



the federation for a sustainable environment

## REPORT FOR SEPTEMBER 2024

### ACKNOWLEDGEMENTS

*“We would like to begin by expressing our heartfelt gratitude to... the Federation for Sustainable Environment (FSE) whose unwavering commitment to environmental justice and community empowerment made this opportunity possible. [The FSE’s] introduction and delegation of Owe2 Green Economy to facilitate the programmes of Far West Gold Recoveries is both a privilege and a profound responsibility. We are honoured to have [the FSE’s] trust and guidance as we move forward..”.*



Sustainable  
Agricultural Programr

### CRIMINAL CHARGES

The FSE submitted an affidavit in support of the Department of Water and Sanitations’ criminal charges against Mogale City Local Municipality for the ongoing and worsening pollution of the rivers within the Cradle of Humankind World Heritage Site. CASE NO 76/08/2024.





[https://www.youtube.com/watch?v=zITimkOJN\\_U](https://www.youtube.com/watch?v=zITimkOJN_U)

## RESEARCH

- The CEO FSE has been appointed as an external examiner to evaluate the MSc thesis work of Mr Siphon Sethu Mashiyi for IHE Delft, Institute for Water Education under the auspices of UNESCO. The title of the thesis is: “Social and Material Relations in Post-Extraction Landscapes. A Case Study of the Witwatersrand Area in South Africa”.
- The FSE is assisting Limbani Rodney Kalumbi with his PhD degree in Exposure Science with the Faculty of Health Sciences, University of the Witwatersrand, Johannesburg. His supervisors are Prof Derk Brouwer, Faculty of Health Sciences, School of Public Health, Occupational Health Division, University of the Witwatersrand; Prof Masilu Daniel Masekameni, College of Human Sciences, School of Social Sciences, Department of Development Studies, University of South Africa & Dr Wells Utembe, Toxicology Department, National Institute for Occupational Health (NIOH). His thesis is titled “Uranium exposure and associated health risks among residents near gold mine tailings storage facilities in West Rand, South Africa.”

## CONFERENCES AND PRESENTATIONS

- 2 September 2024: The FSE was requested by Prof Richard Meissner and Prof Jeroen Warner to present at the South African Water Sector’s Institutional Landscape at UNISA’s hydro-political layer cake conference. The FSE’s presentation is subjoined hereunder.



Participants in UNISA Hydropolitical Layer Cake Conference.

26 September 2024. The FSE presented the keynote address at the “Sharing Lived Experiences of Uranium-Exposed Communities – A Global Discussion” Conference. University of New Mexico, Pueblo of Laguna, and Red Water Pond Road Community. September 26-28, 2024.

This conference featured sharing of lived experiences among former South African gold and uranium miners and former uranium workers and community members impacted by uranium mining on the Pueblo of Laguna and Navajo Nation in New Mexico, USA. The conference, funded in part by the National Institute of Environmental Health Sciences (NIEHS), was held in three different locations over three days, September 26-28, 2024. The first two days had both in-person attendance and online (remote) viewing through Zoom. The conference started at the University of New Mexico Health Sciences Center in Albuquerque on Sept. 26, moved to the Pueblo of Laguna (located 45 miles west of Albuquerque) on Sept. 27, and resumed on Saturday Sept. 28 at the Red Water Pond Road Community Association “Shade House” in Coyote Canyon Chapter, about 140 miles west of Albuquerque, NM. Former South African miners and their academic allies shared stories about the impacts of uranium processing in their communities. New partners are also joining from the Santa Quitéria uranium mining project, Ceara state, Brazil.

The FSE’s presentation is subjoined hereunder.



2024 MEGAN  
EARDLEY FINAL R13 C

*“I want to thank you again for [the] brilliant talk, which impressed and motivated much discussion among community organizers as well as scientific researchers on this end. For me it was a master class on how to talk about complex realities in a clear and urgent manner”.*

Dr Megan Eardley.

#### PARTICIPATION IN:

- 12 September 2024: Celebration of the 248<sup>th</sup> US Independence Day.



The CEO of the FSE with the US Ambassador

- 3 September 2024: Consultation workshop of the DMRE on the amendments of the Mineral and Petroleum Resources Development Act, 2002.
- 10 September 2024: IVRS Scenario Planning Workshop: Upper Vaal.
- 20 September 2024: DWS' Middle Vaal Integrated Vaal River System Scenario Planning Workshop.
- 17 September 2024: DWS' Hennops River Catchment Management Forum.
- 19 September 2024: Development of Water Quality Management Plans for the Upper Vaal River Systems.

## COMMENTS ON:

- The draft Mineral Resources Development Amendment BILL 2024 (MRDB). The FSE's comments are subjoined hereunder.



2024 FSE  
COMMENTS ON THE

- The draft National Strategy for Mine Closure and Ownerless and Derelict Mines. The FSE's comments are subjoined hereunder.

