



EIA REFERENCE: 16/3/3/1/A8/49/3058/22
NEAS REFERENCE: WCP/EIA/0001193/2022
DATE OF ISSUE: 19 MAY 2023

The Board of Directors
Fine Chemicals Corporation (FCC) (Pty) Ltd.
P. O. Box 253
EPPING INDUSTRIAL
7460

For Attention: Mr. Francois Joubert

Tel.: (021) 530 810
E-mail: fjoubert@aspenpharma.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING FCC FLAMMABLE SUBSTANCE STORAGE FACILITY LOCATED ON ERVEN 32560 AND 102119, EPPING INDUSTRIA

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered Interested and Affected Parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the Environmental Authorisation below.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: (1) Ms. Jacqui Fincham (WSP Group Africa (Pty) Ltd.)
(2) Ms. Takadzani Takalani (WSP Group Africa (Pty) Ltd.)
(3) Ms. Maurietta Stewart (City of Cape Town)

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EIA REFERENCE: 16/3/3/1/A8/49/3058/22
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING FCC FLAMMABLE SUBSTANCE STORAGE FACILITY LOCATED ON ERVEN 32560 AND 102119, EPPING INDUSTRIAL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the Listed Activities specified in section B below with respect to the Preferred Alternative, described in the final Basic Assessment Report ("BAR"), dated February 2023.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

Fine Chemicals Corporation (FCC) (Pty) Ltd.
C/O Mr. Francois Joubert
P. O. Box 253
EPPING INDUSTRIAL
7460

Tel.: (021) 530 810
E-mail: fjoubert@aspenpharma.com

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LISTED ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 34 Activity Description: <i>“The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding—</i></p> <p><i>(i) where the facility, infrastructure, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i></p> <p><i>(ii) the expansion of existing facilities or infrastructure for the treatment of effluent, wastewater, polluted water or sewage where the capacity will be increased by less than 15 000 cubic metres per day; or</i></p> <p><i>(iii) the expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increased by 50 cubic meters or less per day.”</i></p>	<p>The expansion to increase the storage volume capacity of dangerous goods will require a non-substantive amendment to the current Air Emission Licence.</p>
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 51 Activity Description: <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 metres.”</i></p>	<p>The expansion will result in the storage volume capacity of dangerous goods being increased by more than 80 cubic metres.</p>

The abovementioned list is hereinafter referred to as **“the Listed Activities”**.

The holder is herein authorised to undertake the following alternative that includes the Listed Activities relating to the development proposal.

The upgrade of the existing flammable drum storage facility in order to expand the on-site storage capacity of dangerous goods from approximately 192 000 Litres to approximately 435 600 Litres.

The upgrades entail the following:

- The expansion of the foam tank enclosure by approximately 5m² (external to the Flammable Storage Area);
- The construction of a new bunded drum offloading and loading area, external to the flammable substance storage area, of approximately 41.5m²;

- The installation of a sprinkler system;
- Increasing the height of bund wall from approximately 150mm to approximately 450mm;
- Increasing the height of the interior walls to roof height in order to improve fire containment; and
- The installation of roller doors, per section, to improve fire containment.

The expansion of additional capacity to store dangerous goods at the existing Fine Chemicals Corporation (FCC) (Pty) Ltd. facility will be accommodated in aboveground drums/containers.

C. SITE DESCRIPTION AND LOCATION

The Listed Activities will be undertaken on Erven 32560 and 102119, Epping Industria.

The SG 21-digit codes of the properties, are given below:

Erf 32560, Epping Industria	C0160007000325600000
Erf 102119, Epping Industria	C01600070010211900000

The co-ordinates of the site, is given below:

	Latitude (S)	Longitude (E)
Erf 32560, Epping Industria	33° 56' 4.15" South	18° 31' 49.25" East
Erf 102119, Epping Industria	33° 56' 3.48" South	18° 31' 43.54" East

Refer to **Annexure 1**: Locality Map. Refer to **Annexure 2**: Site Development Plan(s).

The above property is hereinafter referred to as “**the site**”.

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

WSP Group Africa (Pty) Ltd
 C/O Jacqui Fincham
 P. O. Box 2613
CAPE TOWN
 8000

Tel.: 021 481 8795
 E-mail: Jacqui.Fincham@wsp.com

E. CONDITIONS OF AUTHORISATION

Scope of Authorisation

1. The holder is authorised to undertake the Listed Activities specified in Section B above in accordance with and restricted to the Preferred Alternative, described in Section B above.
2. The holder must commence with, and conclude, the Listed Activities within the stipulated validity period, which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

This Environmental Authorisation is granted for –

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised Listed Activities.

