



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/22-23/E3348
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Eco Energy Trading
P. O. Box 10320
The Falls
BENONI
2196

By Registered Mail

Email: rory@ecoenergytrading.co.za

Telephone Number: 082 655 8812

Dear Mr. Rory van Deventer

ENVIRONMENTAL AUTHORISATION GRANTED-BAR: THE PROPOSED EXPANSION AND MODIFICATION OF THE EXISTING DANGEROUS GOODS (PETROLEUM PRODUCTS) HANDLING AND STORAGE FACILITIES AT ECO ENERGY LOCATED AT ROODEKOP, GERMISTON; CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

With reference to the above application, please be advised that the Department has decided to grant environmental authorisation. Environmental Authorisation (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, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the registered interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever, is applicable. The appeal(s) must be submitted in writing by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
P.O. Box 8769
JOHANNESBURG
2000

Physical Address

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
56 Eloff Street, Umnotho House, 23rd Floor
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.gauteng.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.

Kindly take note that in terms of Section 43 (7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of appeal suspends environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards,



MS. MATILDA GASELA
HEAD OF DEPARTMENT: AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT

DATE: 12 May 2023

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 AGRICULTURE AND RURAL DEVELOPMENT
 REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

Reference Number:	GAUT 002/22-23/E3348		
Holder of Authorisation:	Eco Energy Trading		
Location of Activity	Yard 1 (existing facility) – Portion 6 of Erf 1642 of the Farm Roodekop 572-IR Yard B (expansion area) – Portion 0 of Erf 3300 of the Farm Roodekop 572-IR		
Coordinates		Latitude (S)	Longitude (E)
	Activity	26° 18' 17.48"	28° 11' 40.97"
21 Digit SG Number	T0IR05720000164200006 T0IR05720000330000001		

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1. Decision

The Department is satisfied, on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, 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 Regulations, 2014, the Department hereby authorises-

Eco Energy Trading (hereafter referred to as the Applicant)

with the following contact details-

P. O. Box 10320
The Falls
BENONI
2196

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Tel No: 082 655 8812

Email: rory@ecoenergytrading.co.za

to undertake the activity listed in the table below:

Activity number and description	Proposed activity/development description
<p>GNR 327: Activity 51 of Listing Notice 1: 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.</p>	<p>The facility proposes is to expand on the storage and handling of dangerous goods by increasing the current storage capacity (which is below 1 000 m³) to a maximum of 10 767.96 m³. This will be achieved through the construction of additional Tank Farms in addition to the existing tank farms. The tanks will be as follows: Tank Farm A – 945.90 m³ Tank Farm B - 1 288.89 m³ Tank Farm F(a) - 728.78 m³ Tank Farm F(b) - 1 093.17 m³ Tank Farm G - 6 158.57m³ Tank Farm H - 552.64 m³</p>

- for the proposed expansion and modification of the existing dangerous goods (petroleum products) handling and storage facilities on the above-mentioned site that is situated within the City of Ekurhuleni Metropolitan Municipality.

Scope of Environmental Authorisation.

3. Specific Conditions

3.1 The environmental authorisation granted is for the expansion and modification of the existing dangerous goods (petroleum products) handling and storage facilities by increasing the

