

CORRESPONDANCE
RECEIVED:
SUBMISSION OF NID's



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia· PRETORIA

DEA Reference: 14/12/16/3/1/1/121

Enquiries: Ms Juliet Mahlangu

Telephone: 012-399-9320 E-mail: jmmahlangu@environment.gov.za

Ms Natalie Taft/ Mr Hein Brand
Saldanha Tank Farm
PO Box 117
SALDANHA BAY
7395

Tel: (022) 703 6200

Email: nataliet@cefgroup.co.za heinb@cefgroup.co.za

PER E-MAIL / MAIL

Dear Sir/Madam

APPLICABILITY OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA) ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014: PROPOSED DEVELOPMENT A LPG (LIQUID PETROLEUM GAS) IMPORT FACILITY AT THE PORT OF SALDANHA, AND LPG PIPELINE, IN THE WESTERN CAPE

The Department confirms having received the abovementioned query dated 30 October 2017, refer.

According to the information provided by you, the proposal is for the development a LPG (Liquid Petroleum Gas) import facility at the Port of Saldanha. This will include amongst other the proposed development of an 8.3km LPG pipeline with an internal diameter of 12 inch. It is also proposed to expand the existing SFF Saldanha tank farm with an additional 6 LPG bullets to accommodate the hazardous goods storage capacity by 8000 tons. This will result in an increase of the storage capacity at the existing SFF Saldanha tank farm.

On 08 December 2014 the Minister of Water and Environmental Affairs promulgated regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), viz, the Environmental Impact Assessment (EIA) Regulations 2014 (GN R982, R983, R984 and R985 of 04 December 2014). The EIA Regulations, 2014, replaced the EIA Regulations that were promulgated in 2010 and also introduce new provisions regarding environmental impact assessments. The EIA Regulations, 2014 and listing notices, were subsequently amended on 07 April 2017 (refer to GN R324, R325, R326, R327 of 07 April 2017) and is being referred to as EIA Regulations, 2014, as amended. The same would apply to the listing notices containing the listed activities that would require Environmental Authorisation.

Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014, as amended. Please be advised that, based on the information provided, the proposed development **constitutes a listed activity/ies** as defined in terms of the NEMA EIA Regulations, 2014, as amended. Written authorisation is therefore required from the Competent Authority prior to the undertaking of the abovementioned activity.

In terms of the clarification request submitted to the Department and in terms of the NEMA EIA Regulations, 2014, as amended, the following definitions are applicable to the proposed development:

- a) **"Dangerous goods"** means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated "List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)" published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;
- b) **"Development footprint"** means any evidence of physical alteration as a result of the undertaking of any activity; and
- c) **"Expansion"** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

In addition to the abovementioned definitions please refer to the following listed and/or specified activity/ies contained in the NEMA EIA Regulations, namely GN R983 and R985 of 04 December 2014, as amended, that could be applicable to the proposed development:

Activity 7 of GN R325 of 07 April 2017

The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods—

- (i) *in gas form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 700 tons per day;*
- (ii) *in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or*
- (iii) *in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day.*

- Based on the information provided Activity 7 will be triggered as it is proposed to develop an 8.3 km LPG pipeline with an internal diameter of 12 inch to transport LPG (a dangerous good). The pipeline will exceed 1 000 metres in length and it will have a throughput capacity of more than 700 tons per day.

Activity 51 of GN R327 of 07 April 2017:

The expansion and related operation of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres.

- Based on the information provided Activity 51 will be triggered as it is proposed to install an additional 6 LPG bullets at the existing SFF Saldanha tank farm to accommodate the hazardous goods storage capacity by 8000 tons. The expanded combined design capacity of these tanks will be expanded by more than 80 cubic metres.

Should any revision of the development comprise any other activities that constitute a listed activity/ies as defined in NEMA EIA Regulations, 2014, as amended (refer to GN R324, R325, R326, R327 of 07 April 2017), an Application for Environmental Authorisation must be lodged with the relevant Competent Authority prior to the commencement with construction activities. Be reminded that the onus on applicant to determine all applicable listed activities that would require Environmental Authorisation prior to the commencement of the construction activities.

