

BACKGROUND INFORMATION DOCUMENT FOR SHELL DOWNSTREAM SOUTH AFRICA (PTY) LTD: SECTION 24G APPLICATION FOR THE MAIDSTONE SERVICE STATION, eTHEKWINI METROPOLITAN MUNICIPALITY, KWAZULU-NATAL PROVINCE

Date: 02 June 2022

PURPOSE OF THIS DOCUMENT

The purpose of this background information document (BID) is to provide Interested and Affected Parties (I&APs) with more information about Shell's intention to undertake a Section 24G regularisation process for their Maidstone Service Station. In addition, we would like to encourage stakeholders to register as I&APs and invite them to contribute comments, ask questions and raise issues of concern or suggestions for enhanced benefits.

Stakeholders are invited to register as I&APs and to participate in the process by commenting on the proposed applications as follows:

- Completing the enclosed Registration and Comment Sheet either in writing, via email or the online link provided here.
- Providing comments on the application by contacting the Public Participation Office.

<https://www.golder.com/global-locations/africa/south-africa-public-documents/>.

BACKGROUND AND INTRODUCTION

Shell Downstream South Africa (Pty) Ltd. (SDSA), hereinafter referred to as Shell, own and operate the Maidstone Service Station, located on 751 Gopalall Hurbans (Old Main Road), in Tongaat. This is a retail service station site, and therefore the facility stores fuel in underground tanks for dispensing, in the form of petrol or diesel, to the public. The facility has been in operation since 2001.

Seeing that the service station stores in excess of 80 m³ of fuel in underground tanks, an environmental authorisation (EA) in terms of the EIA Regulations, 2014, published under the NEMA, is required. Since there is no evidence of an EA in place in Shell's archives for this service station and the activity has already commenced, a Section 24G application for the regularisation of a listed activity which commenced without an EA is to be submitted to the KZN Department of Economic Development, Environment and Tourism (EDTEA).

The listed activity relevant at the time of activity commencement is Activity 1(c) of the EIA Regulations, GN R.1182, published in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) (ECA).

Golder Associates (now a member of WSP) has been appointed as the independent environmental assessment practitioner (EAP) to undertake the Section 24G regularisation process.

FOR MORE INFORMATION, PLEASE CONTACT:

Public Participation Office; Golder Associates Africa (Pty) Ltd;
PO Box 6001, Halfway House, 1685; Tel: 011 254 4800; Fax: 086 582 1561
E-mail: gld.pp@wsp.com

PROJECT LOCATION

The Maidstone Service Station is located within the business district of Tongaat, approximately 6.1 km from the centre of Tongaat (Figure 1). The property on which the Maidstone Service Station is located on is Portion 6 of ERF 467.

PROJECT DESCRIPTION

The initial fuel storage capacity for this facility was 138 cubic metres (m³) i.e., 138 000 litres (ℓ). This site capacity is made of seven (7) underground tanks on site, each with a capacity of 23 m³. The current capacity remains 138 m³ as there have been no expansions to the fuel storage tank capacity over the years.

The infrastructure on the site includes a car wash, convenience shop, public ablution facility, waste area/room and the manager's office.

SECTION 24 G APPLICATION

Shell must submit an application for the regularisation of a listed activity which commenced without an EA in terms of Section 24G of the NEMA. The application is being made in respect of the following listed activity:

- GN R 1182 (1998), promulgated in terms of terms of the Environmental Conservation Act (Act No. 73 of 1989) (ECA), Activity 1(c): The construction or upgrading of transportation routes and structures, and manufacturing, storage, handling or processing facilities for any substance which is dangerous or hazardous and is controlled by national legislation.

The Section 24G application will be submitted to EDTEA.

Registered I&AP's will be notified of the availability of the environmental impact assessment (EIA) report, once it has been completed.

PROJECT MOTIVATION

The road to undertake the Section 24G regularisation process was an internal decision by Shell to regularise unlawful commencement for their service stations (existing and legacy sites). Shell then realised the responsibility of ensuring that their service stations had the necessary authorisations to operate in accordance with NEMA. Some Shell sites have since been authorised.

