



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref:02/1/5/2

MINISTER

QUESTION NO. 279 FOR ORAL REPLY: NATIONAL ASSEMBLY

A draft reply to **Mr T Z Hadebe (DA)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA
DIRECTOR-GENERAL**

DATE:

DRAFT REPLY APPROVED/AMENDED

**DR B E E MOLEWA, MP
MINISTER OF ENVIRONMENTAL AFFAIRS**

DATE:

NATIONAL ASSEMBLY

(For Oral reply)

QUESTION NO. 279 {NO4183E}

INTERNAL QUESTION PAPER NO. 43 of 2017

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Mr T Z Hadebe (DA) to ask the Minister of Environmental Affairs:

Whether she intends to enforce stricter emission restrictions in respect of (a) Sasol and/or (b) Eskom in line with the provisions of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004); if not, why not; if so, what are the relevant details in each case?

279. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

Before I answer the question, let me first give some background with regard to minimum emission standards. The National Environmental Management: Air Quality Act, 20004, Act No. 39 of 2004 (AQA) repealed the Atmospheric Pollution Prevention Act, 1965, Act No. 46 of 1965 and in the process set emission standards for existing and new plants. These emission standards were developed through the South African Bureau of Standards and included transitional arrangements for the phasing in of these standards.

The transitional arrangements provided for existing plants to comply with existing standards by 01 April 2015 and for the same existing plants to comply with new plant standards by 01 April 2020. For new plants, there were no transitional arrangements provided and these plants were required to comply with new plant standards from 01 April 2010.

There was however a push back by some industry players to extend the provided timeframe for existing plant compliance with both existing and new plant standards due to the size and complex nature of some facilities. This approach was dismissed by the Department as a blanket approach and instead it was decided that the additional time required by each facility would be determined on a case by case basis under the provisions providing for postponement of compliance timeframes. Any facility seeking postponement of compliance timeframes would be required to apply a year before the applicable emissions standards come into effect.

The two companies in question have been granted postponement of compliance timeframes with minimum emission standards as we announced on 24 February 2015. As we indicated during that announcement, the postponements provide an opportunity for the industry to take the necessary action and retrofit their plants to enable them to comply with the standards in the near future. These companies submitted compliance road-maps that indicate when they envisage to have completed their tasks regarding investments in pollution control technologies. The Department regularly monitors compliance with these road-maps.

I would like to reiterate that these postponements do not, by any means, absolve the companies from eventual compliance with the minimum emission standards, in line with the objectives of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).

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