

Appendix B – Public Participation Report

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REPORT ON

**Public Participation Process for
Postponement of MES Compliance
timeframes for Consol Glass
Clayville Plant, Gauteng Province**

Report No : 18027-46-Rep-PPP 001

Submitted to :

National Air Quality Officer
Department of Environmental Affairs
473 Steve Biko & Soutpansberg Roads
Arcadia
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&

Air Quality Officer
Ekurhuleni Metropolitan Municipality
Kempton Park Office

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LIST OF ACRONYMS

AQO	Air Quality Officer
BID	Background Information Document
CRR	Comments and Response Report
EAP	Environmental Assessment Practitioner
I&AP	Interested and Affected Party
MES	Minimum Emission Standards
NAQO	National Air Quality Officer
NEMA	National Environmental Management Act, 107 of 1998, as amended
NEMAQA	National Environmental Management: Air Quality Act, 39 of 2004, as amended
PP	Public Participation
PPP	Public Participation Process
PM	Public Meeting

1 PUBLIC PARTICIPATION PROCESS REPORT

1.1 Introduction

1.1.1 Background

Consol Glass (Pty) Ltd (Consol) is Africa's largest glass manufacturer. The South Africa operations produce glass packaging products for a wide range of industries in the beverage and food sectors. Consol directly export products to 17 different countries, primarily in the broader sub-Saharan African region. Consol has been manufacturing glass for more than 70 years and has the capacity to produce approximately 850,000 tonnes of container glass per annum in its four glass manufacturing plants.

Consol Glass appointed Zitholele Consulting (Pty) Ltd (Zitholele) to undertake the public participation process on behalf of the applicant for the postponement of compliance timeframes application for the Consol Glass Clayville Plant.

1.1.2 Regulatory requirements

The Clayville glass manufacturing plant is required to comply with the Minimum Emission Standards (MES) under Sub-category 5.8: Glass and Mineral Wool Production stipulated in Government Notice (GN) No. 893, Gazette No. 37054 dated 22 November 2013. The most recent amendment to the list of activities and associated MES was published under GN No. 1207, Gazette No. 42013 dated 31 October 2018.

The existing plant is required to meet the 'new plant' standards by 1 April 2020 unless otherwise specified. Based on the latest stack testing undertaken, the plant is compliant with the 'new plant' limit for sulphur dioxide and nitrogen dioxide. However, it will be unable to comply with the more stringent particulate matter (PM) MES in that timeframe. Therefore, Consol is applying for a postponement from the 2020 MES for 'new plant', specifically with regards to PM emissions. Postponement applications, if granted, may not exceed a period of five years. This provides sufficient time to undertake the necessary technical investigations to meet the new standard and implement the selected abatement technology to enable future compliance with the standard.

1.2 Need for Public Participation

According to the National Environmental Management Air Quality Act 39 of 2004 (NEM:AQA), public participation process must be conducted in terms of the National Environmental Management Act No. 107 of 1998 (NEMA) Environmental Impact Assessment (EIA) regulations 2014 (GN R. 982 of 4 December 2014), as amended, prior to lodging an application for Postponement of Compliance Timeframes. Interested and Affected Parties (I&APs) will have 30 days to review and comment on the application of the Postponement of Compliance Timeframes for the Consol Clayville Plant, wherein all information regarding this postponement application will be made available to the public.

1.3 Objective of this Public Participation Process

The objective of this PPP is to provide I&APs and stakeholders that may have an interest in the matter an opportunity to review and comment on the application for Postponement of Compliance Timeframe for Consol Clayville Plant.

1.4 Public Participation Process followed

The PPP for the application for Postponement of Compliance Timeframes for the Consol Clayville Plant is undertaken in terms of the stipulations of Chapter 6 of the NEMA EIA Regulations, 2014 (GN R. 982 of 4 December 2014), as amended. Relevant PPP Best Practice Guidelines has furthermore also been considered during the execution of the PPP for this application. The PPP undertaken is described below in the subsequent sections.

1.4.1 I&AP and stakeholder notification

Objective

The objective of the I&AP and stakeholder notification is to serve as a call for stakeholders who have an interest in the application for Postponement of Compliance Timeframes to register their participation in this process. Notification of I&APs and stakeholders were undertaken through placing an advertisement in relevant newspapers, distributing email and SMS notifications to key stakeholders and all I&APs that register an interest in the process, the placement of site notices and distribution of Background Information Document (BID).

