

Water Use License Application (WULA) for the Consol Glass Manufacturing Plant in Nigel, Gauteng Province

BACKGROUND INFORMATION DOCUMENT

e-WULAAS Ref. No.: WU12458

23 August 2021

PURPOSE OF THIS DOCUMENT

This Background Information Document (BID) has been structured to provide all potential Interested and Affected Parties (I&APs) with a concise overview of the proposed project activities as well as the associated Environmental Authorisation Processes. Furthermore this BID also intend to provide I&APs with information relating to the manner in which I&APs can voice any issues concerning the proposed project. The compilation and distribution of this BID form part of the Public Participation Process for the project.

When you complete and return the registration form included with the BID, you will be included in the stakeholder database and receive further documents for review and comment. Your comment will ensure that all issues of concern are incorporated. To raise your concerns, please complete the enclosed registration sheet, write a letter, call or e-mail the public participation desk. All documents will be available on the internet at www.zitholele.co.za/environmental, under heading "Consol WULA".

For enquiries, please contact:

Attention: PPP Manager
Zitholele Consulting (Pty) Ltd,
Building 1, Maxwell Office
Park, Magwa Crescent West,
Waterfall City, Midrand, 1685
PO Box 6002, Halfway
House, 1685
Tel: 011 207 2060
Fax: 086 674 6121
E-mail:
consolwula@zitholele.co.za

1. BACKGROUND AND DESCRIPTION OF THE PROJECT

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 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's newest manufacturing plant, situated on the remaining extent of ERF 104, located at 1 Visagie Road, Pretoriusstad, Nigel, Ekurhuleni, Gauteng Province, has an annual production rate of 115,000 tonnes of glass.

Consol Glass' Nigel plant was constructed after the conclusion of an Environmental Impact Assessment (EIA) process in September 2008. An Environmental Authorisation (EA) for the construction and operation of the Consol Nigel Plant (Reference No.: Gaut 002/08-09/N0141) was subsequently issued on 4 February 2009. No Water Use Licence Application (WULA) was, however, required in terms of the legislation at the time prior to the construction of Phase 1 of the Nigel plant.

In 2018, Consol Glass approved plans to extend the Nigel plant through the construction of the proposed Phase 2 of the development. This phase, which entails the expansion of the facility through the construction of an additional furnace and associated infrastructure within the plant's existing footprint, was considered during the original EIA undertaken in 2008, hence the proposed expansion is authorised by the existing EA.

2. DESCRIPTION OF THE STUDY AREA

The study area is located on Erf 104, Portion 0, Pretoriusstad Extension 7, which is approximately 3km northwest of Nigel Central Business District within the jurisdiction of Ekurhuleni Metropolitan Municipality (EMM), Gauteng Province. The site can be accessed via Visagie Road which is located on the eastern boundary of the study area. The site is approximately 40 hectares in extent.

3. NEED AND DESIRABILITY OF THE PROJECT

During the early development phases of the Consol Glass Nigel plant, the Environmental Impact Assessment (EIA) undertaken in 2008 reported that available research at the time showed that more than 10% of the country's glass demand is imported to South Africa from the Middle East, South America and Europe due to a lack of capacity in South Africa. The plant was subsequently constructed to capitalise on increased demand for glass products. The development site for the Consol Glass Nigel plant was specifically identified due to the availability of key services, namely the availability of electricity and the existing Sasol Gas pipeline that traverses the site.

The facility was established in November 2011 with the installation of a 420 tonnes per day furnace and a production capacity of 115,000 tonnes of glass per year. The main colours of glass processed at the plant are flint, green and amber. The plant produces a range of glass packaging for the food and beverage industries inclusive of the beer, spirit, alcoholic beverage and non-alcoholic beverage markets.

