



Foskor (Pty) Ltd

Minutes for the Meeting:

First Environmental Review Committee (ERC) Meeting

Held: uMhlatuze Civic Centre, ExCo Boardroom, 07 May at 10h00

- Distribution:**
- Mr. W. Rozani – Department of Agriculture, Forestry and Fisheries (DAFF)
 - Ms. G. Feke – Department of Agriculture and Environmental Affairs (DAEA)
 - Ms. L. Nyembe – DAEA
 - Mr. E. Linda – DAEA
 - Ms. M. Luthili – DAEA
 - Ms. G. Gazu – City of uMhlatuze
 - Ms. S. Govender – City of uMhlatuze
 - Ms. S. Camminga – Richards Bay Clean Air Association (RBCAA)
 - Ms. N. Khathi – uThungulu District Municipality
 - Mr. H. Vadlamudi – Foskor
 - Ms. K. Smith – Foskor
 - Mr. P. Malaudzi – Foskor
 - Mr. P. Scott – Foskor
 - Ms. S. Khan – Foskor
 - Mr. M. Ali – Foskor
 - Ms. K. de Jong – Arcus Gibb
 - Mrs. K. Taylor – WSP Environmental
 - Mr. L. Verwey – WSP Environmental
 - Mr. W. Jordaan – SRK Consulting
 - Mrs. T. Hale – SRK Consulting
- For Information:**
- Mr. M. Mdamba – DAEA
 - Mrs. C. Schwegman – Wildlife and Environment Society South Africa (WESSA)
 - Mr. V. Botes – Mhlatuze Water
 - Ms. C. Moonsamy – Department of Water Affairs (DWA)
 - Mr. D. Wieners – Ezemvelo KZN Wildlife

Action

1 Welcome and introductions

Mr. Jordaan opened the meeting and all present at the meeting introduced themselves.

Mr. Jordaan noted the following people invited to the meeting tendered their apologies: Mr. V. Botes of Mhlatuze Water, Mrs. C. Schwegman of WESSA, Mr. M. Mdamba of DAEA, Mr. D. Wieners of Ezemvelo KZN Wildlife and Ms. C. Moonsamy of DWA.

Apologies
were accepted

2 Background and Purpose of Projects (Foskor)

Action

2.1 Background

Mr. Ali provided an overview of the three projects currently undergoing environmental assessment processes. Mr. Ali noted that Foskor is a parastatal company and therefore the National Department of Environmental Affairs (DEA) will be the competent authority for all three projects. It was then noted that all three applications for environmental authorisation have been lodged with the DEA and application numbers have been received.

Mr. Ali confirmed that DEA assessing officers have not as yet been appointed as the projects will only be assigned assessing officers after receipt of the Basic Assessment and Scoping Reports respectively.

Mr. Ali confirmed that the Background Information Documents (BID) for the proposed Phosphate Rock Storage and Urea Phosphate (UP)/soluble Mono-Ammonium Phosphate (MAP)/Di-Calcium Phosphate (DCP) projects have been circulated to all Interested and Affected Parties (IAP). Mr. Verwey explained that the BIDs for the proposed Anhydrous Hydrogen Fluoride (AHF)/Aluminium Tri-Fluoride (ATF) facility were circulated at the commencement of the project in 2010. Mrs. Camminga indicated that the RBCAA has not been informed of the recommencement of the AHF/ATF project and requested the updated BID.

Mr. Verwey confirmed that WSP will send RBCAA the BID.

Mr. Ali explained that the proposed diversification projects will require an amendment to Foskor's interim Atmospheric Emissions License (AEL). This is discussed further in Section 4.

Mr. Ali stated that the purpose of the ERC meeting is to identify issues/comments to be addressed with respect to the projects currently underway. He then noted that to avoid time delays the issues/comments raised at this meeting will be taken into the respective reports and more detail will be provided therein rather than lengthy discussions at the meeting.

