



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA



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### MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

### NATIONAL ASSEMBLY: QUESTION 84 FOR ORAL REPLY

A draft reply to the above mentioned question asked by Mr W M Madisha (COPE) is attached for your consideration.

DIRECTOR-GENERAL

DATE: 02/03/2012

DRAFT REPLY APPROVED/AMENDED <sup>as</sup> on last paragraph ✓ Done S.

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

DATE: 2012/03/04

NATIONAL ASSEMBLY

FOR ORAL REPLY

QUESTION NO 84

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 28 February 2012  
(INTERNAL QUESTION PAPER NO. 05)

★84. Mr W M Madisha (Cope) to ask the Minister of Water and Environmental Affairs:

Whether her department has any policy or plans in place to ensure that the mining industry is (a) held accountable for acid mine drainage, (b) contributing to a long term solution to acid mine drainage and (c) taking responsibility for the damage already caused by acid mine drainage; if not, what is the position in this regard; if so, what are the relevant details?

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REPLY:

- (1) (a) Yes, the "polluter pays principle" embodied in the National Environmental Management Act, 1998 (Act 107 of 1998) and the National Water Act, 1998 (Act 36 of 1998) applies. The basic economic principle requires the producers or generators of pollution (including acid mine drainage) to pay for the costs of avoiding pollution or of cleaning up or remedying its effects.

The Department has in consultation with the mining industry developed an immediate solution for managing acid mine drainage (AMD) in the West Rand. This was achieved by upgrading and expanding an existing mine water treatment plant belonging to Gold 1 (previously Rand Uranium). When this plant becomes fully-operational during March-April 2012, the mine will make a partial contribution to the operations and maintenance. In addition, the short-term solution planned for the Central Rand mining region will make use of dedicated pumps procured by the mining industry, as well as other infrastructure belonging to them.

In cases of derelict or ownerless mines, Government has taken up the responsibility of exploring options for short- and long-term solutions, as well as investigating the possibility of recovering the costs of AMD management from mines that previously operated in the Witwatersrand mining region. Additionally, a levy on existing mines to provide revenue for AMD management is also being considered.

- (b) Yes, a feasibility study for the long-term management of AMD and mine water in the Witwatersrand is presently underway. An aspect of the study involves a legal assessment of the liability of the mining industry for AMD and mine water.
- (c) Yes, environmental damage due to AMD is presently only evident in the West Rand, with some treatment already happening in Mpumalanga. Once the AMD situation has been brought under control, the mining industry is willing to investigate environmental remediation, together with the Department.

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