COASTAL WATERS DISCHARGE PERMIT FOR THE WEST POINT PROCESSORS (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: 2014/021 /WC/WEST POINT PROCESSORS.

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SECTION A: DECISION

Permission is hereby **granted** in terms of Section 69 of the ICM Act to **West Point Processors (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.

Ms Edna Molewa

Minister: Environmental Affairs

Permit signed by Dr Jonas Mphepya

Chief Director: Integrated Coastal Management (Delegated Authority)

Date 26/06/2017

For office use only	
Date of issue	

DEPT. VAN OMGEWINGSAKE
ANTARKTIKA EN EILANDE
OOS-KAAI WEG. OOS-KAAI GEBOU
V& WATERFRONT 8001 / POSBUS 52126. WATERFRONT 8002
26 JUN 2017
ANTARTICA AND ISLANDS
EAST PIER ROAD. EAST PIER BUILDING
V& A WATERFRONT 8001 / P.O. BOX 52126 WATERFRONT 8002
DEPT. OF ENVIRONMENT AFFAIRS

SECTION B: PERMIT HOLDER'S DETAILS

Permit Holder	: **West Point Processors (Pty) Ltd**
Company Registration Number	: **1990/07321/07**
Address	: **Private Bag X 15, St Helena Bay, 7390**
Contact Person	: **Mr Johan Witbooi**
Designation	: **Site Manager**
Tel	: **(022) 736 1100**
Fax	: **(022) 736 1282**
E-mail	: johanw@slipperbay.co.za

SECTION C: ACTIVITY DETAILS

Effluent Classification	: **Fish processing effluent**
Location of Discharge	: **Surf zone within a bay**
Maximum volume per day	: **18 000 m³ (cooling effluent) and 8 000 m³ (fish processing effluent)**
Depth of Discharge Point	: **0 metres (cooling effluent) and > 2 meters (fish processing effluent)**

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

1. West Point Processors (Pty) Ltd is located in Portion 3 of Erf 1097 within the St Helena Bay at GPS co-ordinates 32⁰ 46'29.99" S and 18⁰ 02'59.47"E.
2. The effluent generated from the factory consists of cooling water and fish process effluent, discharged via two coastal waters outfalls described as pipeline A and B in Figure 1.
3. Cooling effluent (Pipeline A)
   - 3.1 Pipeline A discharges a maximum volume of 18 000 m³ of effluent per day. It is collected from the condensation and chemical scrubbers at the GPS coordinates of 32⁰ 46'34.98" S and 18⁰ 03'01.98"E
   - 3.2 The condensation scrubber uses sea water to spray over the fish meal processing vapour in the equipment to cool down the temperature of the vapour from 80⁰ C to less than 45⁰ C. The scrubber also assists to trap odour.
   - 3.3 The chemical scrubber uses fresh water to oxidise the remainder of non-condensable in the scrubber.
4. Process effluent (Pipeline B)

4.1 Pipeline B discharges a maximum volume of 8 000 m³ per day of fish processing effluent at the discharge location shown in **Figure 1** (location: 32⁰ 46'29.99" S and 18⁰ 02'58.47"E).

4.2 Sea water and fresh water are used to transport fish onto the cutting tables within the factory as well as for the cleaning of equipment after production.

4.3 The effluent passes through a rotatory screen filter of 500 micron to remove solids from the effluent. The remaining effluent is thereafter discharged into the coastal waters a closed channel.

4.4 Solids are removed to a fish meal processing plant situated on site.



Figure 1: Aerial view showing the abstraction point and the two discharge locations (Pipelines A and B)

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. 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 section 83 (2) and (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.

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 West Point Processors (Pty) Ltd main office building 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 validity period, if –

   7.1 The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;

   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; 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 does not provide adequate information to determine the effects of the effluent on the receiving environment.

9. If a major 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 / Private Bag X4390

Cape Town, 8002, for the attention of: 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 QUANITY (FLOW)

1.1 The permit holder must not exceed the daily maximum discharge volumes as described in section C.

2. EFFLUENT QUALITY

2.1 No material other than effluent and its constituents authorised by this permit may be discharged from the discharge points described in section D.

