



**Mr Marvin Julies**  
Senior Air Quality Practitioner

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Ref: GKN Sinter Metals 001

12 September 2016

The Plant Manager  
GKN Sinter Metals  
Dorbyl St,  
Sacks Circle Industrial  
Bellville  
7530

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Unlawful conduct of a listed activity in terms of the Environmental Management: Air Quality Amendment Act 20 of 2014(NEMAQA) as amended.

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The meeting held between yourself and the Air Quality Management officials of the City of Cape Town on Tuesday, the 2<sup>nd</sup> of August 2016, has reference.

The following listed activity in terms of the National Environmental: Air Quality Act is triggered;

<b>Category:</b>	4. Metallurgical Industry.
<b>Sub-category:</b>	4.5 Sinter Plants
<b>Description:</b>	Sinter plants for agglomeration of fine ores using a heating process, including sinter cooling where applicable.
<b>Application:</b>	All installations

In terms of the National Environmental Management: Air Quality Act 39 of 2004 (the Act) the following has reference;

1. The activities conducted at the above mentioned premises triggers a listed activity as contemplated in Listing Notice GN 893 of 2013 of Section 21 of the National Environmental Management: Air Quality Act (NEM:AQA).
2. You are currently operating without an Atmospheric Emission Licence (AEL), and are therefore operating unlawfully. Please be advised that it is an offence to operate a listed activity without an Atmospheric Emission Licence. The penalties associated with such an offence are detailed in National Environmental Management: Air Quality Act Regulations for the Procedure and Criteria to be followed in the determination of an Administrative Fine In Terms Of Section 22A of the Act, GN 332 dated 18 March 2016.
3. It is recommended that you liaise with Department of Environmental Affairs & Development Planning to determine whether any other Environmental Authorisation is required. The contact person at DEADP is Ms Zaida Toefy (021) 483 2701), [Zaida.Toefy@westerncape.gov.za](mailto:Zaida.Toefy@westerncape.gov.za).
4. In order to remedy this situation you need to urgently appoint an Independent Environmental Assessment Practitioner (EAP) to undertake a rectification process on your behalf in terms of Section 22A of NEM:AQA. The EAP must make a determination whether any other listed activities in terms of NEM:AQA are triggered. Proof of the appointment of an Independent Environmental Assessment Practitioner must be submitted to the Air Quality Officer.

5. The prescribed minimum emission standards are applicable to all listed activities as described in Listing Notice 893 of 22 November 2013 as amended. New plant standards will apply to this application..
6. The Section 22A rectification process directs the applicant to undertake an Environmental Impact Assessment. The Environmental Impact Assessment must include the undertaking of an Air Quality Specialist Study.
7. The Air Quality Specialist Study will require the need for an Atmospheric Impact Report as well as Air Dispersion Modelling to be conducted.
8. The Atmospheric Impact Report must be submitted in the format prescribed by Regulation 747 of 11 October 2013.
9. The Air Dispersion Modelling used in the Specialist Study must comply with Regulation 533: 11 July 2014.
  - a. The Atmospheric Dispersion Modelling of all emission sources must be conducted under maximum consumption rates and production capacity and must take into account upset conditions in order to determine and evaluate the impact on air quality and the surrounding environment.
  - b. It is recommended that the Department of Environmental Affairs & Development Planning's (DEA&DP) model ready data sets for CALPUFF, in order to model the impact of the proposed installation on the ambient air quality. Kindly contact Mr. Bhawoodien Parker via email: [Bhawoodien.Parker@westerncape.gov.za](mailto:Bhawoodien.Parker@westerncape.gov.za) and/or phone (021) 483-4628, should you require the above-mentioned data sets or if you have any further enquiries in this regard.
10. Section 47(5) of NEM:AQA stipulates that the Atmospheric Emission Licence (AEL) application must conform to specific requirements as in accordance with section 38, 40 and 43 of the same Act. The public participation process is crucial as it relates to advertising in two local newspapers circulating within the area. An independent Environmental Assessment Practitioner (EAP) must be appointed in conducting the public participation process.
11. An AEL application must be submitted via the South African Atmospheric Emission Licensing and Inventory Portal (SAAELIP). Submission of the application can be made on the SAAELIP website which is <https://saaelip.environment.gov.za/SAAELIP>
12. An AEL processing fee will also be levied as per the Regulation Prescribing the Atmospheric Emission Licence Processing Fee, Regulation number 250 of 11 March 2016. The fees must be paid prior to the processing of your AEL application.
13. Application for the installation of fuel burning appliances, in terms of Section 11 of the City of Cape Town's Air Quality By-law of 2016, must be made for the approval of fuel burning appliances.
14. For further enquires you may contact Mr Marvin Julies at 021 590 5200 or via email at [Marvin.Julies@capetown.gov.za](mailto:Marvin.Julies@capetown.gov.za)
15. Please provide feedback regarding the content of this correspondence by no later than **30 October 2016**.

Yours faithfully,



The Air Quality Officer: The City of Cape Town.  
Mr Ian Gildenhuys