



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/17-18/E2154
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EPG Gas
PO Box 35758
Menlopark
0102

Email: p.leroux@epggas.co.za

Dear Mr. Pieter le Roux,

ENVIRONMENTAL AUTHORISATION GRANTED: PROPOSED INSTALLATION OF LPG GAS STORAGE TANKS WITH A TOTAL CAPACITY OF 500M³ ON HOLDING 125 OF KLERKSOORD AGRICULTURAL HOLDINGS, CITY OF TSHWANE METROPOLITAN MUNICIPALITY

Regarding the above-mentioned application, please be advised that the Department has decided to grant Environmental Authorisation (EA). The EA and reasons for the decisions are attached herewith.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014 (as amended), you must notify all registered interested and affected parties, in writing, and within 14 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014 which regulates the appeal process. Should you wish to appeal any aspect of the decision, you must within 20 days of the date of the notification of the decision submit your appeal, including supporting documents, to the appeal administrator by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture and Rural Development
P.O. Box 8769
Johannesburg
2000

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Physical Address

The Appeals Administrator
Department of Agriculture and Rural Development
23rd Floor, Umnotho House, 56 Eloff Street
Johannesburg
2000

Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere, at telephone number 011 240 3204 or email address tsholofelo.mere@gauteng.gov.za. The appeal form is also available from our website: www.gdard.gpg.gov.za. Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kind regards,



MR BN NKONTWANA

HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT

DATE: 18/6/2018

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AGRICULTURE AND RURAL DEVELOPMENT
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ENVIRONMENTAL AUTHORISATION

Reference Number:	GAUT 002/17-18/E2154	
Holder of Authorisation:	EPG Gas	
Location of Activity / Activities:	Holding 125 of Klerksoord Agricultural Holdings	
Coordinates:	Latitude (S)	Longitude (E)
	25°38'02.8"	28°7'53.7"

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1. Decision

The Department is satisfied, based on the information available to it and subject to compliance with the conditions of this Environmental Authorisation (EA), that the applicant should be authorised to undertake the activities specified below:

2. Activities Authorised

Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment (EIA) Regulations, 2014, the Department hereby authorises-

EPG Gas

with the following contact details:

P.O. Box 35758

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to undertake the activities listed as Activity 14 of Listing Notice 1 of the Environmental Impact Assessment Regulations, 2014 (as amended) for the proposed installation of LPG gas storage tanks with a total capacity of 500m³ on Holding 125 of Klerksoord Agricultural Holdings, City of Tshwane Metropolitan Municipality (CoTMM).

The Granting of this EA is subject to the conditions set out below:

3. Specific Conditions

- 3.1 Environmental Authorisation is granted for the proposed storage and handling of the LPG gas on the above-mentioned property. The total capacity of LPG gas storage tanks is 500m³.
- 3.2 The above-ground tanks of the following dimensions are approved:
 - 3.2.1 1 x 100m³ vessel; and
 - 3.2.2 1 x 400m³ vessel.
- 3.3 The activity must not commence without obtaining the necessary authorisations from other authorities.
- 3.4 Prior to commencement of construction activities, an ecology specialist must facilitate a search and rescue operation for the affected plant species occurring on site which are of conservation concern, as identified in the ecology report which formed part of the BAR. The species include *Hypoxis rigidula*, *Scadoxus punicea*, *Ledebouria revoluta*, *Crinum bulbispermum* and *Aloe greatheadii* var. *daveyana*. Species identified in the affected area must be relocated to a suitable location with similar conditions, in line with recommendations by the ecology specialist.
- 3.5 The activity must not commence without obtaining the necessary authorisations from other authorities.
- 3.6 A qualified Environmental Control Office (ECO) with experience in work related to installation of petroleum tanks must be appointed. The ECO must undertake inspections on bi-weekly basis.
- 3.7 An impermeable concrete bund LPG gas storage tanks must be constructed for each tank. The bund walls must be capable of containing at least 110% of the capacity of the respective tank.

- 3.8 Water and material contaminated from spills and overfills on site must be contained, treated and disposed of in accordance with relevant waste management legislation. All contaminated waste must be stored in a designated area prior to disposal.
- 3.9 All contractors or agents acting on behalf of the holder of the EA must be presented with a copy of the EMPr document and it must be highlighted that strict adherence to the management measures will be monitored by this Department. All mitigation measures specified in the EMPr must be implemented to ensure that the environmental impacts are minimised during all phases of the development.

