

NOTES OF MEETING

CLIENT : Foskor (Pty) Ltd (Foskor)
PROJECT : Foskor Rock Phosphate Storage Facility BA
PROJECT No : J31280
PURPOSE : Authorities Meeting
PLACE : Foskor, 21 John Ross Parkway, Richards Bay
DATE & TIME : 05/04/2012, 10:00am
MINUTE TAKER : Katherine de Jong
MINUTE REVIEWER : Greg Mullins

NAME	REPRESENTING	E-MAIL ADDRESS	DISTRIBUTION
PRESENT			
Harish Vadlamudi	Foskor	harishv@foskor.co.za	Email
Muhammad Ali	Foskor	muhammada@foskor.co.za	Email
Katherine de Jong	Arcus GIBB (Pty) Ltd (GIBB)	kdejong@gibb.co.za	Email
Trewe Taylor	Bosch Projects	taylor@boschprojects.co.za	Email
Colleen Moonsamy	Department of Water Affairs (DWA)	moonsamyc@dwa.gov.za	Email
Sharin Govender	City of Mhlatuze	sharin.govender@richemp.org.za	Email
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Attendees at the meeting are required to take their own notes and act on these rather than await the arrival of the minutes. The minutes serve as a record of events at the meeting.

DESCRIPTION	ACTION	DEADLINE
1. 1. WELCOME AND INTRODUCTION		
1. 1.1. Ms de Jong welcomed everyone to the meeting. She briefly discussed the rock phosphate storage facility project with the authorities and thanked them for their time at the meeting.		
1. 2. ACCEPTANCE OF THE AGENDA		
1. 2.1. Ms de Jong then tabled the agenda for the meeting and all meeting attendees agreed with the items on the Agenda.		
1. 3. PURPOSE OF THE MEETING		

DESCRIPTION	ACTION	DEADLINE
<p>1. 3.1. Mr Vadlamudi discussed the purpose of the meeting, which was to gain some clarity and input from the authorities on the potential impacts of the proposed project, particularly the wetland impacts.</p> <p>1. 3.2. Ms Moonsamy asked about some of the previous studies done on portions 55 and 56.</p> <p>1. 3.3. Mr Vadlamudi stated that they had in the past had some discussions with authorities regarding the use of portions 55 and 56 but he indicated that Foskor had recently acquired the land (Portion 55 and 56) from the Industrial Development Zone (IDZ) on the 14th February 2012.</p> <p>1. 3.4. Mr Ali explained that Foskor currently has three Environmental Processes running in parallel;</p> <p>#Project 1: Basic Assessment for a Urea Phosphate (UP), Soluble Mono-Ammonium Phosphate (MAP) and Di-Calcium Phosphate (DCP) Production Facility- SRK Consulting</p> <p>Project 2: Environmental Impact Assessment for the production of Anhydrous Hydrogen Fluoride (AHF) and Aluminium Tri-Fluoride (ATF) – WSP Environment and Energy</p> <p>Project 3: Basic Assessment for the storage of 200 000 tons of Phosphate Rock in an enclosed silo on Portions 55 and 56 of Erf 5333 – Arcus GIBB (Pty) Ltd</p> <p>As a result, he stated that the authorities should expect the above Foskor project information coming to the fore.</p> <p>1. 3.5. Mr Ali also noted that Bosch Projects from Umhlanga, Durban had been appointed to do the facility designs for the Rock Phosphate Storage Facility Project.</p> <p>1. 3.6. Mr Taylor from Bosch Projects indicated that their designs included layouts for the warehouse which were the most practical and economical and that any other scheme would waste too much land. He indicated that for the road access and entrance to the site, they would have to cross a small portion of wetland, and that without crossing this section of wetland there would be no access to the site (see designs attached).</p> <p>1. 3.7. Mr Ali stated that from the John Ross Highway (running parallel to the site), they will not be granted any access to the site as it is a main road system. He noted that access from any other side would also be a problem particularly as one cannot cross over a conveyor.</p>		

