

#### **Presentation Overview**

- To provide the legislative overview of air quality in the country;
- An overview of the 2019 State of Air Quality (2007-2018) as measured

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#### **Legislative Framework**

Since the dawn of democracy, government spared no effort in overhauling archaic laws that in many ways did not defend our citizen's right to air that is not harmful to their health and well-being. As a result Section 24 of the Constitution of the Republic enshrines everyone's right:

- To an environment that is not harmful to their health or well-being;
   and
- -To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
  - Prevent pollution and ecological degradation;
  - Promote conservation; and
  - Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development

# **Legislative Framework**

- The National Environmental Management: Air Quality Act (39) of 2004 "AQA" is an objectives-based legislative approach that is aligned to South Africa's Constitution.
- Ambient standards define targets for ambient air quality the quality of the air that we breathe
- The Act also creates mechanisms and tools to achieve the desired ambient air quality

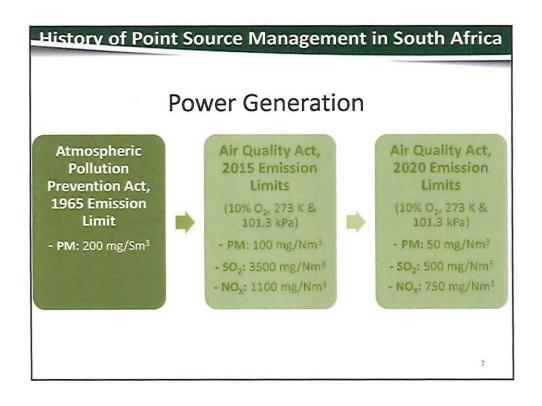
# History of Air Quality Management in South Africa

#### Atmospheric Pollution Prevention Act, 1965

- 1. Point source focused
- 2. Ambient air quality not considered
- 3. Resulted in the creation of air pollution hotspots
- 4. Poorly crafted conditions
  - 5. Limited monitoring of emissions
  - Most Registration Certificates had no reporting requirements
  - 7. Lack of transparency

#### National Environmental Management: Air Quality Act, 2004

- 1. National Ambient Air Quality Standards established (24 December 2009)
- 2. Minimum Emission Standards established (31 March 2010)
  - 3. Improved emission source management through AEL
- 4. Emission measurement & reporting requirements established for all sources





# **Minimum Emission Standards (MES)**

- Emission standards are established for emission sources that have a potentially significant impact on air quality, taking into account severity of these impacts
- Large scale activities which, as individual emission sources, result in significant atmospheric emissions are managed as "Listed Activities", and require both emission standards and atmospheric emission license to operate.
- The Minister or MEC must also set minimum emission standards for specified pollutants emitted by the identified industries
  - In this regard, the permissible amount, volume, emission rate or concentration of the pollutant or mixture of pollutants must be specified as well as the manner in which measurements of such emissions must be carried out
  - -The Act also specifies the emission monitoring and reporting requirements

# **Key Achievements from the Implementation of MES**

- Benchmark has been set for all new facilities going forward. Any
  potential new entry in the market will know what emissions are
  expected and will design a plant accordingly,
- Even though it was always going to be difficult to address historic issues, the MES have resulted in improved management of emissions from existing facilities through:
  - ✓ Clear monitoring & reporting requirements,
  - √ Improved enforceability of conditions and subsequent fines in cases of non-compliance, and
  - √ Transparency of applicable emission limits for respective facilities.

#### **Ambient Air Quality Monitoring: Legislative Context**

- It is a legal requirement to monitor ambient air quality \$8(b)(i) to assess compliance with ambient air quality standards \$8(c)(ii)
- To determine and report the state of ambient air quality in an area so as to understand whether people enjoy their right to air that is not harmful to their health and well being

# **Ambient Air Quality Standards**

- Ambient standards define targets for air quality management and establish the permissible amount or concentration of a particular substance in or property of discharges to air based on what a particular receiving environment can tolerate without significant deterioration
- South Africa has set National Ambient Air Quality Standards (NAAQS) for particulate matter, sulphur dioxide, nitrogen dioxide, carbon monoxide, ozone, benzene and lead
- Government is mandated to monitor ambient air quality in terms of the NEMAQA to report compliance with ambient air quality standards
- The stations are in areas with the highest density of people to measure human exposure to air pollution. They provide a means to assess compliance with ambient air quality standards and the impact of intervention strategies aimed at addressing air pollution

# Air Quality Act Tools

- Atmospheric Emission Licensing (AEL) System: regulates all activities listed by the Minister in terms of Section 21 of the AQA & has provisions for penalties and fines in cases of non-compliance;
- 2. Controlled Emitters Regulations: regulate mobile or temporal emission sources. To date, the Department has promulgated small boilers, temporal asphalt plants and Small—scale char and small-scale charcoal plant regulations:
- National Dust Control Regulations: these regulations empower air quality officers
  across the country to address fugitive dust emission from any source that impacts ambient
  air quality;
- 4. National Atmospheric Emission Reporting Regulations: regulate the reporting of data and information from an identified point, non-point and mobile source of atmospheric emissions towards the compilation of atmospheric emission inventories.
- 5. Strategy to Address Air Pollution in Dense Low-Income Settlements: this strategy provides a coordinated approach in implementation of efforts directed at ensuring that ambient air quality in dense low-income settlements is in compliance with the national ambient air quality standards;

