



**Environment and Infrastructure Services Department
Air Quality ,Energy and Climate Change**

DUST REGULATION IMPLEMENTATION : A MUNICIPAL PERSPECTIVE

AIR QUALITY GOVERNANCE LEKGOTLA

Date : 03 October 2017

Venue: CedarWood Hotel & Conference Centre

1. Introduction
2. Dust sources in CoJ
3. Dust management approach
4. Dust regulation administrative process
5. Powers of the AQO
6. Challenges
7. Way forward ?



- The City of Johannesburg has a historical legacy of a mining with gold first discovered in the city in 1886
- The gold rush resulted in a number of mining activities in and around the city . To date the effect of this mining is visible in the city with active, dormant and reclaimed tailings storage facilities (TSFs).
- The Tailing Storage facilities including other activities have been identified as significant sources of windblown dust, impacting on human health and the environment – CoJ AQMP of 2003
- There are a number of abandoned gold tailings dumps in Gauteng and specifically in the CoJ, with typically poor vegetation cover and large open areas prone to wind erosion.
- A total of 380 Mine Residue Areas (MRAs) are present within the Gauteng Province

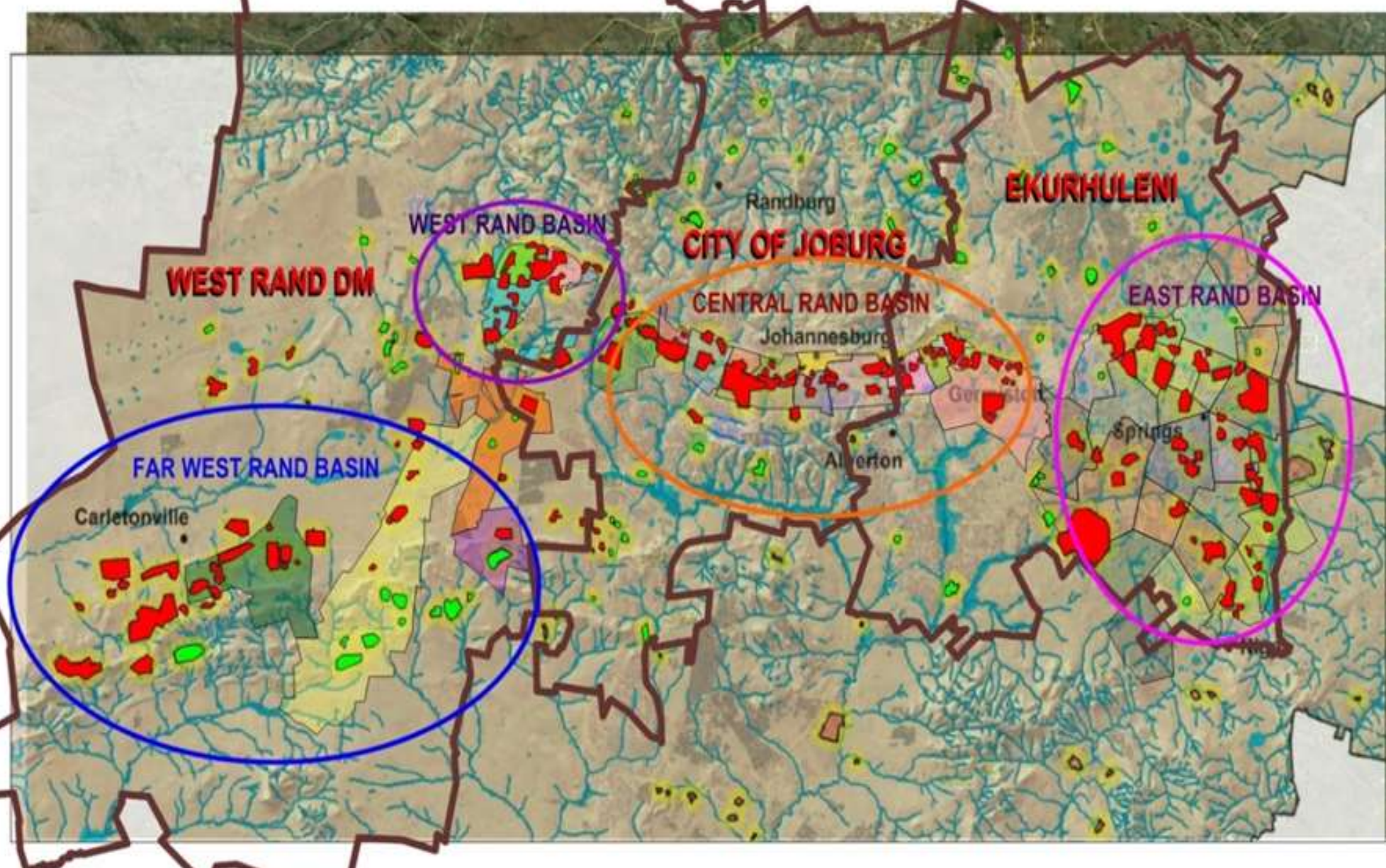


Although the Mining activities are a significant source of dust within the City ,other dust sources include:

- Coal storage facilities
- Quarries
- Concrete mixing facilities
- Sand blasting facilities
- Construction sites
- Unpaved roads



- RADIOACTIVE MINE RESIDUE AREAS
- NON-RADIOACTIVE MINE RESIDUE AREAS



Dust management

- Dust complaints are reported to the city on a regular basis from different sources
- The expectation from the complainants is that our intervention would speedily resolve the dust problem.
- Our approach in dealing with dust has been through implementing the Dust Control regulations.

