

**Integrated Water Use Licence Application (IWULA) in terms of the National Water Act (Act No 36 of 1998) for the
Water Treatment Plant at Canelands, KwaZulu-Natal Province**

Comments and Response Report

Version 2

October 2018

This Comments and Response Report (CRR) Version 2 provides a summary of the comments, questions and issues raised by stakeholders since the announcement of the application for an Integrated Water Use Licence (IWUL) for the water treatment plant at Canelands in February 2018.

- Version 1 of the CRR was appended to the Draft Integrated Water Use Licence Application (IWULA) Report and records issues and concerns raised during the announcement period of the project from January 2018 to July 2018;
- Version 2 of the CRR will be appended to the Final IWULA Report and will include comments that were raised on the Draft IWULA Report which was available on public review from 7 August 2018 to 8 October 2018.

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Comments received during the announcement (January 2018 – July 2018)						
Umgeni Water requested more information on the proposed project.	Mr	Shabeer Khan	Umgeni Water	06/02/2018	Telephone conversation	A site location map, Background Information Document and a comment sheet were sent to Mr Khan on 7 February 2018. He was also invited to visit the website for a copy of the documents: http://www.jaws.co.za/public-review-documents/notice-canelands-kzn-remediation-iwula/ .
We would just like to be kept updated with the proceedings of the water purification application and progress in case any concern is arising from the intended project.	Ms	Zelda Claassen	Bravo Group	07/02/2018	Telephone conversation comment sheet via email correspondence	Noted. Stakeholders will receive notifications in terms of the availability of the Draft Water Use Licence Application Report.
It was requested that Mr Mukesh Hansraj be added to the stakeholder database to receive information in future about the project.	Ms	Zelda Claassen	Bravo Group	07/02/2018	Telephone conversation comment sheet via email correspondence	Mr Hansraj was added as an interested and affected party to the stakeholder database.
Requested to be registered as an interested and affected party.	Mr	Geoff D A Pullan	58 Ward Councillor, eThekwin Municipality	09/02/2018	Email correspondence	Mr Pullan was added as an interested and affected party to the stakeholder database.
Will this project affect the flow of water in the area i.e will there be restrictions, or will there be a reduction in pressure?	Mr	Kevin Wu, Preshanthan Reddy	Central Medical (Pty) Ltd	12/02/2018	Comment sheet via email correspondence	The project will result in a localised lowering of the groundwater levels. It is however, anticipated that the impact on the aquifer on a regional scale will be negligible and off-site groundwater users are highly unlikely to be impacted on in terms of groundwater levels. Please refer to Section 9.2.2 and 11.3.1 of the Canelands Geohydrological and Surface

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						Water Report (attached as Appendix B.1 to the IWULA).
Will this project affect individuals who want to implement manufacturing processes that would require water (which ultimately comes from the dam)?	Mr	Kevin Wu, Preshanthan Reddy	Central Medical (Pty) Ltd	12/02/2018	Comment sheet via email correspondence	The Canelands site is downstream of the Hazelmere Dam. Please refer to the Canelands Geohydrological and Surface Water Report (attached as Appendix B.1 to the IWULA).
What is being done to ensure the Arsenic does not seep into Hazelmere Dam?	Mr	Kevin Wu, Preshanthan Reddy	Central Medical (Pty) Ltd	12/02/2018	Comment sheet via email correspondence	The Canelands site is downstream of the Hazelmere Dam. Please refer to the Canelands Geohydrological and Surface Water Report (attached as Appendix B.1 to the IWULA).
Has Hazelmere Dam been tested for Arsenic among the other pollutants?	Mr	Kevin Wu, Preshanthan Reddy	Central Medical (Pty) Ltd	12/02/2018	Comment sheet via email correspondence	The Canelands site is downstream of the Hazelmere Dam. Please refer to the Canelands Geohydrological and Surface Water Report (attached as Appendix B.1 to the IWULA).
Request to register eThekweni Municipality as an Interested and Affected Party. The BID will be circulated to relevant municipal officials to provide consolidated comments from the relevant Municipal Departments within the next four weeks.	Ms	Diane van Rensburg	EIA HUB (Private applications) eThekweni Municipality	13/02/2018	Email correspondence	The email was acknowledged with thanks.
Due to the critical nature of the application, caution must be taken to ensure that further contamination does not occur and that the receiving environment is not negatively impacted due to the remediation activities. This department has no objection to the Integrated Water Use Licence application. However, this department reserves the right to comment further as the project unfolds.	Ms	Michelle Lotz	eThekweni Municipality: Environmental Planning and Climate Protection Department	14/03/2018	Email correspondence	The email was acknowledged with thanks.

