



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

MINISTRY OF WATER AND
ENVIRONMENTAL AFFAIRS

09:35 2010-09-23

PRIVATE BAG X313
PRETORIA 0001

Enquiries: Mr H. Muller
Telephone: 012-336-6568
Reference: 2/1/5/1

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 2484 FOR WRITTEN REPLY

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

DIRECTOR-GENERAL (Acting)

DATE: 22/09/2010.

✓
DRAFT REPLY APPROVED/AMENDED

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

DATE: 04. 10. 2010

FOR WRITTEN REPLY

QUESTION NO 2484

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 03 SEPTEMBER 2010
(INTERNAL QUESTION PAPER NO. 26)

2484. Mr G R Morgan (DA) to ask the Minister of Water and Environmental Affairs:

- (1) Whether the (a) Green Scorpions and (b) Blue Scorpions have taken any action against a certain mine (name furnished) outside Ermelo owned by a certain company (name furnished); if not, why not; if so, what action;
- (2) whether any compliance notices or directives have been issued against the mine; if not, why not; if so, what are the relevant details;
- (3) what is the nature of any alleged transgressions by the mine;
- (4) whether the mine is expected to conduct any type of remediation based on the alleged transgressions; if not, why not; if so, what are the relevant details? NW3055E

---00000---

REPLY:

- (1)(a) No, the Mpumalanga branch of the Green Scorpions have not yet taken action but had requested Coal of Africa Limited (CoAL), the owners of Mooiplaats Colliery to submit all environmental mining plans (EMPs), environmental impact assessments (EIAs), National Environmental Management Act (NEMA) authorizations and water use license applications (WULAs) relating to all their mining operations in Mpumalanga by 10 September 2010 for verification and possible prosecution. The Green Scorpions will then decide on the way forward by end September 2010 after inputs from all relevant parties that were involved in a joint site visit to Mooiplaats Colliery on 16 August 2010, namely officials from the National Prosecuting Authority, my Department and the Mpumalanga Parks and Tourism Agency.
- (1)(b) No, the Compliance Monitoring and Enforcement (CME) Directorate (Blue Scorpions) did not take any action. They will, however, cooperate with their counterparts (Green Scorpions) regarding input on water related issues and subsequent action. My Department is interacting with the Colliery regarding their water use license application.
- (2) To date, no compliance notices or directives have been issued to the mine. It should be noted that the WULA which had been submitted to my Department lacked important technical information and has been returned to the applicant setting out the requirements and additional information required.
- (3) The alleged transgressions include operating without:
 - A Water Use Licence (WUL),
 - Authorisations under NEMA for almost all activities,
 - An appropriate closure plan (addressing liabilities, financial provision), and
 - An appropriate EIA for closure.
- (4) Yes, the discharge has to be discontinued and be accounted for in the WULA. Any other non-compliance will be assessed based on the information to be submitted and remediation measures will follow if required. Unauthorized activities under NEMA may be dealt with under Section 24G of NEMA.