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EKO GROUP (PTY) LTD trading as Eko Environmental

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VAT No. 4020225811

**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)**

**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**

***DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT***

**May 2020**

Eko Report Number: eko20/02-02-87

Prepared for: African Group Lubricants

Case Officer: Tshilidzi Masindi/ Phindy Malaza

**Reference Number: S24G/03/19-20/0458**

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## **Purpose of this document**

African Group Lubricants (Pty) Ltd operates a Toll Blending Plant on farm Klipfontein, Anderbolt, Boksburg, 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.

The GDARD issued a Directive to African Group Lubricants on 12 December 2019, following the submission of an application for S24G rectification that had been submitted by African Group Lubricants to GDARD. This draft report provides the information requested by GDARD in its Directive, and documents the public consultation undertaken as per GDARD's requirements to obtain an environmental authorisation for the facility. Interested and affected parties were given the opportunity to comment and raise objections regarding the project and to comment on the draft Section 24G report from Friday, 28 February 2020 to Friday, 03 April 2020. In addition due to the unprecedented outbreak of the COVID-19 pandemic and the subsequent lockdown that has been in effect since the 26th March 2020, the Draft Section 24G report has been made available or sent to all interested and affected parties on the 06<sup>th</sup> May 2020 for an additional review until the 06th June 2020. All comments and objections received during this period will be included in the final Section 24G report.

Parties wishing to formally object to and/or comment on the Section 24G rectification and are requested to forward their objections and comments no later than 06<sup>th</sup> June 2020 by contacting Eko Environmental.

### **Eko environmental**

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*Please note that any objections and comments must also be copied to:  
The Head of Department: Gauteng Department of Agriculture and Rural Development  
For Attention: Ms. Maryjane Ramahlodi: Section 24G Unit Manager  
P.O. Box 8769, Johannesburg, 2000  
E-mail: maryjane.ramahlodi@gauteng.gov.za, phindy.malaza@gauteng.gov.za*

## Report Details

<b>Title:</b>	<b>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</b>
<b>Purpose of this report:</b>	<p>The purpose of this Environmental Impact Assessment Report is to:</p> <ol style="list-style-type: none"> <li>1. Present the proposed project and the need for the project;</li> <li>2. Describe the affected environment at a sufficient level of detail to facilitate informed decision-making;</li> <li>3. Provide an overview of the Environmental Impact Assessment Process being followed, including public consultation;</li> <li>4. Assess the predicted positive and negative impacts of the project on the environment;</li> <li>5. Provide recommendations to avoid or mitigate negative impacts and to enhance the positive benefits of the project;</li> <li>6. Provide an Environmental Management Programme (EMPr) for the proposed project.</li> <li>7. Provide the information requested by GDARD in its Directive, S24G/03/19-20/0458, and document the public consultation undertaken as per GDARD's requirements to obtain an environmental authorization for the project.</li> </ol> <p>This Environmental Impact Assessment (<b>EIA</b>) Report is being made available to all Interested and Affected Parties (I&amp;APs) and stakeholders for a 30-day review period. All comments submitted during the review of the EIA will be incorporated into the finalised EIA as applicable and where necessary. This finalised EIA will then be submitted to the Gauteng Department of Agriculture and Rural Development (<b>GDARD</b>) for decision-making.</p>
<b>Prepared for:</b>	African Group Lubricants (PTY) Ltd
<b>Prepared by:</b>	Eko Environmental
<b>Date:</b>	March 2020
<b>Case Officer</b>	Tshilidzi Masindi/ Phindy Malaza
<b>Reference Number</b>	S24G/03/19-20/0458

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**Appendix 2: Professional Profiles and EAP Declaration**

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**Appendix 6: Comments and Response Report**

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**Appendix 11: Confidential Information**

*Only included in the GDARD copies*  
*Financial Statements :2017, 2018, 2019*  
*Signed Declaration*

# 1. Introduction

African Group Lubricants (AGL) Pty Ltd is a relatively newly established company that was 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 Portion 1022 of the Farm Klipfontein No 171 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.

## 1.1 Purpose of this report

The GDARD issued a Directive for S24G rectification to African Group Lubricants on 12 December 2019 outlining the requirements and information requested from African Group Lubricants by GDARD. A draft Section 24G report providing the information requested by GDARD, was made available to interested and affected parties (IAPs) to comment on from Friday, 28 February 2020 to Friday, 03 April 2020. In addition due to the unprecedented outbreak of the COVID-19 pandemic and the subsequent lockdown that has been in effect since the 26<sup>th</sup> March 2020, the Draft Section 24G report has been made available to all interested and affected parties on the 06<sup>th</sup> May 2020 for an additional review.. All comments and objections received during this period will be included in the final Section 24G report.

## 1.2 Content of this report

This provides the following information:

- Background information to the project (Section 2).
- Public participation undertaken to comply with GDARD requirements (Section 3).
- Receiving environment (Section 4).
- Impact Assessment (Section 5).
- Environmental Management Programme (Section 6).
- Stormwater Management Plan (Section 7)
- Information requested by GDARD (Section 8).

## 1.3 Details of the Environmental Assessment Practitioner

African Group Lubricants appointed Eko Environmental to assist them with their environmental requirements. Eko Environmental appointed Richard Williamson, an environmental assessment practitioner (EAP), to conduct this Section 24G application. Richard Williamson has no business, financial or personal interest in the facility and is therefore able to provide an independent, objective assessment. He is a qualified Environmental Manager with over 4 years' experience in dealing with and conducting environmental impact assessments in South Africa.

He is certified as a Professional Natural Scientist by the South African Council for Natural and Scientific Professions (SACNASP) and his application for professional registration at the Environmental Assessment Practitioners Association of South Africa (EAPASA) is pending. His experience includes the integration of various specialist assessments in the compilation of environmental impact reports and environmental management plans. Such reports include the integration of water, ground water, air quality, biodiversity, wetland, social, socio-



economic, macro-economic, noise, traffic, visual, heritage and paleontological studies. His CV is given in Appendix 2. The declaration of independence is also given in Appendix 2.

### 1.3.1 Public participation practitioner

The public participation for the EIR is also being carried out by Eko Environmental and is handled by Mr Richard Williamson with the assistance of Mr Martin van Niekerk from Eko Environmental.

## 1.4 Applicable Environmental Legislation

The following environmental legislation is applicable to the project.

### 1.4.1 The Constitution of the Republic of South Africa (Act 108 of 1996)

Section 24 of the Constitution states that: Everyone has the right:

- a. to an environment that is not harmful to their health or well-being; and
- b. to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that
  - i. prevent pollution and ecological degradation;
  - ii. promote conservation; and
  - iii. secure ecologically sustainable development and use of natural resources, while promoting justifiable economic and social development

The current environmental laws in South Africa concentrate on protecting, promoting, and fulfilling the Nation's social, economic and environmental rights; while encouraging public participation, implementing cultural and traditional knowledge and benefiting previously disadvantaged communities.

### 1.4.2 National Environmental Management Act (Act 107 of 1998), as amended (NEMA)

The National Environmental Management Act, 107 of 1998, as amended, (NEMA), specifies that it is necessary for an applicant to undertake an EIA, which meets the minimum requirements of section 24(7) of NEMA, where an activity requires permission by law. The minimum requirements of section 24(7) of NEMA are regulated by the EIA Regulations, of which the latest Regulations were promulgated in December 2014 (Government Notices R983 and R984) and amended in 2017. The identified listed activities applicable to the facility are listed in Table 1 below.

**Table 1: Summary of Activities Requiring Authorisation**

2014 EIA Regulations	2017 EIA Regulations	Explanation of Applicability
R983, 4 December 2014: Listing Notice 1	R983, after 07 April 2017: Listing Notice 1	
<b>Activity 51:</b> <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 meters.</i>	<b>Activity 51:</b> <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 meters.</i>	The toll blending facility makes use of base oils and lubricants (raw materials) to produce certain unique oils and lubricants in a blending process that is known as toll blending.  The capacity of the facility was expanded by more than 80 cubic meters (80 000 L) with the expansion of a warehouse by African Group Lubricants.  Oils and lubricants are classified as dangerous goods.
R984, 4 December 2014, Listing Notice 2	R984, after 07 April 2017: Listing Notice 2	

<p><b>Activity 4:</b>  <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></p>	<p><b>Activity 4:</b>  <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></p>	<p>Oils and lubricants are classified as dangerous goods.</p> <p>The capacity of the toll blending facility has a combined capacity of more than 500 cubic meters and therefore this activity applies.</p>
<p><b>Activity 5:</b>  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. Facilities for the refining, extraction or processing of gas from landfill sites; or</i>  <i>ii. The primary processing of a petroleum resource in which case activity 22 in this Notice applies.]</i></p>	<p><b>Activity 5:</b>  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. Facilities for the refining, extraction or processing of gas from landfill sites; or</i>  <i>ii. The primary processing of a petroleum resource in which case activity 22 in this Notice applies.]</i></p>	<p>The toll blending facility makes use of base oils and lubricants (raw materials) to produce certain unique oils and lubricants in a blending process that is known as toll blending.</p> <p>The toll blending plant falls under the processing of a petroleum resource – the blending of oils and lubricants to produce unique oils and lubricants.</p>

## 2. Background to the Project

### 2.1. Property and Location

African Group Lubricants recently leased an existing Toll Blending Plant that formerly belonged to Shell South Africa Pty Ltd and is currently owned by Gans-Trans (Pty) Ltd, in 2016 on Portion 1022 of the Farm Klipfontein No 171 at the corner of Cnr Paul Smit Street and Main Street in Anderbolt, Boksburg that is situated in the Ekurhuleni Metropolitan Municipality. This part of Anderbolt is zoned for industrial and commercial use and is surrounded by industries such as trucking, trucking transport and repair, industrial equipment suppliers and metal manufacturers to name a few.

The site is located about 1km east and west of the nearest residential areas which are Ravenswood and The Stewards respectively. The locality map for the toll blending plant is seen in Figure 1.1 and Figure 1.2. Figure 1.2 clearly illustrates the surrounding built up industrial and commercial areas that surround the blending plant.

### 2.2. Historical use of the site

According to historical information, the original site was established more than 30 years ago. On 30 November 1981, a U.S. federal trademark registration was filed for CERA by Cera Oil S.A. (Proprietary) Limited, a division of Shell South Africa, in Boksburg North, Transvaal. The original site covered an area of approximately 38,000 m<sup>2</sup> with lubricant blending and storage activities incorporating a large part (~24,000 m<sup>2</sup>) of the land area.

The south eastern corner of the original site contains the administration building which appears to be a renovated residential dwelling with a swimming pool. When Shell South Africa under CERA (LOBP) operated the facility, it involved using spent oils, base mineral oils and others to manufacture an assortment of industrial lubricants, degreasers and rust inhibitors. The product was mostly a viscous liquid which has a high hydrocarbon and some mineral content. The site was used to store bulk raw material such as base oils, transformer oil and additives as well as finished products in 38 aboveground storage tanks (AST) distributed in nine tank farms. The ASTs contained: transformer oils (20), based oil (10), additives (6), finished product and several spare tanks.

Associated pipelines for all fuel types ran above-ground with the present operations making use of the same pipeline network. Underground services included: storm water, sewer and accidentally oil contaminated water drainage. The underground drainage system is included in the site layout plan that is seen in Figure 1.3. The storm water drainage system and the accidentally oil contaminated system include several oil traps/sumps and discharges onto one of the site's separators (along the west site border, in the middle of the site).

Based on historical reports, ERM 2014, it is understood that the clean water from the separator feeds a furrow that flows west into the canal located 300 m west of the site, along Craig Road. The current blending plant makes use of the same drainage system. Buildings on the site included: an administration building, a workshop/store/warehouse, a former workshop and a painting booth, blending plants, a filling hall and a laboratory. Other open under cover buildings are: a loading gantry, an undercover drums loading area and finished product stores. Most of these buildings are in use for the current toll blending facility.