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Various Municipal Department have had sight of the BID and provided the following comments:	Ms	CB Norton	eThekwini Municipality: Manager: Land Use Management	06/04/2018	Letter via email correspondence	The comments were acknowledged with thanks.
It should be noted that there are HV lines near the property, this Department will provide further comment on the Draft Basic Assessment Report.			eThekwini Municipality: Electricity Department	06/04/2018	Letter via email correspondence	Noted. Please note that a Draft Basic Assessment Report will not be available, however a copy of the Draft Water Use Licence Application Report will be made available for comment.
The applicant must consult eThekwini Electricity's main records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition, should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.			eThekwini Municipality: Electricity Department	06/04/2018	Letter via email correspondence	Noted.
The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.			eThekwini Municipality: Electricity Department	06/04/2018	Letter via email correspondence	Noted.
The Environmental Planning and Climate Protection Department has reviewed the Background Information Document for the Integrated Water Use Licence Application for remediation activities at the Canelands site and will comment further on submission of the Draft Basic Assessment Report. The identified specialist studies as proposed will assess the potential impacts and are acceptable to this Department.			eThekwini Municipality: Environmental Planning and climate Protection Department	06/04/2018	Letter via email correspondence	Noted. Please note that a Draft Basic Assessment Report will not be available, however a copy of the Draft Water Use Licence Application Report will be made available for comment.
Land Use Management has no objection.			eThekwini Municipality: Land Use Management Branch	06/04/2018	Letter via email correspondence	Noted.

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<p>The Strategic Spatial Planning Branch has reviewed the Background Information Document and has the following comments:</p> <p>The proposed development is situated in an area identified as Existing Industry in terms of the Spatial Development Framework 2017/18 and the North Spatial Development Plan 2013/14.</p> <p>In terms of the Inyaninga Tongaat Functional Area Plan (2013), it is possible to identify that the subject area is relatively close to uMdloti River, which is confirmed by the GIS data and made reference to in the document submitted. This branch raises no objection to what the applicant is proposing, which will ensure that the water source is taken care of.</p> <p>Furthermore, a comment from the relevant Department is needed, but this branch reserves the right to re-examine any development application that might arise from the subject site in future.</p>		eThekwini Municipality: Strategic Spatial Planning Branch	06/04/2018	Letter via email correspondence	Noted.
<p>The Strategic Spatial Planning Branch's comments are subject to the following comments:</p> <ul style="list-style-type: none"> - The Branch's support is subject to the applicant meeting all Sector requirements. - This support should not be deemed to be an approval of the eThekwini Municipality. - This branch reserves the right to comment further should the need arise. 		eThekwini Municipality: Strategic Spatial Planning Branch	06/04/2018	Letter via email correspondence	Noted.
No objection from this Department.		eThekwini Municipality: Coastal, Stormwater and Catchment Management	06/04/2018	Letter via email correspondence	Noted.
No comment was received.		eThekwini Municipality: Parks, Leisure and Cemeteries	06/04/2018	Letter via email correspondence	Noted.

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No comment at this stage as this department awaits the outcome of the hydrogeological report.		eThekweni Municipality: Pavement and Geotechnical Engineering	06/04/2018	Letter via email correspondence	Noted.
No comment was received.		eThekweni Municipality: Transport Authority	06/04/2018	Letter via email correspondence	Noted.
This Department will comment once the specialist studies have been undertaken.		eThekweni Municipality: Environmental Health Department	06/04/2018	Letter via email correspondence	Noted.
No comment at this stage, this Department awaits the issuing of the Draft Basic Assessment Report.		eThekweni Municipality: Water and Sanitation Department	06/04/2018	Letter via email correspondence	Noted. Please note that a Draft Basic Assessment Report will not be available, however a copy of the Draft Water Use Licence Application Report will be made available for comment.
No comment was received.		eThekweni Municipality: Durban Solid Waste	06/04/2018	Letter via email correspondence	Noted.
No comment was received.		eThekweni Municipality: Disaster Management	06/04/2018	Letter via email correspondence	Noted.
No comment was received.		eThekweni Municipality: Fire Safety	06/04/2018	Letter via email correspondence	Noted.
<p>Request that Zevoli 243 Pty Ltd be registered as an interested party and affected party.</p> <p>Zevoli 243 Pty Ltd is the registered owners of the affected property, please could you send us all the documentation and reports submitted to date to the Department of Environmental Affairs including all</p>	Mr	Strath Wood	Zevoli 243 Pty Ltd 21/04/2018	Email correspondence	<p>Zevoli 243 Pty Ltd was registered as an interested and affected party. ENSAfrica provided the following response:</p> <ol style="list-style-type: none"> 1. ENS is the appointed legal representative of

