

ChemNews

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ChemNews is a newsletter
for members of the Chemical and
Allied Industries' Association
(CAIA)

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Responsible Care
OUR COMMITMENT TO SUSTAINABILITY

This newsletter is to better inform members on happenings within the Association and the industry. Items covered will include but not be limited to personalities, regulatory issues, events, views and news on the chemical industry locally and internationally. Contributions from members are encouraged.

RESPONSIBLE CARE

Happenings at Member Companies

Sika's commitment to health, safety, environmental care and sustainability, is a global endeavour, in line with the Swiss Group's mission to constantly strive for new levels of excellence in the field of speciality chemicals. The company recently reinforced this undertaking by re-signing the Responsible Care Public Commitment at the Sika Head Office in Westmead, Durban. All Sika's staff attended the ceremony where the fundamental principles of the RC Public Commitment was discussed. Employees were encouraged to participate in upholding these principles. Niall Wylde, MD of Sika S.A., at the official signing ceremony, said he was proud that Sika S.A. is one of 40 Sika's subsidiaries worldwide that have signed the RC Public Commitment. He indicated that "We are committed to RC and we are already doing the right thing through implementing an effective Environmental Management System with ISO 14001, by assessing our environmental performance, setting environmental objectives and targets and continually improving performance levels towards achieving the set targets. When you sign something, you commit to it. Performance is all about establishing objectives, auctioning delivery and achieving goals."

Protea Chemicals are planning a high-level CAIA and RC awareness campaign during August/September. Workshops and awareness sessions will be conducted throughout their business. This is in preparation to further integrate Responsible Care into their integrated management systems.

Members are encouraged to forward CAIA information applicable to Responsible Care related events, workshops and awareness campaigns.

Responsible Care Publicity

CAIA has appointed a public relations consultancy to raise the profile of Responsible Care in the media through radio and television broadcasts and the placement of articles in appropriate printed media, including supporting company newsletters. We will make available selected articles to our members and interested parties via the CAIA Website where the articles can be viewed under the Responsible Care Section (click on Responsible Care and view the "Responsible Care Publicity" section). Look out for examples of the publicity obtained for Responsible Care/CAIA during 2009 which will be appearing there shortly.

Process Safety

The next Process Safety Forum meeting will take place on Thursday 20 August at 13h00. Please let Janine Mileham (011-482-1671) know should you want to attend and be included in the distribution list for the meeting's Agenda. The venue of the meeting will be announced closer to the event.

A Process Safety Seminal sponsored by the CSIR will take place at 18h00 on 4 August at the CSIR. Please contact Nigel Coni (011 605-2129 or 082 890-4268) for more information.

MEMBERSHIP NEWS

Re-commitment to the Responsible Care Pledge

We would like to congratulate

Evonik Peroxide Africa (Pty Ltd

who have re-signed and returned their certificate.

Any other members who have undergone management or name changes of company should advise CAIA accordingly so that re-signing of the Responsible Care Pledge can be arranged. If convenient, in the case of re-signing, the certificates can be posted to you for signature and return. Please contact Janine Mileham at rcare@mweb.co.za in this regard.

Payment of Membership Fees

Members have started to receive the turnover forms for the financial year 2009/2010 and invoices will start being processed this month. We urge members to ensure that on making electronic transfers for payment of fees **that the invoice number is provided as reference**. This is particularly important when the minimum payment of R2280.00 is made.

NEW LEGISLATION

Waste Management Activities under the NEM: Waste Act 59 of 2008.

On 3 July 2009 the Acting Minister of Water and Environmental Affairs published, under Section 19(1) of the NEM: Waste Act 59 of 2008 a list of Waste Management Activities in respect of waste management licences. As part of the Waste Management Licence Application there is the stipulation to conduct a basic assessment process or an environmental impact assessment. Notice GN 718, dated 3 July 2009. The list presents a number of challenges for CAIA members and CAIA is engaged in discussions through BUSA on how to address the challenges.

Any members who have queries on implementation of these regulations or the Waste Act in general are encouraged to send queries to caiainfo@iafrica.com.

Repeal and Amendment of "Waste" Related Listed Activities under the NEMA

On the same date as the above Notice, the listed activities in terms of GN R386 and GN R387 under the National Environmental Management Act 107 of 1998 (NEMA) that require

environmental authorisation were amended by the Acting Minister of Water and Environmental Affairs to omit the waste related listed activities, which are now covered by the Waste Act. This Notice also took effect on the date of publication.
Notice GN 719 dated 3 July 2009

Employment Equity Act, 1998 (Act 55 of 1998)

On 14 July 2009, the General Administrative Regulations of 2009 came into effect. The regulations are published by the Minister of Labour in terms of the Employment Equity Act of 1998, they replace the Employment Equity Regulations published in notice R841 in Government Gazette 29130 of August 2006. The broad substantive changes cover the duties of a designated employer and enforcement relating to compliance orders issued by labour inspectors. Specific changes centre on what constitutes large and small employers; the EEA2 and EEA4 forms have been considerably reduced in length; the option to report separate reports where an operation is spread over several geographical locations instead of one consolidated report; the EEA10 form has been replaced with a table for use when reporting on employment equity progress in Annual Financial Reports. Notices R733 and R736, Government Gazette 32393, dated 14 July 2009. Members can obtain a copy from caainfo@iafrica.com. A series of roadshows throughout the country organised by the Department of Labour on the regulations are attached to this newsletter.

