



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

DRAFT COASTAL WATERS DISCHARGE PERMIT FOR AMAWANDLE PELAGIC (PTY) LTD IN TERMS OF SECTION 69 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008) ("THE ICM ACT") - PERMIT REFERENCE NUMBER: 2014/014/WC/FOODCORP

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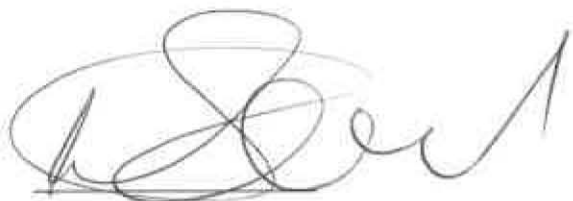
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SECTION A: DECISION

Permission is hereby granted in terms of Section 69 of the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) to Amawandle Pelagic (Pty) Ltd for the discharge of effluent into the coastal waters, subject to the terms and conditions set forth in this permit. This permit does not exempt the permit holder from complying with any other applicable legislation.



Dr. Edna Molewa

Minister: Environmental Affairs

Permit signed by Mr L. Mudau

Acting Chief Director: Integrated Coastal Management (Delegated Authority)

Date: 28/05/2018

	DEPT. VAN OMGEWINGSAKE	
For office use only		
Date of Issue	28 MAY 2018	
	DEPT. OF ENVIRONMENT AFFAIRS	

SECTION B: PERMIT HOLDER'S DETAILS

Permit Holder	:	Amawandle Pelagic (Pty) Ltd
Postal Address	:	P.O. Box 203, Velddrif, 7365
Physical Address	:	No.2 River Street, Laaiplek, 7365
Contact Person	:	Ms Titania Stefanu-Zincke
Designation	:	Director - Environmental & Social Risk
Tel	:	(022) 783 1103
Cell	:	(082) 853 4084
E-mail	:	titanias@luckystar.co.za

SECTION C: ACTIVITY DETAILS

Activity That Produces Effluent	:	Fish Processing Factory
Effluent Classification	:	Seawater (with brine) and fish waste effluent
Maximum Discharge Volume (Cooling water and brine effluent):		31 794 m ³ /day
Maximum Discharge Volume (Fish process effluent)	:	1 432 m ³ /day
Location of discharge	:	Laaiplek Fishing Harbour (Berg River Estuary)
Discharge Point Co-ordinates (Seawater effluent)	:	32° 46'22, 09564"S and E 18° 9'6, 7365"E
Discharge Point Co-ordinates (Fish process effluent)	:	32° 46'25, 47547"S and 18°9'9, 1205"E
Depth of Discharge Point (Fish process effluent)	:	1.2 meter below high tide level
Depth of Discharge Point (Seawater effluent)	:	3.014 meter below high tide level

SECTION D: DISCRPTION OF THE PROCESS, LOCATION OF SITE AND DISCHARGE LOCATION

1. Amawandle Pelagic (Pty) Ltd is located in Laaiplek, Western Cape province within the Laaiplek Fishing Harbour at the GPS co-ordinates 32°46'23.9664"S and 18°9'9.0396" E.
2. The Factory is an existing lawful use under the Water Act of 1956 of the Department Of Water and Sanitation (previously known as the Department of Water Affaires and Forestry).
3. The effluent generated from the Amawandle Pelagic (Pty) Ltd consists of cooling water (discharged as seawater effluent), fish process effluent (characterised as strong effluent) and other contaminated wastewater (characterised as weak effluent). These effluent streams are discharged via a coastal waters outfall outside the jetty within the fishing harbour.
2. Due to freshwater scarcity in the Western Cape, Amalwandle Pelagic (Pty) Ltd will erect a containerised Seawater Reverse Osmosis plant with the associated pipeline infrastructure which will be connected to the existing sea water effluent streams. The sea water effluent will be combined with 37,5 m³ p/day of brine from

the Reverse Osmosis plant and discharged continuously over a period of 24 hours via existing outfall. The effluent from fish processing is discharged via an outfall at a separate point within the jetty at the GPS coordinates 32° 46' 25, 47547"S and 18° 9' 9, 1205"E. The seawater process effluent discharge point is located along another jetty at the GPS coordinates 32 46 25. 42"S and 18 09'07.46" E.



Figure 1: Aerial view showing Amawandle fish factory, effluent sampling locations and the two discharge points for the fish processing and seawater effluent streams

SECTION E: GENERAL CONDITIONS

1. This permit is issued to the permit holder as stipulated in section B, for the discharge location stipulated in section D of this permit.
2. This permit may not be transferred or assigned to any other person or organisation, except with prior written permission from this Department.
3. A copy of this permit must be kept at the site mentioned in Section B above and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.
4. An appeal against this permit does not suspend the effect of this permit, unless directed otherwise by the Minister.
5. The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in Section 83 subsection (2) and (3) of the ICM Act.