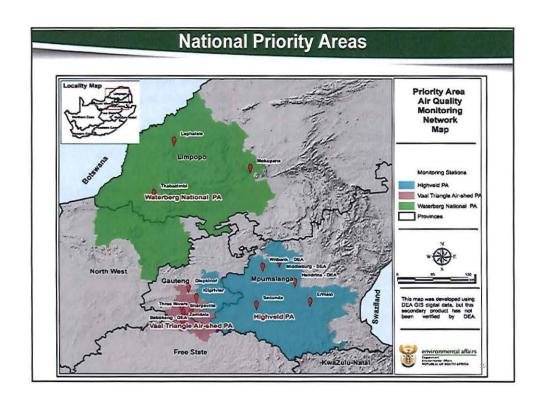
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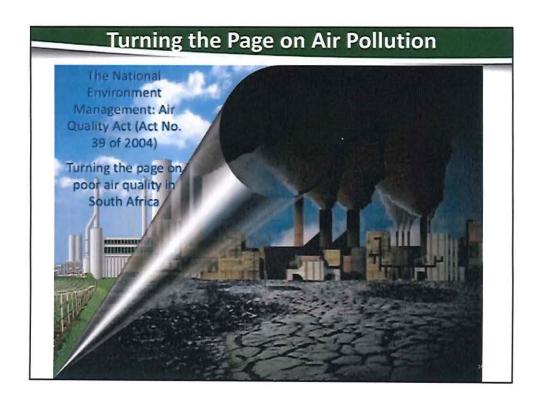
# **National Priority Areas**

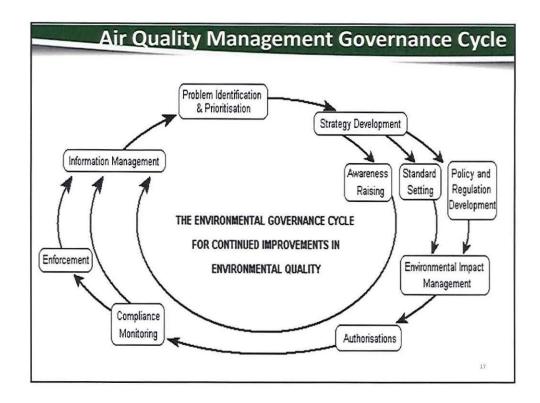
The Minister of Environmental Affairs has to date declared three (3) National Priority Areas in terms of Section 18(1) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (AQA) namely, the:

- Vaal Triangle-Airshed Priority Area (VTAPA) in 2006,
- Highveld Priority Area (HPA) in 2007, and
- Waterberg-Bojanala Priority Area (WBPA) in 2012.

The declaration of the VTAPA and the HPA came about as a result of poor air quality due to industrial activities, domestic fuel burning, waste burning, and mining activities in these areas. The WBPA declaration was in line with the precautionary principle of the National Environmental Management Act (Act No. 107 of 1998) due to planned developments for the area.







# **Government Structure: Roles & Responsibilities**

- National government is responsible for, amongst other things, (i) setting national norms and standards; (ii) monitoring national performance against norms and standards
- Provincial government: Provincial environmental departments are responsible for, amongst other things, (i) setting provincial norms and standards; (ii) monitoring provincial performance against national and provincial norms and standards; and (iii) monitoring the performance of local government to ensure coordinated, integrated air quality management in the province.
- Local government: Local authorities are responsible for, amongst other things, (i) setting local emission standards; (ii) monitoring local performance against national and provincial norms and standards; and (iii) administering and enforcing air pollution regulatory instruments

# The History of Air Quality Management in SA

- The transition from the APPA to the AQA resulted in AQM being a concurrent function across all three spheres of government, with following functions being common across the spheres:
  - √ Atmospheric emission licensing
  - ✓ Ambient air quality monitoring
  - ✓ Air Quality Management Plan development & implementation
- These additional functions mostly fall on Metropolitan and District municipalities and as a result they have been required to increase their staff compliment and training of existing staff in order to execute these functions. Over the years since the promulgation of the AQA, municipalities have made significant strides in fulfilling the required AQM functions. However capacity constraints still existing across the country, especially in the areas of licensing and ambient air quality monitoring.

# Management of Industrial Sources

 As part the transition in air quality management, municipalities facilitated the conversion of Registration Certificates issued in terms of the Atmospheric Pollution Prevention Act into Atmospheric Emission Licenses (AEL) issued in term of the Air Quality Act

#### Power Generation

Atmospheric Pollution Prevention Act, 1965 Emission Limit

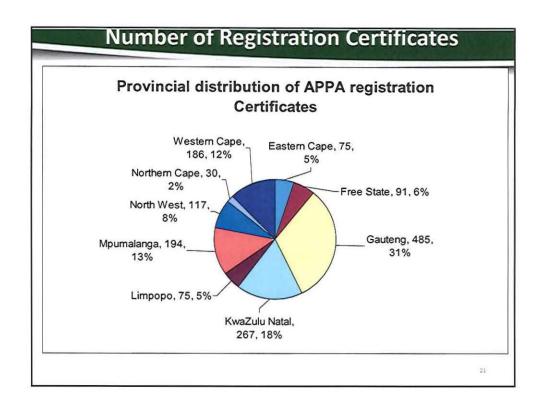
- PM: 200 mg/Sm3



Air Quality Act, 2004 Emission Limits

(10% O<sub>2</sub>, 273 K & 101.3 kPa)

