

**DRAFT STANDARD FOR THE STORAGE OR STORAGE AND
HANDLING OF DANGEROUS GOODS AND
IDENTIFICATION OF ACTIVITIES WHICH MAY
COMMENCE WITHOUT AN ENVIRONMENTAL
AUTHORISATION IN COMPLIANCE WITH THIS
PRESCRIBED STANDARD**

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Background and Legislative Context

- Changes to NEMA since 2008 adopted the approach of moving away from Environmental Impact Assessment and environmental authorization as the only means for giving effect to integrated environmental management.
- New tools were introduced and are currently being developed for implementation to give effect to this approach. One of these tools are standards.
- *NEMA s24(10) (a)*
The Minister, or an MEC with the concurrence of the Minister, may— (i) develop or adopt norms or standards for activities, or for any part of an activity or for a combination of activities, contemplated in terms of subsection (2)(d);



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Purpose

- The purpose of this standard is to—
 - (a) **identify activities**, in terms of section 24(2)(d) of NEMA, which may commence without an environmental authorization, provided that such activities comply with the minimum requirements set out in this Standard; and
 - (b) **prescribe minimum requirements** for the activities that fall within the scope of the Standard.



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Scope of the Standard

A. Above Ground Fixed Installations for Storage of Non-Petroleum Based Dangerous Goods

Part A of the Standard applies to-

- (a) fixed installations;
- (b) sites zoned for industrial use; and
- (c) mining areas .

where facilities related to the storage and handling of non-petroleum based dangerous goods—

- (i) where such storage occurs in containers with a combined capacity exceeding 80 cubic metres; and
- (ii) will undergo (aa) construction; (bb) construction and operation; (cc) expansion; or (dd) expansion and operation.



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Scope of the Standard (cont.)

B. Above-Ground and Underground Tanks for the Storage of Petroleum Based Dangerous Goods

Part B of the Standard applies to-

- (a) fixed installations;
- (b) above and underground facilities for the storage of petroleum based hydrocarbons;
- (c) sites zoned for industrial use;
- (d) mining areas; and
- (e) service stations.

where facilities related to the storage and handling of petroleum based dangerous goods—

- (i) where such storage occurs in containers with a combined capacity exceeding 80 cubic metres; and
- (ii) will undergo (aa) construction; (bb) construction and operation; (cc) expansion; or (dd) expansion and operation.



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Scope of the Standard (cont.)

The Standard excludes-

- (a) compressed gases namely Liquid Petroleum Gases (LPG) and Liquid Natural Gases (LNG);
- (b) activity 10 and activity 23 of Environmental Impact Assessment Regulations Listing Notice 3 of 2010; and
- (c) phased activities.



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South African National Standards (SANS) standards to be adopted as part of this Standard

- (a) **SANS 10089**: The Petroleum Industry Part 2 (2007): Electrical installations in the distribution and marketing sector;
- (b) **SANS 10089**: The Petroleum Industry Part 3 (2010): The installation, modification and decommissioning of underground storage tanks, pumps/dispensers and pipework at service stations and consumer installations;
- (c) **SANS 10131** (2004): Above-ground storage tanks for petroleum product;
- (d) **SANS 1830** (2006): Flexible piping for underground use at service stations and consumer installations;
- (e) **SANS 1535**: (2007): Glass-reinforced polyester-coated steel tanks for the underground storage of hydrocarbons and oxygenated solvents and intended for burial horizontally; and
- (f) **SANS 10089**: The Petroleum industry Part 1 (2008): Storage and distribution of petroleum products in above-ground bulk installations.
- (g) **SANS 310**: Storage Tank facilities for hazardous chemicals – Above ground storage tank facilities for flammable, combustible and non-flammable chemicals.



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Administrative Requirements

- (1) No person may commence with an activity that falls within the scope of this Standard unless -
 - (a) a notification has been submitted by the proponent to—
 - (i) the competent authority,
 - (ii) the landowner or person in control of the land if the proponent is not the landowner; and
 - (iii) all neighbouring land owners and persons in control of the land.
 - (b) proof of notification has been submitted to the competent authority.

- (2) The proponent may commence with an activity that falls within the scope of this Standard within thirty (30) days of compliance with the above unless the competent authority indicates to the proponent that-
 - (i) the proposed development falls outside of the scope of this Standard; or
 - (ii) insufficient information has been provided and additional information is requested to confirm compliance with this Standard.



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Challenges

- The need for coordination between standards and other legislation e.g. where a development falls within the scope of a standard and no longer requires Environmental Authorisation through the EIA process, it may still require e.g. an Atmospheric Emission Licence (AEL) in terms of NEMAQA.
- Incorporating the compliance monitoring function to determine the level of compliance with the standard e.g. how will Environmental Management Inspectors (EMIs) monitor compliance using adopted standards.



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Way Forward

- Internal circulation for comment and discussion at Implementation Workshop
- Circulation of draft standards to the relevant Working Groups for comment.
- Preparation of draft standard for submission to Mintech and Minmec for the purposes of gazetting for public comment
- Finalizing of Standard
- Gazetting by Minister



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Thank you



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