2.2 Projects – Need and Desirability

Mr. Ali explained that the three proposed projects form part of Foskor's plan to diversify its products. He then provided the following brief outline of each of the three proposed projects:

- 1) Phosphate rock storage facility – Environmental Consultant is Arcus Gibb.
This facility will be located on Portions 55 and 56 of Erf 5333 and triggers a Basic Assessment (BA) because more than 100,000 tons of phosphate rock will be stored on site.
- 2) UP, soluble MAP and DCP facility – Environmental Consultant is SRK.
This facility will be within the Foskor plant (western periphery) and also triggers a BA as it is an expansion project.
- 3) AHF and ATF facility – Environmental Consultant is WSP
This facility is on a site along the southern boundary of the Foskor plant. Foskor are in the process of negotiating the purchase of the land and this site will require rezoning.

Mr. Ali explained that one specialist (RisCom) has been appointed to undertake the Risk Assessment for the UP/soluble MAP, DCP and AHF/ATF projects. Similarly a single specialist (Airshed) has been appointed to undertake the Air Quality Impact Assessment and one consultant (SRK Consulting) has been appointed to apply for the necessary AEL amendments. Mr. Ali elaborated that Riscom has been appointed based on their experience with the Foskor site as they undertook the original Major Hazard Installation (MHI) assessment and Airshed was appointed based on their extensive experience in the Richards Bay area.

3 Overview of the Three Environmental Processes (WSP / SRK / Arcus Gibb)

Mr. Verwey presented the project being undertaken by WSP, Mr. Jordaan presented the project being undertaken by SRK and Ms. de Jong presented the project being undertaken by Arcus Gibb. Refer to Appendices A to C for the respective presentations.

3.1 Environmental Impact Assessment for a proposed Aluminium Hydrogen Fluoride (AHF)/Aluminium Tri Fluoride (ATF) facility – WSP

Mr. Verwey provided an outline of the project and highlighted the following key points:

- The site is approximately 2.2ha;
- The site is currently zoned conservation and will require rezoning;
- A full Environmental Impact Assessment (EIA) is triggered by the following:
 - The facility is within 32m of a wetland and excavation of material from the wetland will be required;
 - An amendment to or an application for a new AEL is required; and
 - Sulphuric Acid, listed as a dangerous in terms of SANS 10234, will be stored. Anhydrous Hydrogen Fluoride (AHF) will be stored and although it is not listed under SANS 10234 as a dangerous good it is recognised as a hazardous substance;
- The Draft Scoping Report should be available for review by end of May/beginning of June 2012;
- The EIA phase of the project will consider the following key impacts:
 - Air borne emissions – key emissions will be fluorides and PM₁₀;
 - Risk assessment – key risks involve production and storage of hydrogen fluorides; and
 - Effluent – silica oxide.

3.2 Basic Assessment for a proposed Urea Phosphate (UP)/Soluble Mono-Ammonium Phosphate (soluble MAP)/Di-Calcium Phosphate (DCP) facility –SRK

Mr. Jordaan provided an outline of the project and highlighted the following key points:

- A product of the facility will be soluble MAP, Foskor currently produces MAP;
- A new access point is being considered opposite the existing Navitrade access, Department of Transport and uMhlathuze Traffic Engineer will be contacted in this regard;
- There is an existing natural gas transfer station inside the western boundary of the site and the possibility of using this transfer station is being investigated;
- An important consideration in terms of risk and air quality is the need for a short ammonia pipeline on-site for the soluble MAP process; and
- The UP/soluble MAP process will have limited gaseous emissions, the key concern is that of PM₁₀, and the DCP will have no gaseous emissions with the key concern being PM₁₀.

3.3 Basic Assessment for a Phosphate Rock Storage Facility – Arcus Gibb

Ms. de Jong provided an outline of the project and highlighted the following key points:

- SiVest has undertaken wetland studies for the two wetlands on site, these are posing the largest issue and triggers the need for a basic assessment;
- Bosch have undertaken some preliminary designs for the facility;
- The Department of Transport have commented on the proposed facility and have confirmed that access cannot be gained off the John Ross Parkway therefore use of the Western Arterial Road is the only access under consideration;
- The proposed access point crosses a wetland and discussions with Ms. Moonsamy of the DWA has confirmed that a Water Use License Application (WULA) will be required for this access;

- The conveyor transporting the phosphate rock from Grindrod will be fully enclosed; and
- A Traffic Impact Assessment (TIA) was undertaken for the John Ross Parkway Interchange, this assessment would be used for the TIA and a worst case scenario will be used during the TIA for the site.

