



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

COASTAL WATERS DISCHARGE PERMIT IN TERMS OF SECTION 69 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008)

Permit Reference Number: 2013/001/WC/ ORANJEVIS

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SECTION A: DECISION

Permission is hereby **granted** in terms of Section 69 of the ICM Act to **Pioneer Fishing (West Coast) (Pty) Ltd** for the discharge of effluent into 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.



Chief Director: Integrated Coastal Management – Acting (Delegated Authority)

Dr. Y. Peterson

Date: 18 June 2021

	DEPT. VAN OMGEWINGSAKE ANTARKTIKA EN EILANDE OOS-KAAI WEG, OOS-KAAI GEBOU WATERFRONT 8002
For office use only	
Date of issue	8 JUN 2021
Permit Reference Number	2013001WCO/09AN/ENVIS
	ANTARKTIKA AND ISLANDS EAST PIER ROAD, EAST PIER BUILDING WATERFRONT 8002, 2126, WATERFRONT 8002 DEPT. OF ENVIRONMENT AFFAIRS

SECTION B: PERMIT HOLDER'S DETAILS

Permit Holder : Pioneer Fishing (West Coast) (Pty) Ltd
Company Registration Number : 1965/004836/07;1953/000832/07; 2017/658699/07
Address : P. O. Box 25, St Helena Bay, St Helena Bay, 7390
Contact Person : Gerhard Louw
Designation : Site Engineer
Tel : 022 736 8000 / 083 457 0891
E-mail : Gerhard@pioneerfishing.co.za

SECTION C: ACTIVITY DETAILS

Effluent Classification : Cooling and fish processing effluent
Location of Discharge 2 : High water mark within a bay
Discharge volume per day : 29 430 m³
Co-ordinates of the discharge point : 32 44. 859 S and 18 00. 738 E

SECTION D: DESCRIPTION OF THE PROCESS, LOCATION OF SITE, AND DISCHARGE POINT

1. Pioneer Fishing (West Coast) (Pty) Ltd, previously known as Pioneer Fishing (West Coast) (Pty) Ltd T/A Oranjevis Joint Venture (JV) is a large canning and fishmeal processing facility located in St Helena Bay on the West Coast, within the Saldanha Bay Municipality area.
2. The plant generates effluent from the following processes:
 - a. Sea Water Scrubber & Barometric Condensers i.e. water for direct cooling of vapour,
 - b. Industrial Fish Offloading, and the
 - c. Canning process i.e. blood water effluent.
3. A total effluent volume of 29 430 m³ per day is discharged by Pioneer Fishing into the sea. The combined effluent passes through a rotatory drum screen to remove solids and is mixed with seawater prior to being discharged into the sea in order to ensure optimum dilution.



Figure 1: Aerial view of the Pioneer Fishing facility and the location of the effluent discharge point.

SECTION E: GENERAL CONDITIONS

1. This permit is issued to the permit holder, as stipulated in section B, for the activity stipulated in section C and at the locations 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. As stipulated in section 74 (4) of the ICM Act, an appeal against this permit does not suspend the effect of this permit, unless directed otherwise by the Minister.
4. 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 sections 83 (2) and (3) of the ICM Act.
5. 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.
6. A copy of this permit must be kept at the site 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.
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's validity period, if-
 - 7.1 the holder of the permit contravenes or fails to comply with a permit condition of this permit;
 - 7.2 the permitted use 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; 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 does not provide adequate information to determine the effects of the effluent on the receiving environment.
9. If an incident, 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 alternatives considered other than the discharge of effluent,
- 9.3 the volume of effluent released,
- 9.4 the location of the effluent released, and
- 9.5 any other information requested by the Department subsequent to the reporting of the emergency.
10. The permit holder must, in addition to condition 9 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 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,
8002
for the attention of: The Director: Coastal Pollution Management or electronically to cwda@environment.gov.za and copy Rueben Molale, e-mail: rmolale@environment.gov.za; Tandiswa Jacobs (tjacobs@environment.gov.za), Bongumenzi Gumbi (bgumbi@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 level stipulated in section C of this permit.
- 1.2 The quantity of effluent discharged must be metered by a continuous recording device or pump capacity records must be used to determine the maximum daily volume.
- 1.3 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 may be discharged.
- 2.2 The limits prescribed in **Table 1** for the constituents of the effluent to be discharged into the coastal waters must not be exceeded.

Table 1: Effluent Discharge Limits for constituents and Physico-Chemical Properties and the frequency of monitoring prior to discharge into coastal waters from the Pioneer Fishing facility.