- (b) A period of ten (**10**) years, from the date the holder commenced with the authorised Listed Activities, during which period the authorised Listed Activities must be concluded.
- 3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.
- 4. Any changes to, or deviations from the scope of the alternative described in section B above must be approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written Notice to the Competent Authority

- 5. A written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 11.

Notification of Environmental Authorisation and Administration of Appeal

- 6. The holder must in writing, within fourteen (14) calendar days of the date of this decision–
 - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the decision reached on the application;
 - 6.1.2. the reasons for the decision, as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.
 - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. name of the holder (entity) of this Environmental Authorisation;
 - 6.4.2. name of the responsible person for this Environmental Authorisation;
 - 6.4.3. postal address of the holder;
 - 6.4.4. telephonic and fax details of the holder;
 - 6.4.5. e-mail address, if any, of the holder; and
 - 6.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeals Regulations, 2014 (as amended).

Commencement

7. The Listed Activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notifies the registered I&APs of this decision.
8. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of Activity

9. The draft Environmental Management Programme ("EMPr") (dated February 2023 and submitted together with the final BAR on 21 February 2023), is hereby approved and must be implemented.
10. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports on a quarterly basis for the duration of the construction phase.
12. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the construction phase. Thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. Environmental audit reports must be compiled and be submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
15. The audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
 - 15.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase; and
 - 15.2. A final audit report must be submitted within **three (3) months** of the proposed development being completed.
 - 15.3. The holder must submit an environmental audit report **every five (5) years** while the Environmental Authorisation remains valid.
16. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.

17. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

Specific Conditions

18. Should any heritage remains be exposed during excavations or any other actions on the site, this must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

19. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
20. An integrated waste management approach must be used that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste that cannot be recycled, re-use shall be disposed of at a licensed waste disposal facility.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the Listed Activities.
2. Non-compliance with any Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the Listed Activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:
 - 6.1. Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within twenty (20) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the Competent Authority that issued the decision.
2. An appellant (if not the holder of the decision) must, within twenty (20) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker, *i.e.*, the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within twenty (20) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel.: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority at the address listed above and/or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel.: (021) 483 3721, E-mail: DEADP.Appeals@westerncape.gov.za or URL: <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 19 MAY 2023

