



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

MINISTRY OF WATER AND
ENVIRONMENTAL AFFAIRS

09:44 2010 -09- 30

PRIVATE BAG X313
PRETORIA 0001

[Handwritten signature]
AN

Enquiries: MJ Kadiaka
Telephone: 013-759-7313
Reference: 6/2/2/6

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 2285 FOR WRITTEN REPLY

A draft reply to the above-mentioned question asked by Mr M J Ellis (DA); is attached for your consideration.

[Handwritten signature]
DIRECTOR-GENERAL (Acting)

DATE: 30/9/10

✓
DRAFT REPLY APPROVED/AMENDED

[Handwritten signature]
MS B P SONJICA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 04. 10. 2010

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 2285

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 20 AUGUST 2010
(INTERNAL QUESTION PAPER NO. 23)

2285. Mr M J Ellis (DA) to ask the Minister of Water and Environmental Affairs:

- (1) Whether she has been informed of mine or toxic water from another source within Jackaroo Park in the Emalahleni Municipality; if not, what is the position in this regard; if so, what are the relevant details;
- (2) whether any steps have been taken by her department (a) to stop the flow and (b) rehabilitate the affected surface areas; if not, why not; if so, what are the relevant details;
- (3) whether any action has been taken against any person or organisation responsible for the decant; if not, why not; if so, what action?

NW2794E

---0000---

REPLY:

- (1) Yes, I have been informed of mine or toxic water from an abandoned pit at Jackaroo Park in the Emalahleni Municipality. My Department undertook site investigations on 7 June 2010 and 10 August 2010 and has subsequently issued a notice of intention to issue a directive for the identified non-compliances and is awaiting a representation from the alleged polluter.
- (2)(a) Yes, as indicated in paragraph (1) above, my Department issued a notice for the alleged polluter to take steps to stop the flow of polluted water. The alleged polluter has since taken measures to control the pollution by installing a pump to remove the water to a pollution storage (control) dam on the upstream, thus creating a cone of depression which stops the flow of polluted water to the areas mentioned.
- (2)(b) No, my Department will assess the representation (on receipt from the alleged polluter). Should the alleged polluter either fail to provide representation or satisfactory measures to remedy the situation, then my Department will issue a directive in terms of sections 19 and 53 of the National Water Act, 1998 (Act No 36 of 1998) to compel compliance.
- (3) Yes, as indicated in paragraph (1) above, my Department has issued a notice of intention to issue a directive to the alleged polluter in terms of sections 19 and 53 of the National Water Act, 1998 (Act No 36 of 1998). If the polluter does not comply this may lead to the issuance of the directive and/or pursuing of a criminal case this will depend on the outcome of the representation that the alleged polluter makes.

---0000---