

DRAFT 2010 AIR QUALITY GOVERNANCE LEKGOTLA RESOLUTIONS

Ref.	Draft Resolution	Deliverable	Responsibility	Delivery date
1.	With a view to fast-tracking compliance with National Ambient Air Quality Standards for the problem pollutants of SO ₂ and PM, government must investigate the potential positive air quality impacts of using AQA S.29 – Priority Pollutants and associated Pollution reduction Plans.	Presentation of investigation findings at the 2011 Lekgotla	The National Air Quality Office (NAQO), Department of Environmental Affairs (DEA)	October 2011
2.	With a view to the efficient and effective implementation of the emission monitoring requirements directed or implied by the AQA S.21 Notice (Gazette No. 33064, Notice No.248, 31 March 2010), the process of establishing the accreditation requirements for stack emission monitoring, sampling and testing must be fast-tracked.	Laboratories that comply with the S.21 Notice S.7(2)(d) SANAS accreditation requirements are listed on the SAAQIS	NAQO – DEA	December 2010
		Draft accreditation requirements for stack emission monitoring and sampling developed and presented to the 2011 Lekgotla	NAQO – DEA together with SANAS	October 2011
3.	With a view to ensuring the efficacy of the Atmospheric Emission Licensing system in regulating the emissions from significant industrial sources by, among others, ensuring that such sources are clearly and unambiguously identified, the AQA S.21 (Gazette No. 33064, Notice No.248, 31 March 2010) categories, category definitions/descriptions and application must be reviewed and revised where necessary based on inputs provided by the Licensing Authorities.	Proposed amendments submitted to the NAQO – DEA	Interested or affected Atmospheric Emission Licensing Authorities	November 2010
		Draft AQA S.21 Correction Notice	NAQO - DEA	March 2011
		Initiation of SABS AQA S.21 amendment process	NAQO – DEA and interested Atmospheric Emission Licensing Authorities	January 2011
4.	With a view to the efficient and effective regulation of emissions, especially odour, from plants such as rendering and fish-meal plants, guidelines on Best Available Techniques and minimum requirements must be developed and distributed.	Draft guidelines presented to the 2011 Lekgotla	NAQO - DEA	October 2011
5.	With a view to ensuring the efficient and effective implementation of the S.2(3) provision of the AQA S.21 Notice (Gazette No. 33064, Notice No.248, 31 March 2010), the relationship between NEMA S.30 and the AQA S.21 provisions on how incidents should be managed and reported must be reviewed to ensure AEL Authorities as recipients of the incident reports.	NAQO Communiqué with legal opinion circulated	NAQO - DEA	February 2011
6.	With a view to ensuring the efficacy of the implementation of the Atmospheric	AQA S.21 Companion Document circulated to all Licensing Authorities	NAQO - DEA	July 2011

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	Emission Licensing system through, among others, the provision of a nationally-consistent high quality licensing service by all Licensing Authorities, an AQA S.21 (Gazette No. 33064, Notice No.248, 31 March 2010) "companion document" providing guidance on implementation, interpretation, tips and suggestions must be developed and circulated to Licensing Authorities.	AQA S.21 Companion Document presented at available opportunities (e.g. Provincial – Municipal Air Quality Officer's Forums)	NAQO - DEA	July 2011 onwards
7.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system and specifically its alignment with government's incineration policy and particularly the use of alternative fuel resources (AFRs), guidance on the implementation of AQA S.21 (Gazette No. 33064, Notice No.248, 31 March 2010) in this regard must be provided.	NAQO Communiqué on AQA S.21 and AFRs compiled and circulated to all Licensing Authorities	NAQO - DEA	February 2011
8.	With a view to ensuring direct access to the National Air Quality Office's specialist staff, the NAQO-DEA will compile a contact database of its AQM staff under www.saaqis.org.za	NAQO-DEA staff contact database published on www.saaqis.org.za	NAQO-DEA	December 2010
9.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system through, among others, the provision of a nationally-consistent high quality licensing service by all Licensing Authorities, the NAQO-DEA will provide opinion and advice in respect of complex and/or controversial AELs at the request of the affected Licensing Authority	NAQO-DEA opinion and advice in respect of complex and/or controversial AELs	NAQO-DEA	Immediate and ongoing
10.	With a view to the efficient and effectively implementation of the emission monitoring requirements directed or implied by the AQA S.21 Notice (Gazette No. 33064, Notice No.248, 31 March 2010), the addition of oxygen referencing for all relevant categories of the S.21 Notice must be investigated and included in a future amendment.	See 3	See 3	See 3

