



# Cluett Consulting Management Alert

**Topic: 'National Atmospheric Emission Reporting Regulations 2015'**

Actionable	Level of Action	Urgency	Implementation Date	Reporting			Cost Implication
Yes	Group	Immediate	30 April 2015	Authority	Hard	DMR	Yes
					Electronic	DEA	
No	Operational	6 Months		Internal	EMS	DEA:AQ	No
				H&S	DEA:WM		
Information Only	Department	1 Year	Group	Finance	DWS		
				Legal	Province		

**Requirement:** Registration, Monitoring and Reporting  
**Action Required:** Registration of all 'mines' on the NAEIS System  
**Applicable Legislation:** National Environmental Management: Air Quality Act (39 of 2004)

### Summary of requirement:

On 2 April 2015, **Regulation 283**, the 'National Atmospheric Emission Reporting Regulations 2015', was published in the Government Gazette (38633). This regulation is important for **identified data providers** which includes **all operations with a mining authorisation, listed activities**, as defined in Section 21 of the National Environmental Management: Air Quality Act (39 of 2004) (hereafter NEM-AQA) and applicable regulations, **controlled emitters**, as defined in Section 23 of NEM-AQA and applicable regulations, facilities as identified in accordance with applicable municipal by-laws and additional emissions sources or data providers as identified by the relevant authority.

**Thus, all quarries and mines are identified "data providers" and must comply with the requirements of this regulation.**

In terms of the Regulation, all identified "**Data Providers**" are required to register on **the National Air Emissions Inventory System (NAEIS)** within **30 days** of the commencement of the regulations, i.e. by **the 30<sup>th</sup> April 2015** or within 30 days of the commencement of the listed activity if it was not in operation at the time of commencement of regulations or within the time period identified by the relevant authority.

In terms of the Regulation "**Data Providers**" are required to **submit emissions reports as required by NAEIS**, and as required by any applicable authorisations or published notices. An Annual Emissions Report (January to December) must be submitted by the 31<sup>st</sup> of March of the following year (this may be extended to the next working day if the 31<sup>st</sup> of March falls on a Saturday, Sunday or public holiday).

Information submitted to NAEIS must be **kept by the data provider** for a period of five years and must be made available to a relevant authority if requested.

Consequences of non-compliance with the requirements of this regulation include payment of a fine of up to R10 million or imprisonment for a period of up to 10 years for responsible person/s.

The Registration site may be found at web address <http://www.saaqis.org.za/>.