We wish to bring to your attention that the 'NEMA Applicability Form' is no longer available online as it was removed from the Departmental website. However, if there are any specific EIA queries related to the proposed development

you may email it to EIAadmin@environment.gov.za and if you have any EIA Regulation related interpretation queries you may email them to IQ@environment.gov.za.

You are further reminded of your general duty of care towards the environment in terms of Section 28(1) of NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

This Department reserves the right to revise or withdraw its decision or to request further information from you should new information on this matter become available.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

You are hereby reminded of Section 24F of the NEMA that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Mr Vusi Skosana

Designation: Director: Coordination, Strategic Planning and Support

Date 24 January 2018

REGISTERED POST

Our Ref: HM/ SALDANHA MUNICIPALITY/ SALDANHA BAY /ERVEN 1038 & 1185
Case No: 18031540SB0323E
Enquiries: Stephanie-Anne Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel: 021 483 9370
Date: 2 May 2018



Abrahams
PO Box 117
Saldanha Bay
7395

nataliet@cefgroup.co.za / heinb@cefgroup.co.za

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL

In terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED PIPELINE ALONG JETTY TO TERMINAL OVERLAND, SALDANHA BAY, ERVEN 1038 & 1185, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 18031540SB0323E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 23 March 2018. This matter was discussed at the Heritage Officers meeting held on 9 April 2018.

You are hereby notified that, since there is no reason to believe that the proposed pipeline along jetty to terminal overland will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

.....
Mr. Mxolisi Dlamuka

Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: Private Bag X9067, Cape Town, 8000
• Tel: +27 (0)21 483 5959 • E-mail: coo@heritage.westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groenemarktplein, Kaapstad, 8000 • Posadres: Privaatsak X9067, Kaapstad, 8000
• Tel: +27 (0)21 483 5959 • E-pos: coo@heritage.westerncape.gov.za

CORRESPONDANCE
RECEIVED:
REGISTRATION PERIOD (PPP)

Lauren Abrahams

From: Vrolick, Gerald GG <Gerald.Vrolick@arcelormittal.com>
Sent: Monday, February 19, 2018 2:04 PM
To: admin@ecoimpact.co.za
Subject: Proposed Piping and additional LPG storage bullets on ERF 1038 Saldanha

Please register person below as I&AP.

Pipeline running over ArcelorMittal Property...

Regards

Gerald Vrolick | Engineer Environmental Management | Environmental & Quality Management | ArcelorMittal South Africa, Saldanha Works, Private Bag X11, Saldanha, 7395

T +27 (0) 22 709 4047 | **F** +27 (0) 22 709 4682 | **C** +27 (0) 73 480 9812

E-mail: gerald.vrolick@arcelormittal.com

'Only when the last river has been poisoned,
the last tree been cut down, the last fish
been caught, only then will you realise
that money cannot be eaten'

— Indian Proverb

FRAUD AWARENESS

Do you have any concerns related to possible
fraudulent activity within ArcelorMittal?

Let us know! We're waiting 24/7

Hotline (South Africa) : 0800 00 1672

Email: fraudhotlinesa@arcelormittal.com

This e-mail and its attachments, if any, are subject to the ArcelorMittal South Africa Limited e-mail disclaimer which is available on our website at <http://www.arcelormittalsa.com/e-mail-disclaimer.pdf>. By e-mailing ArcelorMittal South Africa Limited, you consent to the terms and conditions contained in the disclaimer. This email may relate to or be sent from other members of the ArcelorMittal Group. If you are unable to access the disclaimer, or should you have any queries regarding its contents, kindly send an e-mail to disclaimer@arcelormittal.com.

Lauren Abrahams

From: Yolandie Henstock <yolandie@ecoimpact.co.za>
Sent: Monday, February 12, 2018 11:39 AM
To: conservationoffice@capebiosphere.co.za; lizellek@capebiosphere.co.za
Cc: lauren@ecoimpact.co.za
Subject: Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

PROPOSED LPG PIPELINE AND ADDITIONAL LPG BULLETS ON ERF 1038, SALDANHA.

