



ENVIRO-PROTECT SOLUTIONS

ENVIRONMENTAL LEGAL AUDIT REPORT

Prepared for KDG Logistics (Pty) Ltd

December 2024

Table of Contents

1. INTRODUCTION AND SCOPE OF WORK.....	3
2. SITE AND ENVIRONMENTAL COMPLIANCE AUDIT.....	3
3. CONCLUSION	9
4. LEGAL REGISTER.....	10
5. DECLARATION	11
6. APPROVAL PAGE	12

Appendix A: Legal Compliance Audit Checklist



1. INTRODUCTION AND SCOPE OF WORK

KDG Logistics (Pty) Ltd provides specialized vehicle transporting solutions for motor vehicles, dealers, private companies and individuals throughout South Africa. KDG specializes in transporting large heavy trucks, equipment and abnormal loads across South Africa. KDG is currently in partnership with Auto Carriers in order to expand operations.

Enviro-Protect Solution was appointed by KDG Logistics to conduct an Environmental Legal Compliance Audit. Environmental audit is a general term that can reflect various types of evaluations intended to identify environmental compliance and management system implementation gaps, along with related corrective actions. The audit is intended to review the site's/company's legal compliance status in an operational context. Compliance audits generally begin with determining the applicable compliance requirements against which the operations will be assessed.

The scope of work entailed conducting an offsite review of current practices and policies in place by KDG Logistics, conducting a legal compliance audit, and a site inspection was conducted on 11 December 2024 to verify practices being implemented.

The table below provides the key personnel involved in the legal compliance audit, inspection and report compilation:

Name	Role
L Dwyer	KDG Logistics SHEQ Representative
R Singh	Legal Compliance auditor

2. SITE AND ENVIRONMENTAL COMPLIANCE AUDIT

2.1 Overview of audit

The Environmental Legal Compliance was conducted for KDG Logistics, 01 Durban International Airport (Old Airport), Prospecton, Durban. During the audit an Environmental Audit Checklists based on the Environmental Legal Requirements was used as an auditing tool in order to verify legal compliance for the organization. A close out was conducted for findings from the previous audit findings, an Environmental Legal Compliance audit and site walk through to identify practices that are being implemented.

The Environmental information requested during the audit includes but are not limited to:



1. Environmental Policy;
2. Health Safety and Environmental Management Plan;
3. Toolbox talks, environmental inductions and training on MSDS;
4. Waste disposal slips;
5. Site Organogram;
6. Environmental Impact and Aspects Register;
7. Waste Classification matrix;
8. Complaints register and incident register;
9. Environmental targets and objectives;

2.2 Previous Environmental Legal Compliance Audit – Status of findings

The table below provides follow-up statuses of findings noted in the previous Environmental Legal Compliance Audit.

2023 Environmental Legal Compliance audit finding	Status of Previous audit finding
As per the 2021 audit KDG logistics stores 2 * 60000L of diesel on site. According to the GNR 327 activity 14 “The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.” KDG logistics currently exceeds the limit of dangerous goods stored on site. KDG has advised that they will be moving premises within the vicinity of the old airport and therefore have opted to wait before applying	Open
At the time of the audit, improper storage of chemicals was observed on site. The designated chemical store outside the workshop is inadequate. The bund is not large enough to without the large containers. Containers are placed on the walls of the bund therefore defeating the purpose. Unlabelled chemical containers were also observed on the side of the workshop.	Closed.

2.3 Environmental Legal Compliance Audit December 2024

a. Summary of good compliance

KDG Logistics has achieved an overall good compliance in terms of the Audit conducted based on the legislation listed in the legal register. Areas of good compliance include but are not limited to:

- KDG has implemented a proper waste management practices. Waste is separated in colour coded bins across the site, with proof of disposal easily available. General waste is removed off site by Wastetrans. The newly established refueling area has a drain which lead to a sump to collect run off. Katywey solutions is currently used for Septic tank waste, Recycling of tyres and old paper are also undertaken on a regular basis.
- Waste Classification matrix is maintained on file, which specifies the type of waste produced, the quantities and classification as well as the frequency and method of disposal.
- Relevant posters and signage are displayed across the site.
- Fire extinguishers are strategically placed across the site, and are serviced on a regular basis by a registered service provider. Proof is maintained on file
- Targets and objectives to reduce CO2 emission and Diesel usage is being conducted on site. Records of CO2 emission is maintained on site. All diesel powered vehicles are regularly serviced.
- Correction Action Register is maintained on file for any complaints or non-conformances.
- Environmental Impacts and Aspects register maintained by the organization considers all activities that may cause Environmental harm.
- Fire certificated is available for 2* 60 000L tanks. Fire chief conducts yearly visits ad certificates are available.
- Toolbox talks training has been conducted on preventing pollution, recycling, water conservation and emergency efficiency
- MSDS training on the chemicals on site are regularly conducted with staff.
- Mitchelin fleet system implemented in all vehicles to assist drivers with safety on roads.
- Monthly permits available for abnormal loads.
- KDG logistic are currently in the process of going paperless. All documents and proofs are being uploaded onto an online system for all staff to be able to access.
- Medicals are conducted on a yearly basis with staff.
- Pest control conducted by Rentokil on a regular basis.



Photo 1 : New fuel dispenser installed at KDG whereby any waste drains in a filtration system and then enters a sump which is collected by Ketyweh Solutions..



Photo 2 : View of sump.



Photo 3 : Oil spill kits fully stocked and maintained in the workshop.



