



water affairs


Department:
Water and Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 1410 FOR WRITTEN REPLY

A draft reply to the above-mentioned question asked by Mrs A T Lovemore (DA), is attached for your consideration, please.


DIRECTOR-GENERAL (Acting)

DATE:

29-9-9

DRAFT REPLY APPROVED/AMENDED


MS B P SONJICA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE:

09/10/09

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1410

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 25 SEPTEMBER 2009
(INTERNAL QUESTION PAPER NO 18)

1410. Mrs A T Lovemore (DA) to ask the Minister of Water and Environmental Affairs:

Whether, with reference to sections 19 and 151 of the National Water Act, Act 36 of 1998, any failures to comply with directives issued in terms of section 19(3) have occurred in the past year; if so, (a) what action has been taken by her department against the offending party and (b) what are the further relevant details in each case?

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REPLY:

- (a) My Department has written letters of non-compliance in the form of notices and directives to various polluters and/or municipalities in the country in terms of Section 19(3) of National Water Act, 1998 (Act No.36 of 1998).
- (b) The relevant details in this regard are indicated in **Table 1** below. (**Annexure A**)

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TABLE 1: SECTION 19(3) NOTICES AND DIRECTIVES ISSUED TO POLLUTERS/MUNICIPALITIES

Region	Municipality	Date Issued	Reason	Response from Municipality
North West	Madibeng Local Municipality	20/04/2009	<p>The notice was issued as a result of investigations conducted at the Brits Waste Water Treatment Works, the findings of which included the following:</p> <ul style="list-style-type: none"> • Inadequate maintenance which led to critical processes being by-passed. • There were contaminated scum dams. The sludge in the dams had to be classified immediately and appropriately disposed of. • Lack of chlorine testing. • Current staffing levels on site were acutely inadequate and not in line with Regulation 2834 of National Water Act, 1998 (Act No. 36 of 1998) • Lack of training and compliance with Occupational Health and Safety Act, 1993 (Act No.85 of 1993) 	The Municipality has not responded to the notice.
Eastern Cape	O R Tambo District Municipality	23/10/2008	<p>Non-compliance with the National Water Act, 1998 (Act No. 36 of 1998) due to the state of the Mthatha City wastewater collector sewers, pump stations and wastewater treatment works.</p>	<p>Response from O R Tambo District Municipality (ORTDM) was to attend co-governance meetings and to commission contractors to repair/ refurbish failed pump stations with the R10 million funds granted by Province; however, no formal response to directive was received until the Department forced them to submit an action plan. Following the Drought Disaster Declaration and further deterioration of services in other local areas of ORTDM, the Department and Province have committed to assist in developing a wider action plan that addresses rehabilitation, delivery, resource conservation, planning, technical and institutional capacity, and sustained management.</p>

Region	Municipality	Date Issued	Reason	Response from Municipality
	Kou-Kamma Local Municipality	19/02/2009	Non-compliance with the National Water Act, 1998 due to the state of sewerage infrastructure at Louterwater, Tweeriviere, Rivonia, Kareedouw, Coldstream, Sanddrift and Kwaaibrand.	An action plan was submitted indicating the state of sewerage infrastructure, cost of repair, commitment of funding from Province and support from Development Bank of Southern Africa and time frames to restore infrastructure. Work is progressing well.
Gauteng	Lekwa Local Municipality (Morgenson)	31/08/2009	Untreated effluent discharged into streams	The Municipality has not responded to the notice.
	Seme Local Municipality (Amersfoort)	04/09/2009	Untreated effluent discharged into streams	The Municipality has not responded to the notice.
	Midvaal Local Municipality	10/06/2009 20/08/2009	Sewage treatment works (various) are not operating efficiently and lack of interest to rectify the situation	The Municipality responded unsatisfactorily on 10 June 2009, resulting in the Department issuing a Notice. The Municipality was made aware that non compliance is a serious issue and was referred to the fact that Municipal Managers can be criminally prosecuted as reflected in the Beeld, 19 August 2009. Subsequently a meeting was scheduled for 28 August 2009 but had to be cancelled due to Municipality's non availability.
	Mogale Local Municipality (Mogale/Krugersdorp)	12/08/2009	Non-compliance of waste water treatment works	The Municipality has not responded to the notice.
	Westonaria Local Municipality (Westonaria)	13/07/2009	Replacement of damaged sewage pipe-line.	Municipality indicated they will comply with notice and have appointed consultants
	Emfuleni Local Municipality (Vanderbijlpark)	25/08/2009	Final effluent from Rietspruit waste water treatment works not complying to discharge specifications as per License	Poor response: operations persist in a non-compliance state. The Department has instituted legal proceedings.
	Ekurhuleni Metro	03/06/2009	Sewage spill into a water resource (Blesbokspuit)	The Municipality has not responded to the notice.