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4. Management of the Activities

The Environmental Management Programme ("EMPr") submitted as part of the application for EA is also authorised in terms of the EA and must be implemented. In addition to the submitted EMPr, the following must be implemented and be considered part of the subject EMPr:

- 4.1 Loading and off-loading areas must be paved with concrete in order to prevent soil contamination.
- 4.2 All waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 4.3 Contaminated water must not be discharged into the environment.
- 4.4 Noise generated from construction activities must not exceed the recommended noise level of 85dB as required by the Occupational Health and Safety Standards.
- 4.5 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil.
- 4.6 All fuels and lubricants used during the construction phase must be stored in a demarcated area with bund walls in accordance with applicable standards. The storage and handling facility must also comply with all regulations governing the storage and handling of those materials.
- 4.7 Where engine oil, diesel or solvent materials are accidentally spilled on the ground, the contaminated soil must be immediately excavated and remediated using appropriate and applicable methods or removed to a suitable waste disposal facility and the site must be rehabilitated.
- 4.8 Dust mitigation measures must be implemented throughout the construction phase.
- 4.9 Post development rehabilitation and landscaping must make use of species which are indigenous to the area.
- 4.10 The surface storm water management plan must be based on Sustainable Urban Drainage Systems (SUDS) Principles and consider source, local and regional controls.
- 4.11 Energy savings technologies and water savings technologies (such as rain water harvesting) must be implemented to contribute in reducing the impact of climate change. Furthermore energy efficiency and sustainability principles must find practical application in the design and construction of the development:
 - 4.11.1 Using natural light as a substitute for electrical lighting,
 - 4.11.2 Using more efficient heating and cooling equipment to satisfy reduced loads,
- 4.12 Sufficient and temporary ablution facilities must be provided for construction workers operating and using the site. Such facilities must be located on less sensitive areas and no chemical or wastewater must be allowed to contaminate the runoff on site.
- 4.13 On completion of the project, all litter and construction debris must be removed from the site immediately. Waste management principles must be applied during the construction and operational phases of the development. Waste should ideally be avoided but where it does exist, it must be removed from the site and disposed of at a registered or licensed landfill site for the type of waste produced. All waste streams to be generated must be managed in accordance with the hierarchy of waste management principles. Proof of disposal of waste must be kept on site and made available to the Department upon request.

- 4.14 Fire prevention equipment must be present onsite and in a serviceable condition.
- 4.15 Should any heritage resources of any nature be uncovered during the construction development, development must cease, South African Heritage Resource Agency (Gauteng Province) and/ or professional Heritage Specialists must be contacted immediately for investigations.
- 4.16 Post development rehabilitation must make use of species which are indigenous to the area.

5. Monitoring and Reporting

- 5.1 Officials from this Department must be given access to the site for the purpose of asserting and /or monitoring compliance with the conditions contained in this EA.
- 5.2 Monthly environmental audits during the construction period; and bi-monthly audits for the first six months after completion of the rehabilitation in order to determine the level of compliance to the EMPr and conditions of this EA.
- 5.3 This EA, EMPr and ECO Reports must be kept on the site where the activity will be undertaken. These documents must be availed to any authorised official of the Department who requests to inspect it and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 5.4 Departmental official must be given access to the property referred to above for the purpose of ascertaining and/ or monitoring compliance with the conditions contained in this Environmental Authorisation at all times.
- 5.5 An Environmental Control Officer (ECO) must be appointed by the Environmental Authorisation holder to ensure that the conditions as stipulated in the Environmental Authorisation as well as the EMPr are adhered to. The contact details of the ECO must be forwarded to the Department, prior the commencement of the activity.
- 5.6 An Incidence Book (IB) must be introduced and used for record keeping of the following results of daily stock reconciliation:
 - 5.6.1 The tanks must be inspected for any visible signs of corrosion or general structural failure on a monthly basis. This must be done by a professional engineer and results captured on the IB. Should evidence of corrosion or structural damage be found, remedial measures with clear deadlines must be captured in the IB.
 - 5.6.2 The IB must be available to officials of this Department on request and must form part of annual environmental performance audit. This Department must be informed of any environmental and pollution incidents relating to the proposed activities within **twenty four (24) hours** of such incidents occurring.
 - 5.6.3 The IB must keep records of waste and effluent disposed/removed from the site in terms of the manifest system.
 - 5.6.4 Evidence of gas pump and associated equipment having been undertaken according to a maintenance register and authorised technicians must be captured in the IB.

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6. Operation of the activity

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- 6.1 The operation of the facility as a whole must comply with the Occupational Health and Safety Act (Act No. 85 of 1993) and sound Occupational Hygiene Procedures implemented and improved upon.
- 6.2 All effluent must meet the relevant local authority standards. Records to ensure compliance in this respect must be maintained. No contaminated effluent must be discharged into the storm water drain.
- 6.3 Any hazardous product from the facility must be placed in a dedicated container for disposal at a registered hazardous landfill site, or removal must be conducted by a registered hazardous waste management company and disposed of at a registered licensed hazardous landfill site. The holder of authorisation must maintain records of Safe Disposal Certificates for all wastes

leaving the site. These records for all hazardous waste leaving the site and the final disposal must be made available on site.

