

NOTICE 945 OF 2012

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

**NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004
(ACT NO. 39 OF 2004)**

DRAFT REGULATIONS PRESCRIBING THE FORMAT OF THE ATMOSPHERIC IMPACT REPORT

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby give notice of my intention to make regulations, under section 53(o) and 30 read with section 57(1)(a) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 (thirty) days after the publication of the notice in the *Gazette*, written representations or objections to the following addresses:

By post to: The Director-General: Department of Environmental Affairs
Attention: Mr Avhantodi Munyai
Private Bag X 447
Pretoria
0001

By hand at: 2nd Floor (Reception), Fedsure Forum Building, 315 Pretorius Street, Pretoria

By email: amunyai@environment.gov.za, or by fax to: 012 320 0488

Any inquiries in connection with the notice can be directed to Dr Thuli Mdluli at 012 310 3436 or Mr Avhantodi Munyai at 012 310 3153

Comments received after the closing date may not be considered.



**BOMO EDITH EDNA MOLEWA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

SCHEDULE

Any person required to submit an atmospheric impact report in terms of section 30 of the National Environmental Management: Air Quality Act, 2004 must do so in the prescribed format set out below.

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DECLARATION OF ACCURACY OF INFORMATION

Name of Enterprise: _____

Declaration of accuracy of information provided:

Atmospheric Impact Report in terms of section 30 of the Act.

I, _____ [*delegated by the Accounting Officer*],
declare that the information provided in this atmospheric impact report is, to the best of my
knowledge, in all respects factually true and correct. I am aware that the supply of false or
misleading information to an air quality officer is a criminal offence in terms of section 51(1)(g) of
this Act.

Signed at _____ on this _____ day of _____

SIGNATURE

CAPACITY OF SIGNATURE

NB: Please complete all sections. Attach required maps and sketches. Graphics must be clear, labeled and, where applicable, should include a true north arrow and scale.

1 ENTERPRISE DETAILS

The report must contain the enterprise details section that provides accurate, complete, current information on the following:

1.1 Enterprise details

Enterprise Name	
Trading As	
Type of Enterprise, e.g. Company/Close Corporation/Trust	
Company/Close Corporation/Trust Registration Number (Registration Numbers if Joint Venture)	
Registered Address	
Postal Address	
Telephone Number (General)	
Fax Number (General)	
Industry Type/Nature of Trade	
Land Use Zoning as per Town Planning Scheme	
Land Use Rights if outside Town Planning Scheme	

Responsible Person Name or Emission Control Officer (where appointed)	
Telephone Number	
Cell Phone Number	
Fax Number	
E-mail Address	
After Hours Contact Details	

1.2 Location and extent of the plant

Physical Address of the Plant	
Description of Site (Where No Street Address)	
Coordinates of Approximate Centre of Operations	North-south: East-west:

Extent (km ²)	
Elevation Above Mean Sea Level (m)	
Province	
Metropolitan/District Municipality	
Local Municipality	
Designated Priority Area	

Description of surrounding land use (within 5 km radius)

Provide a description of the surrounding land use within a 5 km radius, specifically noting the names and proximity of residential and commercial areas in relation to the site of works.

Attach map(s), satellite image(s) or aerial photograph(s) detailing location of the plant in relation to surrounding community.

1.3 Atmospheric emission licence and other authorisations

List the atmospheric emission licence number relating to the listed activity or activities undertaken at the plant, and all other authorisations, permits, licences related to air quality management.

2 NATURE OF THE PROCESS

2.1 Listed activity or activities

Category of listed activity	Sub-category of the listed activity	Description of the listed activity

3.2 Appliances and abatement equipment control technology

Provide information on appliances used at the plant:

APPLIANCES		
Appliance name	Appliance / equipment number	Appliance type / description

Provide information on abatement equipment control technology implemented to manage air pollution:

ABATEMENT EQUIPMENT CONTROL TECHNOLOGY								
Appliance name (as above)	Technology name and model	Technology type	Technology manufacturer date	Technology commission date	Technology design capacity	Date of significant modification / upgrade	Minimum control efficiency %	Minimum utilisation %

4 ATMOSPHERIC EMISSIONS

This paragraph must provide the following information:

4.1 Point source parameters

List the location of all point source parameters:

Point source name	Point source coordinates	Height of release above ground (m)	Height above nearby building (m)	Diameter at stack tip / vent exit (m)	Actual gas exit temperature (°C)	Actual gas volumetric flow (m³/hr)	Actual gas exit velocity (m/s)	Type of emission (continuous / batch)