- PM: 100 mg/Nm<sup>3</sup>
- SO<sub>2</sub>: 3500 mg/Nm<sup>3</sup>
- NO<sub>x</sub>: 1100 mg/Nm<sup>3</sup>



Indicator		Prior declarat	to ion	the	Current		
Number of AC appointed at district	QOs	0 out of 3	municipalit	es	3 out municipal	of ities	3
Number of districts AQMPs	with	1 out of 3	municipalit	ies	2 out municipal	of ities	3
Number of compliance enforcement inspection		unknown			91 betw and 2017		2015

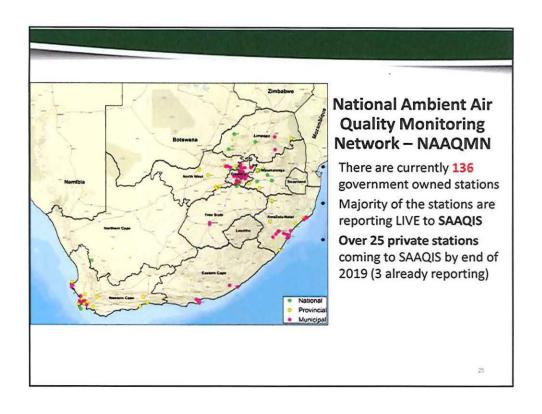
# Developments in AQ iviorintoring Since NEMAQA

#### · Establishment:

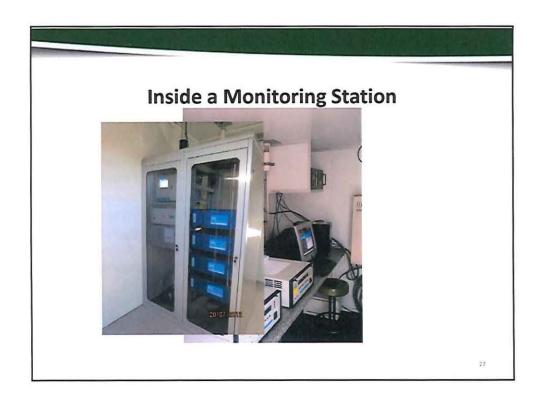
- National Air Quality Monitoring Network NAAQMN, 136 stations commissioned by all spheres of government since 2005
- South African Air Quality Information System (2009 and upgrade in 2017)
- National Ambient Air Quality Standards for criteria pollutants Section 9 of NEMAQA
- National Air Quality Indicator network management (43 stations) until 2022
- NAAQMN Quality Management System under development

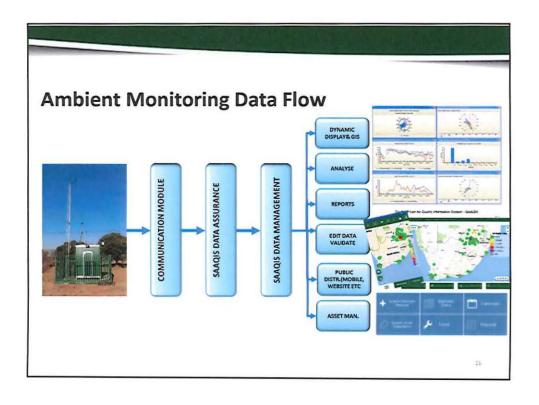
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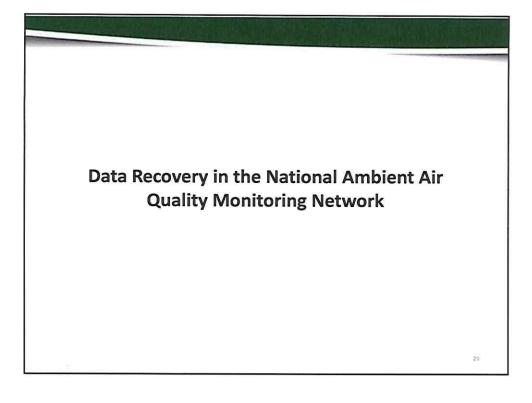
#### **National Ambient Air Quality Standards (NAAQS)** 500 µg/m² (191 ppb) 10 minutes 1 hour 24 hours 1 year 1 hour 300 µg/m³ (134 ppb) 125 µg/m³ (48 ppb) 50 µg/m³ (19 ppb) 200 µg/m³ (106 ppb) 88 trogen dioxide (NO<sub>2</sub>) 1 year 8-hour (running hourly average) zone (O<sub>1</sub>) 30 mg/m<sup>3</sup> (26 ppm) 10 mg/m<sup>3</sup> (8.7 ppm) 1 hour 8-hour (running hourly average) 5 μg/m³ (1.6 ppb) 01 Jan 2015 120 µg/m<sup>3</sup> 75 µg/m<sup>3</sup> 10 µg/m<sup>3</sup> 5 µg/m<sup>3</sup> 65 µg/m<sup>3</sup> 40 µg/m<sup>3</sup> 24 hours Immediate 01 Jan 2015 1 year Immediate 01 Jan 2015 ulate matter (PM, .) 24 hours Immediate 01 Jan 2016 25 μg/m<sup>3</sup> 25 μg/m<sup>3</sup> 20 μg/m<sup>3</sup> 15 μg/m<sup>3</sup>