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<p>correspondence received back from the DEA, including but not limited to any remediation orders.</p> <p>Zevoli 243 Pty Ltd would also require copies of all reports prepared for the Canelands Site detailing the contamination, with the applicable test results from 2005 to date.</p> <p>Zevoli 243 Pty Ltd also requires copies of the detailed remediation plan with applicable timelines for the Canelands site</p>						<p>Dow AgroSciences Southern Africa (Pty) Ltd</p> <ol style="list-style-type: none"> 2. Jones & Wagener was appointed as the environmental consulting firm to assist with the application. 3. As a registered interested and affected party, Zevoli 243 Pty Ltd will be kept duly informed of all developments with the remediation project where relevant. 4. To the extent that Zevoli 243 Pty Ltd wishes to raise any further queries or submit any further requests regarding the remediation project (its status or otherwise), Zevoli is required to direct any such future correspondence to the offices of ENSafrica.
<p>Comments received on the draft Water Use Licence Application Report (Public review period from 7 August 2018 to 8 October 2018)</p>						
<p>Please will you provide 4 hard copies and 6 CD copies of the full report for circulation/comment by the relevant Municipal departments.</p>	Ms	Diane van Rensburg	EIA HUB (Private applications) eThekweni Municipality	03/08/2018	Email correspondence	Copies of the reports were delivered at the municipality.
<p>Please can you provide hard 3x copies and 2x CD of the IWULA document. Please courier to our address.</p>	Mr	Desmond D'Sa	South Durban Community Environmental Alliance (SDCEA)	03/08/2018	Email correspondence	The Integrated Water Use Licence Application (IWULA) Report and its appendices were available in hard copy at both the Verulam Library and the Canelands site security office

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						and electronically on the website (http://www.jaws.co.za/public-review-documents/canelands-kzn-remediation-iwula/). CD copies of the report can also be made available.
Please specify for exactly what contamination Dow AgroScience Southern Africa (Pty) Ltd (DAS) is applying for a Water Use Licence to undertake remediation activities at the Canelands site located at Old Mill Road, Verulam in the KwaZulu-Natal Province.	Mr	Rico Euripidou	Groundwork	03/08/2018	Email correspondence	The project is detailed in the Integrated Water Use Licence Application (IWULA) Report, which can be accessed at the link in the email below. The Integrated Water Use Licence is required to abstract and treat contaminated groundwater through a new water treatment plant (WTP).
Thank you with the information and I will also inform the ward committees about this meeting. Could please also inform me with time?	Mr	Andy Mtolo		03/08/2018	Email correspondence	A meeting was not proposed and Mr Mtolo was advised accordingly.
Thanks for keeping me informed. May I suggest that you leave a copy at the Canelands Library, too. This will be more accessible for people in the area. Are you able to send me a copy of the site plan.	Mr	Geoff D A Pullan	58 Ward Councillor, eThekweni Municipality	05/08/2018	Email correspondence	Thank you for your suggestion. We did try, but unfortunately have not been able get hold of the Canelands Library to make the necessary arrangements. We believe that as the Canelands site is very close to the Canelands Library, it should serve the area well as a public place. Additionally, using the Verulam Library as a second public place expands the area of influence slightly. Copies of the site locality, site layout, and water use coordinates (Figure 1-1, 2-1 and 4-1 of the IWULA report) was sent to Mr Pullan.

