



INTERNET ARTICLE

DWS suspends license and opens a criminal case against Woestalleen Colliery

17 November 2020

The Department of Water and Sanitation (DWS) served the Woestalleen Colliery mine with a Section 54 Directive suspending its water use license and opened a criminal case against the mine and its Business Rescue Practitioner at Hendrina Police Station in Steve Tshwete Local Municipality, Mpumalanga on Tuesday, 17 November 2020.

This follows the mine not adhering to its license conditions and continued pollution of water resources in the area.

“The Department has been engaging this mine regarding the pollution of water resources. We have issued notices and directives but unfortunately the mine seems to be not complying with the requirements of the Department. We have decided to take a step further whereby we issued a notice to withdraw or suspend their water use licence and unfortunately they did not respond to the notice hence the action we are taking”, said Gezepi Nyalunga, the Director: Regulation in Mpumalanga.

The Colliery is found to be non-compliant with the conditions of the Water Use License and has also engaged in unlawful water use activities. The Department has been inspecting the mine since 2016 and the mine has failed to present and implement concrete plans to stop the pollution of water resources.

Following a site inspection at the mine, it was discovered that there is an unlawful discharge of poor quality effluent from the dam into the Woestalleen Spruit. This poor quality water effluent contaminates the Spruit and also impacts negatively on ground water resources, aquatic life and agricultural users who rely on the Spruit for irrigation purposes.

The Department of Water and Sanitation is mandated by the National Water Act of 1998 to enforce proper water management and legislation compliance to the mining sectors. Most mining companies contravene the provisions of the National Water Act and cause pollution to South Africa’s rivers through the unlawful discharge of water containing waste.





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Mr Siboniso Mkhalihi, Chief Director of Compliance, Monitoring and Enforcement at the Department said they have done their administrative enforcement processes but did not receive cooperation from the mine.

“All of our enforcement tools have been exhausted and today we are implementing a process of suspending the water use license. We cannot afford to continue focusing on one mine water user that is non-compliant. This matter stops here and will follow the legal processes to force the user to comply”, he said.

In addition, he said that the Department opens a criminal case against any transgressor as a last resort.

“We have engaged the mine on numerous occasions and they failed to present to us a convincing plan that they will sort the situation out. Our interventions are not punitive in nature but when polluters are not responsive, we seek recourse in our law enforcement agencies in line with the National Water Act of 1998”, he emphasised.

The pollution of the water resources will never be tolerated and polluters will definitely pay for their transgressions.

Themba Khoza

