



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

### NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 3993 { NW5254E }

INTERNAL QUESTION PAPER NO. 47 of 2020

DATE OF PUBLICATION: 24 November 2023

#### **Ms A M M Weber (DA) to ask the Minister of Forestry, Fisheries and the Environment:**

Whether, with reference to the revised National Determined Contribution to reducing greenhouse gas emissions that she has submitted to the UN Framework Convention on Climate Change in October 2021 to ensure that the Republic pursues the goals of the Paris Agreement, and noting that load shedding has led to the acceptance of noncompliance to minimum emissions of the Eskom power stations (details furnished), her department monitors Eskom's emission data; if not, why not; if so, (a) how far are the Eskom power stations in reaching their set target of 1000mg/Nm<sup>3</sup> and (b) what is the current average that the Eskom power stations are on with regard to minimum emission for SO<sub>2</sub>?

#### **3993. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

Parties to the Paris Agreement are expected to communicate nationally determined contributions (NDCs) towards the achievement of the goals of the Paris Agreement, namely to keep temperature well below 2°C and pursue efforts to 1,5°C, to work towards a global goal for adaptation and a long-term goal for finance.

South Africa submitted the first NDC in 2016 as it ratified the Paris Agreement, which was further updated and resubmitted in 2021. The NDC demonstrates progression, as well as the highest possible ambition, which projects a strong commitment on the part of the country to

make its fair share towards dealing with the global common goal of climate change and its associated impacts. From a domestic dimension, this has been conceived and developed within the context of sustainable development, that while we deal with climate change, the manner and approach followed should enable the country to also deal with challenges of poverty, unemployment and inequality.

South Africa remains within the target range for emissions, which, according to the NDC, is upper bound Mt 510 CO<sub>2</sub> eq (2025) and Mt420 CO<sub>2</sub> eq (2030), while the lower bound is Mt 398 CO<sub>2</sub> eq (2025) and Mt 350 CO<sub>2</sub> eq (2030). The pursuit of this mitigation target balances international and domestic considerations, as already expressed above, including sustainable development.

(a)(b)

Compliance with the Minimum Emission Standards (MES) issued in terms of section 21 of the National Environmental Management: Air Quality Act, 2004 (NEM:AQA) is a legal requirement for all facilities with atmospheric emission licences. This requirement must be complied with by all facilities conducting activities listed in terms of the Section 21 Notice, including Eskom power stations. Those facilities that have been granted postponement/suspension of compliance with the MES, most notably until 31 March 2025, must comply with the applicable MES by the end of the granted postponement period. Operating above the MES beyond this period will lead to contravention of the NEM:AQA, which is subject to penalties, as specified in section 51 of NEM:AQA.

Eskom has applied for postponement/suspension of compliance with the MES for 17 of its power stations in terms of section 21 of NEM:AQA, including the recent application regarding the Kusile power station whose decision was made on 5 June 2023. Decisions on the 16 applications were reached by the National Air Quality Officer on 30 October 2021. These decisions were appealed by Eskom and civil society organisations. Subsequently, the Minister established the National Environmental Consultative and Advisory Forum under section 3A of the National Environmental Management Act, 1998 (Act No. 107 of 1998) to advise on matters arising from postponement/suspension applications. The forum is currently conducting its work and will present findings and advise the Minister early in 2024.

As a result of the appeals, Eskom facilities are operating at the MES that were provided for in the 2015 postponement applications. Monitoring compliance with the emission limit, as specified in the atmospheric emission licences, is a function that is under the responsibility of the licensing authorities, namely the district municipalities. The DFFE continuously provides support to the districts.



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**MS B D CREECY, MP**  
**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**  
**DATE: 29/11/2023**