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Please courier 2x electronic copies and 2 x hard copies to South Durban Community Environmental Alliance. John Dunn House 224 Gouritz Crescent Austerville 4052.	Mr	Desmond D'Sa	South Durban Community Environmental Alliance (SDCEA)	20/08/2018	Email correspondence	Reports as per the request were delivered on 23/08/2018 and Mr D'Sa acknowledged receipt of the reports on 24/08/2018.
I am having difficulty accessing the document through the link provided. Please email me the document or once again as previously requested, please specify for exactly what contamination Dow AgroScience Southern Africa (Pty) Ltd (DAS) is applying for a Water Use Licence to undertake remediation activities at the Canelands site located at Old Mill Road, Verulam in the KwaZulu-Natal Province.	Mr	Rico Euripidou	Groundwork	21/08/2018	Email correspondence	A synopsis of the Integrated Water Use Licence Application (IWULA) Report, which summarises the project was provided. The report was successfully emailed to Mr Euripidou on 03/09/2018.
Is there a monitoring committee that has been established to oversee this remediation?	Mr	Rico Euripidou	Groundwork	07/09/2018	Email correspondence	<p>The on-site remediation process is governed by an order issued to the company by the Department of Environmental Affairs pursuant to the Land Chapter of the National Environmental Management: Waste Act, 59 of 2008. This is a directive issued to the company and does not contain any provisions requiring the establishment of any environmental monitoring committee at any point in time.</p> <p>The process that you are responding to is a Water Use License Application for a new treatment plant to facilitate ongoing remediation operations on site. The legislation governing this process is the National Water Act, 36 of 1988. J&W are running with this process and will take all your comments into account when</p>

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<p>Please provide the remediation notification from the DEA as this should be a public document. We need to understand the conditions and recommendation made by the department officials. We believe it is in your possession and therefore you should provide.</p> <p>We await the immediate release of the document.</p>	Mr	Desmond D'Sa	South Durban Community Environmental Alliance (SDCEA)	20/08/2018	Email correspondence	<p>composing the comments register.</p> <p>The purpose of the Water Treatment Plant (WTP) can be found in the Synopsis of the Integrated Water Use Licence Application (IWULA) and is described as "... to abstract contaminated groundwater from the site, treat the water and release the water back into the sewerage system." In addition, the IWULA states "In order to remediate the contamination in the area, the new WTP, as suggested by the Remediation Plan that accompanied the Notification, treats water that has been abstracted by the dewatering system." For further information, please refer to Section 2.1.2 of the IWULA, titled Description of activity.</p> <p>Please note that the Remediation Order provided by the DEA to the Company is not part of the Water Use License Application process J&W is undertaking on behalf of the Company. The scope of the Water Use License Application process is for a new treatment plant to facilitate ongoing remediation operations on site.</p> <p>The Remediation Order was provided as an appendix in the IWULA Report and was again emailed to Mr Mr D'Sa.</p>

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<p>I will be providing consolidated comments on the Draft Integrated Water Use License Application. Please will you provide the details, name and postal address of the Assessing Officer.</p> <p>Yes I do submit them to you, but I copy them on the letter and therefore need the contact details and address.</p>	Ms	Diane van Rensburg	EIA HUB (Private applications) eThekwini Municipality	01/10/2018	Email correspondence	<p>Please could you provide your comments directly to us? We will incorporate all comments received throughout the project, into a Comments and Response Report. This will then be submitted to the DWS with the final IWULA.</p> <p>Please could you ensure that you provide us with your comments by 8 October 2018, as this is the last day of the public review period.</p> <p>The details of the case officer at the DWS are included below: Zamashenge Hadebe Water Use Sub-Directorate: Licensing Department of Water and Sanitation – KZN Office 1237 Southern Life Building, 88 Joe Slovo Street, Durban Tel: 031 336 2767 Fax: 086 505 6477 E-mail: HadebeZ@dws.gov.za</p>
<p>Please note that (High Voltage) HV Operations has no objections to the location however this Department is concerned about the chemicals to be stored on site as they may affect or corrode the Conductors/Towers or possible cause a trip on the HV Line. In this regard please liaise with Jonathan Lawrenz at the Electricity Department (contact details were provided).</p> <p>Please note, a separate approval must be obtained from Medium Voltage / Low Voltage (MV/LV) Operations</p>			eThekwini Municipality: Electricity Department	17/10/2018	Letter via email correspondence	Noted.