2.2 The specific limits prescribed in Tables 1 and 2 of this permit must not be exceeded.

2.3 Any oxygen-demanding materials in concentrations that would result in an anaerobic water conditions, must be minimised in the effluent.

Table 1: *Maximum limits for effluent quality prior to discharge into the coastal waters from Pipeline A*

Substances/Parameter	***From 1 July 2017 to 31 January 2020***	***1 February 2020 – permit expiry date***	***Frequency***
pH	5.5 - 9.5	5.5 - 9.5	Weekly
Temperature	45°C	32°C	Weekly

Table 2: *Maximum limits for effluent quality prior to discharge into the coastal waters from Pipeline* B

Substances/Parameter	**1 July 2017 – 31 January 2020**	**1 February 2020 – permit expiry date**	**Frequency**
pH	5.5 - 9.5	5.5 - 9.5	Weekly
Temperature	32 °C	30 °C	Weekly
Turbidity	75 NTU for not more than 3 hours.	70 NTU for not more than 2 hours.	Weekly
Soup, Oil and grease	44 mg/l	31 mg/l	Monthly
Salinity	37 psu	37 psu	Monthly
Total Suspended Solids	343 mg/l	230 mg/l	Monthly
Biological Oxygen Demand	298 mg/l	150 mg/l	Monthly
Ammonia Nitrogen	160 mg/l	100 mg/l	Monthly

3. EFFLUENT 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 / issue a new permit once the validity period has lapsed.

3.1.2 The Department reserve the right to request additional monitoring should the audit monitoring or compliance monitoring render unsatisfactory results.

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, of the penalties prescribed in section 80 of the ICM Act.

3.2 Effluent quantity (flow) monitoring

3.2.1 The quantity of effluent discharged must be metered and the total outflow must be recorded daily when in operation.

3.2.2 The pump capacity may be used to determine the maximum volume to be discharged.

3.3 Effluent quality monitoring

3.3.1 The quality of the effluent discharged must comply with the emission limits for constituents/ properties by taking a grab sample at closed channel at frequencies indicated in **Table 1**.

3.3.2 The date, time and monitoring point of each sample taken must be recorded together with the results of the analysis.

3.3.3 Where sampling is done internally, an independent external auditor must be appointed every 6 months to determine compliance with section F: condition 1 and 2 of this permit.

4. RECEIVING ENVIRONMENT QUALITY MONITORING

4.1. The permit holder must submit a monitoring programme to the Department for approval within twelve (12) months of the date of issue of this permit which includes, as a minimum the following aspects;

4.1.1 Assessment of potential impact resulting from the effluent discharges ;

4.1.2 A validation of the numerical modelling results,

4.1.3 Monitoring of the effectiveness of management strategies and actions to ensure compliance with the permit conditions;

4.1.4 Monitoring of the trends, status and changes in the environment related to the ecological health and designated beneficial uses of the system;

4.1.5 The proposed dimensions of the sampling grid for the marine impact, indicating the number and location of proposed sampling points;

4.1.6 whether the environmental quality limits are, where applicable, complied with in the area from the end of the mixing zone;

4.1.7 The benthic microfauna assessment to monitor changes in its composition within the vicinity of the marine outfall.

4.2. The permit holder must conduct a dispersion model exercise within 1 year of the date of the issue of this permit to establish the plume behaviour, assimilative capacity of the receiving environment and confirm a reasonable mixing zone.

4.3. The constituents/parameters, in **Table 3** below, must not exceed the limits in the South African Water Quality Guidelines for Coastal Marine Waters (Volume 1): Natural Environment published by the Department of Water Affairs and Forestry in 1995 or any amended version thereof) at the end of the mixing zone. Compliance with **Table 3** must be reported.

4.4. The Department may prescribe additional monitoring points in the receiving environment, if deemed necessary.

Table 3: Parameters and target value / concentration to be complied with in the receiving environment.

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. MONITORING POINTS

5.1 Environmental quality monitoring in the receiving environment for water quality and sediment/ benthic macrofauna) must be conducted.