4 Amendment to Atmospheric Emissions License (AEL)

Mrs. Camminga queried if Foskor have an AEL. Mr. Jordaan explained that Foskor have an Interim AEL (APPA Registrational Certificate) and that an application for the AEL needs to be submitted to the uThungulu District Municipality before the end of the year. Mrs. Camminga then enquired if the AEL has been applied for. Mr. Jordaan confirmed the application will be submitted within the next two weeks. Ms. Khathi confirmed that Foskor has the APPA permits which are valid until 2013 in terms of the National Environmental Management Air Quality Act (NEMAQA). Ms. Khathi then explained that it has been discussed and agreed with Foskor that the application would include the proposed amendments based on these three projects to avoid having to apply for an amendment to the AEL. Should the projects not have environmental authorisation in time then an amendment application would be required thereafter.

Ms. Khathi confirmed that in it's current position, i.e. with the AHF/ATF site not within the Foskor boundary, a separate new AEL application would need to be submitted. Ms. Govender noted the City will recommend consolidation thereby Foskor would require one AEL. Ms. Khathi agreed.

5 Risk Assessment

Mr. Jordaan explained that the risk assessment will have two components, namely:

- Conceptual design – this will highlight acceptable limits and will be used during the environmental authorisation process to obtain authorisation; and
- Detailed design – this will be post environmental authorisation and will be undertaken for the MHI assessment and subsequent MHI Risk Assessment update.

Mr. Jordaan then explained that only the AHF/ATF and the UP/soluble MAP/DCP projects will require Risk Assessments which upon implementation will require the MHI to be updated.

6 Questions / Issues to be taken into Respective Applications

6.1 Question/issues regarding the AHF/ATF facility EIA

Mrs. Camminga enquired as to what other sites have been considered for this facility. Mr. Ali explained that Portions 55 and 56 were considered however were not deemed feasible. Mr. Ali noted that for practical reasons the site has to be close to the existing Foskor site and therefore site alternatives were limited. He noted that this will be discussed in the DSR.

Mr. Ngcamu enquired as to the current zoning of the site. Ms. Govender confirmed it is currently zoned Conservation.

Mrs. Camminga enquired as to the acceptability of an AHF plant considering the Alfluorco project was rejected in Richards Bay.

Mr. Rozani noted that the site is forested and construction thereon will be directly affected by the National Forest Act. This Act will need to be considered in the application.

Mrs. Camminga enquired as to how the site will be accessed. Mr. Ali confirmed the details of the access will be included in the DSR.

Mrs. Camminga asked if the site will be consolidated with the existing plant. Mr. Ali explained that one consolidated facility would be preferred and confirmed that the details of the access will be included in the DSR.

SRK to undertake AEL process and will be guided by Foskor as to the way forward.

WSP will discuss site alternatives in Draft Scoping Report (DSR)

WSP will discuss in DSR
WSP will discuss in DSR

WSP will discuss in DSR
WSP will discuss in DSR

6.2 Question/issues regarding the UP, soluble MAP and DCP facility BA

Ms. Govender noted that building plans will need to be submitted for all existing buildings within the Foskor site. Mr. Ali confirmed that this will be complied with and that Foskor have had meetings with the relevant authorities in terms of traffic and building lines.

Ms. Govender noted that the City of uMhlathuze will place an emphasis on design and aesthetics as the site is highly visible from the main John Ross Parkway Bridge. Mr. Ali noted designs will be dependent on the layout of the plant.

Ms. Gazu acknowledged the specialist studies to be undertaken and enquired if the emissions inventory study will be undertaken. Mr. Jordaan confirmed an emissions inventory will be compiled, as it will feed into the AEL application.

6.3 Question/issues regarding the Rock Phosphate facility BA

Mr. Ngcamu enquired as to how the phosphate rock will be transported. Ms. de Jong confirmed that it will be transported via new fully enclosed conveyors.

Ms. Govender enquired of the storage facility and Ms. de Jong confirmed it will be fully enclosed.

Ms. Govender noted that this is a separate site to the Foskor plant and will therefore require a separate AEL. Mr. Ali confirmed this but requested that the specialists, Foskor and regulatory authorities discuss this as Foskor would prefer an extension of its facility to incorporate the Rock Store within one license.