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<p>1) The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jeff Taylor Crescent, for the presence of underground electrical services. In addition, should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p> <p>2) The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p>						
<p>This Department has no biodiversity objection to the project being granted approval if the recommendations as outlined in the report are adhered to.</p>			<p>eThekwini Municipality: Environmental Planning and Climate Protection Department</p>	<p>17/10/2018</p>	<p>Letter via email correspondence</p>	<p>Noted.</p>
<p>No comments received.</p>			<p>eThekwini Municipality: Land Use Management Branch</p>	<p>17/10/2018</p>	<p>Letter via email correspondence</p>	<p>Noted.</p>
<p>The Spatial Development Framework (2017/18) broadly identifies the area for industrial use.</p> <p>The Inyaniga Tongaat Functional Area Plan (2013) identified a compromised natural system associated with Umdloti catchment. The catchment area is characterised by low levels of water quality. Inyaninga has an important role in the expansion of industrial zones within the eThekwini Municipality. The importance of the area is strengthened by its close proximity to the Dube Tradeport and King Shaka International Airport.</p>			<p>eThekwini Municipality: Strategic Spatial Planning Branch</p>	<p>17/10/2018</p>	<p>Letter via email correspondence</p>	<p>Noted.</p>

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<p>The Strategic Spatial Planning Branch does not object to the construction of a water treatment plant.</p> <p>In light of the above comments, this Branch raises no objection to the proposed development.</p> <p>The application is however subject to the following conditions;</p> <ol style="list-style-type: none"> 1) This Branch's support is subject to the applicant meeting all sector requirements. 2) This support should not be deemed to be an approval of the eThekweni Municipality. 3) This Branch reserves the right to comment further should the need arise. 					
This Department has no objection.		eThekweni Municipality: Coastal, Stormwater and Catchment Management	17/10/2018	Letter via email correspondence	Noted.
No comments received.		eThekweni Municipality: Parks, Leisure and Cemeteries	17/10/2018	Letter via email correspondence	Noted.
No comments received.		eThekweni Municipality: Pavement and Geotechnical Engineering	17/10/2018	Letter via email correspondence	Noted.
This Department has no objection to the proposed Water Use License Application, however a Traffic Management Plan with regards to road closing, road deviation etc. which may be encountered during construction must be submitted to the Traffic Operations Department.		eThekweni Transport Authority	17/10/2018	Letter via email correspondence	No road closure or deviation is associated with this project.
Please be advised that this department has no objections to the above application subject to:		eThekweni Municipality: Environmental	17/10/2018	Letter via email correspondence	Noted.

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<p>1) All the conditions stipulated in the Remediation Order issued to Dow Agrosiences Southern Africa (PTY) Ltd by the Department of Environmental Affairs, Dated 1/12/2017, Reference number: 14/11/15/LR79/4, must be strictly adhered to and complied with.</p> <p>2) All Arsenic Filter Cake must be stored in a secured, roofed and bunded area.</p> <p>3) A Waste Management Plan and a Spill Management Plan must be available on site at all times. Copies of such plans must be forwarded to the eThekweni Environmental Health Department (N6- Verulam Office).</p> <p>4) Copies of safe disposal/final disposal certificates of all hazardous waste disposed of at an Approved Hazardous Landfill Site must be kept on site and made available for inspections.</p> <p>5) Results of all ground water and surface water quality analysis conducted must be available on site for inspections throughout the remediation life span.</p> <p>6) Details of the Hazardous Waste Removal Contractor and the Hazardous Landfill Site being used must be forwarded to the eThekweni Environmental Health Department (N6- Verulam Office).</p> <p>7) The Environmental Management Programme (EMPr) contained in the Integrated Water Use Licence Application (Report Number: JW003/16/F407) must be adopted and strictly adhered to at all times by the applicant.</p>		Health Department			
No comments received.		eThekweni Municipality: Water and Sanitation Department	17/10/2018	Letter via email correspondence	Noted.
Durban Solid Waste has no requirement for this project.		eThekweni Municipality:	17/10/2018	Letter via email correspondence	Noted.

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		Durban Solid Waste Department			
No concerns from the Disaster Management Department.		eThekweni Disaster Management Department	17/10/2018	Letter via email correspondence	Noted.
This Department has no objection to the proposed Integrated Water Use Licence application.		eThekweni Municipality: Fire Safety Department	17/10/2018	Letter via email correspondence	Noted.