

5 July 2017

Dear Interested and Affected Party

**RE: NOTICE OF AMENDED ENVIRONMENTAL AUTHORISATION AND APPEAL PROCEDURE: Proposed Upgrade of a Bulk Liquid Storage and Handling Facility at Maydon Wharf, Port of Durban, KwaZulu-Natal**

**Reference Numbers:**

**Original Environmental Authorisation (Dated 12 April 2016): KZN DEDTEA Reference Number: DM/0071/2014**

**Amended Environmental Authorisation (Dated 27 June 2017): KZN DEDTEA Reference Number: DM/Amend/0071/2017**

As a registered Interested and Affected Party (I&AP) on the project database, you have been informed that Oiltanking Grindrod Calulo Terminals (PTY) Ltd (hereinafter referred to as OTGC) (i.e. the Project Applicant) is proposing to upgrade their existing Bulk Liquid Storage and Handling Facility (hereinafter referred to as a Storage Terminal) at Maydon Wharf, located within the Port of Durban, eThekweni Municipality. The proposed project will take place on Portion 1 of ERF 10019, Durban (Main Property), under the jurisdiction of Transnet National Ports Authority (TNPA). OTGC appointed the Council for Scientific and Industrial Research (CSIR) in 2014 to undertake the Environmental Assessment Process required for the abovementioned proposed project. The proposed project was assessed in terms of the National Environmental Management Act (Act 107 of 1998, as amended) (NEMA) Environmental Impact Assessment (EIA) Regulations, published in **Government Notice (GN) R543, R544, R545 and R546 on 18 June 2010 (as amended)**. The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (KZN DEDTEA) (i.e. the Competent Authority) granted permission in writing on 8 September 2014 to downscale the proposed project from a Scoping and EIA Process to a Basic Assessment (BA) Process. The Final BA Report was accordingly submitted to the KZN DEDTEA for decision-making in October 2015 (in terms of the 2010 NEMA EIA Regulations). The KZN DEDTEA accordingly issued an Environmental Authorisation (EA) for the abovementioned project on 12 April 2016 (KZN DEDTEA Reference Number: DM/0071/2014). The original EA (dated 12 April 2016) approved the storage of Bulk Liquids, such as Vegetable Oils, MEG (Ethylene Glycol), Caustic Soda (Sodium Hydroxide), Base Oil and Molasses, with an approximate total combined storage capacity of 85 600 m<sup>3</sup>, in storage tanks at the proposed upgraded Storage Terminal. The original EA (dated 12 April 2016) also approved the construction of various associated infrastructure and structures, including pipelines to facilitate the transfer of the Bulk Liquids from the berths in the Port of Durban.

In line with the above, OTGC appointed the CSIR in March 2017 to complete and submit an Application for Amendment to the EA in order to amend the contact details for the Applicant (i.e. OTGC) and to amend certain details of the proposed project description. The amendments to the proposed project description were required as a result of customer demand and requirements of TNPA (relating to the specifications of the existing terminal). These amendments to the project description specifically include the proposed storage of an additional product (i.e. Diethylene Glycol (DEG)) at the Storage Terminal, which requires a minor amendment to the layout and phasing of the approved upgraded Storage Terminal. These amendments are non-substantive (in line with Regulations 29 and 30 of the 2014 NEMA EIA Regulations (as amended)), as the proposed amendments do not change the scope of the original EA and do not increase the level of impact assessment carried out in the original BA Process. A non-substantive Application for Amendment to the EA was accordingly submitted to the KZN DEDTEA on 16 May 2017, together with all supporting documentation.

As a registered I&AP on the database and in accordance with Regulation 4 (2) of the 2014 NEMA EIA Regulations (as amended), you are hereby notified that the KZN DEDTEA, based on their review of the EA Amendment Application Form and supporting motivation, have decided to amend the original EA (dated 12 April 2016). The Amended EA (DM/Amend/0071/2017) was issued to the Applicant and the CSIR via email on 27 June 2017. The reasons for the decision are attached as Appendix 1 of this correspondence. The Amended EA (including the reasons for decision) can be downloaded from the project website (<https://www.csir.co.za/environmental-impact-assessment>). A copy of the Amended EA can also be provided to I&APs upon request, by contacting the CSIR Project Manager using the contact details provided above.

As noted in Section 2.3.2 (b) of the Amended EA (dated 27 June 2017), your attention is drawn to Chapter 2 (Regulation 4) of the National Appeal Regulations published in GN R993 on 8 December 2014, and as amended in GN R205 on 12 March 2015, which prescribes the appeal procedure to be followed. Should you wish to appeal any aspect of the decision, an appeal must be submitted to the Appeal Administrator by the Appellant, and a copy thereof must be submitted to the Applicant, any registered I&AP and any Organ of State that has interest in the matter, within 20 days from the date that the notification of the decision was sent to the registered I&APs by the Applicant (i.e. 20 days from 5 July 2017), via one of the following methods:

By Post: Private Bag X001, Bishopsgate, 4008, Durban  
By Hand: 9<sup>th</sup> Floor, The Marine Building, 22 Dorothy Nyembe Street, Durban, 4001  
By Fax: 031 310 5416  
By Email: Haresh.Inderlall@kznedtea.gov.za

Appeals must be addressed to Mr. Haresh Inderlall, who can also be contacted via telephone (031 310 5306). All appeal documentation must include the following reference numbers: KZN DEDTEA Reference Number: DM/Amend/0071/2017.

