



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

**COASTAL WATERS DISCHARGE PERMIT FOR THE AFRO FISHING (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: 2014/013/WC/AFRO FISHING (PTY) LTD.**

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**SECTION A: DECISION**

Permission is hereby granted in terms of Section 69 of the ICM Act to **AFRO FISHING (PTY) LTD** for the discharge of effluent into coastal waters, subject to 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... 11/01/2017



<b>For office use only</b>	
<b>Date of issue</b>	

## SECTION B: DETAILS OF THE PERMIT HOLDER

Permit Holder : Afro Fishing (Pty) Ltd  
Company Registration Number : 1998/016485/07  
Postal Address : P. O. Box 2752, Mossel Bay, 6500  
Contact Person : Mr. Dewald Laurens  
Designation : Operational Manager  
Tel : (044) 690 5520  
Fax : (044) 690 5525  
E-mail : [dewald@afrofishing.co.za](mailto:dewald@afrofishing.co.za)

## SECTION C: ACTIVITY DETAILS

Effluent classification : Fish processing  
Location of Discharge : Port of Mossel Bay  
Discharge Point Coordinates (Pipeline A) : 32° 46'34.98" S; 18° 03'01.98"E  
Discharge Point Coordinate (Pipeline B) : 32° 46'34.98" S; 18° 03'01.98"E  
Maximum Volume per day : 56m<sup>3</sup> (Pipeline A) and 78 m<sup>3</sup> (Pipeline B)  
Depth of Discharge Point : <5 meters

## SECTION D: DESCRIPTION OF THE PROCESS AND LOCATION OF SITE

1. Afro Fishing is situated in quay one in the Port of Mossel Bay.
2. The effluent from Afro- fish factory consists of offloading effluent and fish processing effluent which is discharged via two marine outfalls described as Pipeline A and B below;

### 2.1 Pipeline A (Off-loading effluent)

- 2.1.1 Pipeline A is located at GPS Coordinates 32° 46'34.98" S; 18° 03'01.98"E and discharges a volume of 56 m<sup>3</sup> per day when in operation.
- 2.1.2 The effluent contains fish scales, blood and fish organic matter. The effluent passes through a mesh filter screen and is discharged into the harbour

## 2.2 Pipeline B (Process effluent)

- 2.2.1 Pipeline B is located at GPS Coordinates 320 46'34.98" S; 180 03'01.98" E and discharges a volume of 78 m<sup>3</sup> per day.
- 2.2.2 Sea water is used in the fish gutting process. The effluent consist of blood, scales, oils and other fish matter. The effluent passes through mesh screen filters to remove solids prior to being discharged into the surf zone. The solids are transported to a fish meal processing plant off site.



**Figure 1: An aerial view showing the discharge locations (A and B) and the fish processing facility (C)**

## **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 the location stipulated in Section D.
2. This permit may not be transferred or assigned to any other person or organisation, except with prior written permission from this Department.
3. A copy of this permit must be produced to an authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site described in section D, upon request.
4. An appeal against this permit does not suspend the effect of this permit, unless directed otherwise by the Minister.
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, at any reasonable time during the validity or review period of this permit.
6. 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 –
  - 6.1 the holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;
  - 6.2 the permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;
  - 6.3 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
  - 6.4 it is necessary to meet the Republic's international obligations.
7. The permit holder may not accept effluent from any other entity to dispose of via the permit holder's coastal outfall pipeline.
8. If an incident resulting in a discharge that exceeds the limits prescribed in this permit 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 cause of the incident, the measures taken to mitigate the incident, alternatives considered other than the discharge of effluent, the volume of effluent released, the location where released and any other information requested by the Department subsequent to the reporting of the incident. The permit holder must, in addition to the above, comply with the requirements of Section 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), where applicable.
9. 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.

10. 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.
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 the 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 attention: The Director - Coastal Pollution Management**  
Or electronically: [cwdp@environment.gov.za](mailto:cwdp@environment.gov.za)

## **SECTION F: SPECIFIC CONDITIONS**

### **1 EFFLUENT QUANTITY**

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

### **2 EFFLUENT QUALITY**

- 2.1 No material other than the effluent and its constituents allowed by this permit may be discharged from the discharge points described in Section C.
- 2.2 The specific limits prescribed in **Table 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, should be minimised in the effluent.

**Table 1: Limits for parameter in the effluent prior to discharge into the coastal environment (Pipeline A)**

<b>Substances/Parameter</b>	<b>Pipeline A (Date of issuance to 31 March 2020)</b>	<b>Pipeline A (01 April 2020 to 30 September 2022)</b>	<b>Frequency</b>
pH	5.5 - 8.3	5.5 - 8.3	7 <sup>th</sup> production day
Temperature	21°C	21°C	7 <sup>th</sup> production day
Turbidity	70 - 75 NTU for no longer than 3 hours	70 - 75 NTU for no longer than 3 hours	7 <sup>th</sup> production day
Total Suspended solids	890 mg/l	400 mg/l  (NB: the operator must aim to achieve 300 mg/l by 1 October 2022)	7 <sup>th</sup> production day.
Soap, Oil and grease	86 mg/l	60 mg/l	7 <sup>th</sup> production day.
BOD	415 mg/l	250  (NB: the operator must aim to achieve 150 mg/l by 1 October 2022)	7 <sup>th</sup> production day.
Salinity	37 psu	37 psu	7 <sup>th</sup> production day.
Ammonia Nitrogen	81mg/l	56 mg/l	7 <sup>th</sup> production day.