Substances/Parameter	Limits to be complied with	Frequency of Monitoring
pH	5.5 - 9.5	Weekly / 7th production day
Temperature	31 °C	Weekly / 7th production day
Soup, Oil and grease	17566 mg/l (20% reduction)	Weekly / 7th production day
Total Suspended Solids	680 mg/l	Weekly / 7th production day
Chemical Oxygen Demand	1600 mg/l	Monthly/ 30th production day
Ammonia	100 mg/l	Monthly/ 30th production day

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 The Department reserves the right to request additional monitoring.
- 3.1.3 Failure to comply with the monitoring requirements of this permit is an offence in terms of section 79 of the ICM Act and the permit holder may be liable, upon conviction, to the penalties prescribed in section 80 of the ICM Act.

3.2 Effluent quality monitoring

- 3.2.1 The quality of the effluent discharged must comply with the discharge limits for constituents/properties by taking a grab sample prior to discharge at the frequencies indicated in **Table 1**.
- 3.2.2 The date, time and monitoring points in respect of each sample taken must be recorded, together with the results.

4. ENVIRONMENTAL MONITORING

- 4.1. The permit-holder must submit a monitoring programme to the Department within six months from the date of issue of this permit.
- 4.2. The monitoring programme must include, as a minimum, the following aspects:
 - 4.2.1. Validate the extent of the mixing zone.
 - 4.2.2. An aerial map with the monitoring points in the receiving environment;
 - 4.2.3. Management strategies and actions to ensure compliance with the permit conditions;
 - 4.2.4. 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;
 - 4.2.5. Assessment of potential marine impact resulting from the effluent discharges;
 - 4.2.6. Trends, status and changes in the receiving environment related to the health of important ecosystems and designated beneficial uses;
- 4.3. Additional sampling points may be requested by the Department if deemed necessary;
- 4.4. The monitoring programme may, upon written agreement by the Department, be conducted in conjunction with any other institution.
- 4.5. The monitoring programme (s) mentioned above, must be implemented by a suitably qualified person(s) appointed by the permit-holder.
- 4.6. The Department may request investigations of any other issues regarding effluent discharge and the marine environment if and when it is considered necessary.
- 4.7. The Marine Impact Assessment (MIA) must take into account the historical baseline data to determine the impact of the effluent at each monitoring location and must be conducted annually for two (2) years from the date of issue of this permit and every three (3) years thereafter.
- 4.8. The monitoring programme, referred to above, must not be changed or amended without prior written permission from the Department.
- 4.9. Compliance with **Table 2** must be achieved within 200m from the discharge point.
- 4.10. The monitoring of the effluent quality in the receiving environment must be done every two years from the commencement of operation.

Table 2: Water quality target values for the natural environment at the end of the mixing zone

Substance / parameter	Target Value/Concentration
Ph	7.3 - 8.2
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	Turbidity should not reduce the depth of the euphotic zone by more than 10% of background levels at a comparable control site
Dissolved Oxygen (DO)	Should not be <8.0 mg/l. Depression of DO below the recommended value should only occur as a result of natural processes

5. ANALYSIS OF SAMPLE

- 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. OUTFALL PIPE INTEGRITY AND CONDITION

- 6.1. The Department reserves the right to inspect the outfall pipe and associated structures and equipment independently and may appoint any person to do such an inspection.
- 6.2. The Department may, if deemed necessary, direct the permit-holder to take any steps necessary to ensure the proper functioning of the outfall pipe and its associated structures.

7. MALFUNCTIONS / ABNORMAL CONDITIONS

- 7.1. Accurate, up-to-date records of all system malfunctions resulting in the disposal of effluent not in accordance with the requirements of this permit must be kept.
- 7.2. The permit-holder must conduct monitoring as normal during upset / abnormal conditions as specified in this permit.
- 7.3. The following headings must be used for the above records, accompanied by a full explanation of all contributory circumstances and proposed / implemented mitigation measures:
 - 7.3.1. operating errors;
 - 7.3.2. mechanical failure (including design, installation, inspections and maintenance);

- 7.3.3. environmental factors (e.g. floods, storms, lightning, etc.)
- 7.3.4. loss of supply services (e.g. power failure, water supply failure, etc.);
- 7.3.5. Other causes; and
- 7.3.6. undetermined.