5.2 The monitoring must be conducted in a radial manner outward from pipeline A and pipeline B at a distance of 25m, 75m and 100m in the coastal waters.

6. ANALYSIS OF SAMPLE

6.1 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.

6.2 The methods of analysis may not be changed without prior notification to, and written approval from the Department.

6.3 The Department may request the method of analysis to be changed depending on new technologies and requirement.

7. STORMWATER

7.1 Contamination by any substance (whether such substance is a solid, liquid, vapour or gas or a combination thereof which is produced, used, stored, dumped or spilled on the premises) of storm water leaving the permit holder's premises must be avoided

7.2 No industrial effluents may be discharged into any storm water drain, canal or furrow, whether intentionally or accidentally.

8. EFFLUENT INFRASTRUCTURE & PIPELINE INTEGRITY AND CONDITION

8.1 The pipeline must be inspected on a quarterly basis to check for any leaks or malfunctions. Records must be kept of such inspections.

9. MALFUNCTIONS / ABNORMAL CONDITIONS

9.1 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.

9.2 The permit holder must conduct monitoring as normal during upset / abnormal conditions as specified in this permit

9.3 The following headings must be used for the above records, accompanied by a full explanation of all contributory circumstances and proposed / implemented mitigation measures:

9.3.1 operating errors;

9.3.2 mechanical failure (including design, installation, inspections and maintenance);

9.3.3 environmental factors (e.g. floods, storms, lightning, etc.)

9.3.4 loss of supply services (e.g. power failure, water supply failure, etc.);

9.3.5 other causes; and undetermined.

10. CONTINGENCY PLANS

10.1 The permit holder must provide mechanisms and procedures for the detection of problems in the operation of the plant prior to and during the discharge of the effluent.

10.2 The permit holder must submit an updated 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:*

10.2.1 standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions;

10.2.2 Provide feedback for continual improvement in environmental performance;

10.2.3 Identify a range of mitigation measures which could reduce the potential impacts to minimal or significant levels.

10.2.4 Detail specific actions deemed necessary to assist in mitigating the environmental impact of the project;

10.2.5 Identify measures that could optimize beneficial impacts;

10.2.6 Create management structures which addresses the concerns and complaints. These should include reporting procedures and protocols for reporting malfunctioning / breakdown of the effluent disposal system, pollution incidents as well as internal procedures for responsible authorities such as local, regional, and national levels (including, but not limited to the reporting of emergency incidents in terms of Section 30 of NEMA).

11. REPORTING REQUIREMENTS

11.1 All reporting to the Department must occur on prescribed forms, where available or in a format as agreed to by the Department.

11.2 The following must be reported on and presented **quarterly** to the Department:

11.2.1 Record of production schedules,

11.2.2 The exact volume discharged, showing daily and monthly discharge volumes,

11.2.3 Incidences that have occurred during emergency, malfunction or upset conditions,

11.2.4 The monthly pipeline inspection reports, and

11.2.5 Records of pipeline maintenance activities.

11.3 Any defects or deficiencies in the coastal outfall pipeline 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 of detection. Where necessary, repairs must be carried out on the pipeline immediately.

11.4 Failure to submit any required report may affect the Department's decision

12. COMPLIANCE REVIEW COMMITEE

12.1 A compliance review committee consisting of authorities (as determined by the Department) will be established.

12.2 The committee will convene when necessary to review the status of compliance with permit conditions.

12.3 The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration emanating from the effluent discharge.

12.4 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.

13. PERMIT VALIDITY

13.1 This permit is valid for a period of 5 (five) years, subject to the recommendations made by the compliance review committee.

13.2 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 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 **West Point Processors (Pty) Ltd** 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 22 October 2014.

2.2 The water quality monitoring, conducted by an accredited laboratory and submitted to the Department on the 25 of October 2016.

2.3 The objectives and requirements of relevant legislation, policies and guidelines, including 69 of the ICM Act and Section 2 of the NEMA.

2.4 A site inspection conducted by the officials of this Department on the 16 July 2015.

2.5 Findings and recommendations of the meeting held at West Point Processors (Pty) Ltd on the 26 October 2016.

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**----------