

Appendix C: Correspondence with the National Department of Environmental Affairs

Correspondence from the National Department of Environmental Affairs regarding Animal Matter Processing

From: Gregory Scott [GSCOTT@environment.gov.za]
Sent: 27 February 2012 10:03 AM
To: Sandy Wren
Cc: Kobus Slabbert; Lyndon Mardon
Subject: RE: Composing facility NEM:AQA query

Hi Sandy,

After much internal deliberation we can confirm that the process that you described in your correspondence dated 9 February 2012 does not constitute a listed activity.

Regards
Greg

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Request for Clarification and Confirmation on the Interpretation of Category 10: Animal Matter Processing a listed activity in terms of Section 21 of NEM: AQA

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9 February 2012

Ms Thulie Mdluli
c/o Greg Scott
Director: Atmospheric Policy Regulation and Planning
National Department of Environmental Affairs

Dear Madam

Re: Request for Clarification and Confirmation on the Interpretation of Category 10: Animal Matter Processing a listed activity in terms of Section 21 of NEM: AQA

The applicant, Die Boeram Venter Trust, proposes to produce organic and an enriched organic fertiliser primarily from the composting of poultry litter/ manure, using an aerobic process. It is estimated that the facility will receive approximately 75 000m³ (30 000 tons) of poultry litter annually (82 tons daily) from which they will produce approximately 25 000m³ of organic and an enriched organic fertiliser annually.

The site identified for the development is Farm 715 Division Uitenhage, Nelson Mandela Bay Municipality. The farm is currently zoned for agricultural use and falls outside of the urban edge of the Nelson Mandela Bay Municipality. The farm measures approximately 377.0162 ha in extent and it is proposed that two footprints are set aside, one for the establishment of the composting component of the facility (approximately 10 ha) and one for the processing of the fertiliser (approximately 0.5 ha), with a total development footprint of 10.5 ha (including services and internal roads).

The poultry litter will be sourced from various poultry facilities (broiler, layer, egg production facilities) in and around the Metro where it will be delivered directly from these facilities to the site via covered side-tipper trucks. The composting footprint will consist of 120 rows (or windrows) of poultry litter approximately 3m wide, 1.5m high and 100m long. Gaps of approximately 2m wide are required between the rows to allow for the movement of vehicles and machinery for watering, turning and collection of the compost. The total composting footprint is thus anticipated to be approximately 10ha in extent.

The poultry litter, once delivered, will remain in a windrow for a period of between 2 to 4 months until it is fully composted. Thereafter it is transported via tractor-trailer to the fertiliser processing facility for enrichment, refinement, bagging and storing.

The primary source of the compost is poultry litter/ manure, which is a valuable source of fertiliser for land application. The poultry litter is currently not composted but is removed from the poultry facilities for direct application to land as a fertiliser in the agricultural industry.

The project requires a Waste License in terms of the National Environmental Management Waste Act (NEM:WA), Act 59 of 2008, Category A listed activity no. (17).

Storage, treatment and processing of animal waste

(17) The storage, treatment or processing of animal manure at a facility with a capacity to process in excess of one ton per day.

The NEM:WA defines “animal manure” as follows: “means a by-product of animal excreta which is bio-degradable in nature and could further be used for fertilisation purposes;”

We further note that according to the documentation as contained in the “*Listed Activities and Minimum Emission Standards Project*” for the development of the Section 21 listed activities, Category 10: Animal Matter Processing refers to the following:

- Tanning plants
- Animal slaughter
- Rendering plants - animal carcasses or waste disposing or recycling

Category 10: Animal Matter Processing

Description: Processes for the rendering cooking, drying, dehydrating, digesting, evaporating or protein concentrating of any animal matter not intended for human consumption.

Application: All installations handling more than 1 ton of raw materials per day.

The NEM:AQA provides for the control of offensive odours in the following manner.

Control of offensive odours

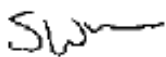
35. (1) The Minister or MEC may prescribe measures for the control of offensive odours emanating from specified activities.

(2) The occupier of any premises must take all reasonable steps to prevent the emission of any offensive odour caused by any activity on such premises.

We require clarity and confirmation on whether animal manure, in this specific instance, poultry litter/manure is considered animal matter in terms of the Category 10 listed activity in terms of NEM:AQA.

Your feedback with regards to the above will be highly appreciated.

Yours sincerely



SANDY WREN

Confirmation regarding the interpretation of hazardous waste

From: Paul Steyn <paul@publicprocess.co.za>
Sent: 24 May 2011 11:09 AM
To: Lucas Mahlangu (lmahlangu@environment.gov.za)
Subject: Processing of animal manure

Hi Lucas

Re.: Processing of animal manure

Our telephonic discussion of the morning of 24 May 2011 has reference. As discussed we are dealing with an application for the composting of animal manure (poultry litter) in the Port Elizabeth (Eastern Cape) area. The project would trigger activity 17, Category A, in the NEM Waste Act list of waste management activities. Our concern is that, given the broad definition of hazardous waste in the NEM Waste Act, the animal manure may also be considered hazardous waste and trigger hazardous waste management activities.

Based on you input from our abovementioned discussion I would like to confirm the following:

- Animal manure is not considered hazardous waste, and the composing of the animal manure would therefore not trigger any hazardous waste management listed activities.
- An application needs to be made for a license for Activity 17, Category A: “The storage, treatment or processing of animal manure at a facility with a capacity to process in excess of one ton per day.”
- An application for the above will be lodged with the provincial Department of Environmental Affairs in the Eastern Cape.

I trust that the above is an accurate reflection of the conclusions reached during our discussion. Could you please confirm in writing if you are in agreement with the above.

Kind regards
Paul Steyn

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