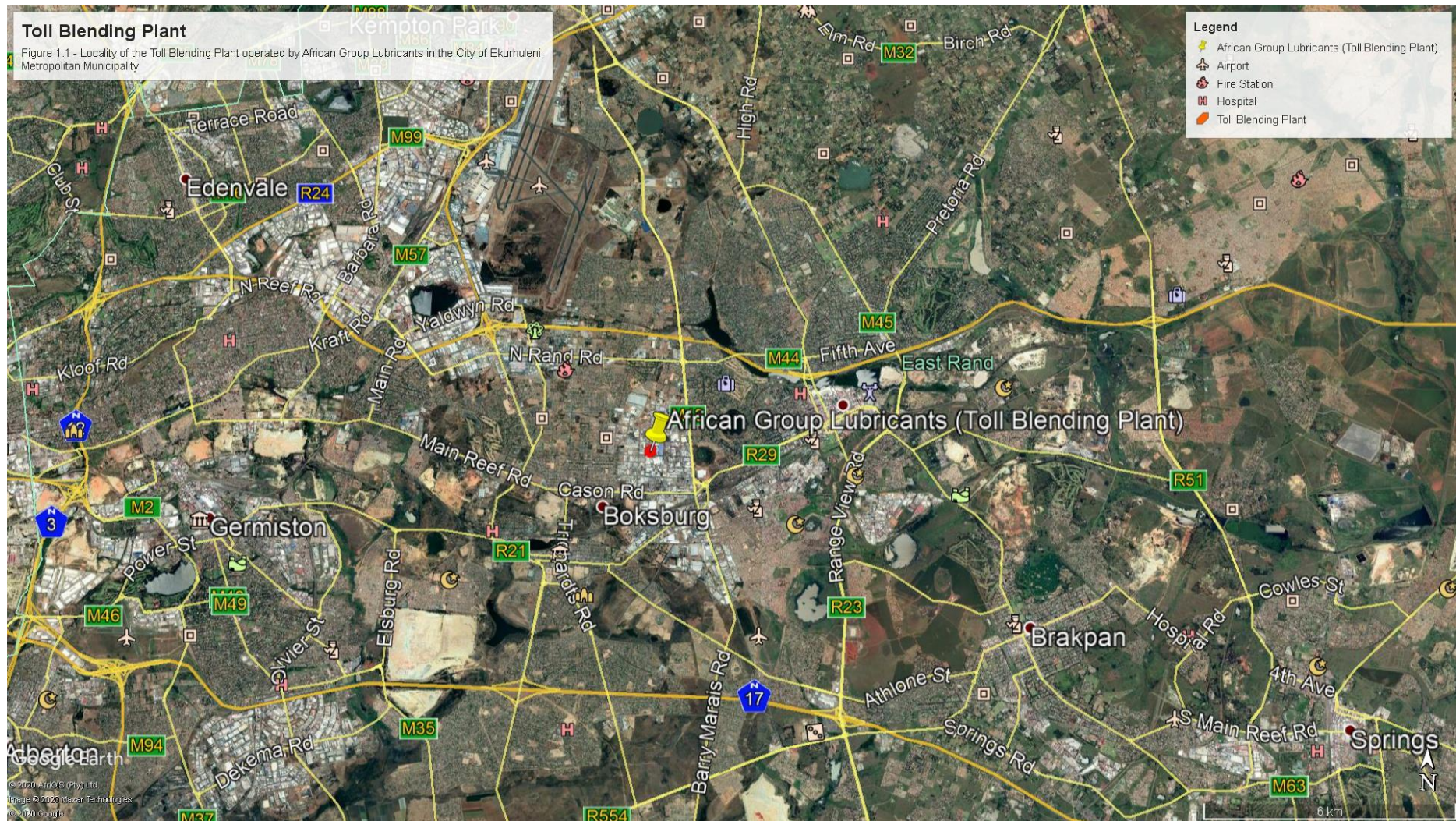


Figure 1-1 Locality Map for the toll blending plant operated by African Group Lubricants within the Ekurhuleni Metropolitan Municipality within Gauteng





Figure 1-2 Locality Map for the toll blending plant operated by African Group Lubricants within the Ekurhuleni Metropolitan Municipality within Gauteng

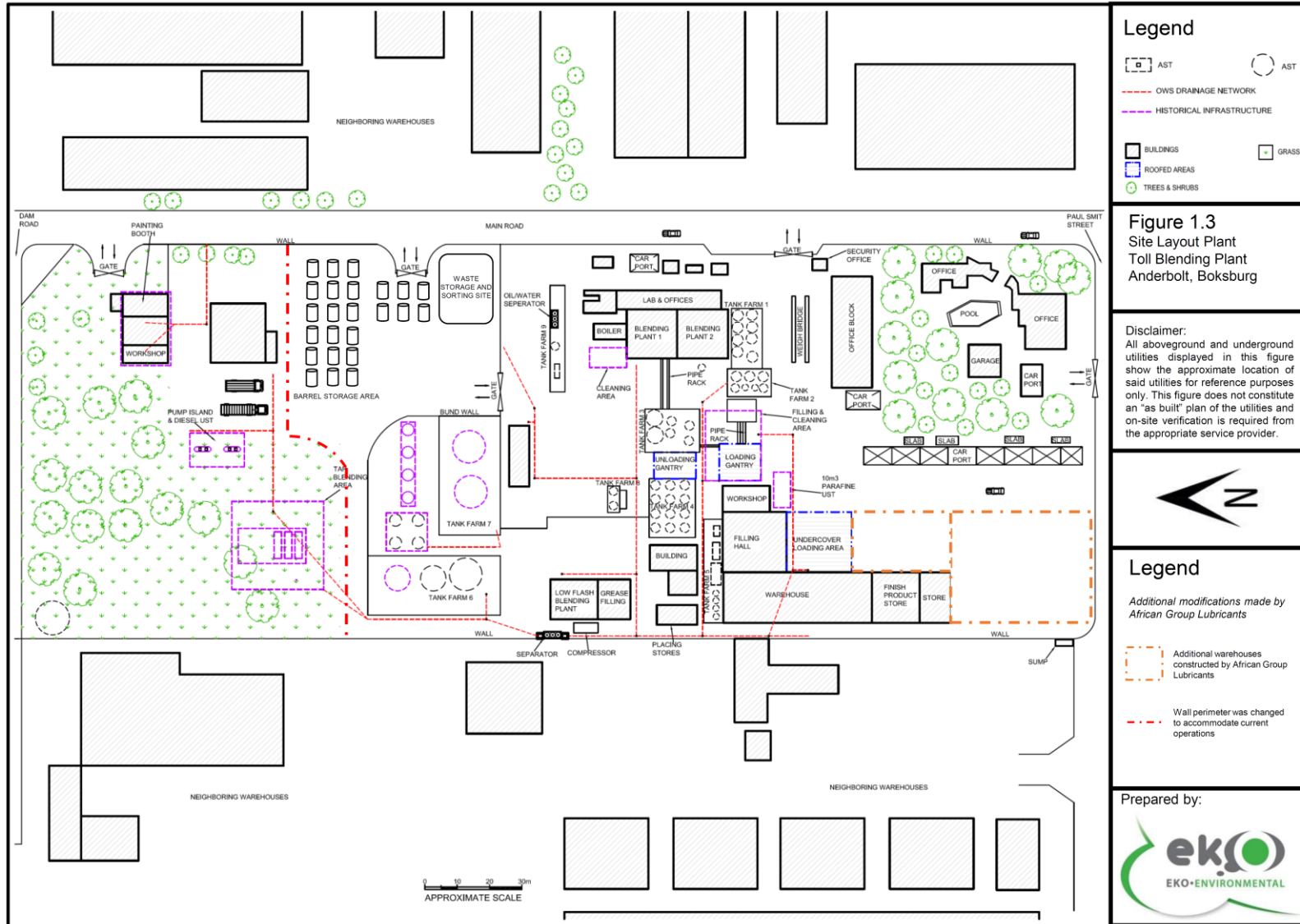


Figure 1-3 Site Layout Map for the toll blending plant operated by African Group Lubricants within the Ekurhuleni Metropolitan Municipality within Gauteng



### 2.3. Background to African Group Lubricants

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 Portion 1022 of the Farm Klipfontein No 171 at the corner of Cnr Paul Smit Street and Main Street in Anderbolt, Boksburg on erf 506 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. 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 a Non-Disclosure Agreement), 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.

### 2.4. Capacity of the facility

The size of the property on which the toll blending plant operates has a footprint of 28 776m<sup>2</sup>. The raw products (oils and lubricants) are stored in sealed drums and filling tanks on site as this is where the blending occurs. Final products are filled, packaged and labelled in the filling rooms and workshop before being transported to the warehouse where it awaits collection.

The capacity for raw materials on site includes the following:

1. For base oils– 4 million litres (4000 m<sup>3</sup>) of raw material
2. Warehouse storage capacity – 4.1 million litres (4900 pallet positions x 832l)
3. The throughput capacity in a week/month at the plant (maximum capacity plus operating capacity) is 21 million litres (21 000m<sup>3</sup>)
4. The throughput per year is 47 million litres (47 000m<sup>3</sup>)

### 2.5. Existing operations at the site

The toll blending facility operated by African Group Lubricants consists of raw material storage, access roads, weigh bridge, office blocks, blending plants, tank farms, laboratory, workshop, filling hall and a warehouse for storage. The layout of the toll blending facility is given in Figure 1.2 seen above, and the process is described below.

The toll blending facility receives the raw material (base oils and lubricants) in sealed containers or by truck where it is then stored in the available tank farms. The raw materials are then blended at the blending plant to the client specifications until the final product is produced. The final product is then piped to the filling hall where the product is bottled or packaged before being sent to the warehouse for collection, see Figure 1.2 for reference.

### 2.5.1. Raw material storage

The raw materials used at the toll blending plant include base oils which are stored in sealed drums and tank farms that are present on site. The current capacity of the toll blending plant in terms of raw materials storage is 4 million liters (4000 m<sup>3</sup>).

### 2.5.2. Blending of oils and Lubricants

Toll blending, also known as toll milling, contract manufacturing or custom processing, involves the custom mixing and processing of a customer's product for a fee or "toll". These services can be provided on various products, especially those with intensive processes and complex formulations, particularly in specialty chemicals industries. In the case of the blending plant in question the products are oils and lubricants from the petroleum industry.

#### *2.5.2.1. Benefits of toll blending*

Manufacturers may not have the resources necessary to make products in their own facilities. Capital investments in specialized equipment, facilities, labor and energy can be cost prohibitive for in-house operations. Already equipped with machinery and knowledge, blending companies such as African Group Lubricants can provide manufacturing services for batches of various sizes from small laboratory trials to full-scale production batches. The outsourcing of toll processing services can offer significant savings over in-house production.

The blending of products and chemicals can have intricate formulations with complicated processes requiring a series of steps that can take days or weeks to complete. Any errors in formulation can ruin an entire batch, including the loss of time and money. Toll processors provide consistency and quality control to prevent loss and ensure efficient production at the maximum yield.

Additional benefits of toll production include

- More cost effective than in-house production
- Technical support and knowledge of processes
- Quality control and consistency
- Reduction of particle size to submicron and nanometer ranges
- Flexibility to adjust formulation or production volume
- Ability to customize equipment and processes to customer's specifications
- Experienced in dealing with volatile or hazardous materials
- Compliance with regulatory requirements
- Eliminates investments in equipment and other related expense

### 2.6. Completed Products Storage

The raw products (oils and lubricants) are stored in sealed drums and above ground storage tanks on site as this is where the blending occurs. Final products, after the blending has occurred, are filled, labelled and packaged in the filling rooms and workshop before being transported to the warehouse where it awaits collection. The storage capacity for completed products is 4100 million liters (4100 m<sup>3</sup>). The throughput capacity in a week/month at the plant (maximum capacity plus operating capacity) is 21 million litres throughput/yr; capacity = 47 million litres

### 2.7. Water supply

The site obtains municipal water for drinking purposes and for ablutions. The toll blending process does not make use of water in the blending process. Pre-existing boreholes are present on site that are used for monitoring purposes and not for water supply.