Register of I&APs

In terms of the EIA Regulations, 2014, a register of I&APs must be compiled for the application. Key stakeholders such as the relevant municipal councillor, air quality officers, local municipality and direct neighbours to the Consol Clayville Plant are automatically included in the I&AP database register. Any stakeholders and I&APs who wish to take part in the process and comment on the application for Postponement of Compliance Timeframes must register an interest in the project through a written request to be included on the I&AP database register. Once registered, I&APs and stakeholders are informed of the availability of documentation for public review and comment, proposed stakeholder meetings, submission of documentation to the licencing authorities and once the licencing authority has reached a decision and communicated to the applicant.

The I&AP register will be included in the final PPP Report prior to submission to the licencing authority.

Advertising

A newspaper advertisement will be placed in The Star, which has a national distribution footprint and cover the area within which the Consol Clayville Plant is located. A copy of the newspaper advertisements will be included with the final PPP Report prior to submission to the National Air Quality Officer (NAQO).

Notification of I&AP database

Key stakeholders and I&APs that register on the process database will be notified of the availability of the application documentation and key information relating to the application for Postponement of Compliance Timeframes via the following means:

- Notification emails to all stakeholders with active email addresses in the I&AP database
- SMS notifications to all stakeholders with a mobile number in the I&AP database
- Fax notifications to all stakeholders which registered a fax number in the I&AP database
- In the event that a registered stakeholder does not possess an email address, mobile number or fax number, alternative methods are used to ensure notification of these stakeholders. These may include posting of letters, notification via councillor's office, or hand delivery of information where the need arises.

Email and fax notifications included a notification letter that provide relevant and/or background information relating to the application in process and include, amongst other, details on how to register and become involved in the process, contact details of the PPP desk, notification or reminders about pending comment deadlines and availability of relevant documentation and information. Copies of the notification letters emailed to stakeholders will be included in the final PPP Report prior to submission to the licencing authority.

SMS notifications will include a short notice or reminder regarding the application and will include a link to the website where the application documentation will be available for review and notification letters sent to I&APs during the PPP.

1.4.2 Availability of application documentation

The application for Postponement of Compliance Timeframes for the Consol Clayville Plant will be placed in the following public venues to provide access for all I&APs to review and comment on the application documentation. The documentation will further be available on the Zitholele Consulting website for download, while an electronic copy of the documents can also be provided to any stakeholder on request.

Libraries and public venues

A copy of the application for Postponement of Compliance Timeframes documentation will be placed in the following public places:

Table 1: Public venues where hard copies of the application will be placed

PUBLIC VENUE	ADDRESS	PLACEMENT DATE
Winnie Mandela Library	C/O Mandela & Solomon Mahlangu Drive, Tembisa, Gauteng	21 February 2019
Olifantsfontein Library	Mason Ave, Olifantsfontein	
Consol Glass Clayville Plant Security Office	11 Axle Drive, Olifantsfontein	

Zitholele website

The application for Postponement of Compliance Timeframes documentation will be uploaded to the Zitholele Consulting website (Figure 1) and could be accessed by stakeholders through the link: <http://www.zitholele.co.za/environmental/> under heading “Consol Glass MES Postponement Applications”.