**Table 2: Limits for parameter in the effluent prior to discharge into the coastal environment (Pipeline B)**

Substances/Parameter	Pipeline B (Date of issuance to 31 March 2020)	Frequency
pH	5.5 - 8.3	7 <sup>th</sup> production day
Temperature	32 <sup>o</sup> C	7 <sup>th</sup> production day
Turbidity	70 - 75 NTU for no longer than 2 hours	7 <sup>th</sup> production day
Total Suspended solids	1008 mg/l  (NB: the operator must aim to achieve 680 mg/l by 1 October 2022)	7 <sup>th</sup> production day
Soap, Oil and grease	44 mg/l	30 <sup>th</sup> production day.
BOD	60 mg/l	30 <sup>th</sup> production day.
Salinity	37 psu	30 <sup>th</sup> production day.
Ammonia Nitrogen	100 mg/l	30 <sup>th</sup> production day.

### 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. 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 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 A 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 via the marine outfall must be monitored and sampled by taking a grab sample prior to the discharge into the coastal waters as per frequency required in Tables 1 and 2 above.
- 3.3.2 Where sampling is done internally, an independent external auditor must be appointed annually to determine compliance with section F: condition 1 and 2 of this permit.
- 3.3.3 The date, time and monitoring points in respect of each sample taken must be recorded, together with the results.

## **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.
  - 4.1.8 Historical baseline data to determine the impact of the effluent at each monitoring locations.
- 4.2. Additional sampling points may be requested by the Department if deemed necessary;
- 4.3. Analytical results at the end of the mixing zones to comply with 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 (refer to Table 3).

**Table 3: Parameters and target value / concentration to be complied with in the receiving environment (1995 Guidelines).**

<b>Substance / parameter</b>	<b>Target Value/Concentration</b>
pH	7.3 - 8.3
Salinity	33 - 36 psu
Temperature	The maximum acceptable variation in ambient temperature is 1°C
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 measured at a comparable control site.
Dissolved Oxygen (DO)	Should not fall below 5mg/l (99% of the time) and below 6mg/l (95% of the time).
Floating matter	Water should not contain floating particulate matter, debris, oil, grease, wax, scum, foam or any similar floating materials and residues from land-based sources in concentrations that may cause nuisance
E.coli	Maximum acceptable count per 100 ml: 100 counts in 80% and 2 000 counts in 95% of the samples
Arsenic	0.012 mg/l
Cadmium	0.004 mg/l
Copper	0.005 mg/l
Chromium	0.012 mg/l
Mercury	0.0003 mg/l
Nickel	0.012 mg/l
Lead	0.012 mg/l
Zinc	0.025 mg/l

- 4.4. The water and sediment sampling in the receiving environment must be conducted as per the current Council for Scientific and Industrial Research (CSIR) Long-term monitoring for the Port of Mossel Bay, dated March 2013, until the monitoring programme in section F: 4.1 is approved by the Department.
- 4.5. The new sampling point as described in Figure 2 must be established for pipeline B within one year of this permit.
- 4.6. The Department may prescribe additional monitoring points in the receiving environment, if deemed necessary.
- 4.7. Monitoring points may not be changed without prior notification of, and written approval by, the Department.



**Figure 2: Monitoring points in the receiving environment for water column and sediments (as per the current Council for Scientific and Industrial Research (CSIR) Long-term monitoring for the Port of Mossel Bay, dated March 2013)**

## **5 ANALYSIS OF SAMPLE**

- 5.1 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.
- 5.2 The methods of analysis may not be changed without prior notification to, and written approval from, the Department.

## **6 STORMWATER**

- 6.1 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
- 6.2 No industrial effluents may be discharged into any storm water drain, canal or furrow, whether intentionally or accidentally.

## **7 PIPELINES INTEGRITY AND CONDITION**

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

## **8 MALFUNCTIONS / ABNORMAL CONDITIONS**

- 8.1 Accurate, up-to-date records of all system malfunctions resulting in the disposal of water containing effluent not in accordance with the requirements of this permit must be kept.**
- 8.2 The following headings must be used for the above records, accompanied by a full explanation of all contributory circumstances and proposed / implemented mitigation measures:**
  - 8.2.1 operating errors;**
  - 8.2.2 mechanical failure (including design, installation and maintenance);**
  - 8.2.3 Environmental factors (e.g. storm surges);**
  - 8.2.4 loss of supply services (e.g. power failure);**
  - 8.2.5 other causes; and**
  - 8.2.6 Undetermined.**