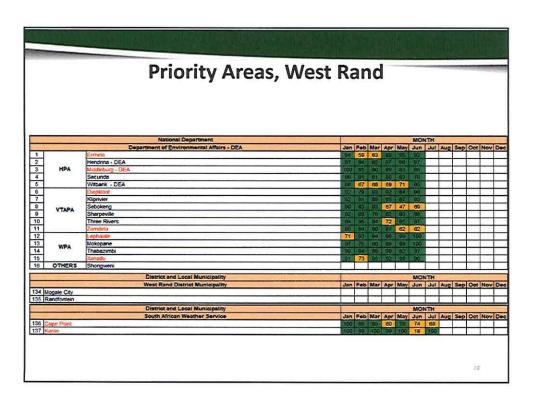




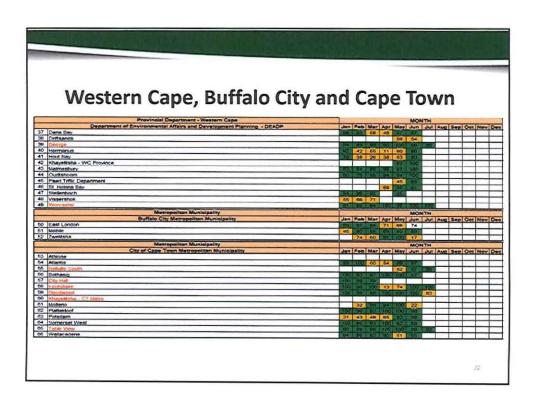


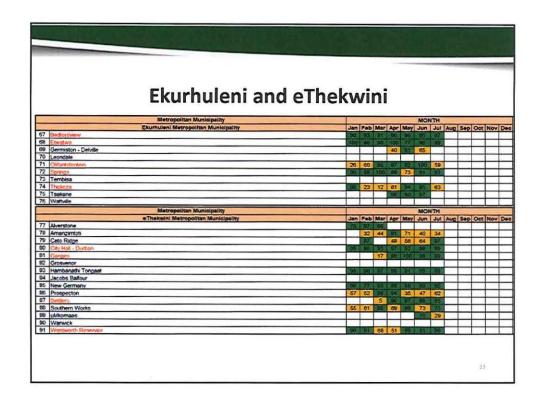


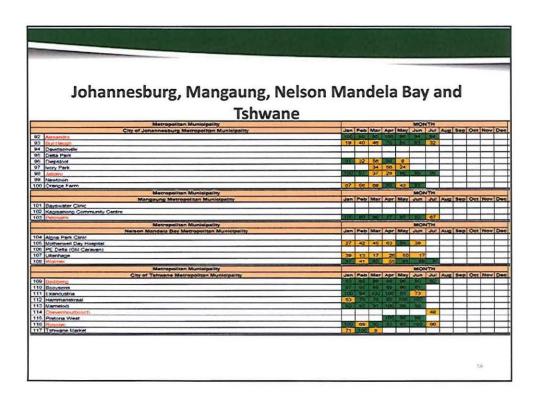




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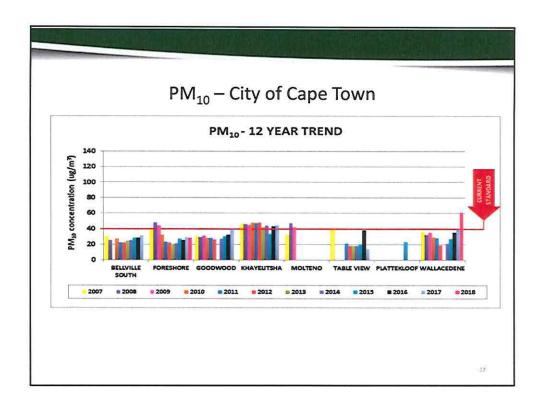


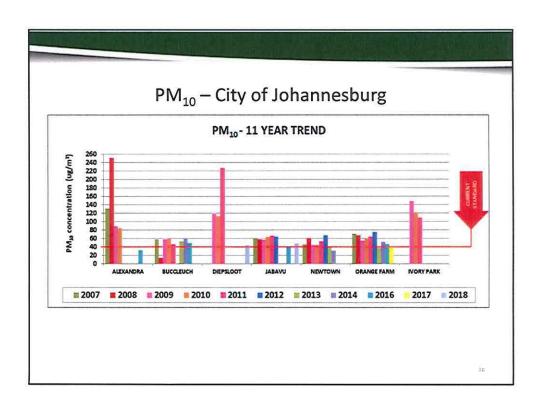


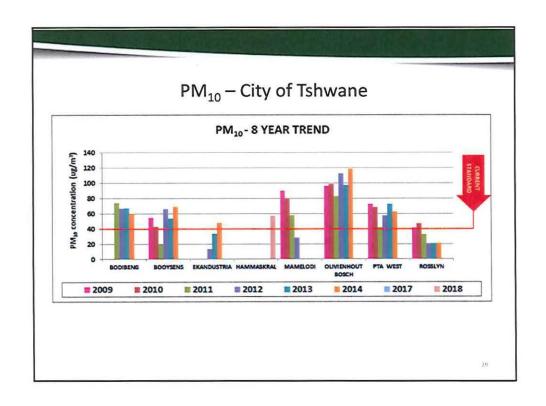
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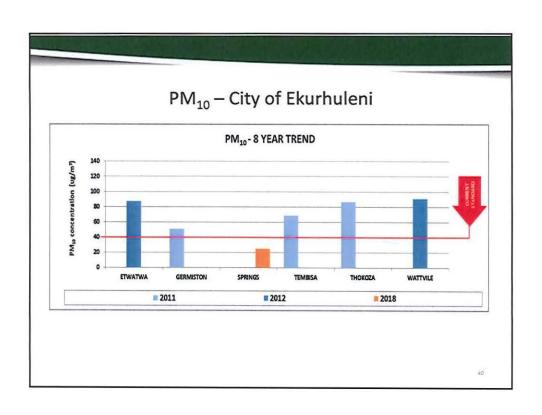
# State of Air Quality in South Africa

