



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA


MINISTRY OF WATER AND ENVIRONMENTAL AFFAIRS
2010-08-11
PRIVATE BAG X313
PRETORIA 0001

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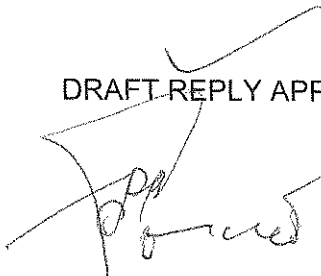
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 2020 FOR WRITTEN REPLY

A draft reply to the above-mentioned question asked by Mrs S V Kalyan (DA); is attached for your consideration.


DIRECTOR-GENERAL (Acting)
DATE: 10/8/10

DRAFT REPLY APPROVED/AMENDED


MS B P SONJICA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS
DATE: 2010 / 08 / 14

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 2020

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 30 JULY 2010
(INTERNAL QUESTION PAPER NO. 18)

2020. Mrs S V Kalyan (DA) to ask the Minister of Water and Environmental Affairs:

- (1) whether the (a) SamQuarz and (b) Stuart Coal mines in the Delmas area have water licences; if not, why not; if so, what are the relevant details;
- (2) whether she has been informed that the water flowing in the Koffiespruit river downstream from the SamQuarz mine was white on 10 June 2010; if not, what is the position in this regard; if so, what are the relevant details;
- (3) in respect of each of these mines, (a) what was the date of the last inspection to determine compliance with the relevant water laws and (b) what were the findings of the investigation;
- (4) whether, with regard to the Stuart Coal mine, the operations of the mine have an effect on the adjacent wetland; if not, how was this conclusion reached; if so, what are the relevant details;
- (5) whether any (a) pre-directives, (b) directives and (c) criminal charges have been laid against these mines for transgressions of water laws; if not, why not; if so, what are the relevant details?

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REPLY:

- (1)(a) No, the SamQuarz mine does not yet have a water use licence. However, it should be noted that in January 2010, my Department embarked on a project called Letsema to address the licence backlogs and SamQuarz is one of the water use licences which will be addressed during the project.
- (1)(b) No, the Stuart Coal mine does not have a water use licence. However, the mine is in a process of finalising its Environmental Management Plan Report (EMPR) which is a requirement from the Department of Mineral Resources. As part of the approval process, my Department will provide comments on the EMPR and only upon approval of the EMPR can a water use license application process commence.
- (2) No, my Department was not informed of any spill or pollution incident that took place on 10 June 2010. As a general requirement, all mines are obliged to inform the relevant departments within 24 hours of occurrence of a spillage. My Department will thus conduct an investigation to determine the possible impact posed by this incident.
- (3)(a) My Department's last site inspection at SamQuarz mine took place on 11 July 2008 and at Stuart Coal mines on 5 November 2009.

(3)(b) With regard to SamQuarz Mine, it was noted that the mine is engaging in the following water use in terms of the section 21 of the National Water Act, 1998 (Act No 36 of 1998):

- section 21 (a): taking water from a water resources (boreholes)
- section 21 (b): storing water in JOJO tanks
- section 21 (c): impeding or diverting the flow of a watercourse and section 21(i) altering the bed, banks, course or characteristic of a watercourse (mine access road)
- section 21(g): disposing of waste in a manner which may detrimentally impact on a water resource (for the wastewater dams and the French drains and septic tanks)
- section 21 (j): removing, discharging or disposing of water found underground if it is necessary for the efficient continuation on an activity or for the safety of people (dewatering of the mine pit)

With regard to Stuart Coal Mine, it was noted that the mine is engaging in the following water use in terms of the section 21 of the National Water Act, 1998 (Act No 36 of 1998):

- section 21(a): taking of water from a water resource (borehole)
- section 21 (b): storing water in JOJO tanks
- section 21(c): impeding or diverting the flow of a watercourse and section 21(i) altering the bed, banks, course or characteristic of a watercourse (for mine operation adjacent a wetland and for the wetland delineation)
- section 21(g): disposing of waste in a manner which may detrimentally impact on a water resource (for the pollution control dams)

(4) The Wetland Delineation Study has been conducted by the mine and forms part of the final EMPR which will be evaluated by my Department to determine if proposed mitigation measures are adequate to prevent the impact of the water resource. Once the report has been evaluated, then my Department will be in a position to make an informed decision if whether Stuart Coal Mine operation has an effect on the adjacent wetland.

(5) No, there has been no (a) pre-directives, (b) directives and (c) criminal charges laid against these mines due to the fact that various administrative processes are underway as indicated in (1)(a) and (1)(b) to ensure compliance.