## 2.8. Waste management

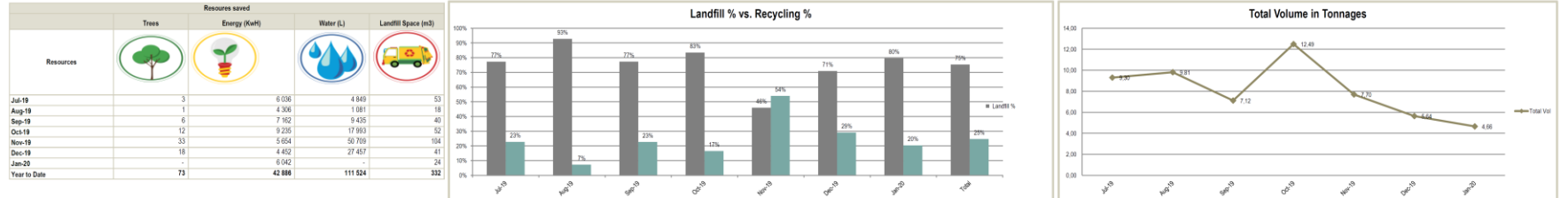
The following tables seen in table 1.1 below provides a description of the waste streams generated on the site including the types of waste, quantities of waste, where it is transported, order numbers and tracing slips, vendor name etc. It must be noted that all waste on site at the toll blending plant is currently outsourced and handled by EnviroServ Waste Management (Pty) Ltd, see the waste management agreement between African Group Lubricants and EnviroServ management report in appendix 10.

EnviroServ Waste Management is responsible for the collecting, transporting and processing of all waste at the toll blending plant. Waste is separated into different waste streams on site at the allocated area in the north-eastern part of the site. Monthly reports, an example of which is given in figure table 1.1 below for January 2020, indicating the amounts of different waste along with recommendations are then sent to African Group Lubricants for review and record keeping purposes.

Table 1.1 – Tabulated data received from EnviroServ indicating the types of waste generated at the toll blending plant and the relevant information pertaining to that waste

Volume report in Ton																			
Month	Cardboard	Plastic	Paper	E.Waste	Scrap Metal	Glass	Wood	Compost	Other recyclables	Alternative to Landfill	Hazardous Waste	Safe Disposal	General waste	Total Recycled	Total Landfill	Total Vol	Landfill %	Recycle	
Jul-19	0.17	0.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	6.19	2.12	7.19	9.30	77%	23%	
Aug-19	0.04	0.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.60	0.00	2.50	0.71	9.10	9.81	83%	7%	
Sep-19	0.18	1.11	0.15	0.00	0.00	0.18	0.00	0.00	0.00	0.00	2.50	0.00	3.00	1.62	5.50	7.12	77%	23%	
Oct-19	0.62	1.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.92	0.00	2.50	2.07	10.42	12.49	89%	11%	
Nov-19	1.50	0.70	0.24	0.00	0.00	1.88	0.00	0.00	0.04	0.00	1.54	0.00	2.00	4.16	3.54	7.90	48%	52%	
Dec-19	0.94	0.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00	0.00	1.00	1.64	4.00	5.64	71%	29%	
Jan-20	0.00	0.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.71	0.00	0.00	0.85	3.71	4.66	80%	20%	
<b>Total</b>	<b>3.44</b>	<b>6.54</b>	<b>0.38</b>	<b>0.00</b>	<b>1.00</b>	<b>0.18</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>	<b>1.00</b>	<b>28.27</b>	<b>0.00</b>	<b>17.19</b>	<b>13.28</b>	<b>43.48</b>	<b>56.72</b>	<b>79%</b>	<b>21%</b>	

Cost summary																			
Month	Cardboard	Plastic	Paper	E.Waste	Scrap Metal	Glass	Wood	Compost	Other recyclables	Alternative to Landfill	Hazardous Waste	Safe Disposal	General waste	Total Rebates	Total Landfill Costs				
Jul-19	-R83.00	-R1 011.00	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R3 555.36	R2 303.16	R0.00	R8 185.55	-R1 094.00	R12 044.07					
Aug-19	-R18.50	-R670.60	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R15 524.95	R15 731.72	R0.00	R3 882.39	-R889.10	R35 139.06					
Sep-19	-R89.50	-R1 412.00	-R146.00	R0.00	R0.00	-R27.00	R0.00	R0.00	R7 218.64	R0.00	R7 218.64	R0.00	R3 882.39	-R1 673.50	R11 101.03				
Oct-19	-R289.00	-R1 946.80	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R4 461.47	R0.00	R7 560.06	-R2 154.80	R2 584.60	R12 021.53					
Nov-19	-R890.00	-R864.30	-R124.80	R0.00	-R1 176.00	R0.00	R0.00	R0.00	-R19.50	R0.00	R3 742.72	R0.00	R3 882.39	-R2 584.60	R7 625.11				
Dec-19	-R376.00	-R748.49	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R3 780.03	R0.00	R3 780.03	R0.00	R3 882.39	-R1 124.49	R7 662.42				
Jan-20	R0.00	-R1 912.40	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R17 176.09	R0.00	R0.00	-R1 012.40	R0.00	R17 176.09					
<b>Total</b>	<b>-R1 474.00</b>	<b>-R7 965.59</b>	<b>-R270.80</b>	<b>R0.00</b>	<b>-R1 176.00</b>	<b>-R27.00</b>	<b>R0.00</b>	<b>R0.00</b>	<b>-R19.50</b>	<b>R19 680.31</b>	<b>R54 413.83</b>	<b>R0.00</b>	<b>R29 375.17</b>	<b>-R10 332.89</b>	<b>R162 799.31</b>				



Recyclable & Landfill Detail									
Date	Landfill / Recycling	Waste Out Slip / Manifest No	Vendor Name / Disposal Site	Inventory Account Number	Item List	Waste Type	QTY Ordered (KG)	Recyclable Material Unit Cost	
2020-01-23	Recycling	166863	Other / EnviroServ	202-0107-4875	Plastic	LD Clear & Smokey	223	-R 1,20	
2020-01-23	Recycling	166863	Other / EnviroServ	202-0107-4875	Plastic	Shrink Wrap LLD	100	-R 1,00	
2020-01-23	Recycling	166863	Other / EnviroServ	202-0107-4875	Plastic	LD Clear & Smokey	181	-R 1,20	
2020-01-23	Recycling	166863	Other / EnviroServ	202-0107-4875	Plastic	HD Bottles	33	-R 1,00	
2020-01-23	Recycling	166863	Other / EnviroServ	202-0107-4875	Plastic	Strapping Mixed	38	-R -	
2020-01-30	Recycling	166866	Other / EnviroServ	202-0107-4875	Plastic	LD Colour	186	-R 1,00	
2020-01-30	Recycling	166866	Other / EnviroServ	202-0107-4875	Plastic	Shrink Wrap LLD	34	-R 1,00	
2020-01-30	Recycling	166866	Other / EnviroServ	202-0107-4875	Plastic	LD Clear & Smokey	98	-R 1,20	
2020-01-30	Recycling	166866	Other / EnviroServ	202-0107-4875	Plastic	HD Bottles	57	-R 1,00	
2020-01-15	Rental	1906190016	Other / EnviroServ		Bin_Rental	Bin Rental	0	R -	
2020-01-16	Landfill	0002387655	Hoffontein		Hazardous_Waste	Hazardous Waste	1820	R -	
2020-01-15	Rental	1906190022	Other / EnviroServ		Bin_Rental	Bin Rental	0	R -	
2020-01-23	Landfill	0002389214	Hoffontein		Hazardous_Waste	Hazardous Waste	420	R -	
2020-01-15	Rental	1908160015	Other / EnviroServ		Site_Management	Site Management	0	R -	
2020-01-15	Rental	1909260014	Other / EnviroServ		Bin_Rental	Bin Rental	0	R -	
2020-01-23	Landfill	0002389213	Hoffontein		Hazardous_Waste	Hazardous Waste	1470	R -	

### *2.8.1. Services rendered by EnviroServ*

EnviroServ shall collect, process and transport waste from African Group Lubricants' premises and shall transport such waste to EnviroServ's disposal site or any other disposal site licensed for the purpose, such as may be decided by EnviroServ.

### *2.8.2. Duration of Agreement between African Group Lubricants and EnviroServ*

The agreement between African Group Lubricants and EnviroServ commenced on 1<sup>st</sup> July 2019 and shall continue for a period of two (2) years. Thereafter should neither party give written notice to the other of termination of the agreement three (3) months prior to the effluxion of the initial period, this agreement shall be automatically renewed indefinitely, terminable upon three (3) months written notice to this effect by either party to the other.

### *2.8.3. Warranties*

1. EnviroServ warrants that all services rendered in terms of this agreement will be rendered in accordance with the provisions of all relevant legislation.
2. EnviroServ warrants that it disposes of all waste at a disposal site duly licensed for the purpose.
3. African Group Lubricants warrants that all the samples of the waste stream it requires EnviroServ to treat and submitted to the latter for testing, is representative of the waste stream to be disposed of.
4. African Group Lubricants warrants that subsequent to the samples having been analysed, the waste streams shall conform to the sample tests.
5. African Group Lubricants undertakes to forthwith advise EnviroServ in writing and to submit fresh samples for testing purposes in the event of African Group Lubricants suspecting that any constituent component or source of the waste stream to be treated by EnviroServ, has changed.
6. Should African Group Lubricants fail to advise EnviroServ of any change in the waste stream to be treated as contemplated herein, African Group Lubricants indemnifies EnviroServ against any claim whatsoever (including consequential loss) which may ensue, either directly or indirectly, in consequence of the customer's failure aforesaid.
7. In the event of the Contractor breaching the agreement and failing to remedy such breach within a period of fourteen (14) days of dispatch by African Group Lubricants of written notice to the Contractor to such effect, then African Group Lubricants shall be entitled, but not obliged to cancel the agreement within a 30 day notice period.

## **2.9. Emergency Response Plan**

The emergency response plan for the toll blending plant and associated activities forms part of the EMP for the toll blending plant found in appendix 9 and falls under "health and safety and emergency response".

## **2.10. Motivation for this project**

### *2.10.1. Why did African Group Lubricants establish a facility in South Africa?*

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.

### *2.10.2. Why did African Group Lubricants fail to undertake the EIA and AEL applications prior to establishment?*

African Group Lubricants first came to the toll blending plant at the end of 2016 where they have a lease agreement with the landowner, Gans-Trans (Pty) Ltd, to make use of the facility. The facility became operational

in 2017. During this time Gans-Trans was still in the process of acquiring documents pertaining to the site from the previous landowner and operator which was Shell South Africa under CERA (LOBP). During this period, African Group Lubricants set about obtaining certification for ISO 14001 and ISO 9001 which they have subsequently acquired, see appendix 12. ISO 9001 is defined as the international standard that specifies requirements for a quality management system (QMS). Organisations make use of the standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory requirements. ISO 14001 is the international standard that specifies requirements for an effective environmental management system (EMS). It provides a framework that an organisation can follow, rather than establishing environmental performance requirements. During this process it came to the attention of African Group Lubricants that certain environmental authorisations and permits might not be in place and they sought outside help to determine what environmental requirements would be needed at the plant.

At the end of 2018 African Group Lubricants contacted Eko Environmental to assist them in this endeavour. It was established that if the previous landowner and operator, namely Shell South Africa, did not have an environmental authorisation then African Group Lubricants would be required to apply for an environmental authorisation post facto via the section 24G process, which this report now forms part of.

African Group Lubricants remains unsure whether previous environmental authorisations were obtained for the toll blending facility in the past and all attempts to obtain or clarify this information from Shell South Africa has proved fruitless.

#### *2.10.3. How has the facility benefited the local community?*

A capital investment of more than R67 million was invested into the facility by African Group Lubricants in order to get the facility operational again. Since then additional funds have been invested to upgrade and maintain the facility.

Currently, the facility employs approximately 100 local people from the surrounding areas, many of whom used to work at the plant when it was previously operational. All staff receive on-site training. In addition, downstream business and job opportunities have been realised with regards to the manufacture and supply of pallets, packaging film and materials, and for the supply of raw materials, as well as transportation of raw materials and finished goods.

## 3. Public Participation

This section provides information about the public participation process that is being followed as per the requirements stipulated by GDARD in its directive dated 12 December 2019.