Region	Municipality	Date Issued	Reason	Response from Municipality
Mpumalanga	(Springs)	26/08/2009	Discharging of non-compliant effluent into Blesbokspruit	The Municipality has not responded to the notice.
		28/08/2009	Discharging of non-compliant effluent into Blesbokspruit	The Municipality has not responded to the notice.
	Dipaleseng Local Municipality (Baifour)	26/08/2009	Discharging of non-compliant effluent into Suikerbosrand	The Municipality has not responded to the notice.
	Lesedi Local Municipality (Heidelberg)	26/08/2009	Discharging of non-compliant effluent into Suikerbosrand	The Municipality has not responded to the notice.
	Phumelela LM (Varden)	27/07/2009	Discharging of non-compliant effluent into Wilge River.	The Municipality has not responded to the notice.
	Dihlabeng Local Municipality (Bethlehem)	27/07/2009	Discharging of non-compliant effluent into Wilge River.	The Municipality has not responded to the notice.
	Maluti A Phofung (Harrismith, Qwa-qwa)	23/07/2009	Discharging of non-compliant effluent into Wilge River.	The Municipality has not responded to the notice.
	Mafube Local Municipality (Frankford)	07/10/2004	Sewage spill into Wilge River	Municipality committed to address the problems.
		07/09/2005	Discharging of non-compliant effluent into Wilge River	The Municipality has not responded to the notice.
		10/07/2009	Sewage spill into Wilge River	The Municipality has not responded to the notice.
		10/07/2009	Sewage spill into a water resource	The Municipality has not responded to the notice.
		27/07/2009	Discharging of non-compliant effluent into Wilge River	The Municipality has not responded to the notice.
		04/08/2009	Discharging of non-compliant effluent into Wilge River	The Municipality acknowledge the problem in a letter dated 17/08/2009 and committed to addressing the issues
		21/08/2009	Discharging of non-compliant effluent into Wilge River	No response yet
		05/06/2009	Alleged sewage pollution of the Bronkhorstspuit river	The Municipality strongly objected to the pollution however did confirm that sewage waste from the suction tankers are discharged into the bulk sewer system.

Region	Municipality	Date Issued	Reason	Response from Municipality
	Greater Sekhukhune District Municipality (DM)	05/06/2009	Operating a sewage works without an authorization	The Municipality has not responded to the Notice. The Department forwarded a reminder letter on 17/08/2009 to urge the Municipality to respond.
	Umjindi Local Municipality (LM)	09/02/2009	Non-compliance to the general effluent standard on pH, phosphates 20% of the time, nitrates 10% of the time, ammonia, faecal coliforms.	The Municipality has made funds available for the planning and design of new inlet works. The Ehlanzeni DM will be appointing a contractor to refurbish the anaerobic and aerobic reactors. Umjindi LM is planning to stop uncontrolled discharging of industrial effluent into the municipal sewer line. Municipal ordinances are to be investigated and improved. Letters have been sent by the Municipality to instruct industries to install oil traps.
	Bushbuckridge Local Municipality	12/02/2009	Unlawful discharge of sewage effluent and non-compliance to the effluent discharge standards	The Municipality is upgrading and refurbishing the Mkhuhlu Sewage Treatment Works and Hoxani Treatment Works respectively. The contractor has been appointed to refurbish Thulamahashe and Dwarsloop works.
	Nkomazi Local Municipality	11/02/2009	Operating a sewage works without authorization and non-compliance to the general effluent standard on phosphates, nitrates, ammonia, faecal coliforms.	The Municipality would put an effluent water quality monitoring program in place, flow meters replacement and the calibration thereof. An application for water use license would be submitted.
		08/04/2009	Overflow of sewage from the emergency dam at the pump station	The Municipality has not responded to the Notice.
	Mbombela Local Municipality	09/02/2009	Non-compliance to the general effluent standard on pH, phosphates, nitrates, faecal coliforms.	The Municipality is upgrading the treatment plant and refurbishment work is taking place, a consultant has been appointed
	Emalahleni Local Municipality	20/11/2008	Pollution from the Bankenveld pump station	The Municipality planned to upgrade pumps, build a stormwater diversion system and installation of a back-up generator and early warning system
		08/04/2009	Raw sewage from Klarinet pump station Ext 2	The Municipality acknowledged receipt of

