** The development of-
- (i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or
 - (ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 meters
- but excluding –
- (a) roads which are identified and included in activity 27 in Listing Notice 2 of 2014;
 - (b) or roads where the entire road falls within an urban area.

EA in terms of section 24(2) and 24D of the NEMA is required for the following listed activities identified in terms of GNR 984 (4 December 2014):

Activity 4: The development 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.

Activity 6: The development of facilities or infrastructure for any process or activity which requires a permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding-

- (i) activities which are identified and included in Listing Notice 1 of 2014;
- (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; or
- (iii) the development of facilities or infrastructure for the treatment of effluent, wastewater or sewage where such facilities have a daily throughput capacity of 2000 cubic metres or less.

Atmospheric Emissions Licence

An AEL is required in terms of section 37 of the National Environmental Management: Air Quality Act (No. 39 of 2004) (NEM:AQA) in respect of the following activity identified in GNR 839 (22 November 2013):

Category 7: Inorganic Chemicals Industry.

Subcategory 7.3: Production of Chemical Fertilizer.

Water Use Licence

A WUL is required in terms of section 41 of the NWA for the following activities listed in section 21 of the NWA:

Section 21(a): Taking water from a water resource.

Section 21(b): Storing water.

Section 21(g): Disposing of waste in a manner which may detrimentally impact on a water resource.

Waste Management License

The Norms and Standards, GNR 926 (29 November 2013), provide minimum standards for the design and operation of new and existing waste storage facilities, without the need to undertake an EA process.

Category C (Norms and Standards in terms of GNR 926 (29 November 2013)):

Activity 5(1): The storage of general waste at a facility that has the capacity to store in excess of 100m³ of general waste at any one time, excluding the storage of general waste in lagoons or temporary storage of such waste.

Activity 5(2): The storage of hazardous waste at a facility that has the capacity to store in excess of 80m³ of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons or temporary storage of such waste.

What is Scoping and Environmental Impact Reporting (S&EIR) and Why is it Important?

Scoping and Environmental Impact Reporting (S&EIR) is an assessment of the possible impacts – positive or negative – that a proposed project may have on the environment, together consisting of the natural, social and economic aspects.

The assessment highlights and predicts any problems before major decisions are made. It also assists the proponent in finding ways to avoid problems and to enhance the positive effects.

The concept of sustainable development serves as the base of such an assessment. In other words development needs to take place, however it is how we manage the impacts on the environment as a whole, that will determine whether such a project will bring about positive change.

The S&EIR Process

The S&EIR process being implemented can be summarised as follows (Please also refer to Figure 2 for a diagrammatic representation of the processes to be followed):

Phase 1: Scoping

The purpose of the Scoping process is to provide sufficient information to decision-making authorities to enable them to reach a decision on the scope of issues to be addressed in the Environmental Impact Reporting (EIR).

The objectives of the Scoping process are to:

- Identify and inform a broad range of stakeholders about the proposed development;
- Clarify the scope and nature of the proposed activities and the alternatives;
- Conduct an open and transparent consultation process and facilitate the inclusion of stakeholders' concerns in the decision-making process; and
- Identify key issues to be addressed in the EIR phase and outline the approach to addressing these issues.

Phase 2: Environmental Impact Reporting

The purpose of the EIR phase of the assessment is to address the issues raised in the Scoping phase.

Specialist studies will be conducted to assess alternatives, identify impacts and determine the significance of impacts as well as formulate mitigatory measures, if required to minimise/avoid negative impacts and maximise positive benefits of the proposed project.

Public Participation Process

The public participation process (PPP) is an integral part of the S&EIR, and continues throughout this process. This section provides more detail on the PPP.

Step 1: Notify the Authority of S&EIR Process

- Submit an application for S&EIR to the delegated lead authorities.

Step 2: Notify I&APs and Identify Issues

- Notify I&APs of the project proposal.
- Identify any issues/concerns of I&APs.
- Provide I&APs with a background information document (BID) on the project, including a locality map and a registration/issues form. I&APs are required to register their interest in the project to receive further project information.
- One-on-one meetings will be conducted with relevant stakeholders.