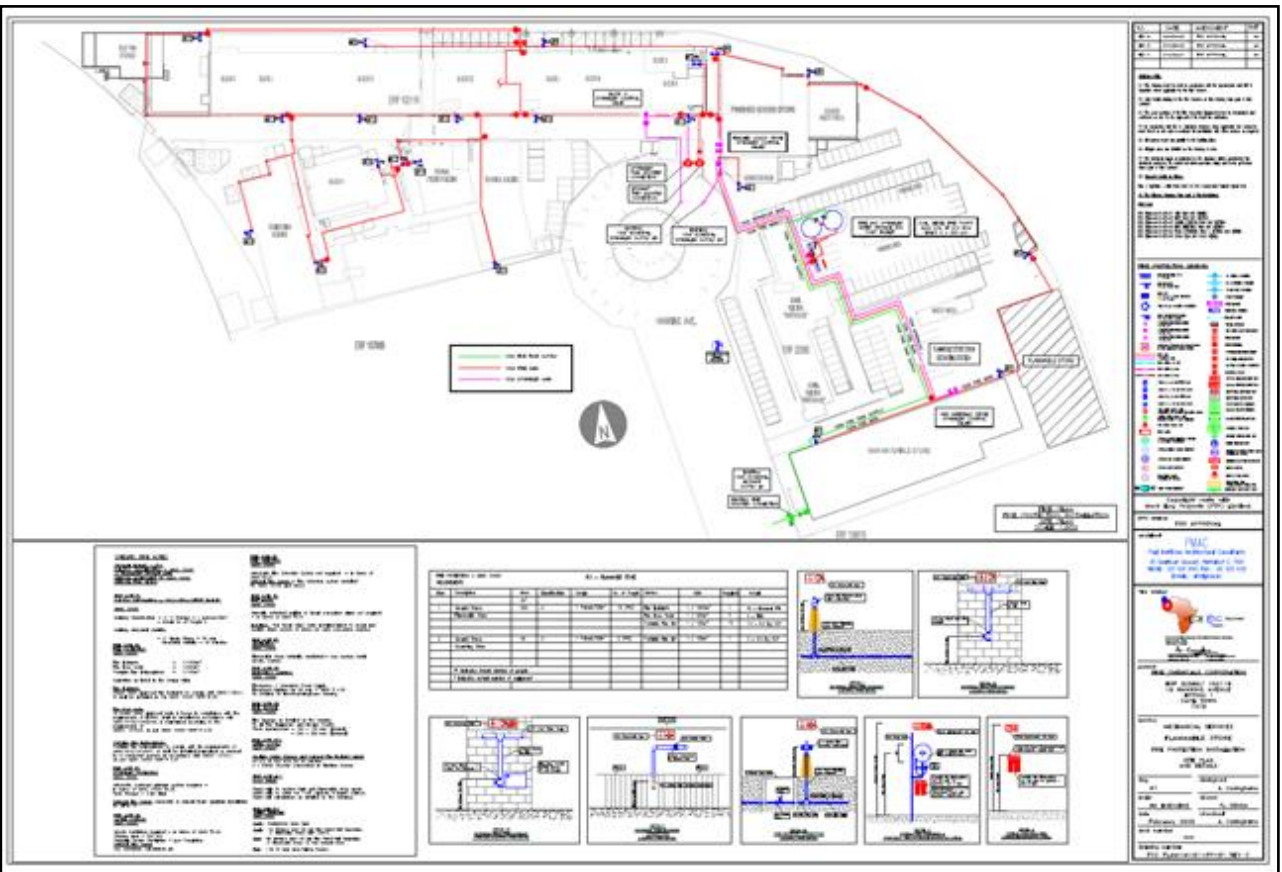
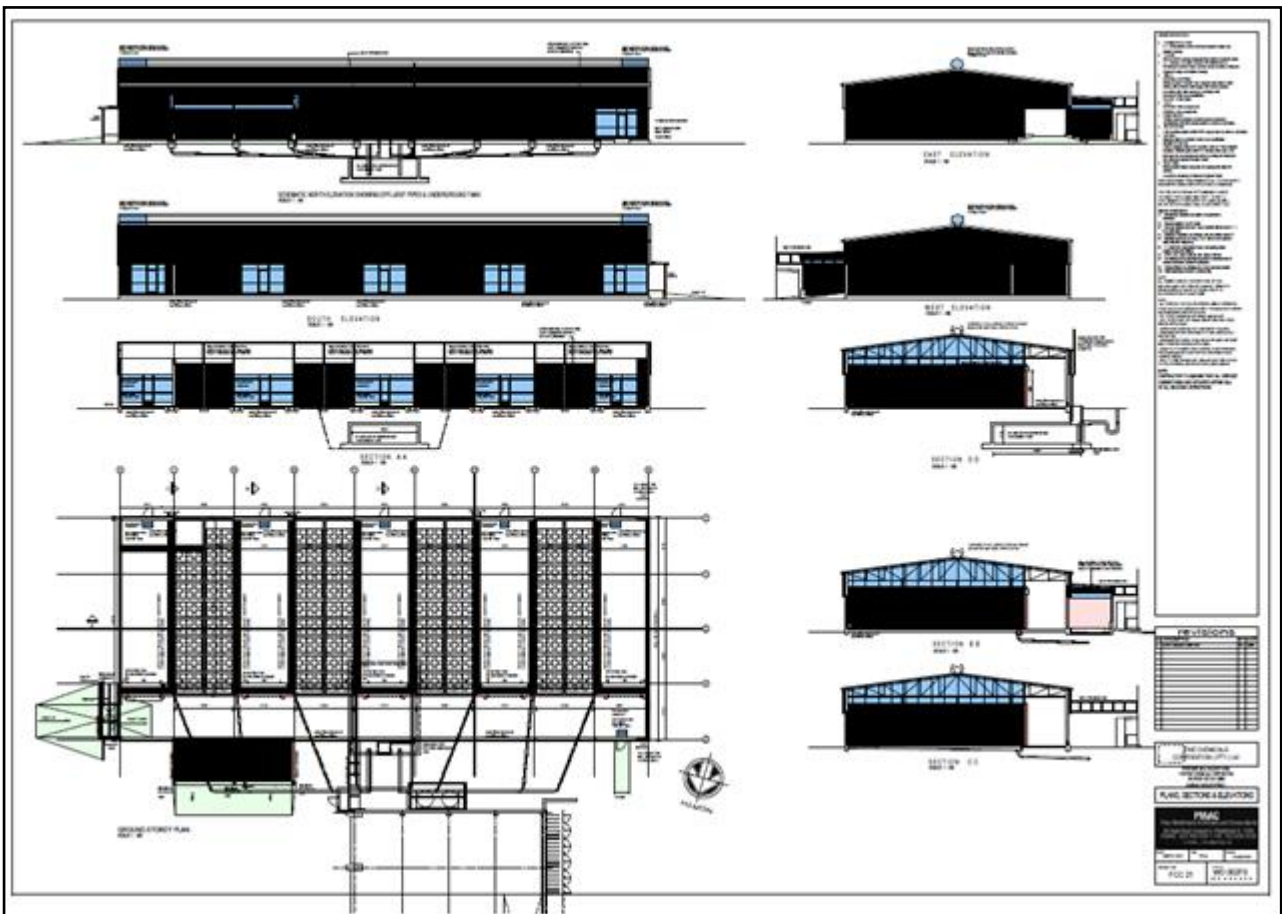
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ANNEXURE 2: THE GA AND FIRE PLANS