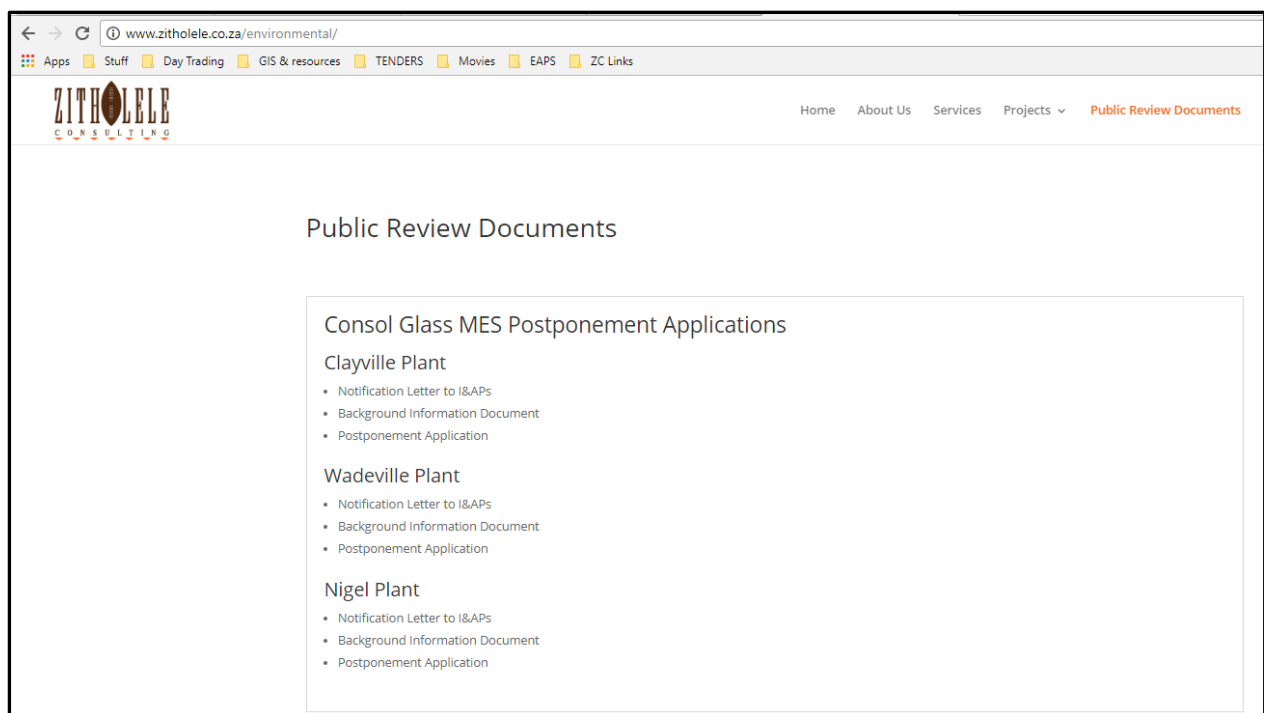


Figure 1: Document uploaded to Zitholele Consulting website

On request per email

Stakeholders are also encouraged to request an electronic copy of the application for Postponement of Compliance Timeframes documentation telephonically or via Email from Zitholele Consulting in the event that the document could not be accessed online or viewed in any of the public places where the document was placed.

1.4.3 Public Review and Consultation

The public review and consultation phase of the PPP will commence after initial notification of the availability of the application for Postponement of Compliance Timeframes documentation has been completed. Tasks undertaken during this period is discussed in the following sections.

Public review period

An official 30 calendar day public review period will run from 21 February 2019 to 25 March 2019.

Reminder notifications will be sent via email, SMS and fax to all registered I&APs during the public review period to remind stakeholders of the availability of the application documentation and to encourage stakeholders to review and comment on the application before the public review and comment deadline of 25 March 2019.

Public Meeting

A Public Meeting will be held to provide stakeholders and I&AP the opportunity to engage with the applicant and team during the public review period. Details of the public meeting will be communicated to all registered I&APs at least 2 weeks prior to the public meeting taking place to provide sufficient time to coordinate their attendance at the meeting.

A presentation will be held during the public meeting presenting a summary of the application, however all stakeholders and I&APs are encouraged to review the application documentation prior to the public meeting to allow constructive engagement at the meeting.

The presentation presented at the meeting, minutes of the meeting and attendance register will be included in the final PPP Report prior to submission to the licencing authority.

2 COMMENTS AND RESPONSES REPORT

2.1 Introduction

This Comments and Responses Report (CRR) captures the comments and issues raised by stakeholders during the Public Participation Process undertaken for the application. The CRR is presented in this section and will be populated with comments and responses from the applicant and/or project team once comments are received by stakeholders and I&APs.

Comments, questions and discussions held at the public meeting, including responses provided, will furthermore be included in the CRR. An example of the CRR structure is included under section 2.2.

Proof of correspondence between stakeholders, applicant and Zitholele Consulting will be included in the final PPP Report that will accompany the application to the licencing authority. Correspondence includes telephonic queries fielded, emails received from stakeholders, as well as letters, faxes and SMSes received.

2.2 Comments received during Public Participation Process**2.2.1 Comments raised by stakeholder 1 (Organisation represented by stakeholder)**


No	COMMENT / CONCERN / RECOMMENDATION	SOURCE	DATE	RESPONSE
1	Comment raised by stakeholder of I&AP	Source of comment, i.e. email, fax, letter or SMS	Date comment was received	Response provided by applicant or project team

3 CONCLUSION AND WAY FORWARD

The objective of this PPP is to provide I&APs and stakeholders that may have an interest in the matter an opportunity to review and comment on the application for Postponement of Compliance Timeframe for Consol Clayville Plant.

Zitholele will undertake the PPP in terms of the stipulations of the NEMA EIA Regulations, as amended, thus providing all stakeholders and I&APs an opportunity to become involved in the application process and provide comments, queries and concerns relating to the application for Postponement of Compliance Timeframes for the Consol Clayville Plant.

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