Step 3: I&AP Review of Draft Scoping Report

- Issues and concerns raised by I&APs are contained in a Comment Response Report for inclusion in the Draft Scoping Report.
- The report is released for a 30 day comment period.
- This report will also include the Plan of Study for EIR.
- All registered I&APs on the project database are notified in writing of the opportunity to comment.

- Copies of the report will be made available at public places and on the Terra Pacis website.

You are hereby invited to review and pass comments on the Draft Scoping Report for the abovementioned project. The Draft Scoping Report will be available for review at the following locations from 8 November to 8 December 2016.

PLACE	STREET	TELEPHONE
Sonskyn Kunsmis (Pty) Ltd	Minnaar Street 2, Standerton	017 712 7020
Standerton Public Library	Corner Andries Pretorius and Piet Retief Street	017 712 9600
Terra Pacis	www.terrapacis.co.za	011 781 7800

Step 4: Final Scoping Report

- Comments received from I&APs during the review process are considered in the compilation of the Final Scoping Report before it is submitted to the MDEDET for their decision making.
- All I&APs on the project database will be notified in writing of the MDEDET's decision on the Scoping Report.
- The Final Scoping Report will include the Plan of Study for EIR and Terms of Reference for specialist studies to be undertaken as part of the EIR.

Step 5: Draft EIR and EMP for I&AP Review

- Compilation and release of a Draft EIR, (including the draft Environmental Management Programme (EMPr)) for a 30 day review period by I&APs.
- All comments received from I&APs and authorities via meetings held or via written correspondence are compiled into a Comment Response Report.
- The Comment Response Report will indicate the nature of the comment, when and who raised the comment as well as indicate how the comment received has been considered in the Final EIR.

Step 6: Final EIR and Draft EMP

- The Final EIR, including the Comment Response Report and Draft EMPr will be compiled for submission to the MDEDET for decision making.

Step 7: Notify I&APs of Environmental Authorisation and Appeal Period

- All I&APs on the project database will be notified in writing regarding the environmental authorisation for the project and the appeal period, as well as the manner of appeal.

The WUL Application Process

Following the approval of the Final Scoping Report (please refer to Step 4 above), the Draft EIR (Step 5 above) and the Draft Water Use Licence Application (WULA) will be submitted for comment by I&APs. Such comments will be included in the Final EIR and Final WULA, which will be submitted to the delegated lead authorities for decision making (Step 6 above).

A decision will be made by the delegated lead authorities either to approve or to reject the applications. The decision will be made available to I&APs. Following the decision making, stakeholders and/or the applicant may appeal such decision (Step 7 above).

- It provides members of the public with the opportunity to provide comments (both positive and negative) regarding the environmental impacts of the proposed project;
- It provides affected parties with the opportunity to suggest ways for reducing or mitigating any negative impacts of the project, or for enhancing its benefits;
- It will enable the proponent to incorporate the needs, preferences and values of I&APs into their decisions; and
- It contributes toward maintaining a healthy, vibrant democracy.

Why is Your Participation Important?

Participation by I&APs is in everyone's best interest because:

- It provides opportunities for I&APs and the authorities to obtain clear, accurate and understandable information about the proposed project;

How can you get involved?

- Register as a stakeholder by completing the attached comment response form;
- Propose ideas to solve problems that arise during the consultation process;
- Voice your concerns about proposed projects and their potential impact; and

The Roles and Responsibilities of the Stakeholder

Registered stakeholders have the right to bring to the attention of the competent authority any issues that they believe may be of significance to the consideration of the application. The rights of stakeholder are qualified by certain obligations, namely:

- Stakeholders must ensure that their comments are submitted within the timeframes that have been approved by the competent authority, or within any extension of a timeframe agreed by the applicant or EAP;
- A copy of comments submitted directly to the competent authority must be served on the applicant or EAP; and
- Any direct business, financial, personal or other interest that they might have in the approval or refusal of the application must be disclosed.

