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EKO GROUP (PTY) LTD trading as Eko Environmental

Reg no. 2017/311178/07

VAT No. 4020225811

02 March 2020

Attention: Interested and Affected Party

**BACKGROUND INFORMATION DOCUMENT FOR UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 8 OF 2004).**

**Project Description**

Notice is given, in terms of Section 24(G) read together with sections 24(F) of the National Environmental Management Amendment Act (as amended) that the Gauteng Department of Agriculture and Rural Development: Is considering an application for rectification by African Group Lubricants in terms of Sections 24(G) and 24(F) of the National Environmental Management Amendment Act (as amended). For the unlawful commencement of activities listed in terms of the Environmental Impact Assessment Regulations under the sub-regulations of Government Notice R983 of 04 December 2014 promulgated in terms of sections 24 and 44 of the NEMA, as amended:

For S24G/03/19-20/0458: Unlawful storing and blending of oils and lubricants (Dangerous Goods) at the toll blending plant on Farm Klipfontein, Anderbolt, Boksburg, Ekurhuleni Metropolitan Municipality  
The following listed activities in terms of Listing Notice 1 and 2 of 2014 as amended are applicable:

Listed activity in terms of Listing Notice 1 and 2 of 2014 NEMA as amended	Activity details
Listing Notice 2, Activity 28: [Commencing of an activity, which requires an atmospheric emission license in terms of section 21 of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004, excluding – <i>i. Activities which are identified and included in Listing Notice 1 of 2014;</i> <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; or</i> <i>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.]</i>	The toll blending plant is host to several stacks that require an atmospheric emission license.

<p>Listing Notice 1, Activity 51:  <i>The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres</i></p>	<p>The activities applied for entails the unlawful storing and blending of oils and lubricants (dangerous goods) at the toll blending plant on Farm Klipfontein, Anderbolt, Boksburg, Ekurhuleni Metropolitan Municipality.</p>
<p>Listing Notice 2, Activity 4:  <i>The Development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous god, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.</i></p>	
<p>Listing Notice 2, Activity 5:  <i>The development an related operation of facilities or infrastructure for the [refining, extraction or] processing of a petroleum resource, including the beneficiation or refining of gas, oil or petroleum products with an installed capacity of 50 cubic metres or more per day</i></p>	

African Group Lubricants (**AGL**) Pty Ltd is a new company created after a successful joint bid between West African Group Pty Ltd and African Oil Pty Ltd to ExxonMobil with the intention to distribute Caterpillar Branded Lubricants into Caterpillar Distributors in Sub Saharan Africa as well as the Indian Ocean Islands. African Group Lubricants has entities based in South Africa, Botswana, Namibia and Mauritius with warehousing facilities across the SADC region.

African Group Lubricants recently acquired an existing Toll Blending Plant belonging to Shell South Africa Pty Ltd, and operating under CERA Oil, in 2016 on erf 506 at the corner of Cnr Paul Smit Street and Main Street in Anderbolt, Boksburg that is situated in the Ekurhuleni Metropolitan Municipality. Toll Blending, also known as contract manufacturing or contract blending is a service whereby the production of complex chemical products is outsourced to the third-party company (blender). African Group Lubricants is the toll blender and distributes Caterpillar branded Lubricants into Caterpillar Distributors in Sub Saharan Africa. Eko Environmental was contracted by African Group Lubricants to assist them in becoming legally compliant with their environmental requirements.

Nowadays it is a common service for chemical companies, from global conglomerates through to regional and specialized suppliers to reduce production risks. The toll blender receives the formula (most of the times under NDA), raw materials (most blenders can also take care of these) and packaging and turns it into a (final) product) for a production fee. A lot of blenders also offer the service to ship the products directly to the end user

African Group Lubricants has been operating the Toll Blending Plant without Environmental Authorisation as is required under the National Environmental Management Act of 1998 and have therefore been non-compliant under the law in this regard. African Group Lubricants, of their own initiative, approached Eko Environmental to assist them in becoming environmentally compliant with the relevant authorities.

### **Locality**

The site is located on the corner of Cnr Paul Smit Street and Main Street in Anderbolt, Boksburg that is situated in the Ekurhuleni Metropolitan Municipality. The site coordinates are 26°11'58.98"S; 28°16'25.18"E. The site is approximately 28 776 m<sup>2</sup> in extent.

**Public consultation:**

- To inform the public of the proposed project it will be advertised in 1 local newspaper and site notices will be placed on site and at the public library.
- Neighbours, relevant regulatory departments and potential I&AP's will be notified of the proposed project in writing.
- The public will be granted a minimum 30-day period to register as an Interested and Affected Party or to raise comment where after they will receive all relevant documentation and reports regarding the project on request.

The aerial view below (Google Earth image, 2018) provides an indication of the locality of the Toll Blending Plant currently operated by African Group Lubricants which is located on erf 506 ad the corner of Cnr. Paul Smit Street ad Main Street in Anderbolt in Boksburg.