8. CONTINGENCY PLANS

- 8.1. The permit holder must submit a contingency plan to the Department for approval, within 6 (six) months after the date of issue of this permit, and must consist of stipulated procedures, schedules and responsibilities which include, *inter alia*:
 - 8.1.1. standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions;
 - 8.1.2. staff schedules;
 - 8.1.3. programmes for the maintenance replacement and surveillance of the physical condition of equipment, facilities and outfall pipe;
 - 8.1.4. standby / alternative personnel / service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill-health, etc.);
 - 8.1.5. 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;
 - 8.1.6. emergency standby power facilities for high-risk areas;
 - 8.1.7. emergency standby pumps; and
 - 8.1.8. provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.
 - 8.1.9. schedule of monitoring and sampling analyses when emergency or upset conditions occur at the plant.
- 8.2. The permit-holder must provide the details on the type of mitigating measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.
- 8.3. Clear action plan(s) on mitigating measures to protect other users of the affected coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.
- 8.4. The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning / breakdown of the effluent disposal system, as well as pollution events. These 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 NEMA).
- 8.5. The permit holder must ensure that the contingency plan, once approved by this Department, is immediately implemented at the facility mentioned in Section B.

9. REPORTING REQUIREMENTS

- 9.1. All reporting to the Department must occur on prescribed forms, where available or in a format as agreed to, in writing, by the Department.
- 9.2. The permit holder must establish or join an effluent discharge monitoring forum (or equivalent body). Such a body must meet, as a minimum, once every quarter, to discuss any breach of permit conditions, current and future monitoring initiatives and reporting requirements as well as general effluent issues. This forum may be facilitated by an independent facilitator and comprise of the permit holder (or a representative), Interested and affected Parties (such as NGO's, local interest groups, etc) and relevant government institutions. Effluent discharge monitoring forums may be established for either a single outfall pipe (i.e one permit holder) or a receiving environment (i.e several permit holders).
- 9.3. The following must be reported on or presented **quarterly** to the Department:
 - 9.3.1. The daily (quantity), weekly (quality) and monthly (quality) discharge values;
 - 9.3.2. Incidences that have occurred during emergency, malfunction or upset conditions.
 - 9.3.3. The result / findings of the monitoring requirements in terms of this permit and where further monitoring is required.
- 9.4. The following must be reported on or presented **annually**, to the Department:
 - 9.4.1. A report on the monitoring of trends and incidents as well as the results of the marine impact assessment, as soon as it becomes available, but not later than 2 (two) months after being surveyed unless otherwise agreed to, in writing, by the Department.
- 9.5. The following must be reported on and presented at the **compliance review meeting** to the Department :
 - 9.5.1. A report detailing compliance with Section F of this permit.
 - 9.5.2. Any investigations carried out in terms of Section F:10 at the compliance review and upon submission of a renewal / new application.
- 9.6. Any defects or deficiencies in terms of the outfall pipe 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 outfall pipe immediately.

10. INVESTIGATIONS

- 10.1. The permit-holder may need to investigate methods for continuous improvement of the effluent quality where deemed necessary.
- 10.2. The Department reserves the right to instruct the applicant to implement any improvements identified in the investigations described in this permit.

11. COMPLIANCE REVIEW COMMITTEE

- 11.1. A compliance review consisting of authorities (as determined by the department) will be established.
- 11.2. The committee will convene when necessary to review the status of compliance of the permits conditions.
- 11.3. 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 or non-compliance with permit conditions.

11.4. 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.

12. PERMIT VALIDITY

12.1. This permit is valid for a period of 10 (ten) years from the date of issue, subject to a compliance review at 30 (thirty) months or as deemed necessary by the Department during the validity period of this permit. In other words, the Department may review this permit at any time.

12.2. 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 –

(a) 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 hand: Department of Environmental Affairs
East Pier Building
East Pier Road
V & A Waterfront
Cape Town
8002

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:

Adv. Mokete Rakgogo

Director: Appeals and Legal Review

Department of Environmental Affairs

E-mail: Mrakgogo@environment.gov.za / Appeals@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 the Pioneer Fishing facility is unlikely to:
 - 1.1 Cause irreversible or long-lasting adverse effects that cannot satisfactorily be mitigated;
 - 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 application for a coastal waters discharge permit, dated 20 February 2013 and the following supporting specialist studies:
 - 2.1.1 Assessment of effluent dispersion prepared by Wayland Engineering in Association with WAMTechnology & PBPS Environmental Consultant dated 17 November 2018.
 - 2.1.2 Biogeochemistry and Marine Ecology Assessment prepared for Wayland Engineering by Lwandle Marine Environmental Services dated November 2018.
 - 2.2 A site inspection conducted by the officials of this Department on 16 July 2015.
 - 2.3 The objectives and requirements of relevant legislation, policies and guidelines, including section 69 of the ICM Act and Section 2 of the NEMA.

SECTION I: DISCLAIMER

The Department of Forestry, Fisheries and the Environment 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-----