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form (dated 28 October 2022), received by this Department via electronic mail correspondence on 8 November 2022, the final BAR (dated February 2023), the EMPr (dated February 2023), and the additional information received on 16 May 2023;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the final BAR; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.
- f) The information gathered from the site inspection undertaken on 8 February 2023, as attended by Ms. N. Bieding (DEA&DP: Development Management), Ms. C. Matroos (Fine Chemicals Corporation (FCC) (Pty) Ltd.) and Mr. F. Joubert (Fine Chemicals Corporation (FCC) (Pty) Ltd.).

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The Public Participation Process ("PPP") included:

- Identification of and engagement with I&APs on 10 August 2022;
- A notification letter was sent to all relevant I&APs and stakeholders on 8 November 2022;
- Adjacent facilities were offered a Background Information Document on 4 October 2022;
- Advertisements were placed in the 'Die Burger' and 'City Vision' Newspapers on 10 November 2022, including a re-advertisement on 17 November 2022;
- Notices were placed on the boundary fence of Erf 32560 and Erf 102119, Epping, and three (3) public places within the neighbouring residential areas of Thornton OK Minimark, Pinelands Public Library and Langa Police Station on 9 November 2022; and
- The draft BAR was made available for comment from 10 November 2022 to 9 January 2023.

The Department is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the Comments and Responses Report.

Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address any significant concerns raised.

2. Alternatives

Preferred Site Alternative

The Preferred Site Alternative entails the expansion activities to accommodate additional storage capacity for dangerous goods to take place on Erven 32560 and 102119, Epping. This is the only preferred site alternative, as off-site storage has negatively impacted customer orders and demand, whilst also proving to be economically unsustainable.

Preferred Operational Alternative (Herewith Authorised)

The Preferred Operational Alternative entails the upgrade of the existing flammable drum storage facility in order to expand the on-site storage capacity of dangerous goods from approximately 192 000 Litres to approximately 435 600 Litres.

The upgrades entail the following:

- The expansion of the foam tank enclosure by approximately 5m² (external to the Flammable Storage Area);

- The construction of a new bunded drum offloading and loading area, external to the flammable substance storage area, of approximately 41.5m²;
- The installation of a sprinkler system;
- Increasing the height of bund wall from approximately 150mm to approximately 450mm;
- Increasing the height of the interior walls to roof height in order to improve fire containment; and
- The installation of roller doors, per section, to improve fire containment.

The expansion of additional capacity to store dangerous goods at the existing Fine Chemicals Corporation (FCC) (Pty) Ltd. facility will be accommodated in aboveground drums/containers.

This is the preferred alternative, as having the dangerous goods on-site will help to have readily access to it, as and when required during the manufacturing process.

'No-go' Alternative

The 'No-Go' Alternative, *i.e.*, maintaining the status quo by not expanding the on-site storage capacity of dangerous goods was considered. The no-go alternative was deemed unfeasible, as it would result in the continued impacts of off storage expenses, double handling of flammable material, increased delivery truck emissions, continued high traffic/truck movement and the potential for on-site additional storage capacity not being maximised/utilised.

3. Impact Assessment and Mitigation Measures

3.1 Need and Desirability

The proposed expansion is required in order to provide additional storage capacity, as the facility has to utilise an off-site facility to temporarily store its dangerous goods required in its manufacturing processes. The proposed expansion will therefore result in benefits relating to cost savings and efficiencies of the storing the dangerous goods on-site.