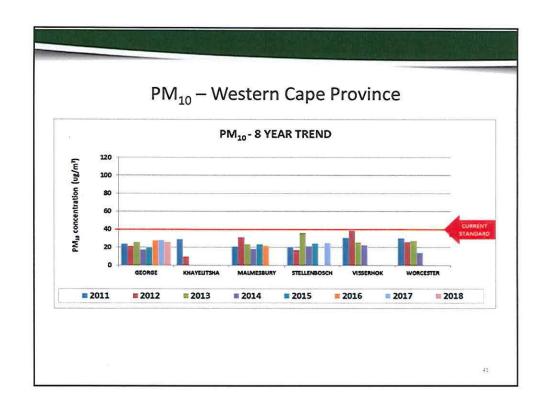
- Particulate matter with diameter less than or equal to 10 micrometres is PM<sub>10</sub>
- Particulate matter with diameter less than or equal to 10 micrometres is PM<sub>2.5</sub>
- Sulphur dioxide is SO<sub>2</sub>
- Nitrogen dioxide is NO<sub>2</sub>

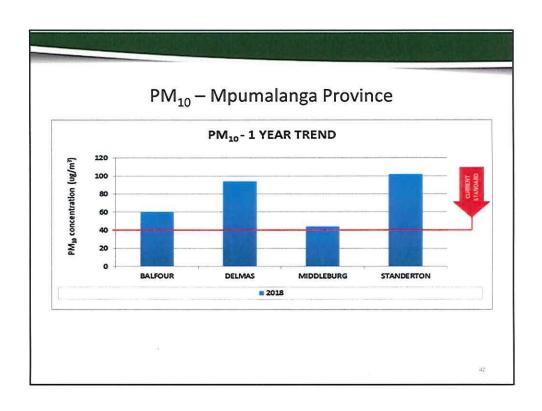


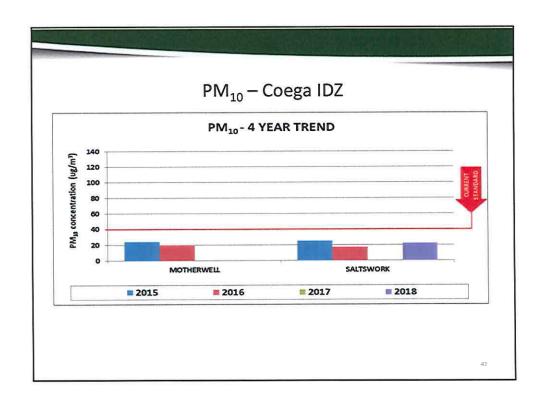


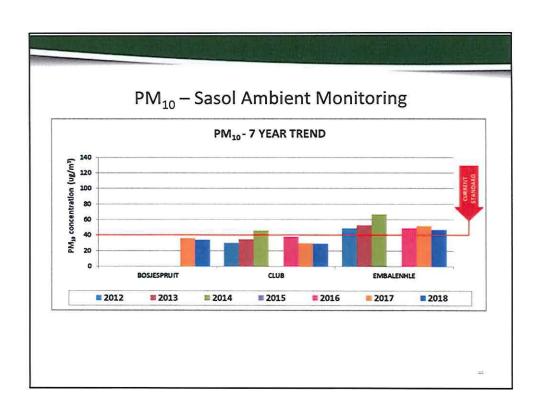


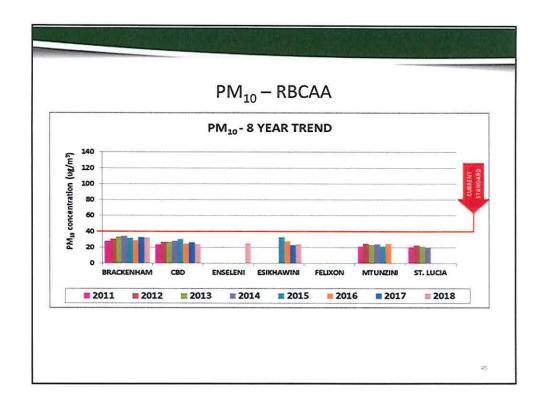


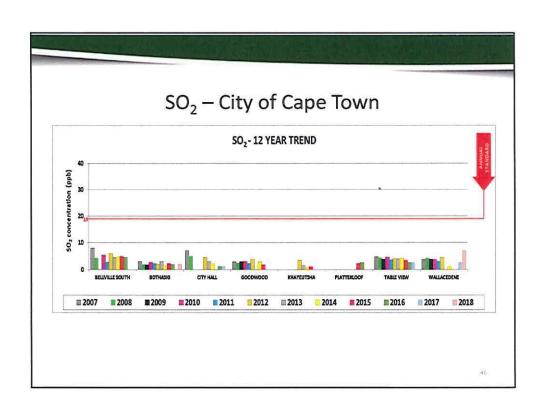


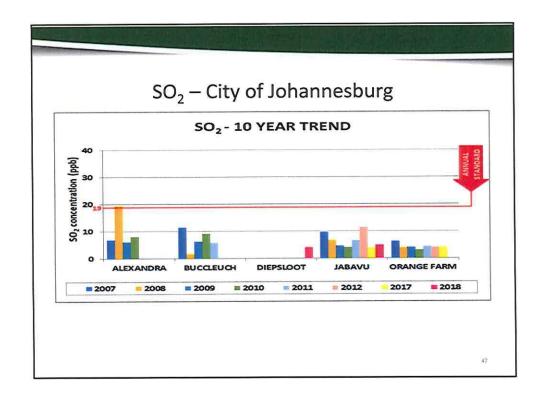


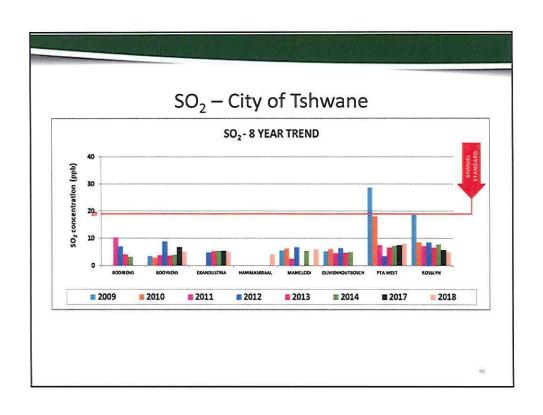


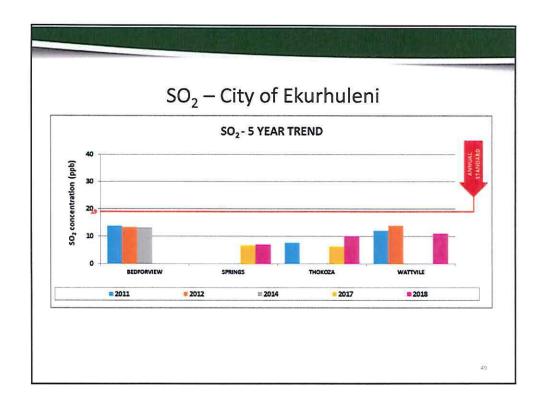


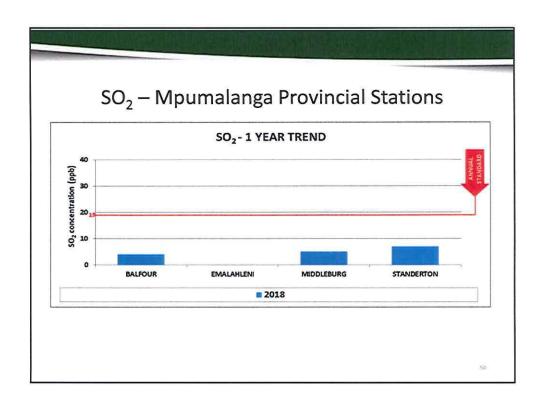


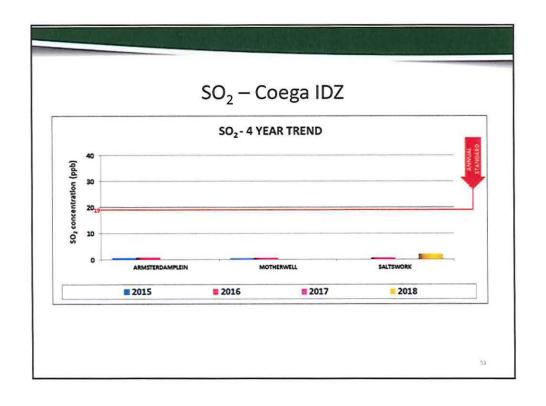


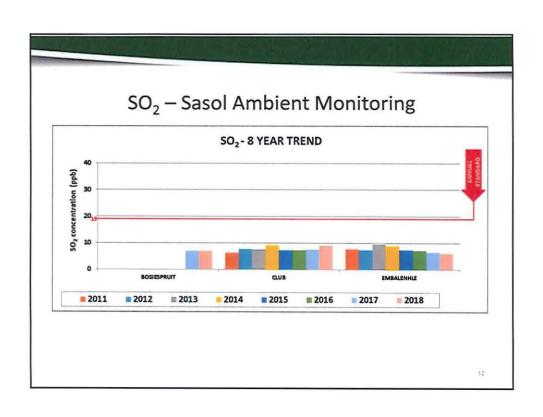


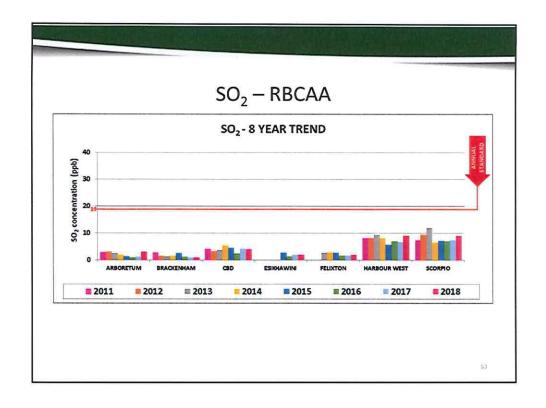


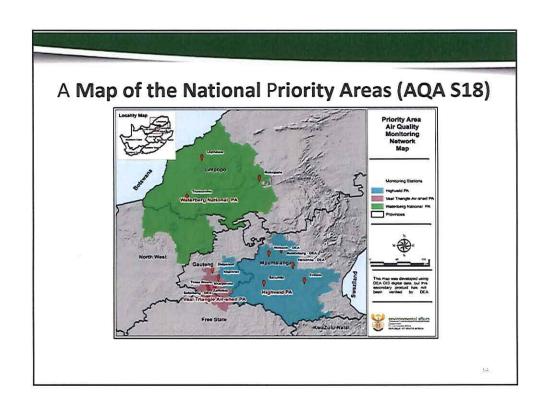


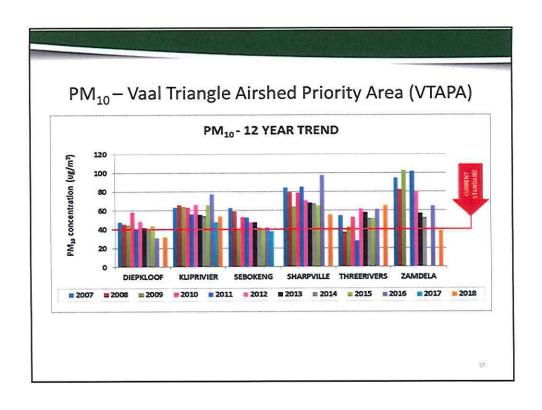


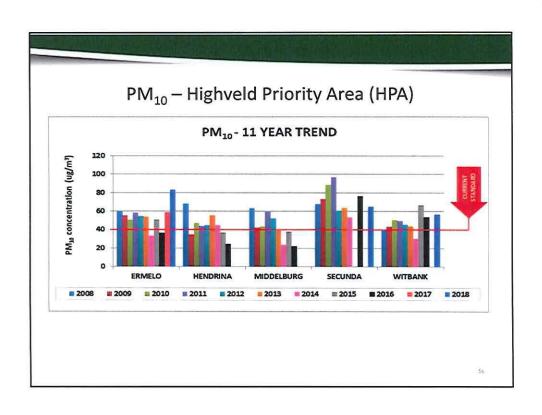


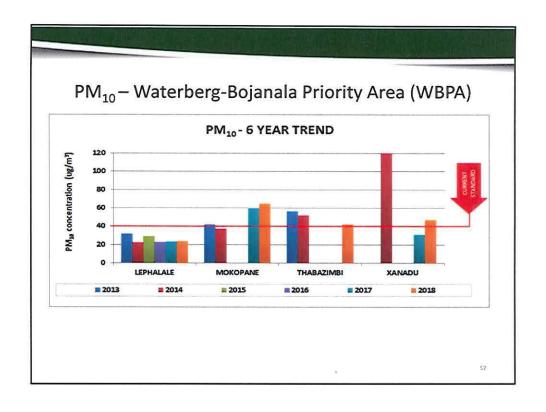


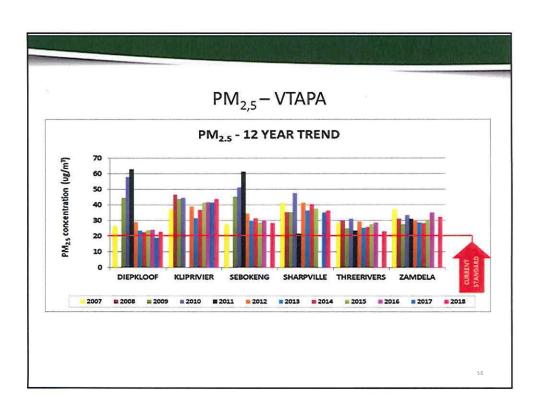


