

APPENDIX 3: AUTHORITY CORRESPONDENCE

APPENDIX 3.1: EDTEA ACKNOWLEDGMENT OF RECEIPT OF APPLICATION FORMS



edtea

Department :
Economic Development, Tourism and
Environmental Affairs
PROVINCE OF KWAZULU-NATAL

Enquiries: Zama Mbanjwa
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Isikhwama Seposi : Pietermaritzburg
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Reference: DC25/0004/2020
Inkomba :
Verwysing:
NEAS : KZN/EIA/0001344/2020

Fax : 033 264 2672
iFeksi :
Faks :

Date :
Usuku : 17 July 2020
Datum :

Fax Transmission

EScience Associates (Pty) Ltd
9 Victoria Street
Oaklands
Johannesburg
2192
Attention: Abdul Ebrahim
Email: abdul@escience.co.za

Dear Sir / Madam

DC25/0004/2020: KZN/EIA/0001344/2020 ACKNOWLEDGEMENT OF RECEIPT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORIZATION SUBJECT TO A BASIC REPORT OF PROPOSED CHROME TANNING SALTS AND VITAMIN K3 PRODUCTION FACILITY FOR BROTHER CISA.

The application for environmental authorization for the abovementioned activity, submitted in terms of the requirements of regulation 6(1) of the EIA Regulations, 2014, was received by this Department on **15 July 2020**. This application complies with the EIA Regulations 2014 and has been accepted.

1. Please note that this application has been registered on the National Environmental Authorization System (NEAS) and that the final Basic Assessment Report is due **19/10/2020**. In terms of regulation 45 of the EIA Regulations 2014, an application lapses if the applicant fails to meet any of the prescribed timeframes (unless an extension has been granted in terms of regulation 3(7)).
2. Please quote the above-mentioned reference number for this application in all future correspondence.
3. You are reminded that the activity/ies applied for may not commence prior to an environmental authorization being granted by this Department.
4. Enquiries regarding this application may be directed to the Assistant Manager: Impact Assessment: **Mr.Poovi Moodley, Tel No: 034 328 1200 at Amajuba District Office.**

Yours faithfully,



For: Head of Department:
KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs
cc: Jacque.hunlun@Brothtercisa.com

APPENDIX 3.2: PROOF OF SUBMISSIONS OF REPORTS TO COMPETENT AUTHORITY

This is draft report as submitted to CA. Proof of submission will be included in the final report.

APPENDIX 3.3: COMMENTS FROM COMPETENT AUTHORITY

This is draft report as distributed to IAPs. A comments and Responses Report will be included in the final report.

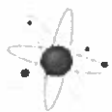
APPENDIX 3.4: MINUTES OF PRE-APPLICATION MEETING WITH KZN EDTEA



Pre-Application Meeting Minutes

Purpose	Pre-application Meeting – Brother CISA Proposed Chrome Tanning Salts EA	Reference	N/A
Venue	KZN Department of Economic Development, Tourism and Environmental Affairs Newcastle Regional Office EDTEA Boardroom, 43 Hardening St, Newcastle	Next Meeting	N/A
Meeting date	Tuesday 17 March 2020	Start time	10:30
		Finish time	12:00
Facilitator	Poovi Moodley	E Mail	Poovie.Moodley@kznedtea.gov.za
Recorded by	Sam Leyde	E Mail	sam@escience.co.za

	Name	Initials	Representing
In Attendance	Poovi Moodley	PM	KZN Department of Economic Development, Tourism and Environmental Affairs (Competent Authority)
	Bongiwe Msomi	BM	KZN Department of Economic Development, Tourism and Environmental Affairs (Competent Authority)
	Xolile Ngobese	XM	KZN Department of Economic Development, Tourism and Environmental Affairs (Competent Authority)
	Ntokozo Nkosi	NK	KZN Department of Economic Development, Tourism and Environmental Affairs (Competent Authority)
	Jacque Hunlun	JH	Brother CISA (Applicant)
	Sam Leyde	SL	EScience Associates (Environmental Assessment Practitioner)
	Abdul Ebrahim	AE	EScience Associates (Environmental Assessment Practitioner)
Apologies	None		
Absent	None		