- current storage capacity (which is below 1 000 m³) to a maximum of 10 767.96 m³ (**the preferred proposal**). The footprint/property size of the proposed activity is approximately 15 000 m².
- 3.2 The holder of the Environmental Authorisation must ensure that the construction site is demarcated before any construction activity takes place and adequate signage is displayed at relevant points on site to inform the public and workers about potentially dangerous conditions on site.
 - 3.1 The Acoustical Measurement Report dated March 2023 by Enviro-Acoustic Research cc submitted as part of the Basic Assessment is noted. All recommendation contained therein must be implemented and strictly adhered to.
 - 3.2 The Atmospheric Impact Assessment Report dated 31 October 2022 by WSP Group Africa (Pty) Ltd submitted as part of the Basic Assessment is noted. All recommendation contained therein must be implemented and strictly adhered to.
 - 3.3 The Major Hazard Risk Assessment Report dated 13 June 2022 by MHI Risk Engineers submitted as part of the Basic Assessment is noted. All recommendation contained therein must be implemented and strictly adhered to.
 - 3.4 The Odour Report dated 21 June 2022 by Skyside submitted as part of the Basic Assessment is noted. All recommendation contained therein must be implemented and strictly adhered to.
 - 3.5 The applicant must ensure that storage areas (tank farms) are installed on an impermeable surface area that is appropriately bunded.
 - 3.6 The discharge of effluent may only be undertaken if and when water quality can comply with the effluent discharge quality standards. An approved effluent discharge permit must be in place and be available on site and made available to this Department upon request.
 - 3.7 Non-corrosive steel tanks as per SANS 1535 standards must be installed to avoid the rusting of tanks and leakages thereof.
 - 3.8 The applicant must ensure that all installation relating to the hazardous storage facility will comply with South African National Standards and other relevant oil standards industry.
 - 3.9 Daily stock reconciliation must be conducted, and records maintained.
 - 3.10 A spill response kit must be available onsite.
 - 3.11 The applicant must undertake regular integrity checks on tanks, valves, pipes, connections to detect leaks and or weaknesses in the system with the installation of a leak detection system on pressure systems. If a leak occurs, the following must be adhered to:
 - i. The Department must be notified within 24 hours;
 - ii. A record of the incidents must be kept in the form of an incident register. The incident register must outline but is not limited to the following:
 - ▶ The nature of the leak/incident;
 - ▶ The extent of the leak/incident;
 - ▶ Impacts associated with the leak/incident;
 - ▶ Measures taken to mitigate the leak/incident; and
 - ▶ The incident register must be kept onsite and made available to the officials of the Department upon request.
 - 3.12 Fire prevention equipment must be present onsite and in good working condition.
 - 3.13 Integrity testing must be done on the tanks on an annual basis.
 - 3.14 All operational tank farms must be surrounded by an interception trench connected to secondary containment for intercepting and recovering potential spills.
 - 3.15 A grease trap must be installed at the low end of the site to contain spilled fuel and contaminated stormwater.
 - 3.16 Sustainable energy measures that include solar geysers, solar power lighting and heating must be incorporated into the entire development to reduce the carbon footprint of the development.
 - 3.17 If any soil contamination occurs during the construction phase of the proposed activity, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal and this Department must be informed in this regard.

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- 3.18 Any mixing of cement, solvents, asphalts, sealants, adhesives, paints, chemical or other noxious materials must be done on an impervious surface designated for such in order to avoid seepage into the soil.
- 3.19 Dust suppression measures must be employed around the facility to reduce the effects of air pollution that could result from dust.
- 3.20 The holder of the Environmental Authorisation must ensure that vehicles used for construction purposes are maintained in good condition to minimise noise, vehicle exhaust emissions, and the risk of soil contamination through the leakage of lubricants and hydraulic fluids.
- 3.21 On completion of the project, all litter and construction debris must be removed from the site immediately.

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4. Commencement and completion of the activity

- 4.1 The construction of the authorised activity, including post development/construction rehabilitation must be concluded within a period of 10 years from the date of signature of this environmental authorisation. If the authorised activity has not been concluded within that period, the authorisation lapses.
- 4.2 Continuation of the authorised activity after the lapsing period of this EA and where such continuation will meet the threshold of any listed activity, will constitute an offence.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.
- 4.4 This Authorisation does not exempt the holder thereof from complying with any other relevant legislation and requirements of other government departments (i.e., Local, Provincial or National). The Holder of the Authorisation must ensure that all necessary permits and/or authorisations are obtained from the relevant authorities.

5. Management of the activity

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

- 5.1 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 or waste disposal site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 5.2 The surface storm water management plan must be based on Sustainable Urban Drainage Systems (SUDS) Principles and consider source, local and regional controls.
- 5.3 The Applicant must submit recommendations to amend the EMPr where the findings of the environmental audit reports indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or the EMPr and where applicable, the closure plan.
- 5.4 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 5.5 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 5.6 In assessing whether to grant approval of an amended EMPr because of an audit report, the competent authority may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr or closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
- 5.7 Induction of the contractors, subcontractors, agents and other people working on the site about the contents of the EMPr and its objectives.

