



forestry, fisheries & the environment

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Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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Reference: NAQO Response to NECA 19 December 2023

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Ms. Mira Briel

National Environmental Consultative and Advisory Forum

Harris Nupen Molebatsi Inc.

Per: Mira Briel

Email: mira@hnmattorneys.co.za

Dear Ms. Briel,

RE: CLARITY REGARDING INTERPRETATION OF THE NAQO'S DECISIONS

1. The abovementioned request for clarity on the decisions of the National Air Quality Officer on the five Eskom power stations: Hendrina; Camden; Arnot; Grootvlei; and Kriel bear reference.
2. Below are the NAQO decisions for SO₂ postponement/suspensions on the five Eskom power stations and clarity on the interpretation of each decision is presented in the respective table.
3. Reference may not be made to **existing plant limits** as Listed Activities and Associated Minimum Emission Standards Identified in terms of Section 21 of the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) paragraph 11(D) stipulates that *'No postponement of compliance timeframes or a suspension of compliance timeframes shall be granted for compliance with minimum emission standards for existing plant'*.
4. As such, the statements *"The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of thus remains in place"* may not make reference to existing plant standards.
5. All reference to the SO₂ postponements for the five Eskom power stations: Hendrina; Camden; Arnot; Grootvlei; and Kriel are hereby clarified by representing all suspensions from **01 April 2020 to 31 March 2030** with the respective emission limits for each plant.

RE: CLARITY REGARDING INTERPRETATION OF THE NAQO'S DECISIONS

Anot S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm ³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO ₂	3500	1000	<p>Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of 2500mg/Nm³ during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of 2500mg/Nm³ from 1 April 2020 to 31 March 2025 thus remains in place.</p> <p>Clarity Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of 2500mg/Nm³ during this period.</p>

Camden S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm ³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO ₂	3500	1000	<p>Suspension of compliance timeframe with the minimum emission standards for new plant is granted. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of 3500mg/Nm³ from 1 April 2020 to 31 March 2025 thus remains in place.</p> <p>Clarity Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of 3500mg/Nm³ during this period.</p>

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Grootvlei S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm ³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO ₂	3500	1000	<p>Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of 3500mg/Nm³ during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of 3500mg/Nm³ from 1 April 2020 to 31 March 2025 thus remains in place.</p> <p>Clarity Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of 3500mg/Nm³ during this period.</p>

Hendrina S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm ³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO ₂	3500	1000	<p>Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 December 2026 with a limit of 3200mg/Nm³ during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of 3200mg/Nm³ from 1 April 2020 to 31 March 2025 thus remains in place.</p> <p>Clarity Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of 3200mg/Nm³ during this period.</p>

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Kriel S21 Category	Appliance	Suspension Sought	Emission Standards			
			Minimum Emission Standards (mg/Nm ³)			Decision
			Pollutant	2015	2020	
Subcategory 1.1: Solid Fuel Combustion Installations	6 Units	2020-2030	SO ₂	3500	1000	<p>Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2025 to 31 March 2030 with a limit of 2800mg/Nm³ during this period. The requirement to comply with the minimum emission standards for new plant as stated in the 2015 postponement decision with a limit of 2800mg/Nm³ from 1 April 2020 to 31 March 2025 thus remains in place.</p> <p>Clarity Suspension of compliance timeframe with the minimum emission standards for new plant is granted from 1 April 2020 to 31 March 2030 with a limit of 2800mg/Nm³ during this period.</p>

Please let us know if this clarification is sufficient.

Yours sincerely,



DR PATIENCE GWAZE
DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT
DESIGNATION: NATIONAL AIR QUALITY OFFICER
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