DESCRIPTION	ACTION	DEADLINE
1. 4. WETLAND DISCUSSIONS		
1. 4.1. Mr Ali stated that there was an issue of sensitivity around the wetlands on portion 55 and 56. He also showed concern that Foskor had purchased portion 56 at industrial rates yet approximately 60% of it was covered in wetlands. Mr Ali then enquired if Mr Mullins could provide insight into the functionality of the wetland, and how viable the wetland would be as an offset.		
1. 4.2. Mr Mullins discussed the functionality of the wetland and stated that the southern wetland should not be impacted on as it feeds into the wetland on Portion 57. He also stated that the Northern wetland is impacted on by the John Ross Highway, receiving excess storm water. Regarding offsets Mr Mullins suggested the use of portion 57.		
1. 4.3. Mr Ali indicated that Foskor had also wanted to purchase portion 57 at conservation rates and use that as their offset, but the price of the property was at industrial rates and was therefore too expensive to purchase.		
1. 4.4. Ms Govender indicated that she was aware that Portion 57 was zoned conservation, so this would not be able to be sold at industrial rates. She stated that the decision would need to be reviewed, and they would need something in writing, if the land is zoned conservation, then it should be evaluated accordingly at a lower value than industrial rates.		
1. 4.5. Mr Vadlamudi stated that the IDZ had given the rate of Portion 57 at industrial rates but that he would follow up on the zoning and discuss with the IDZ and the municipality.	Vadlamudi	
1. 4.6. Mr Ali then indicated that if portion 57 was at conservation rates, Foskor could purchase the land and manage it as an offset to the wetland lost in the northern section of portion 55.		
1. 4.7. Ms Govender stated that until now the municipality had not got it right regarding wetland offsets, but she noted that if one destroys a portion of a wetland it would need to be offset somewhere else, like for like wetland.		
1. 4.8. Mr Ali indicated that they could avoid impacting the wetland to the south of the site but that it would not be logical to avoid a portion of the wetland in the northern section of the project site. He indicated that the only option regarding access to the site would be to cut through the wetland in the North.		
1. 4.9. Ms Moonsamy then enquired if Foskor could span the road over the wetland. She also stated that as part of the crossing one would not need to offset the wetland lost as long as it is managed correctly. She noted that crossing the wetland would trigger a Section 21 c) and i) Water Use Licence (WUL).	GIBB	
1. 4.10. Ms Govender indicated that the Environmental Management Framework (EMF) done for Richards Bay should be adapted. This EMF describes a net loss of the wetland and Foskor would therefore need to consider this.		

DESCRIPTION	ACTION	DEADLINE
<p>1. 4.11.Ms Moonsamy then stated that the 1:3 offset approach would need to be adopted. She supported that Foskor could purchase portion 57 at conservation rates and as part of their motivation, keep it pristine and improve the health and functioning of the wetland. She highlighted that it was vital that Foskor gets buy in from EKZNW.</p> <p>1. 4.12.Ms Govender then enquired if the northern wetland was fed by storm water and in no way connected to the southern wetland.</p> <p>1. 4.13.Mr Mullins stated that the northern wetland was fed by storm water and also that it intercepted the ground water table. He stated that it was part of a larger system which was now separated by the John Ross Highway.</p> <p>1. 4.14.Ms Moonsamy then enquired if the design of the building could change, if it could shift around or if the building could be shortened. She showed concern that by impacting on any portion of wetland; one would need to offset a like for like wetland.</p> <p>1. 4.15.Mr Ali stated that if the building was tilted it would impact on the southern wetland. He stated that the current design was the most practical and feasible option and that the designs would likely impact on the northern wetland as there will be no water feed to the wetland. He stated that water would be diverted around the site via a natural drain, and that there would be a concrete slab of about 5m. He illustrated that they would have more natural free runoff, and water which comes from the site would also then feed the southern wetland.</p>		
<p>1. 4.16.Ms Moonsamy stressed her concern at losing the wetland and indicated that there would need to be consultation with EKZNW and that they would need to advise on the way forward.</p> <p>4.17.Mr Mullins stated that one must look at the services the wetlands are providing. He stated that there is a natural functioning system in the southern area, but that one could remove the alien vegetation and lift the southern wetland functionality. He stated that one could replace the services rather than land for land. He also agreed that Foskor should purchase portion 57 at a conservational fee. He also stated that the footprint of the projects on portion 56 and 55 has not changed so the issues they have are likely to remain the same.</p>	de Jong to contact EKZNW	
<p>1. 5. AIR QUALITY</p> <p>1. 5.1. Ms Govender enquired if portions 55 and 56 were zoned general industry. She stated that Foskor would need to rezone their site as one was not allowed to store a commodity and product on general industrial zoned land. She stated that they are currently revising and amending land-use for industrial sites and that they are more concerned with air quality impacts in rezoning the council resolution. She indicated that it would help if the design of the system was a closed system.</p>	Foskor to verify rezoning to appropriate land-use	