6. Monitoring and Reporting

- 6.1 An independent Environmental Control Officer (ECO) must be appointed to oversee the development of the activity and guide compliance with the conditions of environmental authorisation and EMPr. An ECO must submit compliance report at least once during preparation and construction phase of the development and one post development rehabilitation phase to mark completion of construction development.
- 6.2 An ECO must be appointed prior to any commencement of the authorised activity/ies.
- 6.3 Once appointed, the name and contact details of the ECO must be submitted to the Department's Compliance Monitoring Section in the Department; documentation such as audit/monitoring/compliance reports and notifications, required to be submitted, must be submitted thereto.
- 6.4 The ECO must keep record of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken by the ECO.
- 6.5 The environmental audit report must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
- 6.6 Records relating to monitoring and auditing must be kept on the site and made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the development.
- 6.7 An annual environmental performance audit must be conducted at the site by an independent consultant and the results which include the aspects of concern, the audit findings related to those identified aspects, the action plan, the commitments and the time frames for implementation must be made available to this Department on request. The annual audit must include, but not limited to the following:
 1. Confirmation that:
 - (i) All construction activities were carried out in accordance with relevant SANS/ SABC codes of practice;
 - (ii) Basic firefighting equipment's are available on site;
 - (iii) All permits or licenses applicable to the operation of the proposed facility were obtained from relevant authorities;
 - (iv) Records of waste and effluent disposed/removed from the site in terms of the manifest system are being kept by the holder of authorisation; and
 - (v) Maintenance of tanks associated equipment has been undertaken according to a maintenance register.
 2. Compliance with:
 - (i) The conditions of the authorisation;
 - (ii) The EMPr
 3. Update of emergency procedures and fire drills.
 4. Proof that an Emergency Response Plan was approved by City of Ekurhuleni Metropolitan Municipality.
 5. Results of the annual and any other pressure testing exercised.
 6. Proof that emissions associated with the operation of the proposed facility do not exceed relevant Occupational Exposure Limits.
 7. The first audit report must verify the following:
 - (i) Conformance of the installations and the tanks manufacture with the relevant SANS/ SABS code of standards. This must include a discussion on the pollution prevention measures implemented;
 - (ii) The certificate of tanks manufacture is issued by the tank's manufacturer/supplier; and;
 - (iii) The personnel have been trained in spills response skills by a representative or the holder of Environmental Authorisation.

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7. Notification of commencement of activity

- 7.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to Director: Compliance Monitoring Ms Sasa Sekhota, the official of the Department at the email address: Sasa.Sekhota@gauteng.gov.za.

8. General Conditions

- 8.1 The conditions of this EA are binding on the applicant ("Holder of EA"), including any person acting on his or her behalf, including but not limited to an agent, sub-contractor, employee or person rendering a service to the applicant.
- 8.2 The activity authorised may only be carried out at the property or site indicated in this EA.
- 8.3 Any changes to, or deviation from, the activity' 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, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the applicant to apply for further authorisations in terms of the Regulations.
- 8.4 Where any of the applicant's contact details changes, including the name of the applicant, 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.
- 8.5 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 activity.
- 8.6 This EA and EMPr must be kept at the property or site where the activity 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.
- 8.7 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.
- 8.8 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 activity that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

Date of the Environmental Authorisation:

12 May 2023

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ANNEXURE 1: REASON FOR DECISION.

1. Information considered in making the decision

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

- 1.1 The information contained in the Final Basic Assessment Report, received by the Department on 12 April 2023 including:
 - 1.1.1 Risk Assessment;
 - 1.1.2 Acoustical Measurement Report;
 - 1.1.3 Air Quality Assessment Report;
 - 1.1.4 Odour Report; and
 - 1.1.5 Environmental Management Programme.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3 and the Gauteng Provincial Environmental Management Framework (GPEMF), 2021.
- 1.3 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).
- 1.4 Screening report tool dated 21 June 2022.
- 1.5 The finding of the site inspection undertaken by Ayanda Khulu, the official of the Department on 09 February 2023.

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2. 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.

- 2.1 Impact of the proposed development on the environment.
- 2.2 Public participation process undertaken for the proposed development.

3. Findings

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

- 3.1 The Screening tool and the Gauteng Conservation Plan Version 3.3 indicate that the proposed site is not sensitive as there are already developments on site.
- 3.2 The site is within an industrial area (Zone 5) as depicted by the GPEMF (2021). The purpose of Zone 5 is to allow and streamline non-polluting industrial and large-scale commercial (warehouses etc.) activities in areas that are already used for such purposes and areas that are severely degraded but in proximity to required infrastructure.
- 3.3 ~~The overall impacts identified by the Basic Assessment process indicate that the potential negative impact associated with the project relate mostly to spills, odours and safety risks. Due to the nature of the proposed activity, the handling and transport of liquids poses the highest risk of spills. These risks can however adequately be mitigated by means of mitigation measures. The implementation of the mitigation measures in the EMPr will ensure that the impacts are kept to a minimum and/or avoided.~~
- 3.4 The public participation process was undertaken in accordance with the requirements of the EIA Regulations, 2014. Comments from registered interested and affected parties have been considered. The advertisement was placed in the "Tame Events" Newspaper on 17 January 2023 and 24 February 2023, site notices were placed on various conspicuous places on site and written notices were sent to various stakeholders.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the proposed activity 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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