The roles of stakeholders in a public participation process usually include one or more of the following:

- Assisting in the identification and prioritisation of issues that need to be investigated;
- Making suggestions on alternatives and means of preventing, minimising and managing negative impacts and enhancing project benefits;
- Assisting in or commenting on the development of mutually acceptable criteria for the evaluation of decision options;
- Contributing information on public needs, values and expectations;
- Contributing local and traditional knowledge; and
- Verifying that their issues have been considered.

In order to participate effectively, stakeholders should:

- Become involved in the process as early as possible;
- Register as a stakeholder;
- Advise the EAP of other stakeholders who should be consulted;
- Contribute towards the design of the public participation process (including timeframes) to ensure that it is acceptable to all stakeholders;
- Follow the process once it has been accepted;
- Read the material provided and actively seek to understand the issues involved;
- Give timely responses to correspondence;
- Be respectful and courteous towards other stakeholders;
- Refrain from making subjective, unfounded or ill-informed statements; and
- Recognise that the process is confined to issues that are directly relevant to the application.
- Assist with information that will contribute to a thorough study

PROPOSED DEVELOPMENT FOR VLAKFONTEIN, PORTION NR 93, FARM NR386 - SITE LOCATION MAP



Client Code:
SON001
Project Code:
2:2015

Date Drawn:
21/07/2016
Author:
Melissa Allert

Scale:
1: 25,000

Data Source:
Google Earth Image
SA Roads Network

Projection:
WGS 84

Figure 1: Location of the proposed site

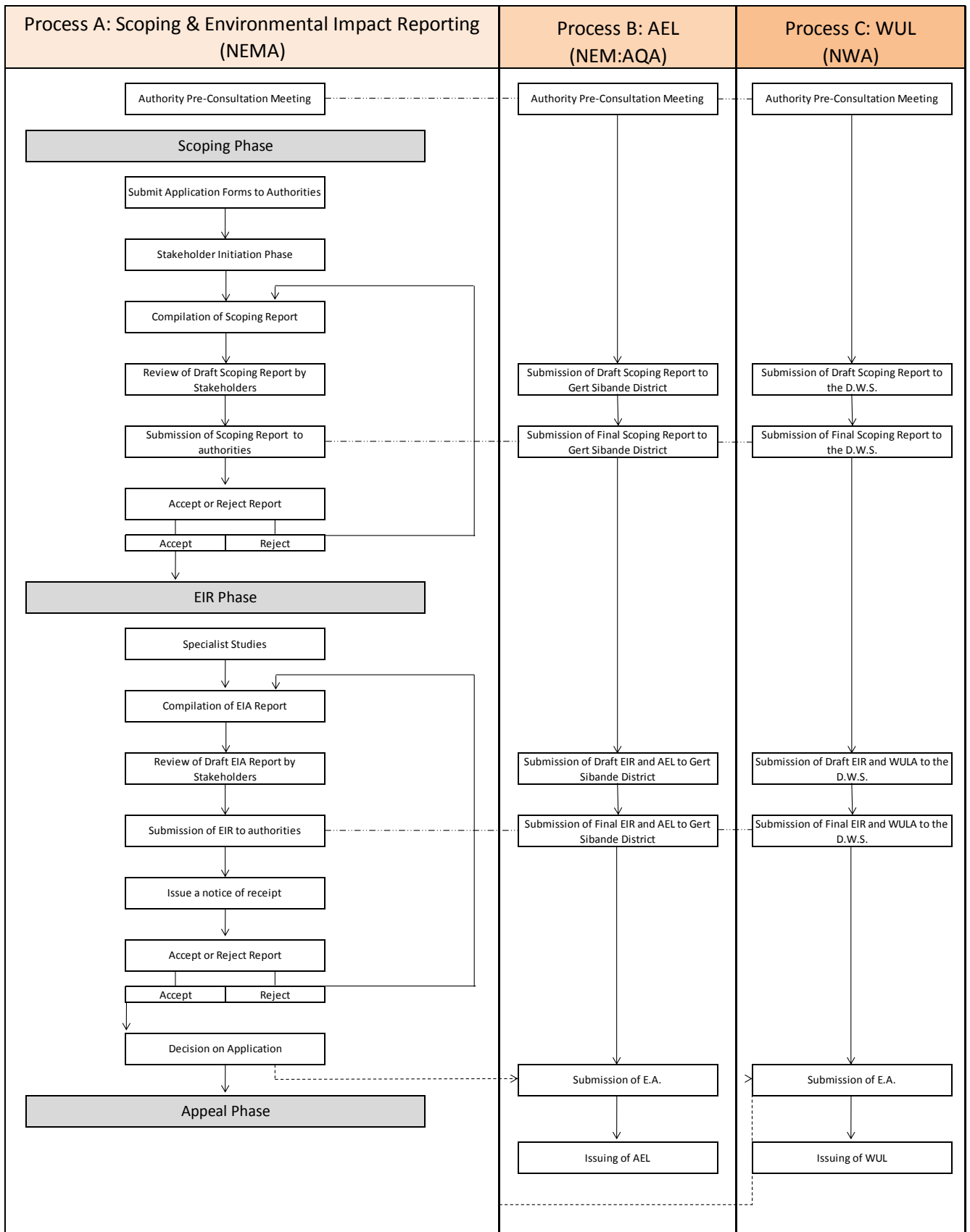


Figure 2: Process Flow Diagram

REGISTRATION / COMMENT FORM

SCOPING AND ENVIRONMENTAL IMPACT REPORTING (S&EIR) PROCESS AND WATER USE LICENCE (WUL) APPLICATION PROCESS FOR HI-FOS (PTY) LTD PROPOSED PHOSPHORIC ACID PLANT, STANDERTON, MPUMALANGA

PLEASE COMPLETE AND RETURN THIS FORM SO THAT WE HAVE YOUR COMPLETE CONTACT DETAILS