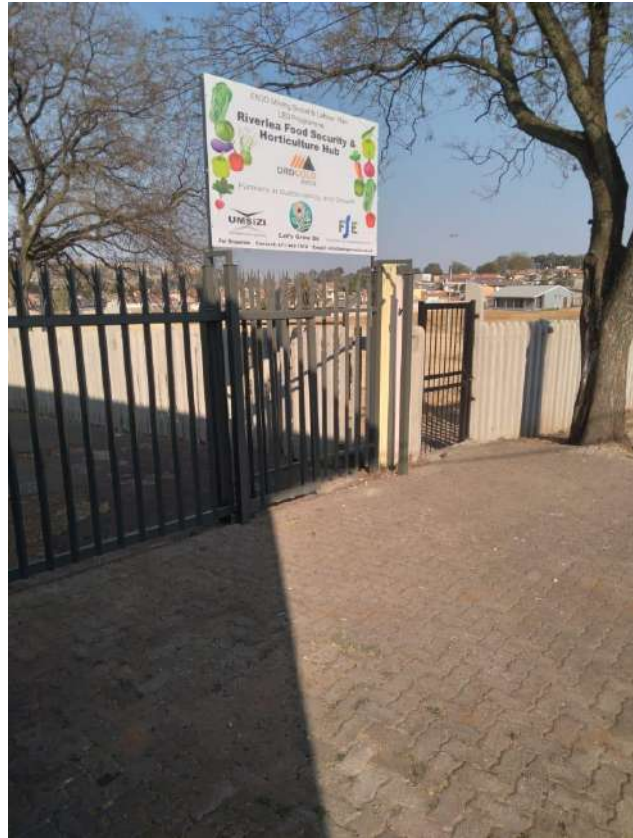


2024 FSE  
COMMENTS ON THE

- The proposed expansion of the Vaal Triangle Priority Area (Ref. Dr Patience Gwaze, DFFE).

## COMMUNITY PROGRAMMES





The FSE facilitated and contributed to the establishment of the Let's Grow Community Garden Project in Riverlea.



Michael Benham and some of his team of Let's Grow.

- The FSE in collaboration with South Deep Mine assisted with the Heritage Day celebrations of South Deep Mine's project affected communities on the 24<sup>th</sup> of September 2024.





- The FSE assisted on the 16<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, and 22<sup>nd</sup> September, 2024 with South Deep Mine’s community projects including Heritage Day on the 24<sup>th</sup> of September, 2024.
- 19 September 2022. The FSE facilitated and funded an Environmental Sustainability Workshop for the community of Merafong. (Ref. Kabelo Radebe).

## ENVIRONMENTAL TOURS

- 18 September 2024. The FSE in collaboration with Goldfields’ South Deep Mine arranged and conducted a tour with Poortjie – a project affected community - of Pan African Resources-‘ Sibanye-Stillwater- and South Deep Mine’s operations. Security was provided by the mining companies.



Visit of Sibanye-Stillwater’s Rand Uranium operations.



Visit of Pan African Resources' Mogale Retreatment project.



Visit of Pan African Resources' operations: Krugersdorp.



Visit of the Lancaster Dam and the headwaters of the Wonderfonteinspruit, Krugersdorp.





Visit of Rand Uranium's Sand Dump 20.

- 28 September 2024. Environmental Tour with Goldfields & Sibanye-Stillwater's Roundtable representatives and Goldfields' Trust.



## COMPLAINTS

- 20 September 2024. The FSE disclosed evidence of alleged pollution and non-compliances by Glencore's South African Operations to JP Morgan, an investee of Glencore. Attached hereunder is the document with the DWS' Audit Report of Glencore's Tweefontein Complex operations.



GLENCORE -  
DISCLOSURE OF ALLE

## WORKSHOPS

- 19 September 2024: The FSE facilitated and funded the Merafong Environmental Sustainability Workshop (Reference: Kabelo Rabede).

## REQUESTS FOR INFORMATION

On 28 October 2011, the DWS issued a water use license (WUL) to the City of Tshwane Metropolitan Municipality (CoT) in terms of section 21 of the NWA. The WUL was for the removal of sand and silt from the Centurion Lake and the deposition of the silt on a registered hazardous land fill site. Please refer to the attached WUL for ease of reference.

The WUL was valid for 12 years. The conditions of the WUL were set out in Appendix II of the WUL. The conditions prescribed the activities that the Municipality must undertake and the regulatory and financial obligations of the Municipality.

The WUL authorized the Municipality to:

- Impede or divert the flow of water in a watercourse and permitted in terms of section 21(c) of the NWA; and
- Alter the bed, banks, course or characteristic of a watercourse as permitted in terms of section 21 (i) of the NWA.