The development of the glass manufacturing plant in Nigel has no doubt contributed to the local economy in the region through increased employment opportunities, as well as the country's GDP. Authorising the water uses would ensure that the Consol Glass Nigel plant would be compliant with the National Water Act (Act No. 36 of 1998) and continue to operate and contribute to the local and South African economy.

4. LEGAL REQUIREMENTS

During initial engagements with the Department of Water and Sanitation (DWS) to present the proposed expansion plans and confirm the need for a WULA, it was confirmed that the existing plant was not licensed in terms of Section 21 (c) and (i) of the National Water Act, 36 of 1998, as amended. The southern portion of the existing Nigel plant lies within the 500m Regulated Area of two wetland units and triggers section 21 (c) and (i) of the National Water Act (Act No. 36 of 1998). The DWS subsequently recommended that a WULA be undertaken to license the developed footprint of the Consol Glass Nigel plant.

In terms of Section 21 of the National Water Act (NWA) (36 of 1998), as amended, the Consol Glass Nigel plant infrastructure and sewage reticulation system, including future expansions proposing the development of additional infrastructure within the plant footprint, require a water use license for the following activities:

- Section 21(c) "impeding or diverting the flow of water in a watercourse";
- Section 21 (i) "altering the bed, banks, course or characteristics of a watercourse".

5. WATER USE LICENCE APPLICATION PROCESS

The Water Use License Application (WULA) process will be undertaken in terms of the Regulations Regarding the Procedural Requirements for Water Use Licence Applications and Appeals, GN R.267 of 24 March 2017 (WULAAR) promulgated in terms of the NWA. In terms of these regulations, all WULAs must be undertaken and submitted through the Department of Water and Sanitation (DWS)'s online electronic submission portal referred to as the *Electronic Water Use Licence Application and Authorisation System (e-WULAAS)*. In terms of this online submission system, a WULA is submitted electronically in 3 distinct phases. Figure 1 provides an overview of the WULA process as stipulated in GN R.267.