### 3.1. Objectives of Public Participation

The key objective of public participation is to ensure transparency throughout the process and to promote informed decision making. The objective of the public participation process in this application process is to provide sufficient and accessible information to interested and affected parties (I&APs) in an objective manner so as to:

- Assist the I&APs to identify issues of concern and providing suggestions for enhanced benefits and alternatives.
- Contribute their local knowledge and experience.
- Verify that their issues have been considered by the EAP and the specialist investigations.
- Comment on the findings of the Section 24G, including the measures that have been proposed to enhance positive impacts and reduce or avoid negative ones.

### 3.2. Identification of stakeholders and an I&AP register

Stakeholders, representing the following sectors have been identified and a contact list has been compiled which served as the initial I&AP database and register of I&APs:

- The owner and occupiers of the Toll Blending Plant premises, namely Gans-Trans
- Landowners and occupiers adjacent to the Toll Blending Plant premises
- Relevant organs of state including national, provincial and local government (including the municipal councillor)
- Organised groups such as the rate payers' association, water and environmental forums
- Media

The initial I&AP database and all I&APs responding to the announcement of the application process were included in the I&AP register and are kept informed of progress and the opportunity to comment on the assessment.

The initial I&AP database is given in **Appendix 5**. The register of I&APs is also given in **Appendix 5**.

### 3.3. Site Notice

A copy of the site notice was placed on Friday, 14<sup>th</sup> February 2020 at the entrance to Toll Blending Plant premises in Boksburg and also at the Boksburg Public Library. Proof of placement is provided in **Appendix 4**. The site notice provides information as per the GDARD advertising guideline which was provided with the Directive on 12 December 2019. A copy of the site notice is included in **Appendix 4**.

### 3.4. Written notice and involving disadvantaged stakeholders

Written notice of the application was provided to the initial I&APs database. A Background Information Document (BID) and a comment sheet was emailed to those listed.

The BID provided background to the application, a clear description of the activities applied for, the process to be followed for the application and how and when stakeholders can participate. Information about the availability of the draft Section 24G and AEL Report, its review period and where stakeholders can obtain a copy of the report was also provided. Please refer to **Appendix 5** for a copy of the BID and comment sheet.

### 3.5. Advertisement

An advertisement was published in the Boksburg Advertiser newspaper on Friday, 28 February 2020. The content of the advertisement complies with the GDARD advertising guideline which was provided with the Directive on 12 December 2019. Please refer to Appendix 4 for a copy of the advertisement.

### 3.6. Availability of the Section 24G Report for public review

The Draft Section 24G Report was made available for public review from 28 February 2020 to the 04th April 2020. HOWEVER, due to the COVID-19 pandemic and the national lockdown that has taken place starting on the 26th March 2020, the Draft Section 24 Report has been made available again from the 06<sup>th</sup> May 2020 to the 06th June 2020.

Notice about the availability of the report for review and how stakeholders may access the report was provided in the advertisement published, the site notices, the BID and I&APs were again reminded of the opportunity to comment via emails personally sent to them (copies of emails are provided in Appendix 5).

The draft report was made available as follows:

Hard Copies		
Ms Geraldine MaClean	Boksburg Public Library - Tricardts road and Voortrekker road, Boksburg, 1459.	011 999 5402
Digital Copies		
CD Copy	Please request from Martin Van Niekerk / Richard Williamson	051 444 4700
Electronic Copy	Please request from Martin Van Niekerk / Richard Williamson	Info@ekogroup.co.za
Electronic Copy (website download)	www. ekogroup.co.za	

I&APs will be notified of the submission of the Final Section 24G Report via an email/letter notification. I&APs will be requested to send their final comments to the GDARD and to copy the public participation practitioner at info@ekogroup.co.za.

### 3.7. Comments and Response Register

The comments received from I&APs were recorded and documented in a Comments and Responses Register (CRR). The register summarises each comment from an I&AP and a response from the EAP and/or African Group Lubricants is provided. The comments received will be considered for the finalisation of the Section 24G Report. A copy of the CRR is provided in **Appendix 6**.

### 3.8. Notification of the Decision by GDARD

The GDARD decision regarding the application and the opportunity to appeal the decision will be announced to the I&AP register when the decision is issued by the GDARD. The announcement will be made by email or mailed letter.

## 4. RECEIVING ENVIRONMENT

This section outlines the receiving environment within which the site exists. Without the detail provided in specialist studies, this section draws from public information for the region.

### 4.1. Topography

The site lies at an elevation of approximately 1,634 meters above mean sea level (m amsl). The site falls gently from north-east to south-west with a height difference of approximately 3 m across the site indicating that the site is predominantly flat.

### 4.2. Climate

Rainfall in the Boksburg area varies between 650 and 750 mm per annum with an average of 719 mm. Most rain falls in the summer months between October and March with heavy rainfalls commonly associated with thunderstorms. The average wind direction is North to North-East, while average monthly temperatures are between 2.7 °C and 25.9 °C.

### 4.3. Surface Water

The site, as well as the surrounding area, was surveyed for the presence of any watercourses or wetlands and it is quite clear that no such system is present and the topography also does not support the presence of any such system. The nearest wetland area is situated approximately 1 km to the east of the site and consists of a large depression, pan, or wetland system. This should be regarded as a sensitive area but will most definitely not be affected by the development. Furthermore, this wetland does not fall within the regulated area as governed by the National Water Act (Act No. 36 of 1998) according to which the regulated area of a wetland applies to: a 500 m radius from the delineated boundary (extent) of any wetland or pan [General Authorisation regulations for section 21(c) or (i) water uses (Notice 509 of 2016)].

However, owing to the nature of the development all storm water should be contained on the site and clean and dirty storm water kept separate. An adequate storm water management system should therefore be implemented.

In addition, there is a canal located approximately 300m west of the site, immediately east of Craig Street, flowing south then south-west. This stream is fed by a small furrow running west of the toll blending plant property (collecting clean water from the onsite separator) and along the northern boundary of property Anderbolt Ext. 1, Erf 6 which borders the property of the toll blending plant, Farm Klipfontein 171, to the west. .

### 4.4. Groundwater

According to the Hydrogeological Map, the Karoo Supergroup is classified as a secondary aquifer with groundwater contained within weathered zones and fractures/discontinuity of the rock. Due to this, groundwater flow is irregular, complex and difficult to predict. The electrical conductivity of groundwater is reported to be good and range from 0 to 70 mS/m.

According to the Aquifer Classification of South Africa Map2, the aquifer underlying the area is classified as a minor aquifer with moderate vulnerability 3 and medium susceptibility4 to groundwater impact.

Several boreholes were drilled on the proposed site during a. Phase II Environmental Site Assessment conducted by ERM for Shell South Africa in 2014 in order to obtain historical and current data on soil and groundwater conditions at the site and its surroundings. These boreholes have either been sealed or undergo biannual monitoring to assess the impact on groundwater and surface water, see the report compiled by Mr Louis Van Niekerk, 2019.



## 4.5. Soils and Geology

### 4.5.1. Regional Geology

According to the published geological Map<sub>1</sub>, the site is underlain by the Vryheid Formation of the Ecca group being part of the Karoo Supergroup. The lithology of this formation consists of sandstone, shale and col beds. Depth to bedrock is unknown. Cover materials on site are underlain by an impermeable clay horizon.

### 4.5.2. On-site Geology

Based on studies conducted by Kantey & Templer (1994) and Geo-Hydro Technologies (2000 and 2001), the typical soil profile beneath the site comprises sandy gravel and silty sand fill (depth ranging between 0.25-1.65 m) overlying partially ferruginised alluvium (light brown mottled orange) down to 2 m bgl, overlying light grey mottled brown clayey alluvium, overlying residual mudrock (off-white blotched orange or beige silty clay) and sandstone which in turn overlies bedrock.

## 4.6. Air Quality

The Ekurhuleni Metropolitan Municipality (EMM) is an industrial hub with multiple manufacturing and processing industries. Because of its heavy industries, EMM falls within the Highveld priority area which makes it highly susceptible to air pollution. Sources of atmospheric emissions within EMM include vehicle tailpipe emissions, household fuel combustion products, industrial releases, waste disposal related emissions, wind-blown dust from mine tailings impoundments, biomass burning emissions and fugitive dust emissions from vehicle- entrainment, materials handling and agricultural activities.

An air emission license no longer falls under the S24G application and has an independent application process with the municipality in question (Ekurhuleni Metropolitan Municipality). At the time of this report, African Group Lubricants is in consultation with the air quality practitioner responsible for their area namely Mr Samukelo Shongwe (Samukelo.Futshane@ekurhuleni.gov.za, 011 999 3525) regarding the requirements for an application for an air emission license and the necessity regarding a section 22F application.

The correspondence is available in appendix 6

## 4.7. Ecology and Biodiversity

According to Mucina & Rutherford (2006) the natural vegetation type in this area consists of Soweto Highveld Grassland (Gm 8). This vegetation type is listed as a Vulnerable (VU) vegetation type under the National List of Threatened Ecosystems (Notice 1477 of 2009) (National Environmental Management Biodiversity Act, 2004). This is mostly as a result of urban expansion. Areas which still consist of natural vegetation should therefore be considered to be sensitive and of significant conservation value. The on-site survey has however confirmed that no natural vegetation remains and that the conservation value is therefore low. Furthermore, being situated in an industrial area the surroundings also do not contain any remaining natural vegetation.

The area has a long history of industrial development and natural areas would already have been cleared several decades ago. However, should any patches or remnants of the natural vegetation remain they may potentially consist of sensitive elements or harbour conservation significant species. Furthermore, the presence of any watercourses or wetlands on the site also has relevance to the need for the development to apply for the required authorisations from the Department of Water and Sanitation (DWS).

The footprint of the toll blending plant is approximately 3 hectares in extent and forms part of the existing industrial area. The site has therefore already been cleared of the natural vegetation and the ecological functioning of the site has been transformed. The soil surface has also been altered by compaction, concrete slabs, tarred roads and the operations plant.

The Gauteng Biodiversity Conservation Plan (C-Plan) dated 2011 has been published and has identified areas which are essential to meeting conservation targets for specific vegetation types, i.e. Critical Biodiversity Areas



(CBA). Neither the site or any nearby area are currently listed as either a CBA or ESA (Ecological Support Area). The nearest CBA or ESA is a large pan depression situated approximately 1 km to the east of the site, which will not be directly affected by the development, and is therefore not of a consequence to the operation.

Vegetation is almost completely absent from the site and is restricted to a few small planted gardens and scattered trees. These contain lawns with the exotic grass, *Pennisetum clandestinum*, flowering plants such as *Clivia miniata*, *Agapanthus africanus*, *Cycas revoluta*, *Chlorophytum* sp. and *Hedera* sp. and a few scattered trees and shrubs such as *Searsia lancea*, *Pyracantha angustifolia*, *Phoenix* sp., *Ligustrum* sp. and *Pinus* sp. From this description of plants present on the site it should be clear that no patches or clumps of natural vegetation still remain on the site. According to Van der Maarel (2005) the definition of vegetation does not include gardens and further substantiates that the site no longer contains any natural vegetation.

Please refer to ecological assessment exemption study conducted by Mr Darius van Rensburg, 2020 in appendix 3.

## 4.8. Social

The study area falls under the jurisdiction of the Ekurhuleni Metropolitan Municipality and is located in Anderbolt in Boksburg. According to the 2011 census, the population of Boksburg consisted of 260,321 people living in a land area of 162.35 km<sup>2</sup>. Of this population 52.14% are male and 47.86% female, while 56.71% considered themselves to be black African, 28% white, 11% colored, 2.47% Indian or Asian and 0.81% other (Census 2011).

Socio- economically, the town experienced increased unemployment rates with 33.0% in 2010, to 38.7% in 2011 (latest available data). Poverty rates within the area has however, decreased within the same time period with 26% in 2010, and 24% in 2011.

The toll blending plant directly employs approximately 87 individuals at the plant with additional indirect opportunities arising from transport and distribution of the product. 80% of the created job opportunities went to previously disadvantaged individuals with many being from the surrounding communities. In addition, the applicant invested a capital start-up of approximately R68 million to get the plant operational. The plant has made a positive social and economic contribution to the local and regional economy in the form of job creation and generating capital. The project has therefore had a positive socio-economic impact

### 4.8.1. COVID-19 Pandemic

The world, South Africa included, is currently in the middle of a pandemic with the advent of the COVID-19 virus that has been running rampant around the world. On the 26<sup>th</sup> March 2020, President Cyril Ramaphosa enforced a nationwide lockdown for South Africa, which at the time of this report was still in force with a National lockdown level of level 4. Everyone in South Africa, from individuals to organisations and businesses, including government, has been influenced by this pandemic and nationwide lockdown. Many companies have been forced to close and those that have remained open under the essential services, which includes African Group Lubricants, have suffered greatly due to a slump in demand and disruptions in the supply and demand chains.