Mrs. Camminga enquired what alternative sites have been considered. Ms. de Jong confirmed this will be discussed in detail in the Draft Basic Assessment Report (DBAR) to be circulated to IAPs for review and comment.

Ms. Govender noted that she is aware that Foskor wish to purchase Portion 57 in order to off-set the wetland impacts. Ms. Govender cautioned Foskor to wait for environmental authorisation prior to purchasing the land. Ms. de Jong confirmed that it is Foskor's intention to purchase Portion 57 in order to off-set the wetland impact on Portions 55 and 56 and this matter is being discussed with Ezemvelo KZN Wildlife. Mr. Ngcamu noted that this is a good alternative as the wetland to the south of the site extends further south and will have a greater positive impact than the wetland to the north that requires infilling.

Ms. Govender noted that the City would prefer not to sell the land but rather to have the area managed.

Mrs. Camminga queried where the access will be and Ms. de Jong confirmed it would be to the south, by the existing Grindrod (Navitrade) entrance.

6.4 General question/issues raised

Mrs. Camminga requested that if the reports for all three projects are placed in the public domain at the same time an extension to the comment period will be required as RBCAA will not be able to assess all three within 40 days. Mr. Jordaan noted this concern and confirmed that where there is an overlap in report distribution comment periods will be adjusted to accommodate IAPs in consultation with Foskor.

Mrs. Camminga raised concern regarding the practice of *ad hoc* rezoning of properties zoned Conservation. She noted that there is a reason for the current zoning.

Mrs. Camminga noted that there is an 800m buffer being applied to certain parts of the Foskor plant. Mrs. Camminga enquired as to the implications of this buffer and

Foskor to address.

Specialist, Foskor and Uthungulu and Mhlathuze Municipality.

Arcus Gibb to include site alternatives explanation in DBAR.

Arcus Gibb and Foskor to confirm with EKZNW, DWA and City of uMhlathuze the way forward.

WSP, SRK and Arcus Gibb will coordinate report distribution and extend timeframes accordingly. To be addressed in rezoning applications. This will be addressed in

would it be used across the entire Foskor boundary.

the Risk Assessment reports.

Mr. Ngcamu enquired as to the interdependence of the projects, would each project be able to operate in isolation. Mr. Ali confirmed all three projects are separate and independent. Mr. Ali then noted that the risk and air quality assessments are however being undertaken simultaneously which could cause the AEL process to be influenced.

Mr. Ngcamu queried if direct and cumulative traffic impacts have been considered. Mr. Verwey confirmed that traffic has been included in the issues to address in each process.

Mr. Ngcamu enquired of the estimated job opportunities. Ms. de Jong confirmed the majority of jobs for the rock phosphate storage will be created during construction. Mr. Ali confirmed approximately 15 jobs will be created during the AHF/ATF project and Mr. Jordaan confirmed approximately 32, excluding management, during the UP/soluble MAP/DCP project. It was confirmed by Mr. Ali that employment opportunities will be detailed in the respective DBARs and DSR/EIA.

Ms. Govender noted that Foskor must correspond with the City regarding the Local Economic Development issues within the respective projects.

Ms. Govender enquired if Town Planners had been appointed for the land south of Foskor as yet and Mr. Ali confirmed they have. Ms. Govender suggested that the Town Planners become involved in the process now and they need to contact Thea Jordan of the uMhlathuze Municipality.

7 Way Forward and Next ERC Meeting

It was noted by Mr. Jordaan that the public meetings for each of the projects would be staggered and held separately.

The next ERC meeting will be held after the circulation of the draft reports.

Minutes taken by: Tamaryn Hale

Signed by: _____ Date: _____

**Appendix A – Presentation for the Environmental Impact Assessment
for a proposed Aluminium Hydrogen Fluoride (AHF)/Aluminium Tri
Fluoride (ATF) facility – WSP Environmental**

Appendix B – Presentation for the Basic Assessment for a proposed Urea Phosphate (UP)/Soluble Mono Ammonium Phosphate (soluble MAP)/Di Calcium Phosphate (DCP) facility –SRK Consulting

Appendix C – Presentation for the Basic Assessment for a Phosphate Rock Storage Facility – Arcus Gibb