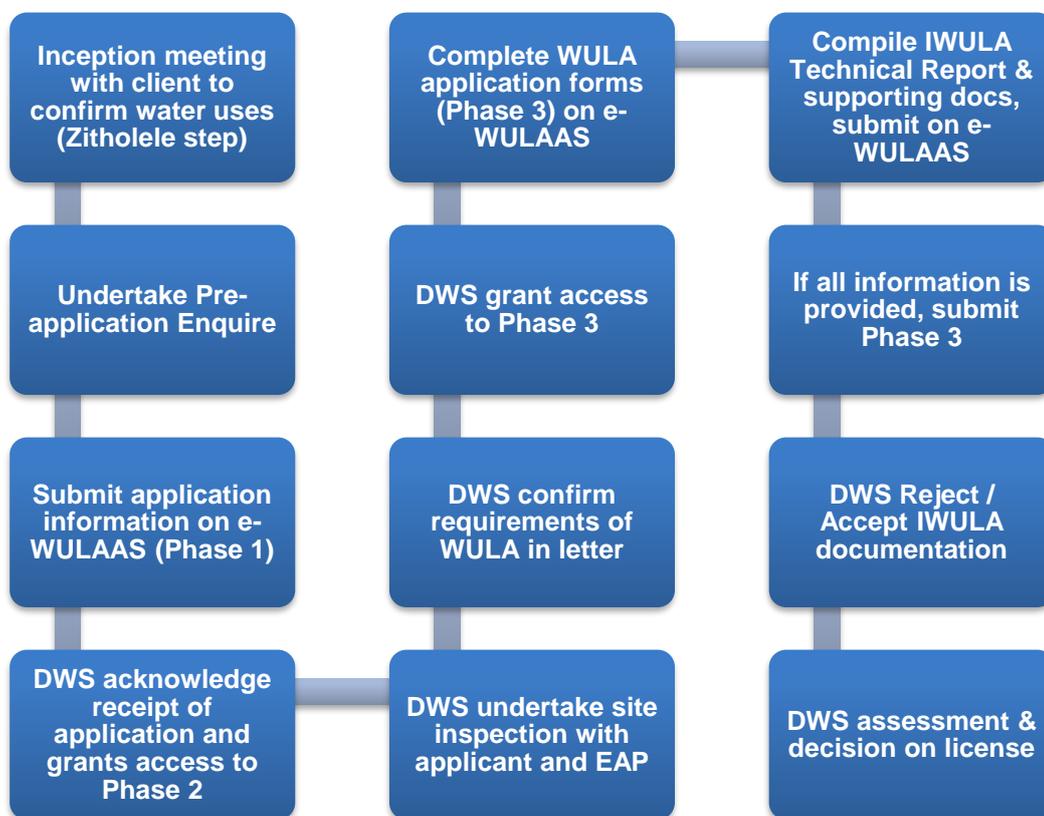


Figure 1: Process Flow Diagram for WULA Process in terms of GN R. 267 and e-WULAAS

The WULA will be compiled to meet the DWS requirements. The following steps will be undertaken:

- Pre-application enquiry meeting in terms of Regulation 5 of the Water Use License Regulations (GN R.267 of 24 March 2017);
- Commence with the Department of Water and Sanitation's (DWS) e-WULAAS online submission process, which consist of 3 phases that must be completed before the WULA can be submitted electronically;
- Online completion of IWULA application forms; and
- Compilation of the WULA technical report for submission via the e-WULAAS system.

6. PUBLIC PARTICIPATION PROCESS

The Public Participation Process (PPP) will be undertaken as required in terms of Section 41(4) of the NWA and the WULAAR. Stakeholders will be identified according to the criteria specified within these regulations. The stakeholder database will serve as the official register of I&APs and will be updated and maintained throughout the WULA process. Steps included in the WULA process include:

- **Notice boards:** Site notices will be placed at strategic locations around the property boundary;
- **Newspaper Advertisement:** An advertisement notifying potentially Interested and Affected Parties (I&APs) of the WULA process being undertaken and availability of the application documentation will be placed in a local newspaper;
- **Background Information Document (BID):** The project will be announced through the distribution of BIDs through the ward councilor's office and the Nigel Public Library located at 86 Hendrik Verwoerd Street, Nigel;
- **Documents available electronically online:** Relevant documents such as the BID and application documentation will further be published on the Zitholele Consulting website, as well as two mirror sites online;
- **Comments and Responses Report (CRR):** A CRR will be drafted and maintained throughout the WULA process. The CRR will reflect all comments received from I&AP's and stakeholders, as well as the responses to the comment raised; and
- **Public Participation Report:** The Public Participation Report will include details of the process followed, comments received and responses provided. The Public Participation Report will be compiled and included as an annexure to the WULA documentation.

7. AVAILABILITY OF WULA DOCUMENTATION

An application has been launched in terms of the DWS' e-WULAAS online submission system and the WULA documentation has been compiled for public review and comment. The WULA is available for public review from 24 August 2021 to 24 October 2021. Information pertaining to the application can be viewed on Zitholele Consulting's website: www.zitholele.co.za/environmental, under the heading "Consol Glass WULA", Mirror link 1: <https://tinyurl.com/ConsolWULA1> or Mirror link 2: <https://tinyurl.com/ConsolWULA2>.

8. PUBLIC COMMENT ENCOURAGED

I&APs are invited to participate by registering their interest in this project in one of the following ways:



1. Scan QR Code 1 and register by SMS the word "Consol" to 45776.
2. Scan QR Code 3 and register via online registration form, or follow the link: <https://forms.gle/jcqtQiQ5z4zyTRwFA>.
3. Register by returning the completed registration form attached to the BID to the PPP desk at the details specified in this BID.



I&APs are further encouraged to review and comment on documents made available to I&APs and uploaded to: www.zitholele.co.za/environmental, under the heading "Consol WULA" or two mirror links provided in this BID.