It can safely be said that the world and South Africa is heading into uncertain times with the best-case scenario's indicating massive job losses and negative economic growth for the foreseeable future.

## 4.9. Sense of place

The site location, Anderbolt in Boksburg, is a zoned industrial area (zone 5), characterised by industrial and commercial developments that surround the site for at least a 1km in every direction. The closest residential areas are more than 1 km away from the site, consisting of Ravenswood to the West, Beyers Park to the North-West, Westdene and Westwood AH to the North East and The Stewards to the West. Thus, the overall sense of place for the site and its surroundings is industrial and commercial.

#### 4.10. Cultural and Heritage

The site is situated on a relatively small, flat and highly degraded/disturbed area. The superficial overburden covering the study area is extensively degraded and is not considered to be palaeontologically significant with regard to Quaternary fossil remains. Sedimentary rocks underlying the study consists of coal-bearing sandstones and shales, but chances of negative impact on fossils as a result of operational activities at this stage are considered very low to non-existent.

Given the extensive industrial development of the Boksburg area since the beginning of the 20th century, potential in situ Stone Age archaeological material, prehistoric structures or historically significant building structures that may have once been preserved in the area have most likely been destroyed even before the toll blending plant was established. The terrain in its current state is regarded as of low archaeological significance and is assigned a rating of Generally Protected C (GP.C).

The nearest police station is Boksburg North Police station which is 2.1km south-west of the site and the nearest public library is Boksburg Public Library which is 3km south-west of the site. Westwood Primary School and Stepping Stones School are 1.6km to the north of the site and Dr EG Jansen Highschool is 3.4km east of the site. St Dominic's Catholic School for girls and Saint Michaels school are 3km and 2.6m south west of the site respectively.

## 5. IMPACT ASSESSMENT

### 5.1. Methodology for Impact Assessment

The assessment methodology used in the impact assessment is described below. The Potential impacts on the environment are scored according to the criteria listed in table 1.

Table 5.2: Scoring of Impacts

SEVERITY			OCCURENCE
Magnitude (severity) of impact	Duration of impact	Extent of impact	Probability of occurrence
Magnitude	Duration	Scale	Probability
10 Very high/ don't know	5 Permanent	5 International	5 Definite/don't know
8 High	4 Long-term (impact ceases after closure of activity)	4 National	4 Highly probable
6 Moderate	3 Medium-term (5 to 15 years)	3 Regional	3 Medium probability
4 Low	2 Short-term (0 to 5 years)	2 Local	2 Low probability
2 Minor	Transient	1 Site only	1 Improbable
1 None/insignificant			

After ranking these factors for each impact, the significance of the aspects, occurrence and severity, was assessed using the following formula:

$$SP \text{ (significance points)} = (\text{magnitude} + \text{duration} + \text{scale}) \times \text{probability}$$

The maximum value is 100 significance points (SP). The environmental effects were then rated on the following basis:

Table 5.3: Significance Points Rating which indicates the degree of environmental significance

SP > 70	Indicates <b>high</b> environmental significance	Where it would influence the decision regardless of any possible mitigation. An impact that could influence the decision about whether or not to proceed with the project.
SP 40 – 70	Indicates <b>moderate</b> environmental significance	Where it could have an influence on the decision unless it is mitigated. An impact or benefit which is sufficiently important to require management. Of moderate significance - could influence the decisions about the project if left unmanaged
SP < 40	Indicates <b>low</b> environmental significance	Where it will not have an influence on the decision. Impacts with little real effect and which should not have an influence on or require modification
+	Positive impact	An impact that is likely to result in positive consequences / effects.

## 5.2. Assessment of Potential Impacts

The Impact Assessment Summary Ratings are seen below in table 5.3. The Ratings and abbreviations are based on the criteria explained in tables 5.1 and 5.2 above.

Table 5.4: Impact Assessment Summary Ratings that the listed activities in this application have had or may have on the surrounding environment

Environmental Impact	ENVIRONMENTAL SIGNIFICANCE												
	Before mitigation					After mitigation							
	M	D	S	P	Total	SP	M	D	S	P	Total	SP	
<b>Geology</b>													
Not applicable as the project and listed activities has not resulted in any changes to the geology	No impacts identified												
<b>Topography</b>													
Not applicable as the proposed project has not resulted in any significant changes to topography.	No impacts identified												
<b>Soils</b>													
Topsoils would have been lost during excavations. This impact has already occurred when the plant was established more than 30 years ago and cannot be mitigated.	2	5	1	5	40	M	This impact has already occurred and therefore cannot be mitigated.						
<b>Land capability and use</b>													
The area is zoned for industrial use and therefore there is no impact.	No impacts identified												
<b>Natural Vegetation</b>													
The blending plant was developed in an area that is zoned for industrial use. This was more than 30 years ago and historic imagery does not indicate the presence of sensitive features.	No Impacts identified. See the ecological exemption study in appendix 3												
<b>Surface Water</b>													
Spillages or leaks from daily operations, piping and storage containers could impact on storm water. The blending plant uses oils and lubricants which are hydrocarbons and are classified as hazardous.	6	1	1	4	32	L	6	1	1	2	16	L	
<b>Groundwater</b>													
The blending plant has several shallow groundwater monitoring wells on site that are currently being monitored by the applicant. The true groundwater table is more than 9 m bgl making contamination unlikely.	4	3	1	4	32	L	2	2	1	3	15	L	
<b>Air Quality</b>													

The toll blending plant stores large volumes of oils and lubricants used in the blending process. The oils and lubricants are not volatile and are quite dense nor is any raw materials or products burnt in the process.	2	3	1	5	30	L	2	3	1	3	18	L
<b>Noise</b>												
Noise measures have been implemented on site and are observed to be low. In addition, the noises produced are similar to the surroundings (industrial area) and no complaints have been received to date.	No impacts identified											
<b>Archaeological and Cultural resources</b>												
Operation of the toll blending plant has not resulted in any changes to heritage resources.	No impacts identified. See the 1 phase 1 HIA study in appendix 3											
<b>Visual aspects</b>												
The plant is a pre-existing plant established more than 30 years ago and is situated in the heart of an industrial area. Therefore there is no visual impact that was identified.	No impacts identified											
<b>Socio-economic aspects</b>												
The project had a start-up investment of R67 million with more money being invested since the start up.	6	2	3	5	55	M+	8	3	3	5	70	H+
87 local permanent jobs have been created with the possibility of more.	4	4	2	5	50	M+	6	4	2	5	60	M+
COVID-19 Pandemic has resulted in catastrophic job losses across the country and negatively affected many, if not all, businesses making the need for companies such as AGL even more important.	4	4	2	5	50	M+	6	4	2	5	60	M+

### 5.3. Description of identified impacts and recommended mitigation measures

This section describes the impacts identified in the summary above as seen in table 3.

#### 5.3.1. Geology

Based on soil bores from previous studies, ERM (2014), the geology of the site generally comprises a cover layer of 0.0 – 1.0 m below ground level (bgl) that is underlain by an impermeable clay layer up to 5 m bgl which is then followed by shales and sandstones for more than 9 m bgl.. Beneath the surface layer of concrete or asphalt there is the occasional presence of rubble, bricks and gravel.

It is surmised that the activities in question therefore did not have any impact on the geology as the activities did not affect the geology.

### 5.3.2. Topography

The site lies at an elevation of approximately 1,634 meters above mean sea level (m amsl). The site falls gently from north-east to south-west with a height difference of approximately 3 m across the site indicating that the site is predominantly flat.

It is surmised that the listed activities have not had an impact on the topography of the site and surrounding areas. The topography is pre-dominantly flat and the facilities that triggered the listed activities did not require the altering of the topography in any way.

### 5.3.3. Soils

The topsoils located on site would have been lost during excavations. This impact has already occurred when the plant was established more than 30 years ago and therefore cannot be mitigated. Most of the site surface area is covered by concrete or asphalt. Areas that are still left open are vulnerable to soil contamination and care should be taken in these areas.

Potential impacts on soils include:

- Contamination of soil due to spillage and/or leakage of oil.

Mitigation measures:

- Areas with open soil or vegetation, such as around the office blocks must be demarcated and drainage channel or berms installed to ensure that no oils or hazardous contaminants enter these soils.
- Should the soils be contaminated it must be cleaned up by a professional team and disposed of as hazardous waste.

### 5.3.4. Land Capability

The proposed site is located within the heart of an industrial area in Anderbolt in Boksburg and is zoned for industrial use. The surrounding activities are also industrial and commercial in nature with the plant being surrounded by warehouses, truck operations and factories.

No impacts were identified as the listed activities conform with the surrounding land use and with that on site.

### 5.3.5. Natural Vegetation

Vegetation is almost completely absent from the site and is restricted to a few small planted gardens and scattered trees. These contain lawns with the exotic grass, *Pennisetum clandestinum*, flowering plants such as *Clivia miniata*, *Agapanthus africanus*, *Cycas revoluta*, *Chlorophytum* sp. and *Hedera* sp. and a few scattered trees and shrubs such as *Searsia lancea*, *Pyracantha angustifolia*, *Phoenix* sp., *Ligustrum* sp. and *Pinus* sp. From this description of plants present on the site it should be clear that no patches or clumps of natural vegetation still remain on the site. According to Van der Maarel (2005) the definition of vegetation does not include gardens and further substantiates that the site no longer contains any natural vegetation.

However, the development should still take into account relevant legislation which governs the use of exotic species in gardens. Although no such species were noted on the site this should still form part of the management of the development and where any category 1 and 2 weeds or invasives occur, they should be removed by the property owner, according to the Conservation of Agricultural Resources Act, No. 43 of 1983 and National Environmental Management: Biodiversity Act, No. 10 of 2004.

The site, as well as the surrounding area, was also surveyed for the presence of any watercourses or wetlands and it is quite clear that no such system is present and the topography also does not support the presence of any such system. The nearest wetland area is situated approximately 1 km to the east of the site and consists of a large depression, or pan, wetland system. This should be regarded as a sensitive area but will most definitely not be affected by the development. Furthermore, this wetland does not fall within the regulated area as governed by the National Water Act (Act No. 36 of 1998) according to which the regulated area of a wetland applies to: a 500 m radius from the delineated boundary (extent) of any wetland or pan [General Authorisation regulations for section 21(c) or (i) water uses (Notice 509 of 2016)]. However, owing to the nature of the development all storm water should be contained on the site and clean and dirty storm water kept separate. An adequate storm water management system should therefore be implemented.

Please refer to ecological assessment exemption conducted by Mr Darius van Rensburg, 2020 in appendix 3.

### 5.3.6. Surface Water

The site, as well as the surrounding area, was surveyed for the presence of any watercourses or wetlands and it is quite clear that no such system is present and the topography also does not support the presence of any such system. The nearest wetland area is situated approximately 1 km to the east of the site and consists of a large depression, pan, or wetland system. This should be regarded as a sensitive area but will most definitely not be affected by the development. Furthermore, this wetland does not fall within the regulated area as governed by the National Water Act (Act No. 36 of 1998) according to which the regulated area of a wetland applies to: a 500 m radius from the delineated boundary (extent) of any wetland or pan [General Authorisation regulations for section 21(c) or (i) water uses (Notice 509 of 2016)].

However, owing to the nature of the development all storm water should be contained on the site and clean and dirty storm water kept separate. An adequate storm water management system should therefore be implemented.

In addition, there is a canal located approximately 300m west of the site, immediately east of Craig Street, flowing south then south-west. This stream is fed by a small furrow running west of the toll blending plant property (collecting clean water from the onsite separator) and along the northern boundary of property Anderbolt Ext. 1, Erf 6.

Potential impacts which might occur on surface water:

- Storm water may become contaminated because of spillages and mismanagement of petrochemical substances during the operational phase of the blending plant.

