
GOVERNMENT NOTICE

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

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

NOTICE OF INTENTION TO AMEND A SMALL BOILER AS A CONTROLLED EMITTER THAT RESULT IN ATMOSPHERIC EMISSIONS WHICH THROUGH AMBIENT CONCENTRATIONS, BIOACCUMULATION, DEPOSITION OR IN ANY OTHER WAY PRESENT A THREAT TO HEALTH OR THE ENVIRONMENT.

I, Barbara Dallas Creecy, Minister of Environment, Forestry and Fisheries hereby under section 23(2) (a) read with section 57(1) of the National Environmental Management: Air Quality Act, 2004 (Act No.39 of 2004), give notice of my intention to amend a small boiler as a controlled emitter that result in atmospheric emissions which through ambient concentrations, bioaccumulation, deposition or in any other way present a threat to health or the environment, set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days from the date of the publication of this notice in the Gazette, written representations or objections on the proposed amendments to the following addresses:

By post to: The Director-General: Department of Environment, Forestry and Fisheries
Attention: Mr Mapitso Nkoko
Private Bag X447
Pretoria
0001

By hand at: 473 Steve Biko Road, Environment House, Arcadia, Pretoria

By e-mail: MNkoko@environment.gov.za

Any inquiries in connection with the notice can be directed to Dr Vincent Gololo at 012 399 9203 or Mr Mapitso Nkoko at 012 399 9214

Comments received after the closing date may not be considered.

**BARBARA DALLAS CREECY
MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES**

SCHEDULE

Part 1: Definitions

Insertion of Definitions

1. The following definitions are hereby inserted in the Notice:

In this Notice —

'Act' means the National Environmental Management: Air Quality Act, 2004 (Act No.39 of 2004);

'air quality officer' means an officer appointed in terms of Section 14 of the Act as an air quality officer;

'controlled emitter' means any appliance or activity declared as a controlled emitter in terms of section 23;

'MW' means megawatts;

Part 2: General

Insertion of new heading and paragraph (2), (3) and (4) in the Notice

2. The following heading and paragraphs are hereby inserted in the Notice after paragraph (1):

Management of cumulative impacts of small boilers with a combined capacity of equal to a small boiler and equal to a listed activity

“(2) Where a facility is simultaneously operating two or more boilers with a combined designed capacity of a controlled emitter i.e. small boiler, the requirements of this Notice shall apply. In this case, the emission standards shall apply to a single small boiler unit not cumulatively.

(3) Where a non-licenced facility has two or more small boilers with a combined capacity that is equal to or greater than 50MW heat input, the licence holder must, within 24 months of the promulgation of this Notice, apply for an atmospheric emission license for that in terms of Section 22 of the Act.

(4) Where a facility is a licensed listed activity and has two or more small boilers with a combined capacity that is equal to or greater than 50MW heat input, the licence holder must, within 24 months of the promulgation of this Notice, submit the facility's atmospheric emission license for variation in terms of section 46 (2) (a) of the Act. "

Insertion of new heading and paragraph (1) and (2) in the Notice

3. The following heading and paragraphs are hereby inserted in the Notice after paragraph (12):

Registration as a data provider under the National Atmospheric Emission Inventory System

"(1) A person conducting an existing small boiler must—

(a) within 60 days of the promulgation of this Notice, register as a data provider in the National Atmospheric Emission Inventory System; and

(b) comply with all the requirements stipulated under the National Atmospheric Emission Reporting Regulations, 2015.

(2) A person conducting a new small boiler must—

(a) register on the National Atmospheric Emission Inventory System within 30 days after commencing with such an activity; and

(b) comply with all the requirements stipulated under the National Atmospheric Emission Reporting Regulations, 2015."