



the federation for a sustainable environment

REPORT FOR JUNE 2024

LITIGATION

IN THE SUPREME COURT OF APPEAL: In the matter between: ENDANGERED WILDLIFE TRUST: First Appellant and the FEDERATION FOR A SUSTAINABLE ENVIRONMENT: Second Appellant and the DIRECTOR-GENERAL (ACTING), DEPARTMENT OF WATER AND SANITATION (First Respondent) & ATHA-AFRICA VENTURES (PTY) LTD (Second Respondent):

The Centre for Environmental Rights filed the EWT's and the FSE's Heads of Argument on the 14th of June 2024. The respondents are expected to file their heads on the 15th of July 2024.

LECTURES

- The FSE delivered a Guest Lecture in the short course (24 to 28 June 2024) at the School of Mining Engineering, University of the Witwatersrand. (Ref. Dr Pontsho Twala). The course provided an overview of the mineral value chain and focuses on specific aspects that affect health and safety performance of mining operations. OSH issues within operations but also impacts and risks that affect mining communities.

The FSE's presentation is subjoined hereunder.



2024 DR PONTSHO
TWALA. SCHOOL OF

COMMENTS ON:

- COMMENTS ON THE SPRINGFIELD COLLIERY MINING RIGHT APPLICATION & REDAN SIDING, GP30/5/1/2/2/10113MR: AMENDED DRAFT EIAR



2024 FSE
COMMENTS ON GLL

PARTICIPATION IN:

- 4 June 2024: Wonderfonteinspruit Catchment Management Forum (CMF) meeting. Written contribution.
- 6 June 2024: Mooi River CMF meeting.
- 18 June 2024: North-West University - Sibanye-Stillwater funded project titled “*Working Towards Proactive Activities & Initiatives for a sustainable Far West Rand in the 21st century*”. This multidisciplinary group, representing no less than four faculties and further supported by professionals, NGO’s and members of communities in the Far West Rand as informed contributors, presented a Report on the first phase of this project. The FSE was a contributor to this Report.

IN ATTENDANCE OF:

- 19 June 2024. The SWPN webinar titled “*Gauteng’s Impending Water Crisis*”.
- 28 June 2024. Multi Stakeholder Consultation on the Draft Environmental Noise Standard.

NOTIFICATIONS OF ENVIRONMENTAL DEGRADATION AND POLLUTION

- The FSE reported ongoing sewage pollution of the Wonderfonteinspruit to the Rand West City Local Municipality. Reference: Gladys Ngwana <Gladys.Ngwana@Randwestcity.gov.za> **(No response received.)**
- The FSE reported the ongoing sewage pollution from the Flip Human Waste Water Treatment Works (WWTWs) and the Hannes van Niekerk WWTWs within Mogale City Local Municipality and Rand West Local Municipality. Ms Anet Muir, the Chief Director, Water Use Compliance & Enforcement of the Department of Water and Sanitation responded as follows:

“Please note that we suspect that the area on the video is not at the WWTW but Luipaardsvlei Dams where the team went for a site inspection. The dams are downstream of Flip Human WWTW and receives sewage pollution from various sources, which are Toekomsrus Pump Station under Rand West Local Municipality, dysfunctional Flip Human WWTW, Chief Mogale and Rietvlei Pump Stations under Mogale City Local Municipality.

1.Toekomsrus PS

A notice was previously issued), and the spillage was addressed. However, the spillages are recurring due to the electrical malfunctions as observed during the inspection on 24 April 2024.

2.Flip Human WWTW

The plant is due for the routine inspection in June as the last inspection was conducted in June 2023. It is dysfunctional but we regularly monitor during sampling, currently contractors are on site for refurbishment of the plant. The previous two months we could not access the final effluent as is located far for the plant because the area was saturated as you pass through a wetland. A directive was issued on 23 May 2024, for pollution and non-compliance to the WU authorisation.

3. Chief Mogale and Rietvlei PSs

A directive was issued and the case was the referred to Enforcement Unit for further enforcement actions. Enforcement was recently on site.

The Regional Head had also set up a meeting with the municipality but the MM cancelled and the meeting has not yet been rescheduled.”

RESEARCH ASSISTANCE

- Elana Scott. University of Cape Town. Master's in philosophy Environment Society and Sustainability in the Department of Environmental and Geographical Sciences titled “Investigating the role of corporate social responsibility in post-closure gold mining strategies and the impacts on host communities and ecosystems in South Africa”.

“I wanted to take some time to extend my gratitude for your participation and involvement in my research and for also reaching out to representatives when I was having a hard time. I could not have completed this work without you.”

- Pauline Régnier: master’s degree in political sciences ecology and strategy as part as agronomy engineering studies at AgroParisTech in France. The thesis supervisor from the University is Ambroise De Montbel (Agronomy engineer, specialist of the commons, assets management strategies). The thesis is combined with an internship for Synergy Global Consulting.
- Darren Harwood and team regarding their SDG6 research, which will form part of their GIBS Post Graduate Business Administration (PGBA) research assignment.
- Nina Herzog Hawelka regarding the research project called CLIFF – Climate Change and Fossil Fuels and the role of big investors to develop and explore (offshore) oil and gas, and civil society’s interventions.
- Prof Eric Nealer regarding the “*Nature on Engaged Scholarship and Community Engagement Project in Merafong in terms of the implementation of alternative service delivery*”.