#### Proposed mitigation:

- All pipes pumps and storage containers will be regularly inspected and maintained to minimise the likelihood of spills and leaks due to failure.
- An adequate stormwater management plan must be in place and must be adhered to.
- The oil separators on site must be regularly maintained and inspected to ensure that separators are functioning at optimal capacity and that oils/lubricants are not entering the stormwater network.
- Spillages of hazardous substances will be cleaned by removing the spill and contaminated soil and disposing of it as hazardous waste.
- Any incidents on surface water resources during construction will be reported to the relevant authorities within 24 hours of the incident.
- Special care should be taken during the unloading, transport and handling of the oils and lubricants as it is during this phase that spills tend to occur.

### 5.3.7. Groundwater

The toll blending plant makes use of a large volume of oils and lubricants in its manufacturing process and such substances are classified as hazardous. Based on previous studies, ERM (2014), groundwater was encountered between 0.16 m and 0.94 m below ground level (bgl). No deeper aquifer was encountered up to 9 m bgl in the fractured bedrock.

Several boreholes were drilled on the proposed site during a. Phase II Environmental Site Assessment conducted by ERM for Shell South Africa in 2014 in order to obtain historical and current data on soil and groundwater conditions at the site and its surroundings. These boreholes have either been sealed or undergo biannual monitoring to assess the impact on groundwater and surface water, see the report compiled by Mr Louis Van Niekerk, 2019.

Secondly the geology comprises a cover layer of up to 1 m bgl underlain by an impermeable clay layer up to 5 m bgl followed by shales and sandstones, ERM (2014). The shallow groundwater is mostly like a result of surface infiltration and is deemed sub-surface flow. It is therefore not classified as groundwater but surface water. The lack of groundwater up to 9m bgl as well as the impermeable clay layer that is several meters thick makes the potential contamination of groundwater from this activity unlikely. The groundwater in the area is deep and potential pathways are retarded by the impermeable clay layer making the potential environmental impact Low.

Potential impacts on groundwater:

- Contamination as a result of spillages of hazardous substances (unlikely).
- Incorrect storage of waste products on the site may result in the contamination of the groundwater (unlikely).

#### Proposed mitigation:

- Special care should be taken during the unloading, transport and handling of the oils and lubricants as it is during this phase that spills tend to occur.
- All pipes pumps and storage containers will be regularly inspected and maintained to minimise the likelihood of spills and leaks due to failure.
- An adequate stormwater management plan must be in place and must be adhered to.
- The oil separators on site must be regularly maintained and inspected to ensure that separators are functioning at optimal capacity and that oils/lubricants are not entering the stormwater network.
- Spillages of hazardous substances will be cleaned by removing the spill and contaminated soil and disposing of it as hazardous waste.
- Biannual monitoring of the boreholes on site must be conducted as recommended in the report compiled by Mr van Niekerk in 2019
- Recommendations and conclusions that arise from the monitoring must be adhered to and addressed
- Any incidents on surface water resources during construction will be reported to the relevant authorities within 24 hours of the incident.

### 5.3.8. Air quality.

The toll blending plant stores large volumes of oils and lubricants used in the blending process. The oils and lubricants are quite dense, and no raw materials or products are burnt in the blending process. The primary potential impact on air quality is from the storage of the oils and lubricants in storage tanks which can tend to leak and/or give off minor quantities of volatile organic compounds (VOCs). Owing to the nature of the oils and lubricants used on site, the impact on air quality is negligible.



However, under the National Environmental Management: Air Quality Act (NEM: AQA) (Act No 39 of 2004) an air emission license is required for the following:

Subcategory 2.2: Storage and Handling of Petroleum Products. This subcategory under the NEM:AQA is applicable to all permanent immobile liquid storage tanks larger than 500 cubic meters cumulative tankage capacity at a site. The tankage capacity at the toll blending facility is far greater and therefore an AEL is required. It must be noted that, as in the case with the motive behind this S24G application for rectification of unlawful commencement, the applicant, African Group Lubricants, is unsure whether the previous operator at the blending plant, namely Shell South Africa operating under CERA LOBP, had an air emission license for the toll blending plant. All attempts at obtaining clarification on this matter have proved fruitless.

An Air Emission License (AEL) no longer falls under the S24G application and has an independent application process with the municipality in question (Ekurhuleni Municipality). At the time of this report, African Group Lubricants is in consultation with the air quality practitioner responsible for their area namely Mr Samukelo Shongwe (Samukelo.Futshane@ekurhuleni.gov.za, 011 999 3525) regarding the requirements for an application for an air emission license under section 22F for this toll blending plant.

Proposed mitigation:

- An Air Emission License must be obtained from Ekurhuleni Metropolitan Municipality
- Conditions and requirements set out in the AEL must be complied with.

#### 5.3.9. Noise

The proposed site is located within the heart of an industrial area in Anderbolt in Boksburg and is zoned for industrial use. Noise measures have been implemented on site and are observed to be low. In addition, the noises produced are similar to the surroundings (industrial area) and no complaints have been received to date.

No impacts were identified and therefore no mitigation measures were considered.

#### 5.3.10. Sites of archaeological and cultural interest

The site is situated on a relatively small, flat and highly degraded/disturbed area. The superficial overburden covering the study area is extensively degraded and is not considered to be palaeontologically significant with regard to Quaternary fossil remains. Sedimentary rocks underlying the study consists of coal-bearing sandstones and shales, but chances of negative impact on fossils as a result of operational activities at this stage are considered very low to non-existent.

Given the extensive industrial development of the Boksburg area since the beginning of the 20th century, potential in situ Stone Age archaeological material, prehistoric structures or historically significant building structures that may have once been preserved in the area have most likely been destroyed even before the toll blending plant was established. The terrain in its current state is regarded as of low archaeological significance and is assigned a rating of Generally Protected C (GP.C).

Operation of the toll blending plant has not resulted in any changes to heritage resources. The toll blending plant was established more than 30 years ago and historic imagery does not indicate the presence of sensitive features. The Heritage Impact Assessment conducted by Dr Lloyd Rossouw of Paleo Field Services available in appendix 3.

Mitigation measures include:

- Any future excavations within the development footprint larger than 1 m<sup>2</sup> that exceeds depths of >1 m into unweathered/fresh Vryheid Formation sediments, will need further monitoring by a professional palaeontologist.

#### 5.3.11. Visual

The proposed site is located within the heart of an industrial area in Anderbolt in Boksburg and is zoned for industrial use. The toll blending plant was established more than 30 years ago.

No impacts were identified pertaining to the listed activities and therefore no mitigation measures were considered.

#### 5.3.12. Social-economic aspects

The study area falls under the jurisdiction of the Ekurhuleni Metropolitan Municipality and is located in Anderbolt in Boksburg. According to the 2011 census, the population of Boksburg consisted of 260,321 people living in a land area of 162.35 km<sup>2</sup>. Of this population 52.14% are male and 47.86% female, while 56.71% considered themselves to be black African, 28% white, 11% colored, 2.47% Indian or Asian and 0.81% other (Census 2011).

Socio- economically, the town experienced increased unemployment rates with 33.0% in 2010, to 38.7% in 2011 (latest available data). Poverty rates within the area has however, decreased within the same time period with 26% in 2010, and 24% in 2011.

The toll blending plant directly employs approximately 87 individuals at the plant with additional indirect opportunities arising from transport and distribution of the product. 80% of the created job opportunities went to previously disadvantaged individuals with many being from the surrounding communities. In addition, the applicant invested a capital start-up of approximately R68 million to get the plant operational. The plant has made a positive social and economic contribution to the local and regional economy in the form of job creation and generating capital. The project has therefore had a positive socio-economic impact

##### 5.3.12.1. COVID-19 Pandemic

The world, South Africa included, is currently in the middle of a pandemic with the advent of the COVID-19 virus that has been running rampant around the world. On the 26<sup>th</sup> March 2020, President Cyril Ramaphosa enforced a nationwide lockdown for South Africa, which at the time of this report was still in force with a National lockdown level of level 4. Everyone in South Africa, from individuals to organisations and businesses, including government, has been influenced by this pandemic and nationwide lockdown. Many companies have been forced to close and those that have remained open under the essential services, which includes African Group Lubricants, have suffered greatly due to a slump in demand and disruptions in the supply and demand chains.

It can safely be said that the world and South Africa is heading into uncertain times with the best-case scenarios indicating massive job losses and negative economic growth for the foreseeable future. It is therefore essential that operations, such as this toll blending facility, remain open and can continue to make a positive socio-economic impact in its surroundings.

## 6. ENVIRONMENTAL MANAGEMENT PROGRAMME

A stand-alone Environmental Management Programme is provided in Appendix 10. The EMPr includes the following information:

1. Objectives of the Environmental Management Plan (EMPr)
2. Organisational Structure and Responsibilities
3. Responsibility during operational phase
4. Lifecycle of the toll blending plant
5. Checking and Corrective Action
6. Site Documentation and Reporting
7. Monitoring
8. General requirements during operation of the plant
9. Ablution facilities, wastewater and refuse disposal
10. Handling of waste
11. Rehabilitation
12. Inspections and monitoring
13. Compliance reporting / submission of information
14. Amendments

A stand-alone document was developed that will allow for the document to be updated as the operation obtains more information in terms of environment, health and safety and as it implements the EMPr.

## 7. STORMWATER MANAGEMENT PLAN

The primary goal of storm water management is to lessen the impact of storm water flow through and off developed areas. Storm water management involves the effective handling of the quantity and quality of runoff water being discharged into a land or water area.

Effective management requires that possible pollution conditions of storm water be addressed adequately as these impact water bodies downstream. Also, erosion and sedimentation assert a detrimental impact on the existing drainage as the deposited silt and soil particles render the drainage incapable of operating at original designed level. Best Management Practices (BMPs) are then suggested to reduce or to possibly eliminate the detrimental impacts resulting from uncontrolled erosion and sedimentation from the land upstream

The toll blending plant is host to a number of underground services which include storm water, sewer and accidentally oil contaminated water drainage. The underground drainage system is included in Figure 1.3 as seen under section 2 of this report with a photographic example visible in figure 7.1 below.. The storm water drainage system and the accidentally oil contaminated system include several oil traps/sumps and discharges onto one of the site's separators (along the west site border, in the middle of the site).



*Figure 7-1 Stormwater drain visible that forms part of the blending plant drainage network highlighted in Figure 1.3*





*Figure 7-2 Oil separator system on the western border of the toll blending plant*

The clean water from the separator along the western side of the border of the toll blending plant feeds a furrow that flows west into the canal located approximately 300 m west of the site, along Craig Road, see Figure 7.2.

### Pollution Prevention Measures

The toll blending plant has a concrete wall that surrounds the site on the eastern and southern border. The western and northern border has concrete slabs with gaps in between. The entire site, where operations occur, has been laid with concrete with exposed ground still being present behind the office block at the south-eastern corner, see figure?. The areas that have not been laid with concrete contain grass and/ or trees and serve as a garden on site. The garden areas are separated from the production areas by the offices.

The underground drainage network found at the toll blending plant underlies the areas vulnerable to pollution which includes the tank farms, the unloading and loading gantry, the blending plants and along the access roads within the plant itself, see figures?.

All water that enters the drainage network is drained towards the oil separators that are located along the western border of the plant in the middle of the site. The clean water that flows from the separator enters a drain that drains into a canal approximately 300 m west of the site. The dirty water is pumped into a waste tank that is then periodically collected and removed as hazardous waste by EnviroServ. EnviroServ is responsible for all waste on site, please see the agreement between African Group Lubricants and EnviroServ under appendix 10.

The tank farms are all bunded with concrete and all rainwater that falls within these bunded areas is either left to dry or drained and handled as hazardous depending on the amount of rainwater that collects within the bunded area, see figure 7.3.



*Figure 7-3 Example of a bunded wall that surrounds all storage tanks and hazardous waste at the toll blending plant*

### Groundwater monitoring

The toll blending plant undertakes routine groundwater monitoring of the groundwater monitoring wells on site, see figure 7.4, as recommended in the report compiled by Van Niekerk, 2019. All recommendations given by Van Niekerk, 2019 are adhered to.