- 6.4 All waste streams must be managed in accordance with the hierarchy of waste management principles. The recyclable materials must not be disposed of at the landfill site and records of waste recyclable must send to this Department's Waste and Pollution Management Directorate.
- 6.5 Only waste transporters with the appropriate authorisation must be used to remove hazardous waste from the site.

7 Site Closure and decommissioning

- 7.1 All the decommissioned equipment and liquefied petroleum gas storage tanks that are out of service must be removed, and all associated pipe work must be disconnected and removed, drained and the open ends sealed off.
- 7.2 All decommissioning work must be performed by a contractor who is experienced and familiar with handling of hazardous goods.
- 7.3 When aboveground storage tanks are removed, the soils and groundwater surrounding the tank and its associated infrastructure must be assessed for petroleum related contamination.
- 7.4 The aboveground storage tank to be scrapped must first be emptied of product, cleared of petroleum vapor and cleaned of residues.
- 7.5 If any soil contamination is noted during decommissioning process, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated to the satisfaction of this Department. The opportunity for the onsite remediation and reuse of contaminated soil must be investigated prior to disposal and the Department informed in this regard. Also the possible reuse or recycling of the old tanks during the decommissioning phases must be considered.
- 7.6 Appropriate notification signs must be erected, warning the residents and visitors of the hazards around the decommissioning site and presence of heavy vehicles.
- 7.7 An Environmental Control Officer (ECO) to be appointed must ensure that audits are performed before, during and after decommissioning process to ensure implementation of mitigation and management measures. Furthermore, an ECO must monitor the applicant's compliance with all the conditions of this Environmental Authorisation.
- 7.8 An application must be submitted to this Department for decommissioning of the facility.
- 7.9 The decommissioned area must be audited and certificate for are to be safe must be issued before the area can be used for any other purposes.

6. General Conditions

- 6.1 The conditions of this EA are binding on the holder of the EA ("The Holder"), including any person acting on his or her or its behalf, including but not limited to an agent, sub-contractor, employee or person rendering a service to the holder of the EA.
- 6.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 6.3 The activity / activities must commence within a period of 10 years from the date of issue of this EA. If commencement of the activities does not occur within that period, the EA lapses and a new application for EA must be made for the activity or activities to be undertaken.
- 6.4 Any changes to, or deviation from, the activity or activities description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are effected. In assessing whether to approve such changes or not, the Department may request such information as it deems necessary to evaluate the

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- significance and impacts of such changes or deviations and it may be necessary for the holder of EA to apply for further authorisations in terms of the Regulations.
- 6.5 Where any of the applicant's contact details changes, including the name of the holder of the EA, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 6.6 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 6.7 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 6.8 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.
- 6.9 If the Department has reason to believe that the EA was obtained through, fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the EA and direct the holder of such EA forthwith to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

Date of the Environmental Authorisation: 18/6/2018

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ANNEXURE 1: REASON FOR DECISION

1. Background

The applicant, EPG Gas, applied for Environmental Authorisation (EA) to undertake the activity listed as Activities 14 of Listing Notice 1 of the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended) for the proposed installation of LPG gas storage tanks with a total capacity of 500m³ on Holding 125 of Klerksoord Agricultural Holdings, City of Tshwane Metropolitan Municipality (CoTMM).

The applicant appointed HydroScience to undertake a BA process.

2. Information Considered in Making the Decision

In reaching its decision, the Department took, inter alia, the following into consideration:

- 2.1 The information contained in the Basic Assessment Report (BAR) received by the Department on 17 May 2018.
- 2.2 Correspondences between the Environmental Assessment Practitioner (EAP) and the interested and affected parties (I&AP's).
- 2.3 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3 and the GDARD Requirements for Biodiversity Assessments Version 2.
- 2.4 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- 2.5 The findings of the site inspection undertaken by Mandla Zuma, the official of the Department on 23 May 2018.

3. Key Factors Considered in Making the Decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- 3.1 Possible impacts associated with the proposed activity;
- 3.2 Current use of the site and the surrounding land uses; and
- 3.3 The Public Participation Process (PPP).

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4. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- 4.1 There are no identified environmental sensitivities on the immediate surrounding of the site which may be negatively impacted upon by the proposed activity;
- 4.2 The site is located in the industrial area and the proposal is compatible with most of the surrounding land uses; and
- 4.3 According to the information presented to the Department by the EAP, the PPP undertaken as part of the BA process complied with Chapter 6 of the EIA Regulations, 2014 (as amended).

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the activities will not conflict with the general objectives of integrated environmental management laid down in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

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