Pre-Application Meeting Minutes

Discussion	Key Next Steps / Actions / Decision Log
<p>NN opened the meeting. All attendees introduces themselves</p>	
<p>Proposed Activities AE presented the background information document and used this as a guide for the discussions. AE explains current processes at Brother CISA AE explains the proposed activities:</p> <ul style="list-style-type: none"> • Production of Chrome Tanning Salts – Inorganic Process • Production of Vitamin K • Production of Chrome Tanning Salts – Organic Process <p>AE shows proposed location of facility on site map within the existing Newcastle Chemicals Industrial Complex. Points out that proposed development will be within industrial site on land that is disturbed and has been used for industrial purposes, and there will be no clearing of land required.</p>	
<p>Listed Activities AE detailed the applicable listed activities:</p> <p>Activities Requiring an EA in terms of NEMA and the EIA Regulations: Listing Notice 1 (GN R. 983 as amended):</p> <ul style="list-style-type: none"> • <u>Activity 34:</u> "The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding..." <u>Reason:</u> Brother CISA will be required to amend their AEL • <u>Activity 51:</u> 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. <u>Reason:</u> Brother CISA will store more than 80m³ dangerous goods. These include sulphuric acid, molten sulphur, formic acid, and sodium hydroxide which are listed in the annexure 2 to SANS 10234. Some of the other input materials and products may also be hazardous although they are not listed in SANS 10243. <p>Activities Requiring an AEL in terms of NEMAQA and GN 893:2013, as amended:</p> <ul style="list-style-type: none"> • <u>Category 7: Inorganic Chemicals Industry; Subcategory 7.2:</u> Production of Acids. <u>Reason:</u> Brother CISA proposes to use more than 100 tonnes/annum of sulfuric acid (H₂SO₄) in their chromium salts manufacturing process. • <u>Category 7: Inorganic Chemicals Industry; Subcategory 7.4:</u> Production, Use in Production or Recovery of Antimony, Arsenic, Beryllium, Cadmium, Chromium, Cobalt, Lead, Mercury, and or Selenium, by the Application of Heat <u>Reason:</u> Brother CISA proposes to produce more than 1 ton Chrome Tanning Salts per month. <p>It was agreed that a Basic Assessment process is applicable.</p>	<p>It was agreed that a Basic Assessment process is applicable.</p>



NN enquired if the Amajuba District Municipality (ADM) Air Quality Officer has been consulted. AE noted that it is clear that the listed activities will apply as identified, and that the AQO will be a commenting stakeholder during the BA process. The BA report and specialist studies will be relevant to the AEL amendment application.

DEFF Screening Tool and Specialist Studies

AE presented the results of the DEFF online Screening Tool:

The screening tool identified the following specialist studies that may be applicable to the proposed facility based on the site's classification, and the identified environmental sensitivities of the proposed development footprint:

Theme	Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agriculture Theme		X		
Animal Species Theme			X	
Aquatic Biodiversity Theme				X
Archaeological and Cultural Heritage Theme		X		
Civil Aviation Theme		X		
Plant Species Theme				X
Defence Theme				X
Terrestrial Biodiversity Theme	X			

AE explains that the screening tool relies on GIS data, which is relatively coarse, and is not always representative of actual site conditions thus the specialist studies listed by the screening tool are not always applicable. AE goes through the above list item by item explaining which are relevant on which are not, noting that the site is an existing established industrial site from as far back as 1996 for the chrome chemicals operations and even further back for some of the other industries in the chemicals park. There are no natural habitats of significance on the site. There are no agricultural activities on the site although surrounding land is used for informal grazing.

AE Explains that EScience's professional opinion, based on disturbed and developed nature of the site, the surrounding land uses, and the nature of proposed activities in addition to existing activities, is that the specialist studies that are anticipated to be required are as follows:

- Air Quality Impact Assessment in support of an Atmospheric Emission Licence (AEL) application as well in cognisance that emissions to atmosphere are likely to be the environmental concern of most significance. A tier 3 Air Quality Impact Assessment (AQIA) is proposed as per the air dispersion modelling regulations (GNR 533 of 2014).




