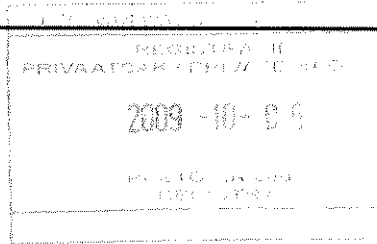


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water affairs

Department:
Water and Environmental Affairs
REPUBLIC OF SOUTH AFRICA



Enquiries: Nonto. B. Mtshali
Telephone: 012-336 7617
Reference: 6/2/2/6

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 974 FOR WRITTEN REPLY

A draft reply to the above-mentioned question asked by Mr G R Morgan (DA), is attached for your consideration, please.

Sungele
DIRECTOR-GENERAL (Acting)
DATE: *18/9/09*

REPLY APPROVED/AMENDED
Why not submit information for all at once?

[Signature]
MS B P SONJICA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS
DATE: *01.10.2009*

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 974

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 JUNE 2009
(INTERNAL QUESTION PAPER NO 11)

974. Mr G R Morgan (DA) to ask the Minister of Water and Environmental Affairs:

(a) Which municipalities currently have a section 19(3) notice in terms of the National Water Act, Act 36 of 1998, issued against them by her department, (b) when was the notice issued in each case, (c) why was it issued and (d) what has been the response from each municipality as at the latest specified date for which information is available?

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REPLY:

(a) My Department has issued notices and directives to various municipalities in terms of Section 19(3) of the National Water Act, 1998 (Act No.36 of 1998). The reply to the above question is applicable to only the North West, Eastern Cape, Gauteng, Mpumalanga, Northern Cape, Limpopo and the Western Cape regions. The Kwa Zulu-Natal and Free State Regions responses will be submitted later. The relevant details in this regard are indicated in Table 1, attached as Annexure A.

(b) Refer to Annexure A - date issued column

(c) Refer to Annexure A – reason column

(d) Refer to Annexure A – response from municipality column

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ANNEXURE A

Table 1: Section 19(3) Notices and Directives issued to Municipalities

a)Region	b)Municipality	c)Date Issued	d) Reason	e) 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 - Lack of training and compliance with Occupational Health and Safety 	No response to date
Eastern Cape	OR Tambo District Municipality (ORT)	23/10/2008	Non-compliance with the National Water Act, 1998 (Act 36 of 1998) due to the state of the Mthatha City wastewater collector sewers, pump stations and wastewater treatment works.	<p>Response from ORT 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 DWA forced ORT to submit an action plan. Following the Drought Disaster Declaration and further deterioration of services in other Local Areas of ORT, DWA & Province have committed to assist ORT in developing a wider action plan that addresses rehabilitation, delivery, resource conservation, planning, technical & institutional capacity, and sustained management</p>
	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	An action plan was submitted indicating the state of sewage infrastructure, cost of repair,

a) Region	b) Municipality	c) Date Issued	d) Reason	e) Response from Municipality
Gauteng			and Kwaaibrand.	commitment of funding from Province & support from DBSA and time frames to restore infrastructure. Work is progressing well.
	Lekwa Local Municipality Morgenson	31/08/2009	Untreated effluent discharged into streams	No response yet.
	Seme Local Municipality Amersfoort	04/09/2009	Untreated effluent discharged into streams	No response yet.
	Midvaal Local Municipality		Sewage treatment works (various) are not operating efficiently and lack of interest to rectify the situation	Responded on the letter of 10 June 2009, but the response was unsatisfactory, therefore the letter of 20 August 2009. The municipality was made aware that the Green Scorpions are prosecuting Municipal Managers in this regard (Beeld, 19 August 2009). A meeting was called for the 28 th of August 2009 but cancelled a day before.
	Mogale Local Municipality (Mogale/Krugersdorp)	12/08/2009	Non-compliance of waste water treatment works	No response yet.
	Westonaria Local Municipality (Westonaria)	13/07/2009	Replacement of damaged sewage pipe-line.	Municipality indicated they will comply with notice and have appointed consultants
	Erfuleni 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 Springs	03/06/2009	Sewage spill into a water resource (Blesbokspruit)	No response yet.