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11.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system through, among others, the implementation of a nationally-consistent cost recovery system, guidelines must: (i) explicitly differentiate between the Atmospheric user charge and the Application processing fee; and (ii) provide for a range of application fees based on the complexity and resources required for certain types of processes.	The draft guidelines pertaining to the administration of the implementation of a nationally-consistent cost recovery system for licensing must: (i) explicitly differentiate between the Atmospheric user charge and the Application processing fee; and (ii) provide for a range of application fees based on the complexity and resources required for certain types of processes.	NAQO-DEA	January 2011
12.	With a view to effective cost-recovery, provision for cost-recovery in respect of requests for AEL variations from the AEL holder must be explored.	The provision for cost-recovery in respect of requests for AEL variations from the AEL holder to be addressed in an amendment to the AQA.	NAQO-DEA	September 2012
13.	With a view to efficient and effective local air quality governance, provincial and municipal air quality management plans must provide guidance on how air quality management considerations will be incorporated into other governance processes e.g. waste permits, spatial / land-use / town planning, engineering, transport planning, mining, etc.	Guidance on how air quality management considerations will be incorporated into other governance processes e.g. waste permits, town planning, transport planning, mining, etc. included in provincial and municipal air quality management plans.	All provinces and Table 24 municipalities	September 2012
14.	With a view to the efficient and effective management of appeals against decisions of Licensing Authority, an opinion on this subject and, among others, the alignment with provisions of MSA, will be compiled and circulated.	NAQO Communiqué with legal opinion circulated	NAQO - DEA	February 2011
15.	With a view improving the utility and efficacy of the Atmospheric Impact Report, the draft report template must be reviewed and revised by a specialist work group.	Specialist work group established	NAQO - DEA	February 2011
		Revised Atmospheric impact Report format circulated to AQOs for comment	Specialist work group	June 2011
		Revised Atmospheric impact Report format published for public comment	NAQO - DEA	August 2011
16.	With a view to improving dispersion modelling for regulatory purposes, a national emissions inventory must be compiled and maintained	A national atmospheric emissions inventory in place	NAQO – DEA and SAWS	March 2013
17.	With a view to ensuring regulatory continuity and maintaining regulatory memory, all regulated industry files must be transferred from DEA to the new Licensing Authorities	DEA to provide CDs containing electronic copies of all scanned files to provinces for circulation to Licensing Authorities	NAQO - DEA	January 2011
		DEA to delivery hard-copy archives to new Licensing Authorities when visiting new Licensing Authorities	NAQO - DEA	Ongoing to March 2012
		DEA to delivery hard-copy archives to new Licensing Authorities in accordance with a practical delivery programme	NAQO - DEA	All archives delivered by March 2012