Should you have any queries or require additional information please do not hesitate to contact the undersigned using the contact details provided above.

Sincerely,



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Paul Lochner (EAPSA) Certified  
Manager: CSIR EMS  
CSIR Environmental Management Services



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Rohaida Abed  
CSIR Project Manager  
CSIR Environmental Management Services

## Appendix 1 – Reasons for the Decision



**edtea**

**Department :**  
Economic Development, Tourism and  
Environmental Affairs

**PROVINCE OF KWAZULU-NATAL**

Enquiries: Ms. Vanessa Macloof Telephone: 031 – 366 7338 Private Bag : X9152  
Imibuzo : Ucingo : Isikhwama Seposi: Pietermaritzburg  
Navrae : Telefoon : Privaat Sak : 3200

Reference: DM/Amend/0071/2017 Fax : n/a Date :  
Inkomba : iFeksi : Usuku : 27 / 06 / 2017  
Verwysing: Faks : Datum :

### Fax Transmission

Messrs Oiltanking Grindrod Calulo Terminals (Pty) Ltd  
4 Bree Street – 1502A Portside  
Cape Town  
8001

**Attention :** Mr. Dirk Exalto  
**Tel :** 021 421 6250  
**Fax :** 021 421 4334  
**Cell :** 082 525 2266  
**Email :** dirk.exalto@oiltanking.com

Dear Sir/Madam

**DM/AMEND/0071/2017: AMENDMENT OF ENVIRONMENTAL AUTHORISATION FOR THE CHANGE OF CONTACT PERSON DETAILS AND PROJECT DESCRIPTION FOR THE UPGRADE OF A BULK LIQUID STORAGE AND HANDLING FACILITY ON PORTION 1 OF ERF 10019, DURBAN, SITUATED AT THE CORNER OF FLETCHER AND JOHNSTONE ROADS, BAYHEAD, MAYDON WHARF, LOCATED WITHIN ETHEKWINI MUNICIPALITY.**

- The Environmental Authorisation (EA) for the above-mentioned project, reference number DM/0071/2014 dated 12 April 2016, and the application for amendment with reference no. DM/Amend/0071/2017 received by the Department on 11 May 2017 which included the change of contact person details and project description for the amendment application to the Environmental Authorisation in terms of the provisions of sub-regulation 28(1) of the National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations, 2014 as amended refers.
- The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs in terms of the powers vested in it by sub-regulation 27(2)(a) of the EIA Regulations, 2014 (as amended), hereby amends the following as contained in the EA with reference number DM/0071/2014 granted on 12 April 2016:

- 2.1 **Contact person details**
- 2.2 **Project description**

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*"Attainment of a Radically Transformed, Inclusive and Sustainable Economic Growth for KwaZulu-Natal"*

### 3. Contact Person details are amended from:

Messrs Oiltanking Grindrod Calulo Terminals (Pty) Ltd  
Unit 17, Victoria Junction  
Green Point  
Cape Town  
8001

Tel : 021 421 6250  
Cell : 082 323 6473  
Email : gideon.loudon@oiltanking.com

### To read as follows:

Messrs Oiltanking Grindrod Calulo Terminals (Pty) Ltd  
4 Bree Street – 1502A Portside  
Cape Town  
8001

Tel : 021 421 6250  
Fax : 021 421 4334  
Cell : 082 525 2266  
Email : dirk.exalto@oiltanking.com

### Project description amended from:

The project will entail the following activities:

- Decommissioning and demolition of ancillary infrastructure, including two of the Molasses storage tanks at the existing terminal site, excluding existing Tank Numbers 1, 4 & 5, the existing municipal substation and the OTGC Terminals' substation;
- Decommissioning of all existing structures and infrastructure at the Marine Training School site;
- Site clearing and leveling;
- Construction of 19 new aboveground storage tanks, with bunding, for the storage of Caustic Soda, Mono Ethylene Glycol (MEG), Vegetable Oils/Base Oil as well as ancillary infrastructure<sup>1</sup>;**
- Construction of the six new pipelines between the upgraded terminal and existing berths 8 and 9 for the transfer of Caustic Soda, MEG and Vegetable Oils/Base Oil;
- Construction of the remaining associated infrastructure as described (including but not limited to fencing, boiler room, generator, operations office, administrators office, separator, security kiosks, road tanker loading gantry, parking areas, and entrance gates);
- Installation of the road tanker loading gantry;
- Operation of the three (3) remaining (existing) above ground tanks for the storage of Molasses at the existing terminal site;
- Operation of the two (2) existing pipelines (for Molasses) at the existing terminal site. These two existing pipelines first need to be inspected and tested before being upgraded or substituted; and,
- Operation of 19 new tanks and six pipelines for the respective storage and transfer of Caustic Soda, MEG and Vegetable Oils/Base Oil.