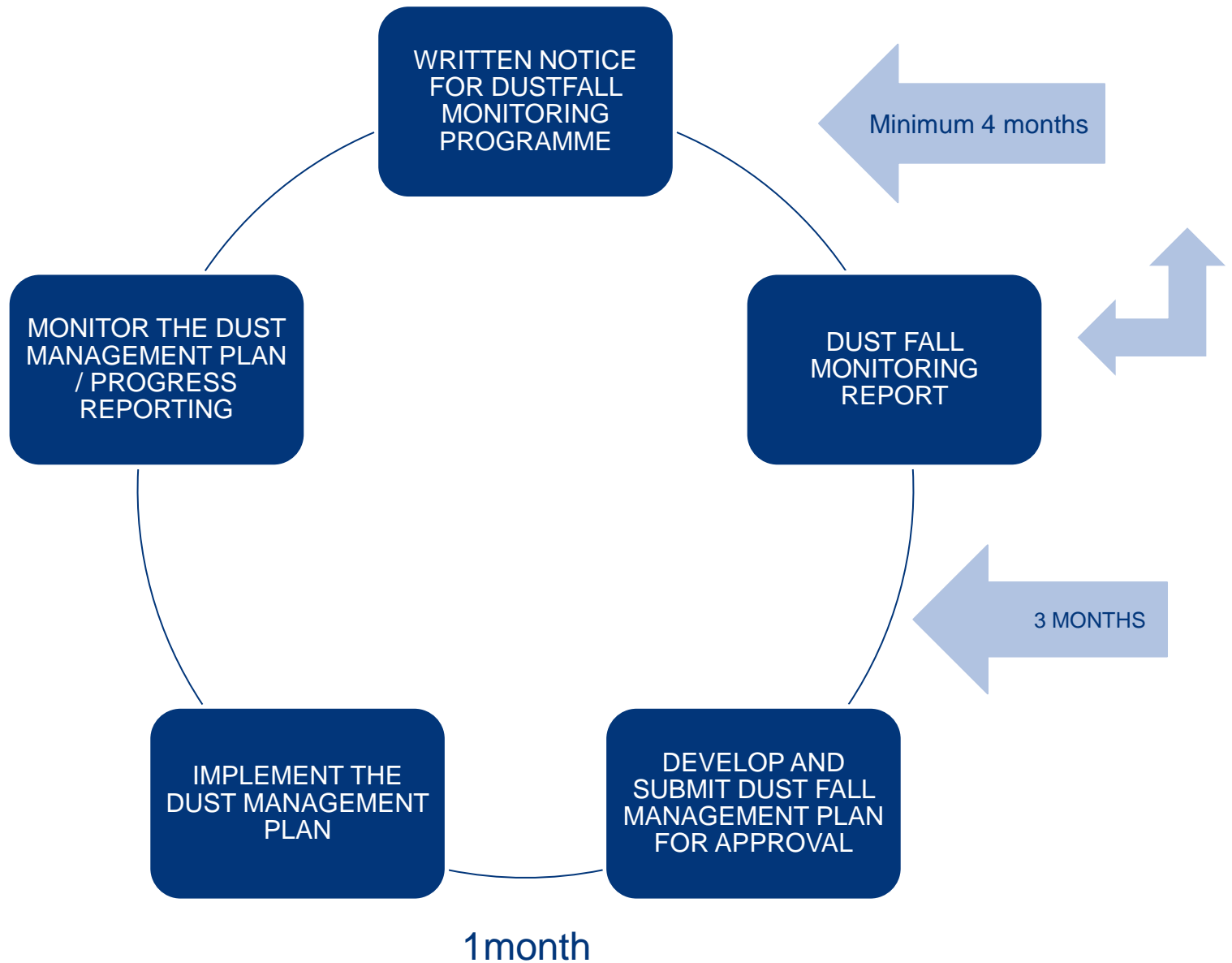
Sub Reg; 4(1)

The Air Quality Officer may require any person through a written notice ,to undertake a **dust fall monitoring programme**

Sub reg; 4 (2)

Any person who conducts any activity in such a way as to give rise to dust in quantities and concentrations that may exceed the **dust fall standard must implement the dust fall monitoring programme**

DUST REGULATION ADMINISTRATIVE PROCESS



The enforcement powers of AQO

- The AQO can request the facility to monitor and provide a report in order to determine if there is a need for dust management plan. The offences in this regulations relate to the to implementation of the monitoring programme and the management plan.
- The generation of excessive dust is not an offence and further the regulation is not clear with regard to non-compliance with the acceptable dustfall rates
- The applicability of the regulations in mining facilities is still a grey area and mining facilities are taking advantage of the gap
- What is the relation between the AQO powers in the regulations compared to the powers of an EMI.

- The regional dust fall rate baseline for the CoJ has not been established
- Mining and related activities are a significant source
- Development encroaching into mining areas – source of complaints
- Implementation of existing EMP's by DMR
- Enforcement powers for the regulations are not clear
- Gauteng buffer zone policy provides for 500m (which is sometimes contested by developers)
- Expectations from complainants
- Cooperation of DMR in assisting with mining facilities
- Ownerless mine tailing facilities

Way forward

- The current review of the regulations should look beyond the sampling method
- The generation of dust exceeding the dust fall rate must be an offence
- In cases where the AQO has reasonable grounds to suspect the generation of dust - must be able to instruct the facility to take reasonable measures.
- Consider using the Bylaws to close the regulatory gaps in managing dust





THANK YOU