Dear Prof Naidoo

FOR YOUR INFORMATION..., and proof that the Wonder Fontein Spruit Community Forum (WFCF)(active on the West Rand, Gauteng Province), AND through immense leading and steering by the best environmental activist in RSA (Ms Liefferink, FSE), REALLY can bring about some governmental reactions to try and affect positive changes Enjoy your Action Research!

Prof Nealer.

- Evariste Umba and Professor Mulaba regarding greener alternatives (.e.g. thiosulfate and its derivatives) to cyanidation for gold recovery..
- Magaliesberg Biosphere (Ref. Belinda Cooper) regarding illegal chrome washing plants, relevant legislation, and assistance with the compilation of a document for the DFFE, DWS and DMRE.
- Bradley Ainge regarding soil samples of the Robinson Lake and Tudor dam.

REQUEST FOR INFORMATION IN TERMS OF THE PROVISIONS OF THE PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

- 24 June 2024. Revised request to the DWS for information pertaining to Glencore’s Operations. (Ref. 'Leshilo Thato' <LeshiloT@dws.gov.za>) (In progress.)



2024 JUNE 2
GLENCORE.docx PAI

- Assistance to Stefano Valentino, an Italian journalist, regarding a request for information to the DMRE, in terms of the provisions of the PAIA pertaining to Glencore’s operations.
- Request to South Deep Mine (reference: Lettah Koki) regarding clarity on the instream high Al and U at S6 and S10 and the reason.

Gold Fields-South Deep

January- March 2024

Parameters		pH	Cond	SS	SO4	Mg	Na	Fe	F	NO ₃ (N)	OP04 (P)	Cl	U	Al	Mn
Units			ms/m	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	ug/l	mg/l	ug/l
Rietvlei Catchment Water Quality Guidelines		>6.5 and <8.5	>120	>55	>500	>70	>150	>1.0	>1.00	>6	>0.6	>200	<10	>0.5	500
S6 Below South Deep Old Return Water Dams/Old TSFs 1&2	2024/01/18	7.90	76.0	<10	243.6	59.0	10.0	<0.1	0.4	1.1	<0.08	78.0	10.0	4.2	0.4
	2024/02/12	7.10	214.0	<10	163.0	21.0	143.9	0.1	0.7	2.0	<0.08	166.0	285.0	1.0	15.0
	2024/03/12	7.10	272.0	11.0	156.0	63.0	26.0	0.1	1.2	1.0	<0.08	110.0	114.0	1.0	15.0
S10 Below Old TSFs 3&4	2024/01/26	7.50	91.0	<10	281.6	35.0	88.0	<0.1	0.1	2.0	<0.08	76.0	21.0	19.0	119.0
	2024/02/06	7.50	91.0	<10	266.6	26.0	87.0	<0.1	0.6	1.6	<0.08	61.0	21.0	19.0	4.5
	2024/03/19	7.80	104.0	11.0	323.6	24.0	87.0	<0.1	0.4	1.6	<0.08	77.0	26.0	18.0	0.6
S19 Below Doornpoort TSF	2024/01/18	7.90	34.0	22.0	92.0	26.0	21.0	<0.1	0.1	0.6	<0.08	66.0	1.0	18.0	0.0
	2024/02/06	8.10	48.0	23.0	70.0	22.0	13.0	<0.1	0.2	1.0	<0.08	53.0	0.0	12.0	0.0
	2024/03/26	7.80	37.0	48.0	118.0	29.0	14.0	<0.1	0.1	1.0	<0.08	33.0	1.5	2.0	1.2

Rietvlei Water Quality Guidelines	Ideal	
	Acceptable	
	Tolerable	
	Unacceptable	

(Response received.)

- Merafong City Local Municipality (Ref. Andre Loots). Kokosi WWTW and Stream WQ Monitoring Results. (Information received.)
- Request for the status of the criminal case against Mr Iwan Roux (Case Number RC 144/23) to Grant Walters of the DFFE. (Information received.)

The matter was resolved in the Krugersdorp magistrates court yesterday [13/06/2024]. In addition to obtaining a conviction which we believe is appropriate under the circumstances, Mr. Roux will be put through a process to determine the impacts of the development on the environment before he is allowed to proceed. We believe that this is the best way forward, and it will allow our resources to be deployed to support the DWS to deal with the significant impacts of the sewage in this area.

All interested and affected parties will be allowed to provide their inputs before a final decision is made.

APPEALS

- 23 June 2024. The FSE submitted an Appeal against the Environmental Authorisation of the Accommodation Pods within the Nkomazi Game Reserve within a UNESCO World Heritage Site – the Barberton Makhonywa Mountain Lands World Heritage Site. The Appeals Administrator: Mamikie Semenya, Senior Legal Admin Officer, Appeals and Legal Review, DFFE: National Office (msemenya@dffe.gov.za) acknowledged receipt.