15th Amendment of the National Road Traffic Act

The 15th amendment of the National Road Traffic Act (93/1996) Regulations was published in the Government Gazette 32258 on 27 May 2009 and came into operation on this day. Specifically important to the transportation of Dangerous Goods is the amendment to Regulation 273. The definition of "tremcard" has been substituted with the following definition:

"Transport emergency card" means a card can either be generated from the European Council of Chemical Manufactures' Federation system, or in accordance with SANS 10232-4, listing the hazards and emergency information for a material being transported for use by the driver during an incident, or by the emergency services, if required."

This definition now links with the definition in SANS 10231-2006 (Clause 3.1.25) which reads:

Transport Emergency Card:

Card that lists the hazards and emergency information for a material being transported and that is intended for the use by the driver during an incident, or by emergency services, if required. The transport emergency card can either be generated from the European Council of Chemical Manufacturers' Federation (CEFIC) system, called a TREMCARD, or in accordance with SANS 10232-4, called a TREC.

This amendment clarifies the position as regards to the legal use of the TREC Card as a transport emergency card.

New Pressure Equipment Regulations

On 15 July 2009, the Minister of Labour, under Section 43 of the Occupational Health and Safety Act, 1993 (Act no. 85 of 1993), announced new Pressure Equipment Regulations. The new Regulations replaces the Vessels Under Pressure Regulations. The new Regulations must be read in conjunction with SANS 347 which can be obtained from the Standards Division at the SABS.

SARS Rebates

SARS has created rebate items (with the full import duty rebated) for the following products for use in the manufacture and dyeing and printing of textiles:

- 2847.00.15 Hydrogen peroxide, not solidified with urea
- 3204.17.10 Azo pigments
- 3206.11 Pigments and preparations based on titanium dioxide (>80% titanium dioxide content)
- 3206.20.10 Pigments and preparations based on various metal salts and other inorganic pigments

Notice R.725 in Gazette no 32371 dated 10 July 2009

RESEARCH AND DEVELOPMENT TAX INCENTIVES

Members are reminded that the Department of Science and Technology administers a tax incentive programme to encourage private sector investment in scientific and technological research and development activities. The programme was started in 2008.

The incentive is offered in terms of Section 11D of the Income Tax Act and consists of a deduction of 150% in respect of R&D expenditure and an accelerated depreciation on R&D assets at a rate of 50:30:20 over three years. The incentive is available to enterprises of all sizes and in all sectors of the economy as well as individual taxpayers that are carrying out the eligible research and development activities within the Republic of South Africa.

For further details contact Dimakatso Mokone at 012 843 6560; e-mail dimakatso.mokone@dst.gov.za or view the DST web-site www.dst.gov.za/r-d.

NEW STUDY CONFIRMS KEY ROLE FOR CHEMICAL INDUSTRY IN REDUCING GREENHOUSE GAS EMISSIONS

The American Chemical Council (ACC) and the International Council of Chemical Associations (ICCA) recently announced the findings of a new study on greenhouse gas emissions saved by the chemical industry. The study reveals that for every unit of greenhouse gases (GHGs) emitted by the chemical industry, society saves more than two units of GHGs through the use of chemical products and technologies. It is suggested that this could rise to more than 4:1 provided further emission reduction steps are followed. The full study can be accessed at www.americanchemistry.com/s_acc/sec_about.asp?CID=206&DID=9860.

ROLE OF THE EUROPEAN CHEMICAL AGENCY IN THE REACH REGULATIONS

The role that the European Chemical Agency (ECHA) plays in the implementation of the REACH Regulations is discussed in a presentation that can be obtained from Janine Mileham at CAIA. The ECHA plays an important role in the registration of substances where it performs technical completeness checks, issues the registration number and manages the registration database. The presentation further describes the evaluation and authorisation procedures of substances and the role of the ECHA Helpdesk and guidance tasks. Contact rcare@mweb.co.za

Zimbabwe – *Economic and Industry Forecasts to end 2018* is available from Business Monitor International for \$765/€575 at a discount of 15%. Go to <http://www.businessmonitor.com/bf/zimbabwe.html> or contact caiainfo@iafrica.com for details