<sup>1</sup> Original description is not in bold, however emphasis added for the purpose of the amendment.

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*"Attainment of a Radically Transformed, Inclusive and Sustainable Economic Growth for KwaZulu-Natal"*


**To read as follows:**

- Decommissioning and demolition of ancillary infrastructure, including two of the Molasses storage tanks at the existing terminal site, excluding existing Tank Numbers 1, 4 & 5, the existing municipal substation and the OTGC Terminals' substation;
- Decommissioning of all existing structures and infrastructure at the Marine Training School site;
- Site clearing and leveling;
- **Construction of 19 new aboveground storage tanks, with bunding, for the storage of Caustic Soda, Glycols [including Mono Ethylene Glycol (MEG) and Diethylene Glycol (DEG)], Vegetable Oils/Base Oil as well as ancillary infrastructure<sup>2</sup>;**
- Construction of the six new pipelines between the upgraded terminal and existing berths 8 and 9 for the transfer of Caustic Soda, Glycols and Vegetable Oils/Base Oil;
- Construction of the remaining associated infrastructure as described (including but not limited to fencing, boiler room, generator, operations office, administrators office, separator, security kiosks, road tanker loading gantry, parking areas, and entrance gates);
- Installation of the road tanker loading gantry;
- Operation of the three (3) remaining (existing) above ground tanks for the storage of Molasses at the existing terminal site;
- Operation of the two (2) existing pipelines (for Molasses) at the existing terminal site. These two existing pipelines first need to be inspected and tested before being upgraded or substituted; and,
- Operation of 19 new tanks and six pipelines for the respective storage and transfer of Caustic Soda, Glycols and Vegetable Oils/Base Oil.

**Background and Reasons for amendment**

4. An environmental authorisation was granted on 12 April 2016 for the Upgrade of a Bulk Liquid Storage and Handling Facility on Portion 1 of Erf 10019 Durban, situated at the Corner of Fletcher and Johnstone Roads, Bayhead, Maydon Wharf located within the eThekweni Municipality.
5. OTGC currently owns a Storage Terminal located at 55 Johnstone Road in Maydon Wharf.
6. Currently, the terminal operations include the storage, handling and distribution of Molasses.
7. The terminal has reportedly been storing Molasses since 1964 under the name of Pure Cane Molasses (Environmental Resources Management (ERM), 2012), and the initial lease was signed in 1960.
8. In 2003, the name of the terminal operator changed from Pure Cane Molasses to Tate and Lyle (ERM, 2012). In 2006, Grindrod Tank Terminals took over the terminal from Tate and Lyle (ERM, 2012). On 19 July 2012, TNPA issued Grindrod Tank Terminals with a Liquid Bulk Terminal Operator License. This license was then transferred to OTGC on 18 July 2013 and is valid until May 2035.
9. The project description was amended to add the storage of a new product, namely Diethylene Glycol (DEG).
10. The reasons for this amendment as indicated in the prescribed application form dated 11 May 2017 are as follows:
  - 10.1 The current storage of Molasses at the existing Storage Terminal does not generate enough revenue to justify the installation of impermeable bund walls around the existing Molasses storage tanks.

<sup>2</sup> Original description is not in bold, however emphasis added for the purpose of the amendment.

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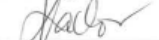
- 10.2 The original Risk Assessment carried out as part of the basic assessment process in 2015 explained that Molasses is not a hazardous chemical, and thus bunding is not required solely for Molasses tanks. However, OTGC is determined to make a concerted effort in order to comply with the TNPA requirements, particularly the installation of bunding.
- 10.3 OTGC is proposing to store both MEG and DEG at their existing Maydon Wharf Storage Terminal in the near future, so that additional revenue can be generated in order to enable the installation of the requested bunding. This will improve the current conditions at the site, and will allow for better management and control of potential spillages at the terminal.
- 10.4 The rights of the public would not be adversely affected.
- 10.5 This amendment is considered as non-substantive.

**11. Notification to interested and affected parties:**

The holder of this amendment must comply with regulation 4(2) of the EIA Regulations, 2014 (as amended) and within **14 days** of the date of the decision on this amendment ensure that:

- a. All registered interested and affected parties are provided with access to the decision and the reasons for the decision; and;
- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended), if such appeal is available in the circumstances of the decision.

Date of amendment of environmental authorisation: 27 June 2017

  
for: Head of Department

Signed by: Ms. V. Maclou  
District Manager: eThekweni District  
KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

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