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MAIL AND GUARDIAN ARTICLE :TOXIC STORM ARTICLE

Health Industrial Occupations was appointed as the Environmental Assessment Practitioner (EAP) to undertake the Environmental Impact Assessment Process for the company Thermopower Process Technology. Health Industrial Occupations is an independent organisation that is acknowledged by environmental authorities in South Africa and who has undertaken numerous environmental impact assessment processes and for many companies. The EIA process for Thermopower was exhaustive and thorough and the environmental authorities granted authorisation for the process in November 2004.

In 2006 Thermopower made application for an extension of their activities to include the treatment of health care waste using an autoclave for the treatment of health care waste and a second thermal desorption plant for the treatment of anatomical waste. The Environmental Impact Assessment Process has been concluded and a Record of Decision is pending from environmental authorities.

Thermopower put in place mechanisms to track the source of odours as this was an issue that had been of concern to interested and affected parties. This involved noting the wind direction and recording and following up on any complaints received and to establish the source of the odour.

When two Interested and Affected parties informed the EAP that they were experiencing odours from Thermopower, the EAP asked Thermopower to provide her with the outcomes of these investigations. The records of these investigations show that:

Thermopower received 9 complaints from two persons between 1st January 2008 to 21 September 2008. Six complaints from two neighbours over a period of one year are not considered significant in an industrial area. The following details Germany's limits with regard to odours. A relative frequency of 10% (percent of hours a year) with odour hours is considered to be significant for residential areas. For industrial areas the percentage rises to 15%. An 'odour hour' is any hour in which there is a continuous odour perception for a period of 6 minutes

Thermopower is located in a medium to heavy industrial area and analysis of odour complaints did not indicate that the odour problem reported was significant. A specialist air quality report undertaken by Margot Saner and Associates did not report a health risk from the Thermopower process, based on actual stack emission test results and ambient air quality results.

A few months ago Interested and Affected Parties raised concerns, at a monitoring committee meeting, that they were experiencing strong odours of a chemical nature, despite the assertion by Thermopower that the odour was not emanating from their premises. In view of this the EAP agreed that she would undertake an investigation of the area to determine where the odours were coming from.

The investigation took the form of a physical examination of surrounding areas to source the cause of the odours reported by Interested and Affected Parties.

The outcome of the investigation determined that the chemical smell was emanating from Thermopower's neighbour, namely Norcross, who had diverted their waste water through their back fence and had then created ducts to dispose of the waste water to a wetland behind the Norcross and Thermopower sites. What is more an attempt had been made to build a soil and rock dam to prevent the egress of the effluent further into the environment.

Norcross have a solvent effluent from their tile painting and glazing operations which they pump at a rate of 2000 m³ per day into a wetland which is behind the Thermopower and Norcross properties.

In view of this the EAP reported this to Local Authorities and Provincial Government who made a site visit and verified that the effluent was emanating from Norcross. Norcross is now under investigation.

Attached find the report generated by the Environmental Assessment Practitioner

Margot Saner and Associates (an approved inspection authority) has taken soil and water samples from the Thermopower site and the analysis, sent to an accredited laboratory for analysis, did not indicate any pollution. Furthermore a recent air quality study determined that that Thermopower's process contribution associated with the Thermopower Process Technology (Pty) Ltd plant can be interpreted through the atmospheric dispersion modelling results. Based on these results it is evident that, for all of the priority pollutants, none of the relevant ambient standards (National Environment Management, Air Quality Act, SANS 1929:2005, United Kingdom – Environmental Assessment levels) are likely to be exceeded as a result of emissions from the Thermopower Process Technology (Pty) Ltd plant. In addition, based on the dispersion modelling results, ambient air concentrations of metal compounds are expected to be orders of magnitude below all relevant Air Quality standards.

Based on the results of this study it is predicted that the cumulative impacts to Air Quality would remain largely similar to the current baseline conditions and that the process contribution of the Thermopower Process Technology (Pty) Ltd plant is not likely to be significant.

Thermopower has a permit from the South African Dept of Environmental Affairs and has been in operation since July 2004. Thermopower is in an industrial area that includes a chemical manufacturing company (Icon Chemicals Pty Ltd), a refractory manufacturing company (Vesuvius Pty Ltd), a wall and floor tile manufacturing company, (Norcross Pty Ltd), and a government sewage treatment plant treating

sewage from the Olifantsfontein area (ERWAT). All these companies are within approximately one kilometer radius.

Attached find Thermopower's certificate from the Department of Environmental Affairs and Tourism.

The Dept of Environmental Affairs receives quarterly and yearly reports from Thermopower as prescribed in the permit issued to Thermopower by Environmental Affairs. Thermopower fully complies with the Environmental requirements of the law of the country. (Also confirmed in the article by the Mail and Guardian). The Dept of environmental Affairs is the only authority that can issue and remove permits. To date the Department believes Thermopower is compliant with all environmental laws.

The Dept of Environmental Affairs also recognizes that the Thermopower process has no effluent product which is an accusation made by different parties wanting the closure of Thermopower. Thermopower is visited by Local authority officials and Central and Government Officials on a regular basis.

Thermopower is in the process of registering for ISO 14001 and ISO 9000 as required by organizations sending Thermopower their waste

Like many organizations dealing in waste in South Africa Thermopower was investigated by the Dept of Environmental Affairs nearly three years ago following allegations against Thermopower. Following this investigation a letter was sent to Thermopower from the Provincial Director General (Dr Cornelius) saying that there is no case against Thermopower.

Thermopower was requested to make a presentation to the Ekurhuleni Local Authority following allegations against Thermopower. Following this presentation to the Local Authority a letter was sent to Thermopower supporting the Thermopower's operation and the role it plays in the area.

Thermopower is close to an area where Housing Developers are very active and would not like the presence of a Hazardous Waste Treatment facility. Evidence of this is currently been investigated.

The only group actively involved against Thermopower is the Olifantsfontein Policing Forum (involved in area security issues) which has nothing to do with Environmental issues in the area. The Ekurhuleni Local Authority has expressed concern about the involvement of the Policing Forum in environmental matters because of the lack of expertise in their ranks and it is currently promoting the formation of an Environmental Group in the area.

The Mail and Guardian is a South African newspaper with the voice of the opposition to the ANC (currently in government). There was an allegation that the ANC was a partner to Thermopower. This was denied. CIPRO which is a recognized official organization that lists all companies in South Africa and their ownership confirmed that there is no government involvement in Thermopower. The Mail and Guardian received copies of share certificates from Thermopower's auditors and verified on

CIPRO. Thermopower suspects that the accusations of ANC involvement in Thermopower made Thermopower a target by the Mail and Guardian.

The Mail and Guardian team visited Thermopower before the articles appeared in the newspaper and they interviewed Thermopower officials. The Mail and Guardian was given the HINDOC odour report of the wetland pollution report, as well as copies of all letters from Government and Local Authority. They were shown the effluent from Norcross next door which is currently flowing into the wetland, they took pictures and “ran away” because they could not stand the smell.

Unfortunately none of these reports, letters or photos or of the effluent from Norcross was published or mentioned in the articles.

Signed: Dr. Lorraine Hodge

10 august 2009