## **9 CONTINGENCY PLANS**

- 9.1 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.**
- 9.2 The permit holder must submit an updated contingency plan to the Department for approval within six months of the date of issue of this permit. The contingency plan may be covered in the Environmental Management Program (EMPR) which must be approved by the Department and must consist of stipulated procedures, schedules and responsibilities which include, *inter alia*:**
  - 9.2.1 Verify environmental performance through information on impacts as they occur;**
  - 9.2.2 Respond to unforeseen events;**
  - 9.2.3 Provide feedback for continual improvement in environmental performance;**
  - 9.2.4 Identify a range of mitigation measures which could reduce and mitigate the potential impacts to minimal or insignificant levels;**
  - 9.2.5 Detail specific actions deemed necessary to assist in mitigating the environmental impact of the project;**
  - 9.2.6 Identify measures that could optimize beneficial impacts;**
  - 9.2.7 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).**

## 10 REPORTING REQUIREMENTS

- 10.1 All reporting to the Department must occur on prescribed forms, where available or in a format as agreed to by the Department.
- 10.2 The permit holder must establish or join a Permit Advisory Forum ("PAF") (or equivalent body). Such a body must meet, as a minimum, once quarterly, to discuss any breach of permit conditions, monitoring and reporting requirements as well as general effluent issues. The forum may be facilitated by an independent facilitator and composed of the permit holder (or a representative), interested and affected parties (such as NGO's, local interest groups, etc.) and relevant government institutions. PAFs may be established for either a single pipeline (i.e. one permit holder) or a receiving environment (i.e. several permit holders). Details (i.e. TOR's) of the forum must be submitted to the Department within 6 months of the date of issue of this permit.
- 10.3 The following must be reported on and OR presented quarterly to the Department:
- 10.3.1 The exact volume discharged, showing daily and monthly discharge volumes;
  - 10.3.2 Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported;
  - 10.3.3 All minutes emanating from the PAF, where established;
  - 10.3.4 The result / findings of the monitoring requirements in terms of this permit and where further monitoring is required.
- 10.4 The following must be reported on and presented annually to the Department:
- 10.4.1 A report on the monitoring of trends, impact (marine impact assessment) and incidents as soon as it becomes available, but not later than 4 (four) months after field work is completed unless otherwise agreed to, in writing, by the Department.
  - 10.4.2 A report on the monitoring of trends, impact (marine impact assessment) and incidents as soon as it becomes available, but not later than 4 (four) months after the field work is completed unless otherwise agreed to, in writing, by the Department.
  - 10.4.3 Results of the external audit conducted to determine compliance with section F: condition 1 and 2 of this permit.
- 10.5 The following must be reported on and presented at the compliance review meeting to the Department (at a frequency determined by the Department (see condition F: 13 below):
- 10.5.1 A report detailing compliance with section F of this permit
  - 10.5.2 Any investigations carried out in terms of section F: condition 13 at the compliance review and upon submission of a renewal / new application
- 10.6 Any defects or deficiencies in terms of the underflow concrete diffuser 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. Where necessary, repairs must be carried out on the pipeline immediately.

- 10.7 Failure to submit any required report may affect the Department's decision to renew or to issue a new permit upon expiry of this permit.
- 10.8 A report detailing the results of the independent audit monitoring, must be submitted / presented bi-annually to the Department if the sampling is done internally.

## **11 INVESTIGATIONS**

- 11.1 The permit holder must investigate methods for continuous improvement of the effluent quality. These investigations must include, inter alia:
- 11.1.1 Improvement to the effluent quality; and
  - 11.1.2 Waste minimisation and cleaner technology initiatives.
- 11.2 The permit holder must investigate means of optimising dispersion at sea and minimising the impact on the receiving environment. The permit holder must investigate additions / upgrades to the systems currently being utilised on site, such as leak detection and back up automated sampler.
- 11.3 The Department reserves the right to instruct the applicant to implement any improvements identified in the investigations required in condition 12.

## **13. COMPLIANCE REVIEW COMMITTEE**

- 13.1 A compliance review committee consisting of authorities (as determined by the Department) will be established.
- 13.2 The committee will convene when necessary to review the status of compliance with permit conditions.
- 13.3 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.
- 13.4 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.

## **14. PERMIT VALIDITY**

- 14.1 This permit is valid for a period of 5 (five) years, subject to the recommendations made by the compliance review committee.
- 14.2 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 postal address to: The Minister: Environmental Affairs, P.O. Box 447, Pretoria, 0001

Or by hand: 473 Steve Biko Street, Environmental House, Arcadia, Pretoria, 0083

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](mailto: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 Afro- fishing (Pty) Ltd processing 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, submitted to this Department on 08 July 2015, and its associated documents which meet the requirements of relevant legislation, policies and guidelines, including Sections 2 and 69 of the ICM Act and Section 2 of NEMA;
  - 2.2 The Afro-Fishing (Pty) Ltd audit, conducted on 30 April 2016, and the associated *Ecological Monitoring Report of Mossel Bay Port* compiled by the CSIR.
  - 2.3 The site visit conducted by the Department of Environmental Affairs on 21 July 2015 and on 2 June 2017.

## 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-----