INVITATION TO REGISTER AS AN I&AP TO COMMENT

Stakeholders are invited to register as I&APs and to lodge written comments regarding the project in any of the following ways:

- By completing the Registration and Comment Sheet enclosed with this BID
- By writing a letter or providing additional written submissions
- By email, fax or telephone to the Public Participation Office

In terms of the Protection of Personal Information Act (Act No. 4 of 2013) (POPIA), personal information provided by I&APs will only be used for the sole purposes of this project and will only be shared with the relevant Government Departments as per the regulatory requirements and will not be shared with anyone else without their consent.

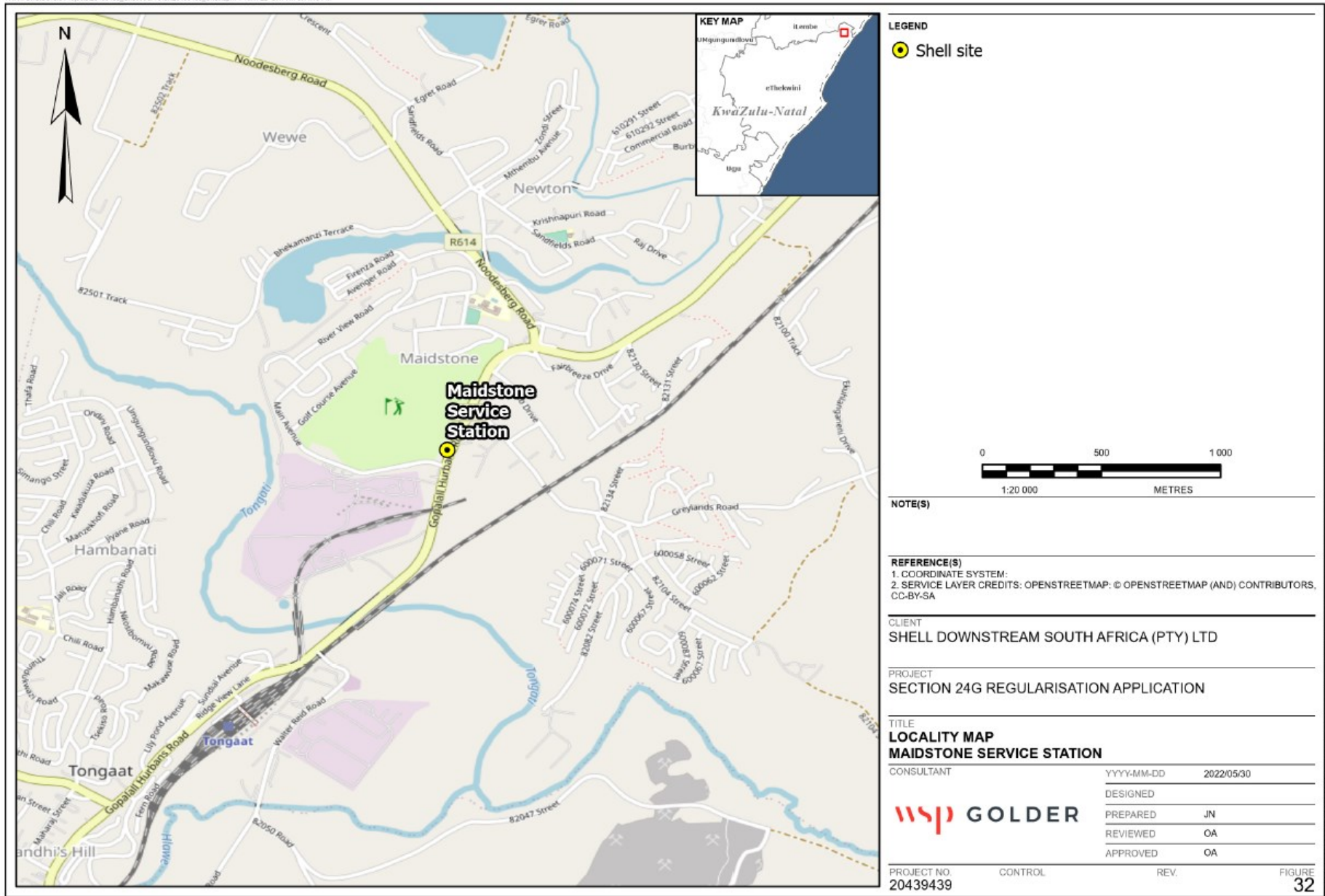


Figure 1: Site Locality