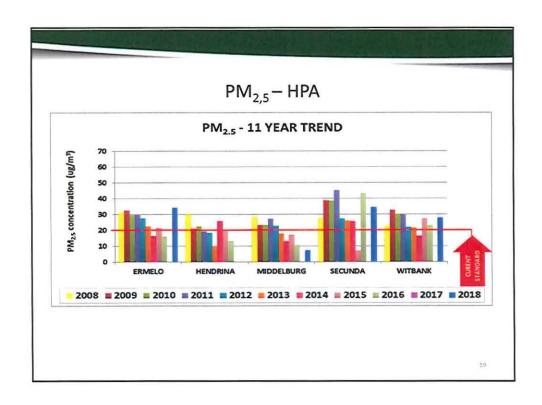


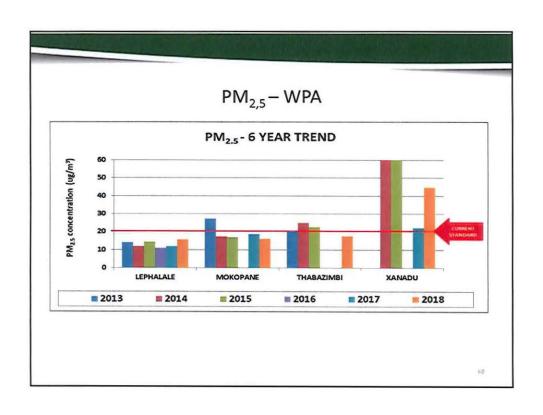


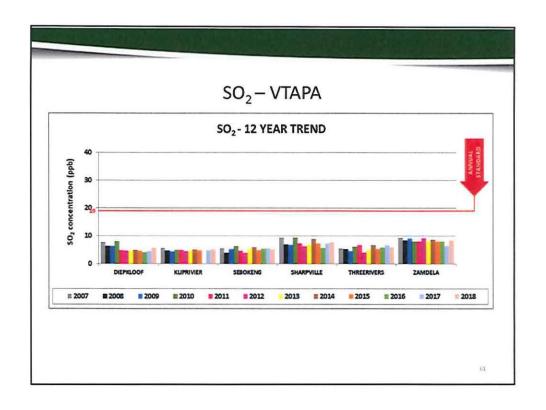


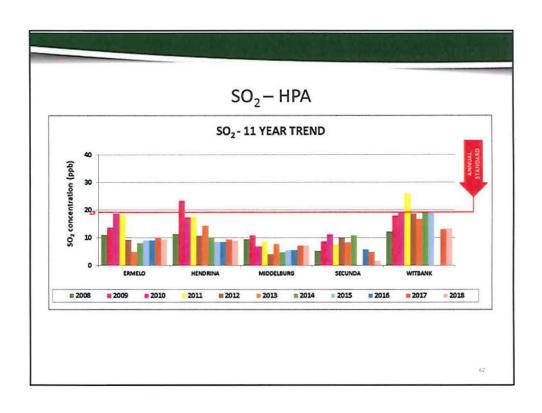


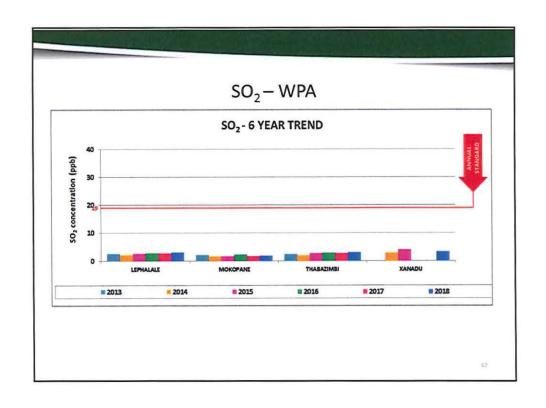


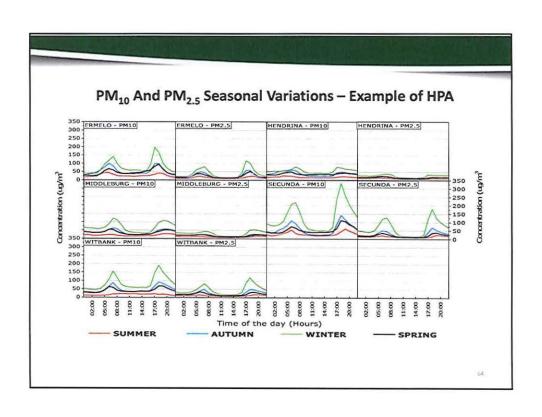






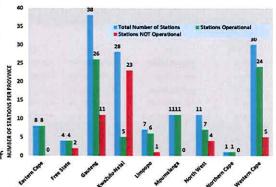






#### **Primary Challenges with Ambient Monitoring Stations**

- Power failures affect analysers and reduce data recovery
  - Solar panels get stolen but also do not provide sufficient power for all the equipment
  - Generators will corrupt measurements
- Vandalism and security risks
- Lack of capacity to maintain the
- Insufficient budget allocations network requires between 10-15% of the capital investment annually for maintenance Insufficient budget allocations -



# **Interventions in Monitoring Networks Challenges**

- Power Failures installing Uninterrupted Power Supply (UPS) systems across stations to reduce equipment damage and improve data recovery during power failures