6. Access to the site must be granted to any authorised official representing the Department who requests access for the purposes of assessing and/or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.
7. The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if:
 - 7.1 The holder of the permit contravenes or fails to comply with condition subject to which this permit is issued,
 - 7.2 The permit is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective,
 - 7.3 Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, *inter alia*, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or
 - 7.4 It is necessary to meet the Republic's international obligations.
8. The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:
 - 8.1 does not meet the requirements of this permit,
 - 8.2 does not meet the environmental quality objectives for the receiving environment, and
 - 8.3 where established or where the monitoring programme does not provide adequate information to determine the effects of the effluent on the receiving environment.
9. If an incident resulting in a discharge that exceeds the limits prescribed in this permit occurs – whether the requisite permission has been obtained from the Department or not, the permit holder must report the incident immediately to the Department, or where that is not possible, at the earliest opportunity, which must be within seven calendar days, providing full details of the:
 - 9.1 cause of the incident
 - 9.2 the measures taken to mitigate the incident,
 - 9.3 alternatives considered other than the discharge of effluent,
 - 9.4 the volume of the effluent released,
 - 9.5 the location where the effluent has been released, and
 - 9.6 any other information requested by the Department subsequent to the reporting of the emergency.
10. The permit holder must, in addition to the above, comply with the requirements of Section 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), where applicable.
11. The permit holder must ensure compliance with the provisions of the duty of care and remediation stipulated in Section 58 of the ICM Act and Section 28 of the NEMA.
12. All reports and correspondence to the Department relating to this permit must be submitted to:

The Deputy-Director General: Oceans and Coasts

Department of Environmental Affairs

P.O. Box 4390

Cape Town

8000

for attention: The Director: Coastal Pollution Management or electronically to cwdp@environment.gov.za

13. Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.

SECTION F: SPECIFIC CONDITIONS

1. EFFLUENT QUANTITY (FLOW)

- 1.1 Total daily discharge volume must not exceed the levels stipulated in section C of this permit.
- 1.2 Authorised discharge volumes in terms of this permit must not be exceeded without prior authorisation by the Delegated Authority.

2. EFFLUENT QUALITY

- 2.1 No material other than the effluent and its constituents authorised by this permit must be discharged from the discharged point described in Section D.
- 2.2 The maximum limits prescribed in Tables 1 and 2, for the constituents of the effluent discharged via the coastal outfall pipeline, must not be exceeded without prior authorisation by the Delegated Authority

Table 1: Effluent emission limits for seawater (cooling water and brine) effluent prior to discharge into the coastal waters

Substance / parameter	Limits to be complied with	Frequency of monitoring
pH	5.5 - 9.5	Weekly
Salinity	66 psu	Weekly
Temperature	33°C	Weekly
Total Suspended Solids	257 mg /l	Weekly
Turbidity	≤23 NTU	Weekly

Table 2: Effluent emission limits for fish process effluent prior to discharge into the coastal waters

Substance / parameter	Limits to be complied with from the date of permit issued to 31 March 2020	Limits to be complied with from 01 April 2020 to 31 March 2022	Frequency of monitoring
pH	5.5 - 9.5	5.5 - 9.5	Weekly
Salinity	37 psu	37 psu	Weekly
Temperature	27°C	27°C	Weekly
Total Suspended Solids	460 mg /l	293 mg /l	Weekly
Soap, oil and Grease	100 mg /l	20 mg /l	Weekly
Ammonia Nitrogen	156 mg /l	23 mg /l	Weekly
COD	3300 mg /l	2800 mg /l	Weekly
Turbidity	100 ≤ NTU	≤ 23 NTU	Weekly

3. MONITORING

3.1 Compliance with monitoring requirements

- 3.1.1 Failure to comply with the monitoring requirements of this permit may affect the decision to amend, revoke, suspend or cancel the permit during the compliance review and may affect the decision to renew the permit or issue a new permit once the validity period has lapsed.
- 3.1.2 Failure to comply with the monitoring requirements of this permit is an offence in terms of Section 79 (3) of the ICM Act and the permit holder may be liable, upon conviction, of the penalties prescribed in section 80 of the ICM Act.

3.2 Effluent quantity (flow) monitoring

- 3.2.1 The maximum daily discharge volume stipulated in Section C of this permit must not be exceeded.
- 3.2.2 Authorised discharge volumes in terms of this permit must not be exceeded without prior authorisation by the Delegated Authority.