Region	Municipality	Date Issued	Reason	Response from Municipality
			polluting Brugspruit river	notice.
	Emakhazeni Local Municipality	09/02/2009	Failure to comply with condition of exemption (authorization)	Change of administration delayed application for a license.
		08/04/2009	Machado pump station not working, manhole overflowing leading to pollution of Eefues River	Confirmation of appointment of BTW Consulting (Pty) Ltd to compile authorizations and assist the Municipality with complying with legislation.
	Govan Mbeki Local Municipality	08/04/2009	Unlawful discharge of sewage effluent from the Leandra Sewage Treatment Works into the River	The Municipality has submitted a Technical Report for the upgrading of the Leandra Sewage Treatment Works to the Department. The anoxic mixer was repaired and the chlorinator's diaphragm was replaced.
	Delmas Local Municipality	10/02/2009	Unlawful discharge of sewage effluent from the Delmas Sewage Treatment Works into the Bronkhorstspuit River	The Municipality committed to submission of the water use authorisation. The Municipality would be approving by-laws to control the discharge by industries into the bulk sewer lines.
				The Botleng Sewage Works is to be upgraded during 2009/10 and thus sewer would be re-directed to address the hydraulic overloading at the Delmas Sewage Treatment Works.
	Greater Tubatse Local Municipality	13/01/2009	Unlawful discharge of sewage effluent from the Steelpoort Sewage Treatment Works into the Steelpoort River	The Municipality is engaging the Greater Sekhukhune as the Water Services Authority and a remedial action plan (that includes amongst others repair works for the Sewage Treatment Works and disinfection of the final effluent) has been developed.
Northern Cape	Sol Plaatjie	3/09/2008	Poor operation and maintenance of the Homevale wastewater treatment works resulting in non-compliance to effluent discharge standards	Emergency maintenance works have been implemented in order to ensure that the works functions at the design capacity 30 MI/day. A water use license application has been submitted for the upgrading of the works to a capacity of 50MI/day. A medium to long-term

Region	Municipality	Date Issued	Reason	Response from Municipality
	Ngaka Modiri Molema District Municipality	12/06/2009	Poor operation and maintenance of the Sannieshof Waste Water Treatment Works resulting in non-compliance to effluent discharge standards	intervention plan has also been completed. An additional oxidation dam has been constructed as part of the short-term intervention. A Task Team has been formed and an action plan is being compiled by the municipality in collaboration with key stakeholders.
	Dr Ruth Segomotsi Mompoti District Municipality	20/07/2009	Poor operation and maintenance of the Vryburg wastewater treatment works resulting in non-compliance to effluent discharge standards	An action plan has been submitted by the Municipality
Limpopo	Vhembe District Municipality (DM)	27/11/2008	Untreated sewage effluent from Makhado sewage works was flowing into the Vleispruit River which is a tributary of the Litshovhu River. A directive was issued to Vhembe DM to stop the flow of untreated sewage effluent to the water resource and to submit a plan to address the treatment process and infrastructure failure within 30 days of receipt of the directive.	The Municipality appointed a Professional Service Provider to conduct a feasibility study on the upgrading of the Waste Water Treatment Works.