- · Vandalism and security risks adding armed response and additional security at stations
- Capacity national intervention in managing 43 NAQI stations for a period of 5 years while building capacity at municipal and provincial level until 2022
- South African Weather Service managing 18 priority area stations since 2011

#### Cost of Maintaining the Current NAAQMN (5 year)

	Cost of Managing a Stations Per Year (at 370K per station per year)	Technician Salaries (R300k per annum)	Data Analyst Salaries (at R300k per annum)	Chief Technician/Manager (at R700k per annum)	Vehicle Costs (Initial Costs)	Total Operationa Budget per annur		
Numbers across the country networks	134	36	25.00	8.00	12			
Year 1	R49 580 000.00	R10 800 000.00	R8 750 000.00	R5 600 000.00	R7 800 000.00	R82 530 000.00		
Year 2	R54 538 000.00	R11 880 000.00	R9 625 000.00	R6 160 000.00		R82 203 000.00		
Year 3	R59 991 800.00	R13 068 000.00	R10 587 500.00	R6 776 000.00		R90 423 300.00		
Year 4	R65 990 980.00	R14 374 800.00	R11 646 250.00	R7 453 600.00		R99 465 630.00		
Year 5	R72 590 078.00	R15 812 280.00	R12 810 875.00	R8 198 960.00		R109 412 193.00		
Total Over the 5 Years	R302 690 858.00	R65 935 080.00	R53 419 625.00	R34 188 560.00	R7 800 000.00	R464 034 123.00		
Total Over 5 Years	R303mil	R66mil	R54mil	R34mil	R7.8mil	R464mil		

# **Proposed Approach for Future Stations Management**

- In view of challenges identified as we as the prohibitive costs of maintaining stations, it is recommended that the following approach be considered:
  - Government maintains the current NAAQM and keeps it functional and meeting minimum data requirements – as these are already heavy investments.
  - There are low-cost devices with far less maintenance requirements can purchase and install in areas where there is no monitoring.
  - Only in the event that low cost monitors record high levels of pollutants – necessary investments on instruments that constitute approved methods for reporting compliance may then be purchased and installed

