

# Annexure 4

## Michelle Koyama

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**From:** Dr. Thulie Khumalo <TKhumalo@environment.gov.za>  
**Sent:** 01 July 2020 20:38  
**To:** Michelle Koyama  
**Cc:** Lydia Alade; Derrick Makhubele; thokozile.makgato@gauteng.gov.za; thokozile.makgato@gauteng.gov.za; Dineo Ngobeni; Peter Lukey; Robyn Hugo; Dimakatso Mary Sefatsa; Khumo Lesele; Palesa Tsotetsi  
**Subject:** Re: MES Postponement application by AMSA  
**Attachments:** Arcelormittal Newcastle decision - Applicant.pdf; Arcelormittal Pretoria decision - Applicant.pdf; Arcelormittal Vanderbijlpark decision - Applicant.pdf; Arcelormittal Newcastle decision - LA.pdf; Arcelormittal Pretoria decision - LA.pdf; Arcelormittal Vanderbijlpark decision - LA.pdf

Dear Michelle,

Please see below our responses to your email.

ArcelorMittal's Minimum Emission Standards postponement decisions were issued on 23 March 2020.

The outcomes of the postponement applications submitted by ArcelorMittal are stated in the attached decisions.

The decision for ArcelorMittal Pretoria Steel Works was communicated to Mr Abe Grootboom; Vanderbijlpark Works was communicated to Mr Werner Venter; and Newcastle Steel works was communicated to Mr Siphon Mntambo.

Copies of the decisions were also sent to the relevant licensing authorities as shown in the attachments.

I trust this answers your questions.

Kind Regards,

**Dr Thuli N. Khumalo**

Chief Director: Air Quality Management – Designation: National Air Quality Officer

**Tel:** +27 12 399 9187; **Postal Address:** P/Bag X447, Pretoria, 0001; **Physical address:** Environment House, 473 Steve Biko Street, Arcadia, Block C1-31, 2nd Floor.



**From:** Michelle Koyama <[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)>

**Date:** 15 June 2020 at 16:32:37 SAST

**To:** "Dr. Thulie Khumalo" <[TKhumalo@environment.gov.za](mailto:TKhumalo@environment.gov.za)>, "[thokozile.makgato@gauteng.gov.za](mailto:thokozile.makgato@gauteng.gov.za)" <[thokozile.makgato@gauteng.gov.za](mailto:thokozile.makgato@gauteng.gov.za)>, Dineo Ngobeni <[DNgobeni@environment.gov.za](mailto:DNgobeni@environment.gov.za)>, Peter Lukey <[Plukey@environment.gov.za](mailto:Plukey@environment.gov.za)>

**Cc:** Robyn Hugo <[rhugo@cer.org.za](mailto:rhugo@cer.org.za)>, Dimakatso Mary Sefatsa <[dsefatsa@cer.org.za](mailto:dsefatsa@cer.org.za)>, Khumo Lesele <[klesele@cer.org.za](mailto:klesele@cer.org.za)>

**Subject:** MES Postponement application by AMSA

Dear Thuli

Please find attached, GroundWork's and Vaal Environmental Justice Alliance's objection against ArcelorMittal's Minimum Emission Standard postponement application. The objection was submitted on 11 March 2019.

Please advise if a decision has been reached, and if so, provide us with the copy of the decision and the outcome. Please also let us know to whom the decision has been communicated to.

We look forward to receiving your response.

Kind regards

Michelle Koyama

Attorney

Centre for Environmental Rights NPC

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# environmental affairs

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Environmental Affairs  
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Reference: GP/AMVW-SDM/20190417  
Enquiries: Derrick Makhubele  
Tel: (012) 399 9800 Email: [dmakhubele@environment.gov.za](mailto:dmakhubele@environment.gov.za)

**Mr. Werner Venter**  
ArcelorMittal South Africa Limited  
Vanderbijlpark Steel Works  
P O Box 2  
Vanderbijlpark  
1900

Email: [Werner.Venter@arcelormittal.com](mailto:Werner.Venter@arcelormittal.com)

Dear Mr. Venter,

**RE: APPLICATION FOR ALTERNATIVE LIMIT/POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ARCELORMITTAL SOUTH AFRICA LIMITED (VANDERBIJLPARK STEEL WORKS)**

The above-mentioned application has reference.