3.2 Regional and Local Planning

Erven 32560 and 102119, Epping are zoned General Industrial II and the proposed expansion is permitted in terms of this zoning.

The proposed expansion is consistent with the relevant forward planning policies, as the site is located within an already established industrial area.

3.3 Biophysical Impacts

The proposed activities will take place on a fully developed and transformed brownfield site. The surrounding area similarly comprises existing industrial landuses. No indigenous vegetation is present on the site. The closest water features, such as depression wetlands, are located approximately 0.4 to 0.59km from the site and are separated by existing urban development.

The proposed development will therefore have no direct impact on any biophysical elements. Furthermore, the development will not result in any physical change/expansion to the footprint, but instead result in the increase storage volume of dangerous goods.

3.4 Geotechnical Considerations

The site is underlain by an intergranular aquifer. However, no direct negative impacts on any groundwater sources are expected, as the storage area will have a hard impermeable surface, which gives little to no chance of groundwater seepage. The storage area is enclosed within bunding and covered with roofing and therefore also less exposed to weather/environmental elements that may pose any risk of pollution. Additional on-site mechanisms, such as a sump to capture liquid during spill incidents,

color-coded drains with signage and the use of stormwater monitoring wells will reduce the risk of pollution, including the risk of polluting groundwater.

The facility also implements a stormwater monitoring program, which requires scheduled collection and analysis of samples and thereby instituting the corrective actions, as deemed fit. The stormwater monitoring program will also be implemented, as part of the proposed expansion activities.

3.5 Heritage Impacts

The proposed development is not expected to have any negative impact on significant heritage resources, given the industrial nature of the site. It is also confirmed in the correspondence from Heritage Western Cape (dated 31 January 2023), that the proposed expansion does not trigger Section 38 of the National Heritage Resources, 1999 (Act No. 25 of 1999) and is therefore not applicable in terms of having impacts on heritage resources.

Additionally, the applicant will comply with Conditions 18 and 19 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.6 Nuisance

Elevated noise levels are likely to be generated by the operational activities. However, this will predominantly be limited to nuisance emanating from vehicles such as forklifts. Factors such as operations taking place in an enclosed building structure and the site being located in an industrial area will help to mitigate the noise emitted by the facility.

Fine Chemicals Corporation (Pty) Ltd. is in possession of a valid Air Emission Licence that was issued on 30 April 2020. The said Air Emission Licence requires a non-substantive administrative amendment in terms of the applicable legislation. The correspondences from the City of Cape Town (dated 18 November 2022), confirms that the non-substantive administrative amendment to the Air Emission Licence will be granted once this Environmental Authorisation is issued.

Other nuisance-related impacts, such as dust and odour will be managed in accordance with general management of the facility, including regular inspections as well as maintenance activities. The provisions of the EMPr also ensure that nuisances are adequately addressed.

3.7 Hazards

Taking the proposed expansion into consideration, it has been confirmed by ISHECON Chemical Process Safety Engineers in their correspondence (dated 14 October 2020), that the site is regarded as a 'Low Hazardous Establishment'. Whilst the facility poses the risk of explosions and fire in the receiving environment and surrounds, the chance and risk of these major accidents occurring is generally low. The implementation of the required Emergency Response Plan, which includes emergency procedures and risk reduction measures, will help to reduce the likelihood and impacts of any major accidents. Additionally, the existing facility has an existing fire management system, including sprinklers, that are activated in case of a fire incident. This system will also be used as part of the proposed expansion activities.

The Emergency Response- and Fire Plans have been included as appendices to the EMPr and are therefore required to be implemented.

3.8 Services

It is confirmed in the final BAR that no additional municipal infrastructure will be required in terms of electricity, water supply or sanitation as a result of the proposed expansion

activities. All dangerous goods and waste products will be continued to be managed in the prescribed manner, which includes the adherence to the applicable waste norms and standards as well as the disposal of hazardous at an offsite licensed hazardous waste handling facility.

3.9 Socio-economic Considerations

The proposed expansion will result in saving costs as well as increased efficiency in the facility's storage of dangerous goods required as part of its manufacturing processes.

The development proposal will result in both negative and positive impacts.

Negative Impacts include:

- Increased storage of dangerous goods on the site.
- Increased risk of the occurrence of accidental fire and other hazards.

Positive Impacts include:

- Improved manufacturing processes.
- Reduced costs and emissions from transporting chemicals to the site.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activity (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the authorised Listed Activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the Listed Activities can be mitigated to acceptable levels.

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