

WASTE KHORO 2019: Asbestos and Land Remediation Summit
18-20 September 2019

"Good Green Deeds towards a Recycling Economy and Sustainable Land Remediation"



Land Remediation commission – brief notes and draft resolutions

20 September 2019



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA



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Outline

- Highlights and outcomes
 - ❖ Clarity on the law, policy and regulation
 - ❖ Creating an enabling environment
 - ❖ Improved communication
 - ❖ Opportunities to explore

- Draft resolutions

Regulatory tools



- Part 8 of NEM:WA is applied retrospectively
- Government encourage and assist landowners and industry if they come forward and notify. The site information is not published while it is an investigation area. Once an order or a remediation order is published, the site is included on the Contaminated Land Register.
- Part 8 Notifications can also be done at the provincial offices. The Department will provide clarity on when to engage at the provincial versus national level.
- The Department reiterated that they support the risk-based approach in terms of the Source-Pathway-Receptor assessments.

Regulatory tools



- It was reiterated that DMRE is responsible for contaminated land on mining areas where primary processing takes place, NEM:WA applies outside mining areas. There is a grey area where contaminated land is present where secondary processing takes place on a mining area. This will be clarified and communicated between the responsible departments.
- The department clarified the applicability of NEM:WA Part 8 which deals with contamination as a result of historic or daily activities which caused contamination versus a NEMA Section 30 incident or emergency situation. Section 30A can authorise the proponents to short circuit an EIA if a listed activity is triggered to rectify something resulting from an emergency situation such as damage caused by extreme weather events

Creating an enabling environment



- Remediation closures
- Capacity building
- National Asbestos management strategy
- National Mercury management strategy
- Government cooperation with higher learning institution and industry.



Improved communication

- All presentations from the summit will be available on the SAWIC website
- Improvement in communication through the development of an MOU with NICOLA (Network for Industrially Contaminated Land in Africa) as a neutral platform to engage as a sector with specific outcomes such as:
 - o Support on regular dialogue with higher learning institutions
 - o Develop technical guidelines
 - o Education and awareness
 - o Skills transfer
 - o Support in funding for initiatives above
- The Department have already commenced with developing frequently asked questions (FAQ) that will assist industry with interpretation of legislative requirements.

Opportunities to explore



- Encouraging the remediation of brownfield sites to enable the next land use
- Science to underpin regulations
- Emerging contaminants
- Co-ordinated research
- Data sharing
- Improved assessment of the net environmental benefit
- Re-visiting the norms and standards (Review of SSV)
- Stakeholder engagement
- Management of pollution as a result of historic mining activities

Resolutions



- DEFF and DMRE to clarify the responsible authority for contaminated land within mining areas as a result of secondary processing of minerals.
- Engage with stakeholders on the fate of remediated sites which still remain on the contaminated land register especially as it relates to further use of that land.
- The Department have partnered with NICOLA to provide training to EAPs practising in the area of contaminated land.
- Co-ordination by DEFF with other government Departments in terms of the implementation of the Secondary Asbestos Remediation Plan (SARP) to get firm commitment and funding from the departments to remediate asbestos contaminated land in the priority areas of Northern Cape and Limpopo Provinces.
- Rework the draft MOU between NICOLA and DEFF to clarify areas of collaboration and funding. Liaise with DST to explore the incorporation of higher learning institutions into the MOU.
- Develop a frequently asked questions section on SAWIC in relation to Part 8 of NEMWA.

Resolutions



- DEFF and the sector to monitor the progress internationally on emerging pollutants and the effects they have on environments, with a view to determining course of action, if any for the South African perspective.
- DEFF and sector, with the aid of higher learning institutions to consolidate all research relating to contaminated land with the aim of developing a consolidated database of information which can be used by both the sector and industry to improve remediation of contaminated land.
- Sector and EAPs to indicate net environmental benefit when directing what remediation options are included in remediation plans. This will aid in getting the best environmental result and potentially with the most reasonable cost.
- DEFF and sector to review Norms and Stds for the Remediation of contaminated land and SSV's to bring in line with latest research.
- DMRE to ensure that the study by GCS on the 192 prioritised mines be shared with DEFF asap. DEFF and DMRE to collaborate on the remediation of some of the derelict and ownerless mines by using waste streams.

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Thank you



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