a) Region	b) Municipality	c) Date Issued	d) Reason	e) Response from Municipality
	Ekurhuleni Springs	26/08/2009	Discharging of non-compliant effluent into Blesbokspruit	No response yet.
	Ekurhuleni Springs	28/08/2009	Discharging of non-compliant effluent into Blesbokspruit	No response yet.
	Dipaleseng Local Municipality Balfour	26/08/2009	Discharging of non-compliant effluent into Suikerbosrand	No response yet.
	Lesedi Local Municipality Heidelberg	26/08/2009	Discharging of non-compliant effluent into Suikerbosrand	No response yet.
	Phumelela Local Municipality Warden	27/07/2009	Discharging of non-compliant effluent into Wilge	No response yet.
	Dihlabeng Local Municipality Bethlehem	27/07/2009	Discharging of non-compliant effluent into Wilge River	No response yet.
	Maluti A Phofung Harrismith, Qwaqwa	23/07/2009	Discharging of non-compliant effluent into Wilge River	No response yet.
	Mafube Local Municipality Frankford	07/10/2004	Sewage spill into Wilge River	Municipality sent letter and committed to addressing the problems.
	Mafube Local Municipality Frankford	07/09/2005	Discharging of non-compliant effluent into Wilge River	No response yet.
	Mafube Local Municipality Frankford	10/07/2009	Sewage spill into Wilge River	No response yet.
	Mafube Local Municipality Frankford	10/07/2009	Sewage spill into a water resource	No response yet.
	Mafube Local Municipality Frankford	27/07/2009	Discharging of non-compliant effluent into Wilge River	No response yet.
	Mafube Local Municipality Frankford	04/08/2009	Discharging of non-compliant effluent into Wilge River	The Municipality sent a letter on 17/08/2009 acknowledging problem and committing to addressing the issues
	Mafube Local	21/08/2009	Discharging of non-compliant effluent into Wilge River	No response yet

a)Region	b)Municipality	c)Date Issued	d) Reason	e) Response from Municipality
Mpumalanga	Municipality Frankford			
	Kungwini Local Municipality	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.
	Greater Sekhukhune District Municipality	05/06/2009	Operating a sewage works without an authorization	The Municipality has not responded to the Notice. The Department did send a reminder letter on the 17/08/2009 to urge the Municipality to respond.
	Umjindi Local Municipality	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 for 2008/9. The Ehlanzeni District Municipality is to appoint a contractor to refurbish anaerobic and aerobic reactors. Umjindi 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 contactor 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

a)Region	b)Municipality	c)Date Issued	d) Reason	e) Response from Municipality
				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 polluting Brugspruit river	The Municipality acknowledged receipt of 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 DWA. 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 authorization. The Municipality would be approving by-laws to

a) Region	b) Municipality	c) Date Issued	d) Reason	e) Response from Municipality
				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 Service 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 Ml/day. A water use license application has been submitted for the upgrading of the works to a capacity of 50Ml/day. A plan has also been completed.
	Ngaka Modiri Molema District Municipality	12/06/2009	Poor operation and maintenance of the Sannieshof wastewater treatment works resulting in non-compliance to effluent discharge standards	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 District Municipality

a) Region	b) Municipality	c) Date Issued	d) Reason	e) Response from Municipality
Limpopo	Vhembe District Municipality	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 PSP to conduct a feasibility study on the upgrading of the wastewater treatment works.
Western Cape	No formal directives in terms of Section 19(3) have been issued to any Municipality at present. However, many letters referring to Section 19(3) have been issued.	Not Applicable	Letters are being issued to the Municipalities mostly for pollution incidents and also for non-compliance of effluent being discharged into water resources.	In most cases the Municipalities respond within the time given, indicating their plan of action. However, this usually entails short term measures to address the immediate crisis. Most Municipalities have been budgeting to address the longer term underlying problems such as upgrading and extension of infrastructure.