*Figure 7-4 Groundwater monitoring well that was first installed in 2014 which African Group Lubricants currently monitors for contamination.*

### **Potential Issues with Stormwater Management**

It was noted in the site inspections conducted by the EAP that the northern border of the toll blending plant is a concern in regards to pollution prevention on site due to the nature of the operations by the neighbouring party.

The business bordering the toll blending facility is a truck repair facility that is also host to historical infrastructure from the time when the blending plant was originally built.

The northern border of the blending plant is a concrete slab fence that allows stormwater to move through onto the site of the toll blending plant see figure 7.5. During heavy rain events it was made known to the EAP by African Group Lubricants that stormwater from the neighbouring property enters the site of the blending plant which can potentially overwhelm the stormwater management infrastructure put in place at the toll blending plant. African Group Lubricants has engaged with the neighbour and has also laid several complaints with the municipality regarding this issue without any rectification or a solution being found.

African Group Lubricants continues to maintain and manage the stormwater infrastructure on site



*Figure 7-5 – the northern border wall that separates the toll blending plant with the business, a trucking facility, to the north of the site.*



## 8. INFORMATION REQUESTED BY GDARD

The table below indicates the requirements of the GDARD Directive and how these are met or will be met in the submission to GDARD

Table 5: the requirements of the GDARD Directive (S24G/03/19-20/0458) and how these are met or will be met in the submission to GDARD

GDARD Directive Requirement		Where/How this is addressed in this report
Directive No.	Requirement	
8.1	Immediately (on receipt of this directive) cease with any activity or process that may cause pollution or environmental degradation, which has not been authorised in terms of the law.	8.1 - No such risks were identified when the Directive was issued.
8.2	The activity applied for must not be expanded in any way beyond the current scope pending the finalisation of the section 24G process, as expansion of the activity may change the nature and extent of the activity as applied for in the submitted section 24G application, and consequently impact on the final decision made by the Department.	8.2 - The company will not expand its facility until this authorisation (should it be authorised) is issued. In addition should any expansion take place after this process a new EIA will be conducted if a listed activity under the NEMA regulations of 2014, as amended, is triggered.
8.3	Within thirty (30) days of receipt of this Directive, control, contain and prevent any pollution observed on site that may have occurred as a result of the activity, and ensure that environmental management measures to manage any pollution or degradation that may occur as a result of the operation of the activity are put in place, especially with regards to <ol style="list-style-type: none"> <li>i. Water pollution, including stormwater management</li> <li>ii. Waste management</li> <li>iii. Ambient Air/ Odour control measures</li> </ol>	<ol style="list-style-type: none"> <li>i. Water pollution was not an issue at the time of this directive. A stormwater management plan has been implemented and is included in Appendix 10 of this report.</li> <li>ii. Waste Management was not an issue at the time of this directive. A Waste Management Plan has been implemented and is included in Appendix 10 of this report,</li> <li>iii. Ambient Air/ Odour control measures was not considered an issue at the time of this directive. It must be noted that the applicant is in consultation with Ekurhuleni Municipality regarding the requirements for an AEL for the facility.</li> </ol>
8.4	Immediately comply with all the instructions made in this Directive. Please be advised that this directive should not be construed to be an environmental authorisation from the Department. Should there be any non-compliance discovered on site during the S24G process, then the Department will instruct you to cease with the operation of all the activity/ies and the MEC or the delegated authority may decide whether to refer the matter for criminal proceedings.	8.4 - The company has endeavoured to comply with the requirements of the Directive.
8.5	Within four (4) months from the date of receipt of this Directive, investigate, evaluate and assess the impact of the activity on the environment, compile and submit a report containing the information requested below.	8.5 -The EAP has applied for extensions, telephonically, of the time frame outlined in this Directive due to the COVID-19 pandemic and subsequent National Lockdown of South Africa that commenced on

		the 26 <sup>th</sup> March 2014 and is still partially in effect for the foreseeable future.
8.6	Appoint an Environmental Assessment Practitioner and compile an Environmental Impact Report (EIR) containing the following:	See below.
8.6.1.1 8.6.1.2	<p><b>Appointed Environmental Assessment Practitioner (EAP)</b></p> <p>8.6.1.1 In the introductory section of the report, the details of the Environmental Assessment Practitioner (EAP) who compiled the report must be clearly indicated. The expertise of the EAP with specific reference to undertaking public participation processes (“PPP”), the translation of scientific into an environmental impact report; understanding and interpretation of financial information must be included upfront within this section of the report.</p> <p>8.6.1.2 A sworn affidavit by the EAP that the information provided to the Department was at no stage influenced by the applicant and that the EAP has explained the potential consequences of submitting this application.</p>	<p>8.6.1.1 – The details of the EAP is provided in Section 1.3.</p> <p>8.6.1.2 – The EAP’s declaration is included in Appendix 2.</p>
8.6.2	<p><b>Public Participation Process</b></p> <p>Please note the PPP conducted prior to the submission of the Application is considered to be a preliminary notification to the public of the intention of the Applicant to submit a section 24G application. You are therefore directed to further conduct a PPP as indicated below:</p> <ol style="list-style-type: none"> <li>a) Interested and affected parties must be afforded a further thirty (30) day comment period from the date of the updated advertisement/notice. The EAP must ensure that the comments of I&amp;APs are recorded in reports and the written comments, including records of meetings, are attached to the EIR referred to be submitted.</li> <li>b) A description of the subsequent PPP followed during the course of compiling the report, including all additional comments received from Interested &amp; Affected Parties (“I&amp;AP’s”), and an indication of the manner in which these were addressed must be submitted to the Department by the EAP.</li> <li>c) The following, amongst others, must be indicated in the advert/notice — <ol style="list-style-type: none"> <li>i. the Department’s reference number for the section 24G application.</li> <li>ii. the specific listed activities, as confirmed in paragraph 2 above must be indicated in the advert.</li> </ol> </li> <li>d) The interested and affected parties must also be provided with the</li> </ol>	<p>8.6.2a - The PPP process and proof of this report is obtained in appendixes 4 to 6. The process was followed as specified in directive S24G/03/19-20/0458</p> <p>8.6.2b - The PPP process and proof of this report is obtained in appendixes 4 to 6.</p> <p>8.6.2c - The PPP process and proof of this report is obtained in appendixes 4 to 6. Proof of the advert is available in appendix 4.</p> <p>8.6.2d - The PPP process and proof of this report is obtained in appendixes 4 to 6.</p>

	Background Information Document (BID) in relation to the activity/ies applied for and further afforded access to the Environmental Impact Report (EIR) upon request.	
8.6.2.1	An updated notice must be provided to all potential I&APs by fixing a notice board/site notice at a place conspicuous to the public at the boundary or on the fence of where the activity occurred (refer to the attached advertising guideline).	8.6.2.1 - An example of the updated site notice is given in appendix 4. Proof of the site notices is given in appendix 5.
8.6.2.2	An updated written notice must be given to- <ul style="list-style-type: none"> <li>a) the owner or person in control of that land if the Applicant is not the owner or person in control of the land;</li> <li>b) the occupiers of the site where the activity is being undertaken, was undertaken, or is to be undertaken; owners and occupiers of land adjacent to the site where the activity is being undertaken, was undertaken, or is to be undertaken;</li> <li>c) the municipal councillor of the ward in which the site is situated and/or the municipality which has jurisdiction in the area. The Environmental Component of the relevant Municipality must be formally invited to register as I&amp;AP and be provided a thirty (30) day period within which to comment on the draft EIR. A copy of their comments must be submitted along with the information requested above; and</li> <li>d) any organ of state having jurisdiction in respect of any aspect of an activity triggered.</li> </ul>	8.6.2.2a - Proof of the updated written notice to the landowner is given in appendix 5 8.6.2.2b - Proof of the updated written notice to owners and occupiers of land adjacent to the site where the activity is being undertaken is given in appendix 5 8.6.2.2c - Proof of the updated written notice to the ward councillor and the environmental component of EMM is given in appendix 5. 8.6.2.2d - Proof of the updated written notice to relevant organs of state is given in appendix 5.
8.6.2.3	The updated written notice and notice board/site notice must include colour photographs of the site, each illegal activity and transgression point (Please refer to Annexure C for example of Site Notice).	8.6.2.3 - Proof of the updated written site notice with colour photographs of the site indicating each illegal activity and transgression point is given in appendix 4.
8.6.2.4	The updated advertisement must be placed in at least one local or one provincial newspaper (refer to the attached advertising guideline). Proof of the publication of the notice, placement of the notice on site and notifications must be submitted.	8.6.2.4 - Proof of the updated advertisement is given in appendix 4.
8.6.2.5	Proof of the placement of the updated notice board/site notice and distribution of	8.6.2.5 - Proof of the placement of the updated site notice and written notifications is given in appendix 5.

	the written notifications must be submitted.	
8.6.2.6	<p>The updated notice, notice board and newspaper advertisement referred to above must include the following—</p> <ul style="list-style-type: none"> <li>a) details of the application which is subjected to public participation;</li> <li>b) details of the Competent Authority (“CA”) to whom the application has been submitted to;</li> <li>c) a statement that the activities have commenced illegally and that the application is for ex post facto authorisation in respect of the illegal activities;</li> <li>d) a list of illegal activities commenced and/or undertaken without approval;</li> <li>e) the nature and location of the activity to which the application relates;</li> <li>f) where further information on the application or unlawful activity can be obtained; and</li> <li>g) the manner in which, and the person to whom, representations in respect of the application may be made by interested and affected persons.</li> </ul>	<p>8.6.2.6a - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6b - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6c - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6 d - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6 e - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6 f - Complied with. Please refer to proof in appendixes 4 and 5.</p> <p>8.6.2.6 - Complied with. Please refer to proof in appendixes 4 and 5.</p>
8.6.2.7	A description of the manner in which disadvantaged persons (e.g. instances of illiteracy, disability, etc.) were accommodated in the PPP.	8.6.2.7 -Please see Section 3 of this report where the PPP is described.
8.6.2.8	<p>A register of I&amp;APs must be opened and maintained, which contains the names, contact details and addresses of—</p> <ul style="list-style-type: none"> <li>a) all persons who, as a consequence of the PPP conducted in respect of the application, have submitted written comments or attended meetings with the Applicant or EAP;</li> <li>b) all persons who, after completion of the PPP have requested the Applicant or the EAP managing the application, in writing, for their names to be placed on the register; and</li> <li>c) all organs of state which have jurisdiction in respect of the activity to which the application relates.</li> </ul>	<p>8.6.2.8 a - Please see Appendix 5 for the initial I&amp;AP database and register of I&amp;APs.</p> <p>8.6.2.8 b - Please see Appendix 5 for the initial I&amp;AP database and register of I&amp;APs.</p> <p>8.6.2.8 c - Please see Appendix 5 for the initial I&amp;AP database and register of I&amp;APs.</p>

8.6.2.9	The EAP may give access to the register to any person who submits a request for access in writing. This may be done upon agreement with the registered I&APs.	8.6.2.9 - There were NO requests for the database.
8.6.2.10	Registered I&APs must be provided with the Background Information Document (BID) in relation to the activity/ies applied for and a copy of the EIR may be provided to I&APs upon request.	8.6.2.10 - The Background Information Document (BID) in relation to the activity/ies applied for was provided to all registered I&APs and it was indicated that a copy of the EIR was available on request. See appendix 5.
8.6.2.11	Interested and affected parties must be afforded a thirty (30) day comment period from the date of the updated notification/notice. The EAP must ensure that the comments of I&APs are recorded in reports and the written comments, including records of meetings, are attached to the EIR to be submitted.	8.6.2.11 - No additional comments from I&APs was received. Please see appendix 5.
8.6.2.12	A description of the further PPP followed during the course of compiling the report, including all additional comments received from Interested & Affected Parties ("I&AP's"), and an indication of the manner in which these were addressed must be submitted to the Department by the EAP.	8.6.2.12 - The requirements for PPP as stipulated in the Directive and outlined above have been applied to and should therefore be deemed sufficient.
8.6.3 8.6.3.1	<p><b>Scientific Reports and Other Requirements</b></p> <p>8.6.3.1 A detailed description of the activity conducted on the site and for which the S24G application is being made to the Department. The description must include but not limited to:</p> <ul style="list-style-type: none"> <li>a) A brief history of the site and its use prior to the current activity being undertaken on the site. Details of when the site initially start operating must also be provided.</li> <li>b) A detailed description of all activities undertaken on site in terms of this application. It is advisable to include all aspects of the activity on site in order to avoid the need for amendments and thus at a later stage delay the section 24G process.</li> <li>c) A discussion on the size and specific location of all structures and infrastructure in relation to all sensitive features within a radius of 50m must also be provided.</li> <li>d) A site layout plan indicating the location and physical footprint (in square meters) of all developed infrastructure and structures associated with the listed activities applied for.</li> </ul>	8.6.3.1 a - f – Please refer to Section 2 and 4 of this report.