DESCRIPTION	ACTION	DEADLINE																												
<p>1. 5.2. Mr Ali stated that the system would be fully enclosed and that the storage of ore over 100000 tons triggers the Air Quality Act</p> <p><i>(1)Subcategory 5.1: Storage and handling of ore and coal</i></p> <table border="1" data-bbox="397 386 1131 552"> <tr> <td colspan="2">Description:</td> <td colspan="2">Storage and handling of ore and coal not situated on the premises of a mine or works as defined in the Mines Health and Safety Act 29/1996.</td> </tr> <tr> <td colspan="2">Application:</td> <td colspan="2">Locations designed to hold more than 100 000 tons.</td> </tr> <tr> <td colspan="2">Substance or mixture of substances</td> <td>Plant status</td> <td>mg/Nm³ under normal conditions of 273 Kelvin and 101.3 kPa.</td> </tr> <tr> <td>Common name</td> <td>Chemical symbol</td> <td></td> <td></td> </tr> <tr> <td>Dustfall</td> <td>N/A</td> <td>New</td> <td>a</td> </tr> <tr> <td></td> <td></td> <td>Existing</td> <td>a</td> </tr> <tr> <td colspan="4">* three month running average not to exceed limit value for adjacent land use according to dust fallout standards promulgated in terms of section 32 of the NEM: AQA, 2004 (Act No. 39 of 2004), in eight principal wind directions</td> </tr> </table> <p>He noted that the description in the designs would include that the system was a closed system.</p>	Description:		Storage and handling of ore and coal not situated on the premises of a mine or works as defined in the Mines Health and Safety Act 29/1996.		Application:		Locations designed to hold more than 100 000 tons.		Substance or mixture of substances		Plant status	mg/Nm³ under normal conditions of 273 Kelvin and 101.3 kPa.	Common name	Chemical symbol			Dustfall	N/A	New	a			Existing	a	* three month running average not to exceed limit value for adjacent land use according to dust fallout standards promulgated in terms of section 32 of the NEM: AQA, 2004 (Act No. 39 of 2004), in eight principal wind directions				Ali	
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<p>1. 6. TRAFFIC IMPACT ASSESSMENT DISCUSSION</p> <p>1. 6.1. Ms de Jong indicated that the traffic consultants for the project were from the GIBB Cape Town office. She stated that they would do a brief traffic assessment on the project area. She noted that Delca Systems had done an extensive study on the area during the construction of the Hot metal link road which would be used by the consultants. She also stated that the traffic consultants would consider the worst case scenario when the conveyors for the rock phosphate storage facility break down and then trucks etc would be needed to truck the ore to Foskor.</p> <p>1. 7. SUMMARY AND WAY FORWARD</p>	All																													
<p>1. 7.1. It was discussed that Ms de Jong would need to liaise with SRK and obtain minutes of previous meetings with EKZMW. Ms Govender stated that Ms de Jong would also need to get the EMF requirements on wetlands from EKZMW.</p>	GIBB																													
<p>1. 7.2. Mr Vadlamudi stated that he would follow up on the zoning issues and whether portion 57 could be purchased at conservation rates. It was noted that the Municipality would need to be consulted with as the IDZ had given the land back to them.</p> <p>Mr Mullins stated that he would supplement the wetland study.</p>	Foskor SiVest																													