3.3 Effluent quality monitoring

- 3.3.1 The specific limits prescribed in Tables 1 and 2 must not be exceeded.
- 3.3.2 The permit holder must submit an effluent improvement plan to the department within three (3) months from the date of the issue. The plan must include a time frame for the commissioning of the on-site treatment to reduce the high concentration of chemical oxygen demand, total suspended solids and turbidity.
- 3.3.3 Where the sampling and analyses are done internally, samples must be taken by an independent, external auditor (temperature must be sampled in situ) and analysed every 6 months to determine compliance with limits in Tables 1 and 2 above. The reports must be submitted to the Department bi-annually (twice a year).

4. ENVIRONMENTAL MONITORING

- 4.1 The permit holder must submit a monitoring programme to the Department for approval within 6 (six) months of the date of issue of this permit which includes, as a minimum the following aspect:
- 4.1.1 Management strategies and actions to ensure compliance with the permit conditions,
 - 4.1.2 Assessment of potential impact resulting from the effluent discharges ;
 - 4.1.3 A visual record of the inspection to the marine outfall vicinity, either by photographic means or by video camera must be taken. Records must be kept of such inspections
 - 4.1.4 Management strategies and actions to ensure compliance with the environmental quality objectives as per *The South African Water Quality Guidelines for Coastal Marine Waters (Volume 1): Natural Environment, published by the Department of Water Affairs in 1995, or any amended version thereof* and effectiveness thereof;
 - 4.1.5 Trends, status and changes in the receiving environment related to the health of important ecosystems and designated beneficial uses;
 - 4.1.6 The benthic macrofauna assessment to monitor changes in its composition within the vicinity of the discharge point;
- 4.2 Additional sampling points may be requested by the Department if deemed necessary;
- 4.3 The monitoring programme may, upon written agreement by the Department, be conducted in conjunction with any other institution.
- 4.4 The monitoring programme (s) mentioned above, must be implemented by a suitably qualified person (s) appointed by the permit holder.
- 4.5 The Departments may request investigations of any other issues regarding effluent discharge and the marine environment if and when it is considered necessary.
- 4.6 The monitoring programme, referred to above, must not be changed or amended without prior written permission from the Department.

Table 3: Water quality target values for the natural environment at the end of the mixing zone

Substance / parameter	Target Value/Concentration
pH	7.3 - 8.6
Salinity	33x10 ⁻³ - 36x10 ⁻³
Temperature	The maximum acceptable variation in ambient temperature is 1°C
Total Suspended Solids	The concentration of suspended solids should not be increased by more than 10 % of the ambient concentration
Turbidity / Colour	Turbidity and colour acting singly or in combination should not reduce the depth of the euphotic zone by more than 10% of background levels of 250
Dissolved oxygen	Should not fall below 5 mg/l (99 % of the time) and below 6 mg/l (95 % of the time)

5. ANALYSIS OF SAMPLES

- 5.1 All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.
- 5.2 The permit holder must give access to the Department's official / representative undertaking any audit sampling at any given time.
- 5.3 The methods of analysis may not be changed without prior notification to, and written approval from, the Department.
- 5.4 The Department may request the method of analysis to be changed depending on new technologies and requirement.

6. MONITORING POINTS

- 6.1 Monitoring of the effluent quality of the final effluent must be carried out at the holding sump for Seawater effluent and at the tank for strong effluent prior to discharge into the sea
- 6.2 Monitoring points for the receiving environment must be approved by the Department prior to the commencement of sampling.
- 6.3 The monitoring of the effluent quality for both seawater and fish process outfall in the receiving environment must be done at the following locations:
 - 6.3.1 At the marine discharge point,
 - 6.3.2 50 m south of the discharge point
 - 6.3.3 50 m north of the discharge point
 - 6.3.4 75 m south of discharge point,
 - 6.3.5 75 m north of discharge point
 - 6.3.6 100 m north of the discharge point,
 - 6.3.7 100 m south of the discharge point,
 - 6.3.8 125 m south of the discharge point
 - 6.3.9 125 m north of the discharge point
- 6.4 The Department may prescribe additional monitoring points in the receiving environment, if deemed necessary.
- 6.5 Monitoring points may not be changed without prior notification of, and written approval by, the Department.