Your application has been processed and the National Air Quality Officer has, with the concurrence of the Atmospheric Emission Licensing Authority, made a decision as follows:

S21 Category	Appliance	Postponement period sought	Emission Standards			Decision
			Minimum Emission Standards (mg/Nm <sup>3</sup> )		Decision	
			Pollutant	2015		
Subcategory 3.1a: Combustion Installations	Coke Oven Gas	2020-2025	H <sub>2</sub> S	Recovery efficiency of not less than 90% measured as Hydrogen Sulphide	Recovery efficiency of not less than 90% measured as Hydrogen Sulphide	Postponement of compliance timeframe with the minimum emission standards for new plant is granted with Sulphur-containing compounds to be recovered from gases to be used for combustion with a recovery efficiency of not less than 90% for the period 1 April 2020 to 31 March 2025.
Subcategory 3.2: Coke Production	Coke oven Battery 4		H <sub>2</sub> S	10	7	Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of 40mg/Nm <sup>3</sup> for the period 1 April 2020 to 31 March 2025.
	Coke oven					Alternative limit is declined and



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**APPLICATION FOR POSTPONEMENT OF COMPLIANCE TIME-FRAMES RELATING TO THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004 MINIMUM EMISSION STANDARDS FOR ARCELORMITTAL SOUTH AFRICA LIMITED (VANDERBIJLPARK STEEL WORKS)**

	Battery 6				postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>50mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
	Coke oven Battery 7				Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>70mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
	Coke oven Battery 8				Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>50mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
	Coke oven Battery 9				Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>30mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
<b>Subcategory 4.12: Pre-reduction and Direct Reduction</b>	Direct reduction iron making Kiln 3	SO <sub>2</sub>	1700	500	Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>800mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
	Direct reduction iron making Kiln 4				Isokinetic monitoring showed compliance with the new plant minimum emission standards for SO <sub>2</sub> . Therefore postponement application is declined.
	Direct reduction iron making Kiln 5				Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of <b>700mg/Nm3</b> for the period 1 April 2020 to 31 March 2025.
	Direct reduction iron making Kiln 6				Alternative limit is declined and postponement of compliance timeframe with the minimum emission standards for new plant is granted with a limit of



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						750mg/Nm <sup>3</sup> for the period 1 April 2020 to 31 March 2025.
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\* All minimum emission standards are expressed on a daily average basis, under normal conditions of 273 Kelvin and 101.3 kPa

This decision will have to be reflected in your Atmospheric Emission License to be of force and effect. Therefore, you must liaise with the relevant Atmospheric Emission Licensing Authority in this regard as soon as possible so that the required amendments, variations and additions to your Atmospheric Emission License can be effected.

In addition, you are required to submit a quarterly progress report on the implementation of your compliance road map and commitments that you made in support of the postponement application for ArcelorMittal South Africa Limited (Vanderbijlpark Steel Works). You are also required to provide a progress report on implementation of offset projects where applicable, as well as other reporting requirements included in the AEL. The reports must be submitted to the National Air Quality Officer and the Licensing Authority following the department's financial year. The first report must be submitted by 1 July 2020.

Lastly, ArcelorMittal South Africa Limited (Vanderbijlpark Steel Works) is required to implement an offset programme to reduce SO<sub>2</sub> pollution in the ambient/receiving environment as your facility is located in the VTAPA Priority Area. A definite offset implementation plan is expected from ArcelorMittal South Africa Limited (Vanderbijlpark Steel Works) by 1 July 2020.

Thank you for the co-operation in matters regarding your application.

Yours sincerely,

**Dr Thull N. Khumalo**  
Department of Environmental Affairs  
Designation: National Air Quality Officer

Date: 23/03/2020