2024 FSE APPEAL
AGAINST THE EA OF

SEMINARS

- 26 June 2024. The FSE attended and presented at the Benchmarks/Earth Works/ Mining Watch Seminar on the Global Industry Standard for Tailings Management. The FSE's presentation is subjoined hereunder.



2024 BENCHMARKS
FOUNDATION TRAIL

NEWS MEDIA INTERVIEWS

- 17 June 2024. Lucy Martens, a documentary film maker and working, in collaboration with Jay Naidoo on the Magaliesburg Alliance on a short story on platinum mining in for Icarus Complex Magazine: <https://icaruscomplexmagazine.com/>
- June 23, 2024. Sunday Times. “Sunflower activists’ plant a seed on big-mining turf”.



- Adele Louw. Carletonville Herald. 24 June 2024 regarding Far West Gold Recoveries regarding the construction of a regional Tailing Storage Facility within the Fochville area.

REVIEW OF THE FOLLOWING SCHOLARLY PAPERS:

- “Enhancing Water Management and Governance in South Africa: The Need for Efficiency and Effectiveness in Monitoring and Evaluation Programmes”. Richard Kwame Adom1, Mulula Danny Simatele. School of Geography, Archaeology and Environmental Studies, University of Witwatersrand, Johannesburg

MEETINGS

- 5 June 2024. Nivashni Naidoo and Jozua Ellis of Harmony Gold Mining Company regarding diverse matters pertaining to Harmony's operations.
- 21 June 2023. Donald A Vinnicombe of Benefici8 (Pty) Ltd. regarding Sustainable and Applicable Energy, Waste and Water Solutions.

ENGAGEMENTS WITH:

- Prof Tracy-Lynn Field & the Centre for Environmental Rights regarding the Biowatch Principle and DWS seeking costs in constitutional litigation.
- John Wesson of WESSA and Dominique Janse van Rensburg regarding NECSA's alleged discharges into the Crocodile River.
- Sibanye-Stillwater regarding the groundwater sampling report of groundwater at Waterval IQ downstream of Mill Site complex (Ref. Nishi Harpursad/ Mr Esterhuizen.)
- Dr Ferrial Adam and Jacqui du Plooy regarding the Springfield Colliery Mining Right Application & Redan Siding
- Fred Daniel & Adv. Jacques Joubert regarding the environmental authorisation of Accommodation Pods within the Nkomazi Game Reserve and sewage pollution of the Bloubankspruit within the Cradle of Humankind World Heritage site.
- West Rand District Municipality regarding Reports on the site visits to the WWTWs on the 24th of April 2024 to West Rand District Municipality. (Ref. Susan Stoffberg and Danny Govender.)
- Francois van Tonder of Kracht Alpha regarding Underground Pumped Hydro Storage (UPHS) energy: A renewable energy technology for mines and post-mine-life communities.
- Gunter Wippel and the Stampriet Aquifer Uranium Mining Association regarding the Stampriet Uranium Mining Application in Namibia.
- Dr Megan Eardley regarding METALS Conference in September 2024 in Albuquerque.
- Blyvoor Gold Capital (reference: Dave Wittaker and Louis Lamsely), DWS and Harmony Gold regarding Blyvoor Gold Water Use Licence Application.
- Tarryn Johnston on the Deep Water Movement Crisis Intervention Convention - 5 & 6 September 2024.
- Nkosi Hlabeni of Poortjie and of the Owe2Green Economy regarding environmental programmes.
- Centre for Environmental Rights on the Mabola Land Use Change Review Application.

SITE VISITS

- 15 June 2024. Hennops River and Centurion Lake, Centurion.

COMMUNITY ASSISTANCE/FACILITATION

- Fochville I&APs (Ref. Ingrid Gietzmann) and Far West Gold Recoveries Tailings Storage Facilities (Ref. Greg Ovens)
- Theresa Daniels. (Alberton) – Development within Klip Rivierberg Nature Reserve.
- Rand Leases rehabilitation project (Ref. Godfrey Makomane/Grant Fischer/Ferdi Dippenaar).
- Heike Stegmann regarding uranium and nuclear issues in Namibia and the Stampriet Uranium mining application.
- Bongumusa Mbatha. Institute for Social Dialogue. GISTM Report.
- Between Pan African Resources and the Sunday Times (Ref. Bobby Jordan.)
- Lawrence Shilenge, Margaret Village and Harmon Gold Mining Company.

FINANCIAL ASSISTANCE

- Ergo/FSE/Riverlea Livelihoods Implementation Programme in collaboration with Umsizi Sustainable Social Solutions and Let Us Grow (Ref. Michael Benham, John-Mark Killian & Wayne van Heerden)



- Tlhaho-Imvelo Environmental Organisation regarding environmental school programmes (Ref. Pule Makotele)
- Promotional material for the environmental month commemoration in collaboration with Goldfields' South Deep Mine. 4 June 2024.
- Philani Orphans and Vulnerable Boys: Transport and Catering. In collaboration with Goldfields' South Deep Mine. 21 June 2024.
- Page Moeti. Bekkersdal in support of a Letter of Good Standing by the Department of Labour.

- In support and recognition of the independent news media.