Good day Karin,

We acknowledge receipt of your email and confirm that you have been added to our database of registered I&APs for the project.

A link to an electronic copy of the Draft BAR will be sent to you as soon as it becomes available for comment.

Please do not hesitate to contact us should you have any questions.

Kind regards

Yolandie Henstock
Administration



Eco Impact Legal Consulting (Pty) Ltd
Reg: 2010/015546/07
P.O. Box 45070 Office: +27 (0) 21 671 1660
Claremont Fax: +27 (0)21 671 9976
South Africa Email
7735 yolandie@ecoimpact.co.za
 Web: www.ecoimpact.co.za

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From: conservationoffice@capebiosphere.co.za [<mailto:conservationoffice@capebiosphere.co.za>]
Sent: 12 February 2018 11:02 AM
To: yolandie@ecoimpact.co.za
Cc: lizellek@capebiosphere.co.za
Subject: Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

Good morning

The Cape West Coast Biosphere Reserve (CWCBR), of the UNESCO: Man and Biosphere Program, aims to implement sustainable development principles along the West Coast, in addition to integrating rapid growth with biodiversity and heritage conservation. The CWCBR extends from the Diep River in the south to the Berg River in the north and inland to Malmesbury and therefore the proposed development is located within the CWCBR. In this regard, the CWCBR would like to register as an I& AP and receive further correspondence and documentation regarding this development.

Kindly acknowledge receipt of this email.

Regards

Karin Otto

CONSERVATION OFFICE ADMINISTRATOR

c/o R27 & R315 Yzerfontein, P.O Box 283 Darling 7345
Tel: 022 125 0050 | Fax: 086 662 6818
www.capebiosphere.co.za





Virus-free. www.avast.com

Lauren Abrahams

From: Arthur Martin <Arthur@mogs.co.za>
Sent: Wednesday, February 14, 2018 4:23 PM
To: admin@ecoimpact.co.za
Subject: SFF LPG Pipeline and Bullets
Attachments: IMG-20180212-WA0002.jpg

Good day Lauren,

I would like to register OiltankingMOGS Saldanha as an affected party.

Kind regards

Arthur Martin
MOGS Oil and Gas Services
General Manager: Commercial
Office: +27 21 913 7000
Mobile: +27 83 642 6423
E-mail: arthur@mogs.co.za

Lauren Abrahams

From: Arthur Martin <Arthur@mogs.co.za>
Sent: Friday, April 13, 2018 1:54 PM
To: Yolandie Henstock
Cc: admin@ecoimpact.co.za; 'Lauren Abrahams'
Subject: RE: SFF LPG Pipeline and Bullets - Sunrise Energy

Good day Yolandie,

I wish to enquire whether there has been any movement on this matter.

Kind regards

Arthur

From: Yolandie Henstock <yolandie@ecoimpact.co.za>
Sent: Wednesday, 14 February 2018 16:52
To: Arthur Martin <Arthur@mogs.co.za>
Cc: admin@ecoimpact.co.za; 'Lauren Abrahams' <lauren@ecoimpact.co.za>
Subject: RE: SFF LPG Pipeline and Bullets - Sunrise Energy

PROPOSED LPG (LIQUID PETROLEUM GAS) PIPELINE AND ADDITIONAL LPG STORAGE BULLETS ON ERF 1038, SALDANHA

Good day Mr Martin

We acknowledge receipt of your email and confirm that you have been added to our database of registered I&APs for the project.

A link to an electronic copy of the Draft BAR will be sent to you as soon as it becomes available for comment.

Please do not hesitate to contact us should you have any questions.

