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29 March 2022

Dear Interested and Affected Party

NOTIFICATION OF ENVIRONMENTAL AUTHORISATION GRANTED: PROJECT REFERENCE S24/03/19-20/0458: UNLAWFUL STORING AND BLENDING OF OILS AND LUBRICANTS (DANGEROUS GOODS) AT THE TOLL BLENDING PLANT ON FARM KLIPFONTEIN, ANDERBOLT, BOKSBURG, EKURHULENI METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE

The purpose of this letter is to notify you as a registered Interested and/or Affected Party that the Gauteng Department of Agriculture and Rural Development (**GDARD**) granted an Environmental Authorisation in terms Section 24G of the National Environmental Management Act, 107 of 1998 (NEMA) for the following activities on Farm Klipfontein as listed in Listing Notice 1 (GNR 327) and Listing Notice 2 (GNR 325) of 2014, as amended:

Listed Activities	Activity/Project Description
Listing Notice 1, GN 327 Item 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>	The activity 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. Coordinates: Latitude (S): 28°16'25.18" Longitude (E): 26°11'58.98"E The site is approximately 28 776 m ² in extent.
Listing Notice 2, GN 325 Item 4: <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>	
Listing Notice 2, GN 325 Item 5: <i>The development and 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, excluding[-]</i>	
<i>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 At, 2008 applies.</i>	

The applicant, locality and project reference number are given below:

<u>Applicant</u>	<u>Location</u>	<u>GDARD Ref. Number</u>	<u>Date Approved</u>
African Group Lubricants	Farm Klipfontein located at the Toll Blending Plant on the Cnr. of Paul Smit and Main Road, in Anderbolt, Boksburg, Ekurhuleni Metropolitan Municipality, Gauteng Province	S24/03/19-20/0458	16/03/2022

Site coordinates:

<u>Latitude (S)</u>	<u>Longitude (E)</u>
28°16'25.18"	26°11'58.98"E

Reasons for Decision

The Department is satisfied on the basis of information available to it and subject to compliance with the conditions of the environmental authorisation, that the applicant should be authorised to undertake the activity as specified above. In reaching its decision, GDARD took the following into consideration:

1. The Section 24G application for rectification dated June 2019.
2. Information obtained from the Department's Geographic Information Database i.e., the Gauteng Conservation Plan (Version 3)
3. The findings of the site inspections conducted by officials of GDARD on 08 August 2019 and 03 March 2022.
4. Compliance with the Directive issued in terms of section 24G (1)
5. The Environmental Impact Assessment Report compiled by EKO Environmental dated July 202 and subsequent approvals dated October 2021 and received on 08 March 2022.
6. The administrative fine of R625 000.00 (six hundred and Twenty-Five Thousand Rand letter) issued by the Department on 09 December 2020.
7. The request to the MEC for the review of the administrative fine lodged by EKO Environmental on behalf of African Group Lubricants dated 18 December 2020.
8. The decision of the MEC dated 19 January 2022 reducing the administrative fine to R250 000.00 (two hundred and fifty thousand rand) and payment made on 31 January 2022.
9. The findings of the compliance monitoring inspection conducted on 03 March 2022.

Appeal

A copy of the approved environmental authorisation can be obtained from EKO Environmental on request. Parties wishing to appeal against the decision should lodge a notice of intention to appeal, in writing, with the Department's (GDARD) Appeal Administrator, and a copy of the appeal to the Holder of the Authorisation, any Registered Interested and Affected Party, and any organ of state interested in the matter, within 20 days from:

- The date that the notification of the decision for an application for an environmental authorisation or a waste management license was sent to the registered interested and affected parties by the Applicant; or
- The date that the notification of the decision was sent to the Applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred in paragraph (a).

Appeals must be submitted in the form obtainable from the Department's Appeal Administrator at telephone number 011 240 3204 or email address tsholofelo.mere@gautneg.gov.za or the Department's website: www.gauteng.gov.za and accompanied by:

- i. A statement setting out the grounds of appeal;
- ii. Supporting documentation which is referred to in the appeal submission; and
- iii. A statement, including supporting documentation, by the Appellant to confirm compliance with section 4(1) of the National Appeals Regulation of 08 December 2014, as amended.

Appeals can be submitted through the following means:

By hand: Umnotho House, 56 Eloff Street, Marshalltown, Johannesburg
By post: MEC: Gauteng Agriculture and Rural Development
P.O. Box 8769
Johannesburg
2000

All interested and affected parties that wish to appeal must serve on the Holder of the Application a copy of their notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the Holder of the Application.

If the Holder of the Application should decide to appeal, the Holder of the Application must serve a copy of the notice of intention to appeal to all registered interested and affected parties as well as a notice indicating where and for what period the appeal submission will be available for inspection.

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, the holder of the authorisation may not commence with the activity until such time that the appeals is finalised.

Please do not hesitate to contact me at 051 444 4700 or richard@ekogroup.co.za if you have any queries or concerns regarding this project.

Kind regards



Richard Williamson
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