	<p>e) An indication of the applicable commencement dates for each activity.</p> <p>f) A discussion on any complaints received from the public with regards to activities undertaken on site.</p> <p>g) A detailed description of the storm water management system currently operational on site, as well as pollution prevention measures surrounding the facility and the adequacy thereof;</p> <p>h) Discussion on any other permit(s) obtained regarding the activity. Copies of such permit(s) must be attached to the report.</p> <p>i) A4 (210mm x 297mm) colour photographs of the following:</p> <ul style="list-style-type: none"> <li>• The actual plant from various angles;</li> <li>• Associated infrastructure linked to the plant;</li> <li>• The material storage facilities (input, output materials); and</li> <li>• The affected area from various angles</li> </ul>	
8.6.3.2	A description of the environment that has been and may further be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects have been and may further be affected by the activity.	8.6.3.2 - Please see Section 4 of this report.
8.6.3.3	An assessment of the nature, extent, duration, impact and significance of the consequences for or impacts on the environment of each of the activities unlawfully commenced with, and the cumulative impacts on the environment must also be discussed. An indication of the methodology used in determining the significance of actual and/or potential environmental impacts must be outlined. The effects of the activity on the affected community must be described.	8.6.3.3 - Please Section 5 of this report.
8.6.3.4	Information on how the local community has benefited/will benefit further from the development, including any social responsibility programmes that will be undertaken by the Applicant.	8.6.3.4 - Please see section 2 of this report as well as the corporate social responsibility programmes in appendix 12..
8.6.3.5	An Environmental Management Programme (“EMPr”) including— a) details of the person who prepared the EMPr;	8.6.3.5 - An EMPr is included in appendix 9 of this report.

	<ul style="list-style-type: none"> <li>b) the expertise of the person who prepared the EMPr;</li> <li>c) the name and contact details of the person or Environmental Control Officer (“ECO”) responsible for the monitoring of compliance to the EMPr;</li> <li>d) identification of all the possible environmental impacts that occurred during the construction of the activity and those that occur during the operation of the activity.</li> <li>e) information on all mitigation measures undertaken, or that will be taken to address the environmental impacts that have been identified in the EIR, including environmental impacts or objectives in respect of— <ul style="list-style-type: none"> <li>i. operation or undertaking of the activity;</li> <li>ii. maintenance of the structures on site</li> <li>iii. rehabilitation Plan of the environment; and</li> <li>iv. closure</li> </ul> </li> <li>f) proposed mechanisms and frequency for monitoring compliance with and performance assessment against the environmental management programme and reporting thereon;</li> </ul>	
8.6.3.6	<p>All specialist reports must have the following details:</p> <ul style="list-style-type: none"> <li>a) the person who prepared the report; and</li> <li>b) the expertise of that person to carry out the specialist study or specialised process;</li> <li>c) a declaration that the person is independent in a form as specified by the CA;</li> <li>d) an indication of the scope of and the purpose for which the report was prepared;</li> <li>e) a description of the methodology adopted in preparing the report or carrying out the specialised process;</li> <li>f) a description of any assumptions made and any uncertainties or gaps in knowledge;</li> <li>g) a description of the findings and potential implications of such findings on</li> </ul>	8.6.3.6 - Please see the specialist reports given in appendix 3.

	<p>the activity, including identified alternatives, on the environment;</p> <p>h) recommendations in respect of any mitigation measures that should be considered by the Applicant and the CA;</p> <p>i) a description of any consultation process that was undertaken during the course of carrying out the study; and</p> <p>j) a summary and copies of any comments that were received during any consultation process.</p>	
8.6.3.7	<p>A Waste Management Plan (“WMP”) for all waste received, recycled and generated during the operational phase, including but not be limited to:</p> <p>a) The type, nature and volume of waste being received, recycled, re- used, recovered or treated on site.</p> <p>b) The type and quantity of waste generated on site;</p> <p>c) Source of information supplied in the tables above Mark with an “X”</p> <p>d) The storage areas (containers) if any; and</p> <p>e) Method of waste disposal.</p>	8.6.3.7 - Please see the waste management plan as discussed in section 2 of this report.
8.6.3.8	<p>An Emergency Response Plan (“ERP”) for the operation of the activity, including an indication of training of personnel on the management of any incidents that may occur as a result of the operation of this activity.</p>	8.6.3.8 -Please see the Emergency Response Plan as discussed in section 2 of this report
8.6.3.9	<p>All environmental management measures introduced and implemented as instructed in paragraph 8.3 above must be reported on and submitted as part of this report.</p>	8.6.3.9 - Please refer to item no 8.3 in this table above.
8.6.3.10	<p>Please be advised that if any section of the Specific Environmental Management Acts is applicable to your activity; you are requested to furnish this Department with a written comment from the relevant authority. In the event that this is not the case, the EAP managing the project must inform this Department accordingly, in writing.</p>	8.6.3.10 – The toll blending facility requires an AEL which is currently underwat.
8.6.4	<p><b>Financial Considerations</b> As stated above, this application is subject to a fine not exceeding R5 000 000.00</p>	8.6.4 - The financial information is included in Appendix 11 of this report.



	(five Million Rand) to be determined by the CA. In order to provide the CA with a description of the financial profile of the Applicant to assist in this determination, the following is required.	
8.6.4.1	A report compiled by a suitably qualified financial expert in which an assessment of the financial advantage gained, including any profits derilled, by the Applicant as a result of the contravention is detailed.	8.6.4.1 - The financial information is included in Appendix 11 of this report.
8.6.4.2	Where the Applicant is a juristic person, the annual financial statements over the preceding three-year period or, for the period from the date of commencement until the submission of this application, whichever is the longer, compiled by an independent and accredited accountant/auditing firm	8.6.4.2 - The financial information is included in Appendix 11 of this report.
8.6.4.3	Where the person is an individual, bank statements of that person for the preceding three-year period or for the period from the date of commencement until the submission of this application, whichever is the longest.	8.6.4.3 - The financial information is included in Appendix 11 of this report.
9	The information requested above must be contained in a single report. Please ensure that the report is complete and set out in the format above and reflects the correct Departmental reference number [S24G/03/19-20/0458].	9 - This report provides all the available information requested and where not available, commitments are included in the EMPr available in Appendix 10 to address such gaps in information. This table summarises how this report meets the requirements of the Directive.
10	The application for authorisation for the continuation of activities that commenced/ was undertaken unlawfully is subject to the payment of an administrative fine that may not exceed five million Rand (R5, 000,000.00). You will be informed of the amount of the fine once the above requirements have been complied with, and information requested has been submitted to, and considered by, this Department	10 – The applicant has been made aware of the administrative fine.
11	All information required above, including proof of public participation and copies of objections/comments must be submitted in one electronic copy (CD/DVD) and one hard copy. The information must reach this Department within four months of receipt of this directive. Should the Department not receive this information within the four- month period or at least receive a request for an extension of time within the two months period, your section 24G file will be closed and there will be no further opportunity for you to obtain authorisation for the continuation of the activity that commenced/ was undertaken or conducted unlawfully (refer to table above).	11 - All information, including proof of public participation and copies of all comments are included in this Final Report being submitted to GDARD.

12	An affidavit deposed to by the Applicant/a person duly authorised by the Applicant to depose thereto, explaining why the Applicant did not obtain an EA prior to commencing with the activity and a commitment that no activities listed under the sub regulations promulgated in terms of sections 24 and 44 of the NEMA and sections 19 and 69 of the NEM: WA would be undertaken in future within the Gauteng Province without written approval from GDARD. It is acknowledged that this affidavit may not be used in any associated criminal prosecution with regards to this application. The affidavit must be submitted as part of the report.	12 - The affidavit is included in Appendix 11 of this report.
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## 8. CONCLUSION AND EAP ENVIRONMENTAL STATEMENT

This report has provided a description of the activities undertaken at the facility, the applicable legislation and the impacts associated with the facility. In summary:

Negative impacts associated with the facility include:

- Potential contamination of surface and groundwater resources though as indicated in the impact assessment the potential risk is low if mitigation measures are implemented and adhered to.
- Potential contamination of soil that remains on site.
- Contamination of air and reduction in air quality due to the large volumes of oils and lubricants stored at the toll blending plant. The impact is low due to the nature and scale of pollutants with a further reduction in the impact if mitigation measures are implemented.

Positive Benefits of the facility include:

- The facility was established with an investment of approximately R67 million, with additional funds being invested to keep the operation going, which is significant for any project.
- The facility has created approximately 100 jobs held by local people and has created business opportunities and jobs with regards to raw material supply and product transport, distribution.
- The facility is one of the few in south Africa that provide such blending services which both lowers the local cost of the products produced, as importing is no longer required, and increases the diversity of products for consumers.

Other considerations include:

- Water and waste management are considered adequate on site with reference to the stormwater and waste management plans in discussed in this report.
- No impact on ecology is evident from historical aerial photographs of the site and the ecological exemption report conducted by Mr Darius van Rensburg in appendix 3.
- No impact on the heritage palaeontological features as indicated in the report conducted by Mr Lloyd Rossouw in appendix 3.

There are no immediate risks to the public due to the activities at the site. An EMPr has been developed and is included in this report. The facility indicates that it is committed to compliance with South African legislation and has already obtained international compliance certification, refer to ISO 9001 and ISO14001 in appendix 12, of a similar nature.

It is therefore recommended that the GDARD consider this rectification application and authorise the facility and listed activities, with the following minimum conditions included in the authorisation:

- Implementation of the EMPr
- Monitoring as per the monitoring programme included in the EMPr
- Auditing and reporting as per the EMPr

Should African Group Lubricants wish to expand the facility, an Environmental Impact Assessment in terms of the latest EIA regulations should be undertaken and an Environmental Authorisation obtained with the relevant authority (i.e. GDAR) prior to commencement of such an expansion.

## REFERENCES

1. ERM, (December 2014). Phase II Environmental Site Assessment, Shell CERA (LOBP), Anderbolt, Boksburg, South Africa
2. Eko Environmental, (June 2019). Interim Report, Surface & Groundwater Monitoring, Toll Blending Plant – Boksburg
3. DPR Ecologists and Environmental Services, (March 2020). Determination of the need to conduct an Ecological Assessment for a toll blending plant in Anderbolt, Boksburg, Gauteng Province.
4. Pale Field Services, 2020. Phase 1 Heritage impact Assessment with regards to a S24 application for an existing toll blending plant located in Anderbolt, Boksburg, Gauteng Province.
5. National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).
6. Air Quality Management Plan for the Ekurhuleni Metropolitan Municipality, 2005.
7. Ekurhuleni Metropolitan Municipality Environmental Policy, 2012.
8. Census information:  
<https://census2011.adrianfrith.com/place/797010>
9. Climate information:  
<https://en.climate-data.org/africa/south-africa/gauteng/boksburg-236/>

## **Appendixes**

**Appendix 1: GDARD Compliance Notice and Directive, Requests for extension of the deadline**

**Appendix 2: Professional Profiles and EAP Declaration**

**Appendix 3: Specialist Reports**

**Appendix 4: Adverts and Site notice**

**Appendix 5: Register of I&APs and Correspondence to I&APs**

**Appendix 6: Comments and Response Report**

**Appendix 7: Copies of I&AP's Comments**

**Appendix 8: Photographs**

**Appendix 9: EMPr**

**Appendix 10: Impact Evaluation Form**

**Appendix 11: Confidential Information**

*Only included in the GDARD copies  
Financial Statements :2017, 2018, 2019  
Signed Declaration*