Photo 4 : Warehouse with spare tyres neatly maintained



Photo 5 : Notice board with relevant posters in workshop

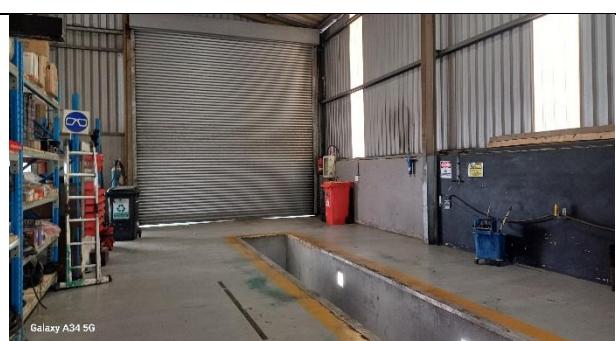


Photo 6 : Warehouse maintained in a neat and tidy condition.

b. Legal Compliance audit findings

During the Audit findings were categorized into the following:

- Non-Conformance - Compliance not achieved and corrective action is required;
- Audit Observation - Findings that are made in isolation requiring corrective action and are compliant in other areas of the organization.; and
- Area for Improvement – Recommendations that can be implemented for improvements.



ENVIRO-PROTECT SOLUTIONS – ENVIRONMENTAL LEGAL AUDIT

Environmental Legal Compliance Audit findings

No	Findings:	Category	Checklist Section	Corrective Action Required
1.	<p>As per the 2021 audit KDG logistics stores 2 * 60000L of diesel on site. According to the GNR 327 activity 14 “The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.” KDG logistics currently exceeds the limit of dangerous goods stored on site.</p>  <p>Photo 7</p>	Non-Conformance	Environmental Planning, Environmental Management System; hazardous substances	KDG logistics is urged to conduct the eThekweni region of Department of Economic Development, Tourism and Environmental affairs to confirm if Environmental Authorisation is required or alternatively a way forward.
2.	Minor spillages were noted within the yard. Photo 8 depicts spillage at the refueling area indicating no drip tray being used.			Although spillage in Photo 8 is located close the drain which leads to the sump, KDG is required to clean up all spills immediately and dispose of into

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ENVIRO-PROTECT SOLUTIONS – ENVIRONMENTAL LEGAL AUDIT

	 Galaxy A34 5G			the sump until collected by the relevant service provider
	 Galaxy A34 5G			Photo 9



3. CONCLUSION

In general, it was found that the Environmental Compliance at the KDG Logistics has a good compliance. All documents and practices are being implemented as required. Ongoing emphasis must be placed on hazardous substances requirements. Proper of chemicals must be applied on site.

Confirmation from the relevant EIA departments must be obtained in order to avoid any possible penalties or fines.

Audits will be conducted on a yearly basis to close out previous issues and in order to audit current practices and processes.



4. LEGAL REGISTER

National Environmental Management Act 107 Of 1998
National Building Regulations And Building Standards Act 103 Of 1977
National Environmental Management Biodiversity Act 10 of 2001
National Environmental Management Air Quality Act 39 Of 2004
National Water Act 36 Of 1998
Water Services Act 108 Of 1998
National Environmental Management Waste Act 59 Of 2008
Occupational Health And Safety Act 85 Of 1993
Hazardous Substance Act 15 Of 1973
Major Hazard Installations Regulation In Terms of OHS GN R 692
Fire Prevention and Flammable Liquids and Substances By-law, 2000
Hazardous Chemical Agents 2021
San 10231 Of 2010
Schedule Trade And Occupational By Laws
KZN Nature Conservation Act 29 Of 1992
KZN Health Act No 4 Of 2000
Ethekwini Municipality: Air Quality Management By-Law, 2018
Municipal Notice 96 Of 2021, Ethekwini Municipality: Stormwater Management By-Law, 2020
Sewage Disposal Bylaws Mn 129 of 1996
SA National Roads Agency Act 7 Of 1998
Spatial Planning And Land Use Management Act 16 Of 2013
Occupation Health And Safety Major Hazard Installation
The Montreal Protocol On Substances That Deplete The Ozone Layer 1987
National Road Traffic Act 93 Of 1996
Waste Classification And Management Regulation Gnr 634 Of 23 August 2013
Conservation Of Agricultural Resources Act No 40 Of 1983
National Forest Act 84 Of 1998
National Heritage Resource Act 25 Of 1999
Fertilizer Farm Feeds Agricultural Remedies And Stock Remedies Act No 36 Of 1947
Atmospheric Pollution Prevention Act 45 of 1965
Promotion of Access to Information Act no 2 of 2000
National Building Regulations GN R 2378
Management of Coronavirus or COVID-19 Health Care Waste 2020
Nema – Waste Act : Amendments To The Regulations And Notices Regarding Extended Producer Responsibility, 2020
Refuse Removal By Laws 47 of 2002
Electricity Supply By-No 45 of 1998

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5. DECLARATION

I Rivani Singh declare that -

- I act as the independent environmental assessment practitioner in this matter;
- I performed the work relating to the application in an objective manner, even if it results in views and findings that are not favourable to the applicant;
- I comply with the NEMA Act, regulations and all other applicable legislation; and
- All the particulars furnished by me in this report are true and correct.
- I am aware that a person is guilty of an offence in terms of Regulation 48 (1) of the EIA Regulations, 2014, if that person provides incorrect or misleading information. A person who is convicted of an offence in terms of sub-regulation 48(1) (a)-(e) is liable to the penalties as contemplated in section 49B (1) of the National Environmental Management Act, 1998 (Act 107 of 1998).

Rivani Singh

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6. APPROVAL PAGE

Prepared by : Enviro-Protect Solutions

Name : Rivani Singh (HON BA Environmental Management)

Sign :

17 December 2024

Prepared for : KDG Logistics (Pty) Ltd

Name : _____

Sign : _____

Date : _____

Appendix A : Legal compliance audit checklist