Pre-Application Meeting Minutes

<ul style="list-style-type: none">Archaeological, Palaeontological and Cultural Heritage Screening Assessment. This will be required due to the fact that excavation may be required during construction, together with the fact that the area is deemed to be of high Archaeological and Cultural Heritage sensitivity. Given that the site has been widely excavated it is not expected that artefacts of significance will be encountered however the specialists will undertake the assessment and advise accordingly. <p>AE notes that the Newcastle Airport is to the north of the site, however the proposed development will not exceed the heights of existing facilities at the site. The CAA will be a stakeholder in the process as well as the Newcastle Local Municipality which owns the airport.</p> <p>AE notes that a Major Hazard Installation Risk Assessment may be required in terms of the Occupational Health and Safety Act (No. 85 of 1993), due to the storage of dangerous goods. Although this is not within the ambit of NEMA it will be informative to the environmental impact assessment. JH confirmed that the site is already an MHI and that it is due for its 5-year re-assessment in two months. The re-assessment will include the proposed activities.</p> <p>PM indicated that the MHI Risk Assessment may have bearing on the preferred location of dangerous goods storage facilities.</p>	
<p>Water and Energy Supply</p> <p>AE indicates that the water required for the proposed activities (70m³ / day) is small compared to the total currently used by Brother CISA and the combined usage will still be within the facilities authorised water supply from the municipality</p> <p>AE indicates that the electricity required for the proposed activities (approximately 1 MW) is small compared to the total currently used by Brother CISA and the combined total will be within the current supply capacity.</p>	
<p>Waste</p> <p>AE details waste streams anticipated, namely activated carbon and sludge. These will be assumed hazardous and will be disposed of at an appropriately licenced landfill, for example Holfontein.</p>	
<p>Effluent</p> <p>AE notes that there will be no industrial effluent disposed as water will be recirculated and the liquors produced by the process are raw materials for other processes within the chrome chemicals plant.</p>	
<p>Transport</p> <p>AE indicates that there will be an increase in the number of trucks delivering raw materials to the site, however, due to a number of business having closed at the Newcastle chemicals complex, the traffic has reduced significantly and thus the expected total trips to the facility is still expected to be lower than the number of trips when all businesses were operational in the past. It is therefore expected that there will not be a net increase in the amount of transport historically associated with the site.</p>	

Pre-Application Meeting Minutes

<p>Public Participation Process (PPP) AE indicates that the basis of the PPP will be the requirements of EIA regulations, however in some instances there will be additional measures taken:</p> <ul style="list-style-type: none"> • English and isiZulu Adverts and Notices to be published/erected • Interested and Affected Parties to Include Ward Councillor, Amajuba Air Quality Officer, Newcastle Local Municipality, Amafa Heritage, Civil Aviation Authority and all requirements of EIA Regulations. • The PPP for AEL process and EA process will be combined • No public Meeting anticipated at this point; however, this decision will be guided by interest shown by IAPs 	<p>EDTEA to let EScience know should they identify further interested and affected parties to be included</p>
<p>PM indicated that signed minutes and DEFF screening tool report must accompany application</p>	<p>Signed minutes and DEFF screening tool report must accompany application</p>
<p>PM indicated that we should not submit a draft report to EDTEA together with application as this sometimes creates confusion as a reference number has not yet been assigned. Thus, the options are:</p> <ul style="list-style-type: none"> • To submit a draft report to EDTEA prior to application for preliminary comments, after receiving comments from EDTEA submit application, await reference number and then distribute draft report to IAPS including EDTEA with reference number • Submit application, await reference number, distribute draft report to IAPS including EDTEA with reference number 	
<p>PM indicated that 1 hard copy and 1 soft copy of draft report is adequate. 2 hard copies and 1 soft copy of final report to be submitted.</p>	

<p>Signed by:</p>	<p>Pooi MOSOLEY</p>
<p>Signature:</p>	
<p>Date:</p>	<p>24/03/2020</p>



EScience
Associates
(Pty) Ltd

Pre-Application Meeting Minutes

APPENDIX 1: ATTENDANCE REGISTER



edtea

Department
Economic Development, Tourism and
Environmental Affairs
PROVINCE OF KWAZULU-NATAL

ATTENDANCE REGISTER

PRE-APPLICATION MEETING: Environmental Authorisation and Atmospheric Emission Licence amendment application
for Brother CISA, Newcastle, KwaZulu-Natal

VENUE: No. 43 Hardening Street, Newcastle EDTEA boardroom

DATE: 17 March 2020

TIME:

Name & Surname	Organization	Contact Details		Signature
		Tel	E-mail	
1. Pravin Moodley	EDTEA	0327194101	pravin.moodley@kwaedtea.gov.za	
2. Bongiwe Msimi	EDTEA	034 328 0500	Bongiwe.Msimi@kwaedtea.gov.za	
3. Yolene Ngobese	EDTEA	051 428 9550	yolene.ngobese@kwaedtea.gov.za	
4. Abdul Ebrahim	EScience		abdul@esciencenw.co.za	
5. Sami Loyde	EScience	034 70 5050	sami@esciencenw.co.za	
6. Jacques Hunter	Brother CISA	0503 6331341	Jacques.hunter@brothercisa.co.za	
7. Ntokozo Nkosi	EDTEA	0324157029	ntokozo.nkosi@kwaedtea.gov.za	