



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA



EdST

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MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 774 FOR WRITTEN REPLY

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

W. S. Molewa

DIRECTOR-GENERAL

DATE: 23/03/2012

DRAFT REPLY APPROVED/AMENDED

B. E. Molewa

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

DATE: 2012/03/25

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FOR WRITTEN REPLY**QUESTION NO 774**

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 16 MARCH 2012
(INTERNAL QUESTION PAPER NO. 08)

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

- (1) (a) On what dates were the latest two inspections carried out by officials of the Department of Water to Foskop in Richards Bay and (b) in each case, what are the (i) names and (ii) designations of the officials;
 - (2) whether she has been informed of recent fish kills at the Thulasihleka Pan, below the Foskop site; if not, what steps does she intend to take to ascertain the relevant facts; if so, what are the relevant details;
 - (3) whether she has been informed that a storm water exit on the southern side of the Foskop site flows directly into the receiving environment; if not, what steps does she intend to take to ascertain the relevant facts; if so, on what grounds is this situation deemed acceptable;
 - (4) whether she has been informed of severe erosion of the area below the conveyor leading from Foskop and that there is dead vegetation below the conveyor; if not, what steps does she intend to take to ascertain the relevant facts; if so, what steps has she taken to rectify the situation;
 - (5) whether her department has issued any (a) notices or (b) directives have against Foskop in terms of provisions of the National Water Act, Act 36 of 1998, since 1 January 2011; if not, why not; if so, what are the relevant details? NW943E
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REPLY:

- (1) The Department of Water Affairs has been addressing this matter by intervening since the heavy floods as it is evident below. Table 1 below indicates the dates, name and designations of official who conducted the latest two site inspections to Foskop in Richards Bay.

Table 1: Name of official and her designation

(a) Date	(b)(i) Name of official	(b)(ii) Designation
2 May 2011	Name furnished	Details furnished
6 May 2012	Name furnished	Details furnished

- (2) Yes, as it is evident below, the Department was informed on 6 March 2012 regarding the fish kills at the Thulasihleka Pan and started acting accordingly as required by our mandate The chronological events are as follows:

Day	Action taken
2 March 2012	<ul style="list-style-type: none"> The Department was contacted by Foskop with regards to the heavy rains that were predicted and what measures Foskop would put in place. The effluent from the dams was pumped through a pipeline out to the sea to keep the dams as low as possible.
3 March 2012	<ul style="list-style-type: none"> 240mm of rain fell in Richards Bay. Ongoing pumping conducted by Foskop through a pipeline out to the sea.
4 March 2012	<ul style="list-style-type: none"> Dams from Foskop overflowed from 6:00 to 24:00. Ongoing pumping through a pipeline out to the sea continued.

Day	Action taken
5 March 2012	<ul style="list-style-type: none"> Water samples were taken and sent for analysis. Ongoing pumping through a pipeline out to the sea continued. The system was also flashed with clean water.
6 March 2012	<ul style="list-style-type: none"> Dead fish was noted by Foskop. Samples were taken and frozen. Ongoing pumping through a pipeline to the sea and flushing of the system continued.
7 March 2012	<ul style="list-style-type: none"> No new dead fish were noted. Water samples were continuously taken. Ongoing pumping via the pipeline to sea and flashing of the system continued.
8 March 2012	<ul style="list-style-type: none"> No new dead fish noted. Water samples were taken. Ongoing pumping via the pipeline to the sea and flashing of the system continued.
9 March 2012	<ul style="list-style-type: none"> Fish samples were taken to the CSIR for analysis.
10 March 2012	<ul style="list-style-type: none"> No new dead fish noted. Water sampling and flashing of the pan ongoing.

The Department is waiting for the water samples as well as the fish results from Foskop to determine the next steps to be taken.

- (3) Yes, the Department has always been aware of the dams behind Foskop which are used as part of the storm water management on site for Foskop (and not for discharge of effluent into the natural environment). The primary dam has a capacity of 4000m³ and the secondary dam has a capacity of 16 000m³. When the primary dam is full, an outlet allows the effluent to be pumped to the secondary dam. If the secondary dam is full, then, Foskop pumps the effluent out to sea via the Mhlathuze pipeline in terms of their agreement with Mhlathuze Water. The discharge to sea is licensed by the Department.

Notwithstanding the above facts, it must be noted that the Richards Bay area was impacted by Cyclone Irina and had rainfall in excess of 240mm on 3 March 2012 and as such the water could not be contained by Foskop even with the measures in place because of the Cyclone conditions.

- (4) Yes, the Department is aware of the erosion below Foskop. The whole area behind the site was contaminated from operations in the 1980s and 1990s. Foskop is implementing a remediation project to contain and treat the contaminated groundwater. Foskop has completed the risk assessments and has also met with the relevant stakeholders with regards to the remediation. The initial phases of the remediation is being implemented by digging cut off trenches to capture contaminated water and pump it back to the storm water dams. The dead vegetation is also due to the day lighting of groundwater from Foskop as the groundwater has a low pH.
- (5)(a) The Department issued a notice on 22 July 2011 for a storm water pipe that was discharging effluent into the Upper Pan and to implement measures to rehabilitate the Upper Pan, which was implemented by Foskop.
- (5)(b) No Directives have been issued by the Department as Foskop immediately stopped the flow of stormwater from their site into the upper Pan and implemented remedial measures.