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		Licensing Authorities to pick up hard-copy archives when visiting DEA and given adequate warning	Licensing Authorities	Ongoing to March 2012
18.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system through, among others, the implementation of a centralised application portal, a system must be developed that allows for a centralised pre-application process to be initiated through the SAAQIS based on a simplified generic application template and Licensing Authority referral system	Pilot centralised application portal demonstrated at the 2011 Lekgotla	NAOO-DEA	October 2011
19.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system through, among others, the provision of a nationally-consistent high quality licensing service by all Licensing Authorities, a generic AEL application form and AEL format should be provided.	Example AEL application form and AEL formats submitted to DEA	Licensing Authorities	March 2011
		Generic AEL application form and AEL format circulated for comment	NAOO-DEA	June 2011
		Generic AEL application form and AEL format published on the SAAQIS	NAOO-DEA	September 2011
20.	With a view to creating awareness around air quality management and its importance, the National Air Quality Officer will, where practically possible and on formal written request from AQOs, visit and address councillors and municipal officials	National Air Quality Officer presentations to councillors and municipal officials	All AQOs and the NAOO-DEA	Ongoing
21.	With a view to the provision of a nationally-consistent high quality licensing service, provinces and municipalities that have not appointed Air Quality Officers in terms of the AQA will be brought to the attention of the Minister	List of provinces and municipalities that have not appointed Air Quality Officers in terms of the AQA submitted to the Minister	NAOO-DEA	March 2011
22.	With a view to ensuring the efficacy of the implementation of the Atmospheric Emission Licensing system through, among others, the provision of a nationally-consistent high quality licensing service by all Licensing Authorities, every effort will be made to ensure the alignment and integration of the EIA and AEL processes	EIA and AEL alignment and integration plans or protocols developed and agreed by all Provincial – Municipal Air Quality Officer Forums	Provincial departments	June 2011
23.	With a view to ensuring that the implementation of Lekgotla resolutions is properly monitored and reported, a progress report must be provided at the following Lekgotla	Lekgotla resolution progress report presented at the 2011 Lekgotla	NAOO-DEA	October 2011

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24.	With a view to the continued improvement in air quality governance, the professionalization of air quality management will be explored including, among others: (i) the establishment of a professional body for air quality managers; (ii) CBD points to facilitate Air Quality Officer training; (iii) the introduction of the Occupational Specific Dispensation for air quality managers; (iv) the provision of bursaries or other training incentives; (v) the review of curricula to ensure alignment with government expertise requirements; (vi) job descriptions, qualification and experience profiling etc..	Workshop held with tertiary institutions and other relevant bodies and outcome reported to 2011 Lekgotla	NAQO-DEA	October 2011
25.	With a view to ensuring a common understanding of the role and function of Air Quality Officers as well as the need for unique organisational development initiatives relating to air quality management, the NAQO Communiqués in this regard must be re-circulated	NAQO Communiqué number 1 entitled "Discussion Document: Air Quality Officers as contemplated in Section 14 of the National Environmental Management: Air Quality Act (Act No. 39 of 2004), Revision 0.0 of 22/12/2005" (File Name: "2005-12-22 NAQOC 1 - AQOs.doc") and NAQO Communiqué number 5 entitled "Discussion Document: AQA implementation – governance roles and functions: air quality governance roles and functions for the national department, provincial environmental departments and municipalities as contemplated in the National Environmental Management: Air Quality Act (Act No. 39 of 2004), Revision 0.0 of 12/07/2006" (File Name: "2006-07-11 NAQOC 5 - Roles and responsibilities.doc") circulated to all AQOs	NAQO-DEA	December 2010
26.	With a view to ensuring that expert air quality managers are retained within government, every municipality should adopt a skills retention strategy	Air Quality managers specifically dealt with in municipal skills retention strategies and plans	Municipalities, especially Table 24 municipalities	Ongoing
27.	With a view to ensuring continued air quality improvements, all officials that work with environmental management and environmental health should be encouraged to undergo specialist training in air quality	All officials that work with environmental management and environmental health are encouraged to undergo specialist training in air quality	Municipalities, especially Table 24 municipalities	Ongoing

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28.	With a view to ensuring continued air quality improvements, opportunities for sharing information, skills and expertise amongst air quality managers should be exploited.	Opportunities for sharing information, skills and expertise amongst air quality managers should be provided, at least, at the Annual Air Quality Governance Lekgotla and all Provincial – Municipal Air Quality Officer Forum meetings.	All	Ongoing