Closing date for comments: 8 December 2016

PARTICULARS OF STAKEHOLDER

Name			
Postal Address		
			Post code
Street Address		
			Post code
Tel		E-Mail	
Cell		Fax	
Language Preference			


COMMENTS

DATE
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If you are aware of any people who should be contacted in this process, please provide their details here

Please add additional pages if required

Return to: Paula Tolksdorff Terra Pacis Environmental (Pty) Ltd PO Box 41409 Craighall, Johannesburg 2024	Tel : (011) 781 7800 Fax : 086 528 7418 Email : paula@terrapacis.co.za
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From: Nicky Maraschin nicky@terrapacis.co.za 
Subject: Hi-Fos background information document
Date: 24 October 2016 at 12:07 PM
To: eleorro@mweb.co.za

NM

Dear Mr. Basson,

I trust this finds you well.

Please find attached a background information document that provides information on the project and an opportunity for you to register as a stakeholder.

Kindly complete the registration form and return to myself at your earliest convenience.

Regards

Nicoletta Maraschin

Junior Environmental Consultant

Office No: (011) 781-7800

Cell No: (082) 551 0686

Fax No: (011) 447-7100


Email: nicky@terrapacis.co.za



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From: Nicky Maraschin nicky@terrapacis.co.za 
Subject: Hi-Fos background information document
Date: 24 October 2016 at 11:58 AM
To: Aldo Bierman aldobierman@gmail.com

NM

Dear Aldo,

I trust this finds you well.

Please find attached a background information document that provides information on the project and an opportunity for you to register as a stakeholder.

Kindly complete the registration form and return to myself at your earliest convenience.

Regards
Nicoletta Maraschin
Junior Environmental Consultant
Office No: (011) 781-7800
Cell No: (082) 551 0686
Fax No: (011) 447-7100
Email: nicky@terrapacis.co.za



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On 24 Oct 2016, at 11:25 AM, Aldo Bierman <aldobierman@gmail.com> wrote:

Please send me the info

Aldo Bierman
0825504038