One of the conditions of the WUL was that the CoT must comply with the conditions of the Environmental Authorisation (attached) when carrying out its duties under the WUL.

The DWS conducted a WUL Compliance Audit on 22 October 2019 and ordered the Municipality to compile an Action Plan, to address the Municipality's noncompliance, unauthorised activities as well as any contraventions identified during the audit. On 6 February 2021, the DWS issued the Municipality with a Notice of Intention to Issue a Directive for the rehabilitation of the Lake. The DWS indicated that it had reasonable grounds to conclude that the Municipality had engaged in an activity that was likely to cause pollution of the water resource and had failed to comply with the conditions of the WUL.



The WUL of 2011 has lapsed.

The FSE requested a copy of the CoT's current authorised WUL pertaining to the aforementioned activities on the 11<sup>th</sup>, 22<sup>nd</sup>, 26 August, 2024 from 'Muir Anet (DHQ)' <MuirA@dws.gov.za>; 'Madimabe Sibongile' [MadimabeS@dws.gov.za](mailto:MadimabeS@dws.gov.za) Cc: 'Malandula Mihloti' <MalandulaM@dws.gov.za>; 'Sean Phillips (DG)' <PhillipsS@dws.gov.za>; 'Nemutudi Tshifhiwa Eunice' <NemutudiE@dws.gov.za>; 'Fourie Naomi' <FourieN@dws.gov.za> .

Although the DWS responded, seeking clarity, the requested information was not supplied.

## PETITIONS

The FSE contributed towards the drafting of a petition pertaining to the ongoing sewage pollution of the Cradle of Humankind World Heritage site. The petition was launched on the 22<sup>nd</sup> of September 2024. The link to the petition is: [https://www.petitions.net/rehabilitation\\_of\\_the\\_water\\_in\\_the\\_cradle](https://www.petitions.net/rehabilitation_of_the_water_in_the_cradle)

The petition reads:

The Cradle (Muldersdrift) is currently negatively impacted by the high level of sewage pollution in the water courses flowing through the World Heritage Site and as a consequence risking the health of all the residents and visitors/tourists to the area. The CSIR does regular water quality tests in the area and has classified the rivers in the cradle area as E/F, the worst classification possible. According to their reports the watercourses are essentially dead due to the high level of pollution. The environment in the vicinity of the watercourses has been damaged and there is serious cause for concern on the long-term impact this will have on the ground water in the area. There are already indications that the quality of the groundwater is deteriorating.

Accordingly, we, the undersigned, urgently call upon:

1. Firstly, the Minister of Forestry, Fisheries and the Environment:

1.1 Whose mandate it is to protect and conserve the Outstanding Universal Value of the Cradle of Humankind World Heritage Site (COHWHS), the loss of which will constitute an impoverishment of the heritage of all the peoples of the world and, in particular of the people of South Africa;

1.2 Who, as Minister responsible for environmental affairs, has the constitutional duty and legal obligation to respect, protect, promote and fulfil the rights in the Bill of Rights, including the fundamental environmental right enshrined in section 24(b) of the Constitution, providing that everyone has the right to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation;

1.3 Who is also responsible for national environmental management in terms of the National Environmental Management Act 107 of 1998, which was specifically enacted to give effect to the fundamental rights to the environment, as provided for in section 24 of the Constitution;

1.4 Who is furthermore responsible for enforcing and implementing the World Heritage Convention Act, 49 of 1999, as well as the Convention Concerning the Protection of the World Cultural and Natural Heritage, adopted by the General Conference of United Nations Education, Scientific and Cultural Organisation on the 16th of November, 1972 and ratified by the Republic of South Africa on the 10th of July 1997;

1.5 And, who is responsible for the management of protected areas, including world heritage sites, in terms of section 9(b) of the National Environmental Management: Protected Areas Act, 57 of 2003;

2. Secondly, the Minister of Water and Sanitation:

2.1 Through whom the National Government, as the public trustee of the nation's water resources, must ensure that water is protected, used, developed, conserved, managed and controlled in a sustainable and equitable manner, for the benefit of all persons and in accordance with its constitutional mandate;

2.2 Who has a political responsibility for the Department of Water and Sanitation to enforce regulatory measures that ensure the provision of safe water and the effective management of wastewater, and in terms of the National Water Act, 36 of 1998, ensure inter alia the protection of aquatic and associated ecosystems and their biological biodiversity, preventing pollution and degradation of water resources;

2.3 To:

2.3.1. Enforce current directives and compliance notices against MCLM in terms of Section 19 (3) (a), (b) and (c) of the National Water Act and Sections 28 and 34 of the National Environmental Management Act;

2.3.2. To take the measures necessary to, in terms of Section 28 (8)(a);(b);(c);(d) and subsections (9) to (12) of Section 28 of the National Environmental Act and Section 19 (4)(5) (a);(b); (c); (d) and subsections (6) to (8) of Section 19 of the National Water Act to:

2.3.2.1. contain or prevent the movement of the pollutants;

2.3.2.2. eliminate any source of the pollution;

2.3.2.3. remedy the effects of the pollution; and

2.3.2.4. remedy the effects of any disturbance to the bed and banks of the watercourses within the COHWHS affected by Mogale City Local Municipality's (MCLM) dysfunctional waste water treatment works, sewage lines and pump stations;

2.3.2.5. to recover all costs incurred as a result of acting under subsection 4 of Section 19 of the National Water Act from MCLM or any person who is or was responsible for, or who directly or indirectly contributed to the pollution or the potential pollution; the owner of the land at the time when the pollution or potential pollution occurred; the person in control of the land or any person who has a right to use the land at the time when the activity or the process is or was performed or undertaken or the situation came about; or any person who negligently failed to prevent the activity or the process being performed or undertaken, or the situation from coming about.

## ENGAGEMENTS

- Far West Gold Recoveries regarding the Far West Retreatment Project and project-affected communities, including Poortjie
- DRDGold, Let's Grow and Umsizi regarding the Riverlea Community Gardens
- Brickvale Project – Mogale City Local Municipality (Ref. Elize Strydom)
- Pollution Issues – Matjhabeng Local Municipality (Ref. Willem Vosloo)
- Harmony Gold (Ref. Nivashni Govender) – diverse issues
- Sibanye-Stillwater (Ref. Bashan Govender) – diverse issues

- Redefine Properties – Sewage pollution of the Centurion Lake
- Dr Jannie Olivier regarding disaster management issues and fire at Geluksdal.
- Regarding Machuene A Molepo Agency (Pty) Ltd (“the Applicant”) and Anna Johanna Kruger, the title holder and owner of Portion 3 of Farm Zwaamskraal, and the prospecting application for sand and other minerals
- Rand Leases Mining Programme (Ref. Ferdi Dippenaar, Godfrey Makomene, Grant Fischer et al.)
- Ian de Villiers. BrightLeaf Global regarding water treatment
- Gea Holland regarding Appeal and Condonation process (DMRE)
- Mona Lisa Bango. Ohio University & EDU Africa re transformative learning experience programs.

## MEETINGS

- 16 September 2024. Prof Elize van Eeden of the North West University regarding the “Towards Proactive Activities & Initiatives for a Sustainable Far West Rand in the 21<sup>st</sup> Century” and honorary doctorate.
- 23 September 2024. Limbani Rodney Kalumbi of the Faculty of Health Sciences, University of the Witwatersrand, Johannesburg pertaining to his PhD degree, titled “Uranium exposure and associated health risks among residents near gold mine tailings storage facilities in West Rand, South Africa”.
- 23 September 2024. Sethu Mashiyi for IHE Delft, Institute for Water Education under the auspices of UNESCO pertaining to his research thesis Social and Material Relations in Post-Extraction Landscapes. A Case Study of the Witwatersrand Area in South Africa
- 9, 13 & 20 September 2024. Megan Eardley as preamble to the FSE’s keynote address on the 26<sup>th</sup> of September 2024 at the Sharing Lived Experiences of Uranium-Exposed Communities – A Global Discussion” Conference, University of New Mexico, Pueblo of Laguna, and Red Water Pond Road Community

## DONATIONS

The FSE has donated to:

- Free Wildlife together with a financial contribution on the 7<sup>th</sup> of September, 2024.





Photo: Candy Robinson

Your absolute generous donation of R3000 towards the animals care, treatment and diet is incredible and so important and vital for us as we, a community-based and publicly funded volunteer organisation, rely on the generosity of the rescuers, supporters and the public, to allow us to keep doing what we love most. Thank you so very very much. - Claudia Hosking: Director, Volunteer Co-ordinator and Senior Volunteer

- Let's Grow Riverlea Community Garden project (Ref. Michael Benham)
- Owe2Green Economy (Ref. Nkosinathi Hlabeni)

2285 Dark City

Poortjie Location



13 September 2024

“...A Heartfelt Gratitude to Our Mentor and the Federation for a Sustainable Environment. On behalf of the entire Owe2 Green Economy team, we wish to express our deepest gratitude and appreciation to you, our mother tree, the heartbeat of environmental sustainability, and the Federation for a Sustainable Environment (FSE). Your unwavering support, guidance, and dedication to our mission have been a beacon of hope in our journey to foster a greener, more sustainable future for our community...”

- Khutsong Community (Ref. Kabelo Radebe)
- Fleurhof, Meadowlands, Bramfischerville (Ref: Godfrey Makomene)
- Margaret Village Community regarding resettlement: referral to Socio-Economic Rights Institute (SERI) – (Ref. Lawrence Shilenge)
- Bekkersdal (Ref. Page Masondo)