7. PIPELINE INTERGRITY AND CONDITION

- 7.1 The pipeline above the high water mark must be inspected on a weekly basis to check for any leaks or malfunctions. A visual record of the inspection, either by photographic means or by video camera must be kept.
- 7.2 The permit holder must conduct survey after three (3) years from the date of the issue of this permit to monitor the stability of the pipeline infrastructure as well as to assist in detecting any mechanical failure which includes a survey of the:
 - 7.2.1 full length of the marine outfall pipeline and associated structures;
 - 7.2.2 ocean bed directly below the marine outfall pipeline; and
 - 7.2.3 the integrity of the pipeline.

- 7.3 The Department reserves the right to request the permit holder to appoint any person to inspect the coastal discharge pipeline and associated structures and equipment independently, should there be reason to suspect that the condition or operation of the coastal outfall pipeline does not comply with the conditions of this permit.
- 7.4 The Department may, if deemed necessary, direct the permit holder to take any steps necessary to ensure the proper functioning of the coastal discharge pipeline and its associated structures.

8. MALFUNCTIONS / ABNORMAL CONDITIONS

- 8.1 Accurate, up-to-date records of all system malfunctions resulting in the disposal of water containing effluent not in accordance with the requirements of this permit must be kept.
- 8.2 Permit holder must conduct monitoring as normal during upset / abnormal conditions as specified in this permit.
- 8.3 The following headings must be used for the above records, accompanied by a full explanation of all contributory circumstances and proposed / implemented mitigation measures:
 - 8.3.1 operating errors;
 - 8.3.2 mechanical failure (including design, installation and maintenance);
 - 8.3.3 environmental factors (e.g. floods);
 - 8.3.4 loss of supply services (e.g. power failure);
 - 8.3.5 other causes; and
 - 8.3.6 undetermined.

9. CONTINGENCY PLANS

- 9.1 The permit holder must ensure that the conditions below are included in the Wastewater Risk Abatement Plan. The permit holder must submit an updated Risk Abatement / Contingency plan to the Department for approval within 6 (six) months of the date of issue of this permit and must consist of stipulated procedures, schedules and responsibilities which include, inter alia:
 - 9.1.1 Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions;
 - 9.1.2 staff schedules;
 - 9.1.3 programmes for the maintenance and surveillance of the physical condition of equipment and facilities;
 - 9.1.4 standby / alternative personnel / service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill-health, etc.);
 - 9.1.5 stock lists and suppliers for chemicals, spare parts and equipment components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown;
 - 9.1.6 emergency standby power facilities for high-risk areas;
 - 9.1.7 emergency standby pumps, and
 - 9.1.8 provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures etc.

- 9.1.9 schedule of monitoring and sampling analyses when emergency or upset conditions occur.
- 9.2 The permit holder must provide the details on the type of remediation (corrective measure) to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.
- 9.3 The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as the pollution events. These should include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to the reporting of emergency incidents in terms of Section 30 of the NEMA).
- 9.4 The permit holder must ensure that the contingency plan, once approved by this Department, is implemented at the facility mentioned in section D.

10. REPORTING REQUIREMENTS

- 10.1 All reporting to the Department must occur on prescribed forms, where available or in a format as agreed to, in writing, by the Department.
- 10.2 The permit holder must establish or join a Permit Advisory Forum ("PAF") or an environmental stakeholders meeting. Such a body must meet, as a minimum, once quarterly, to discuss any breach of permit conditions, monitoring and reporting requirements as well as general effluent issues. The forum may be facilitated by an independent facilitator and composed of the permit holder (or a representative), interested and affected parties (such as NGO's, local interest groups, etc.) and relevant government institutions. PAFs may be established for either a single pipeline (i.e. one permit holder) or a receiving environment (i.e. several permit holders). Details (i.e. TOR's) of the forum must be submitted to the Department within 6 months of the date of issue of this permit.
- 10.3 The following must be reported on and presented quarterly to the Department:
- 10.3.1 Compliance with Tables 1 and 2 as well as the exact volume discharged, showing monthly and daily discharge volumes;
- 10.3.2 All minutes emanating from the PAF, where established.
- 10.3.3 The result / findings of the monitoring programmes done in terms of section F condition 3.2 and 3.3.
- 10.4 The following must be reported on and presented annually to the Department:
- 10.4.1 A report on the monitoring of trends, impact (marine impact assessment) and incidents as soon as it becomes available, but not later than 3 (three) months after being completed unless otherwise agreed to, in writing, by the Department.
- 10.4.2 A report detailing the results of the independent audit monitoring, must be submitted / bi-annually to the Department if the sampling is done internally.
- 10.5 The following must be reported on and presented at the compliance review meeting to the Department:
- 10.5.1 A report detailing compliance with section F condition 3.2 and 3.3.
- 10.5.2 Any investigations carried out in terms of section F: condition 10 at the compliance review and upon submission of a renewal / new application.
- 10.5.3 Any defects or deficiencies in terms of the coastal outfall must be reported to the Department immediately, or where that is not possible, at the earliest opportunity, which must be within 7 (seven) calendar days. Where necessary, repairs must be carried out on the pipeline immediately.

