

ANNEXURE A

APPEAL QUESTIONNAIRE

An electronic copy of this questionnaire may be obtained from:

Mr Z Hassam at telephone: 012 399 9356 or e-mail:

AppealsDirectorate@environment.gov.za

Once completed, this document must be forwarded to:

E-mail: AppealsDirectorate@environment.gov.za

Physical Address: Department of Environmental Affairs, 473 Steve Biko Road,
Environment House, Arcadia, Pretoria, 0002

Appellant's contact information:

Name: Vaal Environmental Justice Alliance (VEJA) and groundWork (gW) – represented by the Centre for Environmental Rights (CER)

Address: 2nd Floor, Springtime Studios, 1 Scott Road, Observatory 7925, Cape Town,

Phone: 021 447 1647 or

Cell: 084 091 3211

Email: mkoyama@cer.org.za or nloser@cer.org.za

Project information:

Project name: ArcelorMittal South Africa Limited

Authorisation register number as on environmental authorisation:

GP/AMVWV-SDM/20190417

Authorisation date as on environmental authorisation:

23 March 2020

IMPORTANT! Please note:

- *The decision of the department is reflected in the letter of authorisation or rejection. The conditions of approval are contained in the environmental authorisation document, attached to the authorisation letter.*
- *The appeal must be accompanied by all relevant supporting documents or copies of these that are certified as true by a commissioner of oaths.*
- *The grounds of your appeal and the facts upon which they rest must be set out. You should formulate your objections or concerns as averments and not as questions about the project. Please therefore refrain from material or remarks that do not contribute to the merits of your appeal.*
- *To assist in this regard, the following questions are listed as a guideline only – more space may be used if necessary:*

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1. Are you lodging this appeal as an individual or on behalf of a community/organisation?

Individual	Community/ organisation
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If on behalf of a community or organisation, please provide proof of mandate to do so.

groundWork and Vaal Environmental Justice Alliance (VEJA) - mandates attached (Annexure B and C)

2. Is your appeal based on factors associated with the process that was followed by the applicant in obtaining authorisation?

Yes	No
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Please provide reasons:

N/A.

3. Is your appeal based on factors associated with environmental impacts not taken into account by the department in refusing or authorising the application?

Yes	No
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Please provide reasons:

The primary ground of appeal is that granting postponements and/or alternative limits that are weaker than existing plant standards is not permissible in law. AMSA has been granted postponement to comply with standards for H2S which are effectively 3-7 times weaker than the existing plant standards, and 4-10 times weaker than the new plant standards. To apply for an alternative limits weaker than existing MES is unacceptable and not permissible in law. Please refer to the Attached Appeal Grounds (Annexure D)

4. Would you agree to the activity proceeding if your concerns can be addressed by rectifying the process or mitigating or eliminating the impacts of the activity?

Yes	No
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Please provide reasons:

To grant postponement and alternative emission limits for hydrogen sulphide (H₂S) emissions that is weaker than the existing plant MES contained in sub-categories 3.2 of the List of Activities is not permissible in law.

5. Are you fundamentally opposed to any development activity on the site?

Yes	No
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Please provide reasons:

N/A

6. Do you have an objection in principle against the development?

Yes	No
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Please provide reasons:

N/A.

7. Does your appeal contain any new information that was not submitted to the environmental consultant or department prior to the department's consideration of the application?

Yes	<input checked="" type="checkbox"/> No
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If the answer above is yes, please explain why it should be considered by the Minister and why it was not made available to the environmental consultant or department during the application process.

8. DECLARATION:

I declare that the contents of this submission are to the best of my knowledge the truth and I regard this declaration as binding on my conscience.



APPELLANT

DATE 15 September 2020

