



Chris Hani District Municipality, Cacadu District Municipality, Department of Rural Development and Agrarian Reform & SRK Consulting

Minutes for the Meeting: Section 22 A Requirements – Incinerator EIAs

Held: DEDEAT, Grahamstown 28/06/2016 at 11:00

Distribution:	Mr Lyndon Mardon (LM)	DEDEAT
	Mr Andries Struwig (AS)	DEDEAT
	Mr Jeff Govender (JG)	DEDEAT
	Mr Masixole Ntongana (MN)	DEDEAT
	Dr Gabriel Mutero (GM)	Grahamstown State Veterinary Clinic
	Dr George Akol (GA)	DRDAR
	Dr Alan Fisher (AF)	Queenstown State Veterinary Clinic
	Dr Eddie Snyman (ES)	Middelburg State Veterinary Clinic
	Ms Nondwe Mdekazi (NM)	Chris Hani District Municipality
	Ms Mbazo Khaya	Chris Hani District Municipality
	Ms Vuyeka Banisi (VB)	Chris Hani District Municipality
	Karien Killian (KK)	SRK
	Karissa Nel (KN)	SRK

Action

1 Present

- Mr Lyndon Mardon
- Mr Andries Struwig
- Mr Jeff Govender
- Mr Masixole Ntongana
- Ms Nondwe Mdekazi
- Ms Mbazo Khaya
- Ms Vuyeka Banisi
- Dr Alan Fisher
- Dr Gabriel Mutero
- Karissa Nel
- Karien Killian

2 Background

KN provided a brief background to the project. SRK Consulting was appointed by the Department of Rural Development and Agrarian Reform to conduct the Environmental Impact Assessments and associated Atmospheric Emission Licences for three incinerators in the Eastern Cape (Grahamstown, Queenstown and Middelburg). After the release of the Background Information Documents, SRK was notified by Mr Mardon (email correspondence dated 10 March 2016) that a Section 22 A process needs to be followed for each

incinerator due to the facilities having no previous authorisations in terms of the National Environmental Management: Air Quality Act (Act No. 39 of 2004). A meeting was requested to discuss this process and the way forward.

3 Brief Summary of the Discussion

3.1) LM read through Section 22 (A) of the National Environmental Management: Air Quality Act (Act 39 of 2004)(NEM:AQA)) and the requirements were discussed for the three incinerators at the different state veterinary facilities (Queenstown, Grahamstown and Middelburg). Currently none of these facilities are operating with an atmospheric emission licences and as a result, a Section 22 (A) process needs to be followed.

3.2) Atmospheric emission licencing (AEL) requirements have been in place since 2010, however, the Section 22 (A) process only came into effect just before this application (18 March 2016).

3.3) The Chris Hani District Municipality is the licencing authority for the Middelburg and Queenstown incinerators, while the Department of Economic Development, Environmental Affairs and Tourism (DEDEAT) is currently the licencing authority for the Sarah Baartman district, which includes Grahamstown.

3.4) LM state that the Department will not apply Section 22 A (4) (a) and mentioned that the incinerators are allowed to continue operating while the AEL applications are being processed. General repairs may also be conducted in the interim as the incinerators need to be used. Should they fail completely, the Competent Authority needs to be informed.

3.5) When asked by LM, AF stated that only biological waste is being incinerated, no chemical waste. AF also stated that other areas in the Eastern Cape that falls outside the realm of the current three incinerators are being serviced by private veterinary services, or alternatively carcasses are being burnt on the farms itself.

3.6) LM advised that dispersion modelling needs to be conducted for each facility and the DEDEAT will conduct the relevant modelling required for the licences.

3.7) AS queried the extent of the proposed activity. AF responded that it is simply the replacement of existing incinerators and not an extension (replacing like with like), i.e. they are not planning to increase capacity.

3.8) AS queried the need for a waste licence and the relevance of the 2014 EIA Regulations as these authorisations are not issued retrospectively (for existing activities before the legislation was promulgated). All three incinerators have been in operation (between 1975 – 1980) before the National Environmental Management: Waste Act (Act No. 59 of 2008) and the National Environmental Management Act (Act No 107 of 1998) came into place. AS stated that the relevance of the above legislation needs to be further interrogated and confirmed. SRK should compile a letter to AS wherein the relevant waste and NEMA activities are reviewed.

SRK

4 Process/ Way Forward

4.1) LM confirmed the need for an AEL. The first step would be to submit applications in terms of Section 22 A, however these should be submitted on the existing Section 24 G application forms. The Section 24 G applications that were submitted will be resubmitted to the relevant Competent Authority with a cover letter referring to the Section 22 A process. Each incinerator needs to have its own application. Alternatively the applicant will face criminal charges.

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4.2) Secondly, an AEL application form must be compiled and submitted. Information in the forms will be that of the new incinerators which will be obtained from the relevant supplier(s). Note that the supplier should provide a

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guarantee that the relevant incinerator will generate emissions within the standards published in Section 21 (3)(a) and (b) of the NEM:AQA (Act No. 39 of 2004). The licence fee should be paid per application and amounts to R 10 000 each.

4.3) Once the AEL application forms for each incinerator have been accepted, an Impact Assessment Report should be submitted which entails an assessment of all potential impacts resulting from the proposed incineration activities as well as the relevant mitigatory measures to prevent or minimise these impacts.

LM/VB
SRK

4.4) Once the licencing authority has all the information, they will issue an AEL within 60 days.

LM/VB

4.5) Since a Section 22 (A) process will be followed, a fine would be issued by DEDEAT according to Section 22 of the NEM:AQA (Act No. 39 of 2004) that was published by the Minister of Environmental Affairs in Government Gazette No 39833 on 18 March 2016. The amount is R 200 000 for operating without a licence, plus R 200 000 for every year that the facility was operational since the NEM:AQA List of Activities was promulgated (in 2010).

LM/VB

4.6) Further operating requirements would be to monitor stack emissions on an annual basis using isokinetic sampling since the incinerators are used intermittently. However, exact requirements will be specified in the AEL.

GA/GM/
AF/ES

Minutes taken by: Karien Killian

SRK Consulting - Certified Electronic Signature

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