9. CONTACT THE PUBLIC PARTICIPATION PROCESS DESK

I&APs may contact the PPP desk at the following detail below:

Attention: PPP Manager, Zitholele Consulting (Pty) Ltd

P O Box 6002, Halfway House, 1685

Tel: (011) 207 2060, Fax: 086 674 6121, Email: consolwula@zitholele.co.za

Reference to be used in correspondence: **WU12458**

10. DECISION-MAKING (ENVIRONMENTAL AUTHORISATION)

Based on the information provided in the final WULA, the Department of Water and Sanitation will decide to issue or refuse a Water Use Licence (WUL) within 90 calendar days of the date of final submission of the WULA documentation on the e-WULAAS submission system. The granting of WUL will allow Consol Glass to continue its operations at its Nigel plant.

11. MAP OF PROJECT LOCATION

A locality map of the proposed project can be found in Figure 2 below.

12. BID COMMENT SHEET

A comment sheet associated with this WULA process is included at the end of this BID. Please complete and return to the PPP desk by hand delivery to the offices of Zitholele Consulting, scan and email to the email address provided, fax to fax number provided, or by submitting your comments telephonically to the PPP desk via the landline number specified in the left column on page 1 of this BID.



Legend

- Consol Nigel Plant
- ◆ Towns
- Town Roads
- Regional Road

RESOURCES



REFERENCE

PROJECTION: GCS WGS 1984

PROJECT

AEL CONSOL FURNACE

TITLE

AEL CONSOL LOCALITY MAP



DESIGN	JM	2018/10/02	PROJECT No. 18027
CHECK	TC	2018/10/02	SCALE 1:10 000
REVIEW	TM	2018/10/02	AS REV 0

Z:\Projects\18027 - AEL Consol Furnace\77 Drawings\77 Environmental\02 MXD\18027-77-Map\001-AEL Consol Locality Map-Rev01.mxd

Figure 2: Locality Map of the Proposed Project

**WATER USE LICENSE APPLICATION (WULA) FOR
THE CONSOL GLASS MANUFACTURING PLANT IN
NIGEL, GAUTENG PROVINCE**

e-WULAAS Ref. No.: WU12458

STAKEHOLDER REGISTRATION SHEET



EIA Public Participation Office

Attention: PPP Manager
P O Box 6002, Halfway House, 1685
Tel: 011 207 2060, Fax: 086 674 6121
Email: consolwula@zitholele.co.za

Please complete and return to the Public Participation Process Desk (as above) before 24 October 2019

TITLE		FIRST NAME	
INITIALS		SURNAME	
ORGANISATION (Do not use acronyms)			
POSTAL ADDRESS		POSTAL CODE	
TEL NO		CELL NO	FAX NO
EMAIL			
DISCLOSURE OF INTEREST			
SIGNATURE		DATE	

COMMENTS (Please use separate sheets if necessary)

1. I have the following concern / questions / queries.

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2. I would like to receive further communication through the following means of communication.

Email		Fax		SMS		Other	
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Please note to ensure your contact details for the communication method chosen are correctly captured above.

3. Data Subject Consent i.t.o. POPIA:

Zitholele Consulting request all registered I&APs to provide consent to Zitholele Consulting (Pty) Ltd to collect, store, manage and utilise personal information collected and recorded from each I&AP for sole purpose of use in this WULA process by ticking the appropriate option below. .

As an Interested and Affected Party registering an interest in this project, I provide my consent to store and use the personal information I provide for the duration of this WULA process. I also understand that this process is a public process and some personal information may be made available publicly as part of the Public Participation Process:

Yes, keep me informed about the Consol Glass Nigel Plant WULA process

No, please delete my personal information from your I&AP database. I understand that I will no longer receive communication about the Consol Glass Nigel Plant WULA process

THANK YOU FOR REGISTERING AN INTEREST IN THIS PROCESS