11. INVESTIGATIONS

- 11.1 The permit holder must investigate methods for continuous improvement for the effluent quality.
- 11.2 The permit holder must investigate means of optimising dispersion at sea and minimising the impact on the receiving environment and other beneficial users in the coastal waters.
- 11.3 The Department reserves the right to instruct the permit holder to implement any improvements identified in the investigations described in this permit.

12. DECOMMISSIONING

- 12.1 The permit holder must provide a decommissioning plan for the pipeline one year prior to the actual date of decommissioning of the pipeline, to the Department.

13. COMPLIANCE REVIEW COMMITTEE

- 13.1 A compliance review consisting of authorities (as determined by the department) will be established.
- 13.2 The committee will convene when necessary to review the status of compliance to permits conditions.
- 13.3 The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.
- 13.4 The committee may invite any specialist or technical experts to participate in the review processes and committee meetings and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.

14. PERMIT VALIDITY

- 14.1 This permit is valid for a period of 5 (five) years, subject to a compliance review at 30 (thirty) months or as deemed necessary by the Department during the validity period of this permit.
- 14.2 The permit holder must submit a renewal application at least 6 (six) months before the expiry of this permit to the Department. Where a renewal application has been submitted to the Department before the lapsing of the validity period, the validity of this permit will automatically be extended ("the period of administrative extension") from the day before this permit would otherwise have lapsed, until the renewal application has been decided.

SECTION G: APPEALS

In terms of section 74 (2) of the ICM Act:

"A person who is dissatisfied with any decision taken to issue, refuse, amend, suspend or cancel an authorisation, may lodge a written appeal against that decision with – the Minister, if the decision was taken by a person exercising powers which have been delegated by the Minister to such person in terms of this Act"

Formal, motivated appeals must be made in writing within 30 (thirty) calendar days of the date of issuing of this permit by means of one of the following methods:

By post: To the Minister of Environmental Affairs

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Private Bag X447

Pretoria

0001

By hand: 473 Steve Biko Street

Green House

Arcadia,

Pretoria

0083

If the appellant is not the permit holder, the latter must be informed of the appeal within the appeal period referred to above and the appellant must provide the permit holder with reasonable access to a full copy of the appeal, if requested.

Appeals should be addressed to and appeal forms can be obtained from:

Adv. Radia Razack

Director: Law Reform and Appeals

Tel: (021) 819 2426

E-mail: Rrazack@environment.gov.za

SECTION H: REASONS FOR THE DECISION

1. During the validity period of this permit, the discharge of effluent into coastal waters from Amawandle Pelagic (Pty) Ltd is unlikely to:
 - 1.1 Cause irreversible or long-lasting adverse effects in the receiving environment and other coastal water users including recreational use;
 - 1.2 Prejudice significantly the achievement of any coastal management objectives contained in a coastal management programme or;
 - 1.3 Be contrary to the interests of the whole community.

2. In reaching its decision, the Department, *inter alia*, considered the following:
 - 2.1 The information contained in the revised application form for a coastal waters discharge permit included a brine discharge, dated 28 November 2017, the effluent characterisation data and the background water quality monitoring results conducted by an accredited laboratory and submitted to the Department with the application form.

- 2.2 The objectives and requirements of relevant legislation, policies and guidelines, including sections 69 of the ICM Act and section 2 of NEMA;
- 2.3 Site inspections conducted by the officials of this Department on 02 July 2014 and 23 May 2016;
- 2.4 The *"Bergriver outfall hydraulic design: Prepared by WAMTECH, Project Number; FO002 July 2013"* was taken into consideration for the authorisation of the coastal waters discharge permit. The study provides information on site-specific, physical and hydraulic design of the proposed outfall including the most suitable discharge locations. It also provide information on the required and achievable dilution, as well as the prediction of far field behavior of the effluent. The study recommended future investigation to improve effluent quality discharged into the coastal waters from the Amawandle Pelagic (Pty) Ltd.
- 2.5 The declaration that all information submitted by the permit holder in connection with the granting of this permit is complete, factual and accurate in all material respects.

SECTION I: DISCLAIMER

The Department of Environmental Affairs is exempt from any claims against loss or damage incurred by the permit holder in applying for, obtaining and complying with the conditions of this permit or any non-compliance thereof.

-----**END OF PERMIT**-----