

Mittal wants waiver on pollution rules

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THE country's largest steel maker, ArcelorMittal SA, has applied for a three-month waiver of the conditions of the atmospheric emissions licence for its Vanderbijlpark plant in order to meet its obligations and protect thousands of jobs.

Water and Environmental Affairs Minister Edna Molewa is backing the move, after suggesting it as an "ideal" solution. ArcelorMittal has been found to be a major source of illegally high emissions, especially of particulate matter, in the Vaal Triangle, which the Department of Environmental Affairs declared an Air-shed Priority Area in 2009 because of its poor air quality.

Already this year environmental

lobby groups have called for the withdrawal of a newly published list of mandatory emissions limits for industrial processes agreed to in 2010 after four years of constant debate and hard bargaining. They say significant changes to the initial draft was not properly discussed with them and would weaken the limits.

The standards are part of a new regime under the Air Quality Act promulgated in 2004. Adopting the newly published emissions list would have public health consequences, the groups say.

ArcelorMittal was to have commissioned a secondary dust extraction system it first agreed to instal in 2008 by the end of February. Without the system its Vanderbijlpark operations are "in contravention of a condition of the atmospheric emis-

sion licence", Ms Molewa said in a letter to Sedibeng mayor Mahole Mofokeng dated March 15.

Ms Molewa's spokesman Albi Modise said her department needed longer than a day to comment properly. Officials were locked in a meeting with the department's director-general Nosipho Ngcaba.

Centre for Environmental Rights attorney Robyn Hugo said it was "not unreasonable to vary an air emissions licence, provided that there is compliance with the Air Quality Act and other relevant legislation and policies; any minimum standards for atmospheric emissions; any applicable pollution prevention plan; the objectives of any applicable air quality management plan; and any ambient air quality or emission standards". But it was unreasonable to

waive, or curtail, a public participation process, as had happened in this case.

The compliance notice issued to ArcelorMittal by the Gauteng agriculture and rural development department says the Vanderbijlpark plant's emissions have "exceeded the maximum release rate for certain pollutants". It warns that contraventions of the National Environmental Management Act are offences and conviction means liability for a fine of up to R5m, or up to 10 years' imprisonment.

Earlier this week ArcelorMittal broke its silence on the effect of the February 9 fire that knocked out flat steel production, saying it had re-commissioned basic oxygen furnaces that had been "severely damaged" in the blaze and that "apart from

existing stocks at the time of the fire, all production from Vanderbijlpark has been offline". Force majeure is still in place until ArcelorMittal makes up for a backlog in orders.

Flat steel is used in the automotive industry, heavy machinery and in construction.

In its variation application, dated April 8, ArcelorMittal said without the exemption SA's critical steel shortage would continue and would "include the delay of some critical infrastructure projects, such as the Kusile Power Station and other renewable energy projects".

It would also have a significant effect on its 4,740 Vanderbijlpark employees and 1,691 contractors.

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