



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

MINISTRY OF WATER AND
ENVIRONMENTAL AFFAIRS

2011-03-07

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MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 45 FOR WRITTEN REPLY

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

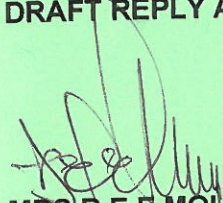
With respect to your instruction for a briefing on this case and all other related water cases, your office has been approached for a date.

Copies of the replies to questions 872, 1442 and 2010 are attached for information. Attached is a letter to the Member, Mr G R Morgan for your signature.


ACTING DIRECTOR GENERAL

DATE: 4/03/2011

DRAFT REPLY APPROVED/AMENDED


MRS B E E MOLEWA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 10.03.2011

FOR WRITTEN REPLY

QUESTION NO 45

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 10 FEBRUARY 2011
(INTERNAL QUESTION PAPER NO. 01)

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

- (1) Whether, with reference to her replies to questions 872 on 5 May 2010, 1442 on 25 May 2010 and 2086 on 18 August 2010, the National Prosecuting Authority has informed her of its decision as to whether there is a criminal case against the Aurora mine for noncompliance in terms of the National Water Act, Act 38 of 1998, if not, what is the position in this regard; if so, what are the relevant details;
- (2) whether any further directives have been issued against the mine since 28 April 2010; if so, what are the relevant details; if not, why not;
- (3) (a) on what date was the last inspection of the mine conducted by officials of her department and (b) what are the (i) names and (ii) designations of all officials who visited the mine;
- (4) what is the current level of mine water below the pump station;
- (5) whether the rising water poses any risk of acid mine drainage decanting at other sites on the East Rand; if not, how was this conclusion reached; if so, what are the relevant details?

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REPLY:

- (1) No, the investigation into the transgressions by the mine has recently been completed by the investigating officer of the South African Police Services (SAPS). The docket is currently being perused by the Compliance Monitoring and Enforcement officials in the Department together with the SAPS investigating officer to determine the extent of the charges that must be reflected on the formal charge sheet. The Department of Environment Affairs is part of this process which will result in an inclusive charge sheet to be submitted to the National Prosecuting Authority for consideration.
- (2) No further directives have been issued against the mine since 28 April 2010. As there was no response from the mine to the directive, the Department subsequently opened a criminal case against the mine.
- (3)(a) The last inspection was carried out on 1 February 2011. This date is significant as the mine stopped pumping on 31 January 2011.
- (3)(b)(i) The officials who were present on the last inspection of the mine (names furnished).
- (3)(b)(ii) Designation of all officials who were present on the last inspection of the mine:
Acting Chief Director: Regulations
Deputy Director: Compliance Monitoring Enforcement
Deputy Director: Resource Protection and Waste (Subdirectorate: Mines)
Assistant Director: Water Quality
Investigator: Compliance Monitoring and Enforcement

- (4) The pumps have been removed and the mine water has flooded the area where the pump station used to be.
- (5) Yes, the rising water poses a risk of acid mine drainage decanting at other sites on the East Rand. The Department is therefore currently investigating the Environmental Critical Level (ECL) in order to establish when and how to apply possible intervention measures, such as pumping to maintain the established ECL as well as partial treatment.

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