4.2 Point source maximum emission rates (normal working conditions)

Point source name (as in paragraph 4.1. above)	Pollutant name	Maximum release rate			Duration of emissions
		(mg/Nm³)	Date to be achieved by	Average period	

4.3 Point source maximum emission rates (start-up, maintenance and shut-down conditions)

This sub-paragraph must include the following information:

- (a) Point source name (as set out in paragraph 4.1. above);

- (b) Pollutant name;
- (c) Maximum release rate (mg/Nm³);
- (d) Maximum release rate (date to be achieved by);
- (e) Average period (instantaneous, hourly, daily, monthly, annually);
- (f) Maximum gas volumetric flow (m³/hr);
- (g) Maximum gas exit velocity (m/s);
- (h) Emission hours; and
- (i) Permitted duration of emissions.

In addition, provide a summary of the various start-up, maintenance and shut-downs situations experienced over the last 2 years including the frequency of such situations.

4.4 Fugitive emissions (area and or line sources)

Describe and quantify fugitive emissions at the plant, including, but not limited to:

- (a) dust from stockpiles, haul roads, conveyors, crushers, material handling;
- (b) evaporation losses from storage tanks, transfer stations, effluent treatment works, dams, etc.;
and
- (c) current and planned measures to manage or mitigate each source of fugitive emission.

The sub-paragraph must clearly set out source locations, dimensions and temporal variations in emissions. Technically sound methods must be used in quantifying fugitive emissions. The methods used to quantify fugitive emissions must be documented and the margin of uncertainty indicated.

4.5 Emergency incidents

Provide a summary of emergency incidents in the last 2 years resulting in atmospheric emissions, including:

- (a) nature and cause of the incident;
- (b) actions undertaken immediately following the incident to minimise impact; and
- (c) actions undertaken subsequently to reduce the likelihood of reoccurrence.

5 IMPACT OF ENTERPRISE ON THE RECEIVING ENVIRONMENT

5.1 Analysis of Emissions' Impact on Human Health

In order to assess the atmospheric impact of the facility on human health a dispersion modelling exercise must be undertaken. Any dispersion modelling study undertaken as part of an AIR application must be done in accordance with the national air quality modelling guidelines specified for regulatory purposes. The impact assessment should take the emissions of the facility under consideration as well as prevailing ambient air concentrations into account during this assessment. A compliance assessment must be undertaken using the national ambient air quality standards, specifically in residential areas and other areas where human exposure could occur.

5.2 Analysis of Emissions' Impact on the Environment

In order to assess the atmospheric impact of the facility on the environment a dispersion modelling exercise may be undertaken at the discretion of the AEL authority / National Air Quality Officer. Any dispersion modelling study undertaken as part of an AIR application must be done in accordance with the national air quality modelling guidelines specified for regulatory purposes. The impact assessment should take the emissions of the facility under consideration as well as ambient air concentrations into account during this assessment. An environmental assessment may include but is not limited to the following aspects:

- (a) Soil;
- (b) Water Bodies (rivers, dams, lakes); and
- (c) Commercial Agriculture Operations

6 COMPLAINTS

Provide details on any complaints the plant has received in respect of air pollution in the last 2 years and include, where applicable, details of any circumstance that may have led to the complaint as well as the measures taken in response to complaints.

7 CURRENT OR PLANNED AIR QUALITY MANAGEMENT INTERVENTIONS

Provide an overview of the plant air quality management improvement interventions for the next 5 years.

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8 IMPACT ASSESSMENT

This sub-paragraph of the report must be completed by the designated air quality officer of the relevant sphere of government after the submission of the above information. This process must be undertaken during the assessment of the impact of the plant to the ambient air quality.

8.1 Ambient air quality

The air quality officer must set out an overview of the ambient air quality of the area surrounding the plant.

8.2 Local ambient air quality impact

The air quality officer must assess and describe the estimated contribution of the plant to the air pollution in the local ambient air. The methods used in estimation must be documented and the margin of uncertainty stipulated.

9 COMPLIANCE AND ENFORCEMENT ACTIONS

The air quality officer must set out all air quality compliance and enforcement actions undertaken against the enterprise in the last 5 years. This may include, amongst others, directives, compliance notices, interdicts, prosecution, fines, etc undertaken against the plant.