Kind regards

Yolandie Henstock
Administration



Eco Impact Legal Consulting (Pty) Ltd
Reg: 2010/015546/07
P.O. Box 45070 **Office:** +27 (0) 21 671 1660
Claremont **Fax:** +27 (0)21 671 9976
South Africa **Email**
7735 yolandie@ecoimpact.co.za
 Web: www.ecoimpact.co.za

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From: Arthur Martin [<mailto:Arthur@mogs.co.za>]
Sent: 14 February 2018 04:18 PM
To: admin@ecoimpact.co.za
Subject: SFF LPG Pipeline and Bullets

Good day Lauren,

I would like to register Sunrise Energy as an affected party.

Kind regards



Arthur Martin
General Manager: Commercial
Office: +27 21 913 7000

Mobile: +27 83 642 6423
E-mail: arthur@sunrise-energy.co.za

Lauren Abrahams

From: Keith <keithhbharrison@lando.co.za>
Sent: Saturday, February 10, 2018 11:29 AM
To: admin@ecoimpact.co.za
Cc: Colin de Kock; Angus & Gill Stewart; Lizelle Koen
Subject: Proposed LPG pipeline and additional LPG Bullets on ERF 1038 Saldanha.

Dear Lauren Abrahams,

Please Register the West Coast Bird Club as an IAP to the above project.
The Avian Impact Specialist is required to report upon the effects upon sea birds.
Currently there are problems with fouling at the SFF facility on the Jetty.

Contact details:-
Keith Harrison,
West Coast Bird Club - Conservation .
P.O. Box 1404,
Vredenburg 7380.

Tel. 022 – 7133026
Email keithhbharrison@lando.co.za

Regards,

Keith Harrison.

ECO IMPACT**Date:**

18 - 4 - 2018

Enquires:

Phumeza Qwashu

Tel: 021 980 3269

Fax: 021 980 3053

SIR / MADAM**PROPOSED CONSTRUCTION: PROPOSED LPG PIPE LINE AND ADDITIONAL LPG STORAGE, ERF 1038, SALDANHA.****OUR REF: 00871 - 18**

Please note that the owner needs to comply with the following conditions:

- No building, any structures or trees may be erected within **18 (EIGHTEEN)** metres from any Eskom **132 kV power line** or within 6 (SIX) metres from any structure supporting mechanism.
 - No building, any structures or trees may be erected within **11 (ELEVEN)** metres from the centre of Eskom **66 kV power line** or within 6 (SIX) metres from any structure supporting mechanism.
 - No building may be erected within **3 (THREE)** metres from any **Eskom underground cable**.
 - No building may be erected within **9 (NINE)** metres from either side of the centre line from any Eskom **11 / 22kV power line** crossing the property involved or within **6 (SIX)** metres from any structure supporting mechanism.
 - No work may take place closer than **5 (FIVE)** meters from any overhead power line.
- I. The location of the cable from the Eskom transformer to the distribution box must be pointed out to the contractor by the owner and is the **owner's responsibility**.
 - II. A copy of this letter / documentation must be handed to the contractor who must have it available on site.
 - III. That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.

That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:

- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above.
- ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules.

Western Region
Eskom Road, Brackenfell, 7560
PO Box 222, Brackenfell, 7561

- iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom.
- iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- v. Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- vi. The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- vii. Eskom shall at all times have unobstructed access to and egress from its services.
- viii. Any development which necessitates the relocation of Eskom's services will be to the account of the developer.

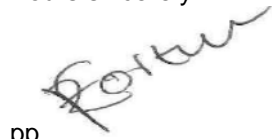
PLEASE CONTACT AND MAKE APPOINTMENT: VREDENBURG CNC - GUSTAV KOTZE - 022 713 5208 BEFORE WORKING IN CLOSE PROXIMITY TO ANY ESKOM OVERHEAD POWER LINES

The above is a requirement under the **Occupational Health and Safety Act (Act No. 85 of 1993)** to ensure safety.

Please apply to your local Eskom office (Sales and Customers) for a new electricity connection or an increase in your supply.

Should it be necessary to move any of the Eskom services a written request must be given to the local Eskom office. It must be noted that it will take 3 month or longer to move any power line and that the cost of moving a power line will be for the applicant's account.

Yours sincerely



pp

**PHUMEZA QWASHU
LAND DEVELOPMENT**

