

[environment](#) 13.6.2019 12:32 pm

We must ‘keep the lights on’, says Creecy in response to Mpumalanga pollution lawsuit

Citizen reporter



Minister for environmental affairs, forestry and fisheries, Barbara Creecy. Picture: Gallo Images

The minister also says she would have liked time to ‘apply her mind’ to the problem as she has only been in office for 14 days.

In an interview on [702 and Cape Talk](#) on Thursday morning, SA’s new minister of environmental affairs, forestry and fisheries, Barbara Creecy, confronted the court case two environmental bodies had brought against her department for the first time.

The Centre for Environmental Rights (CER) said on Wednesday the department had not yet issued an official response to the application filed against it.

[The Citizen has reported](#) that trustees environmental organisations the Vukani Environmental Justice Movement in Action and [Groundwork](#) have laid a case against the government for not doing enough

to clean up pollution in Mpumalanga, where 83% of South Africa's coal is mined. CER is arguing the case on behalf of the two bodies.

Creedy acknowledged the problem and argued that her department needed to strike a balance between the need to "keep the lights on" – as the pollution was mainly caused by coal used to power electricity – and the need to provide clean air.

"There are problems with regards to the quality of air in Mpumalanga," she conceded.

"I was myself working in that area over the past four months of the election campaign, and I did experience for myself that there is indeed a problem there. The issue is that our country is dependent on coal for our power supply and our power stations are working extremely hard to keep the lights on.

"The point that I made when we were taken to court is that I am 14 days in this office, I really would have wanted an opportunity to apply my mind to this situation and look at the delicate balancing act between keeping the lights on and not creating a significant public health threat."

She ended the interview by committing to rectify the problem.

The organisations argued that the government had a constitutional duty to provide clean air for its people, citing what they described as deadly levels of pollution in the province's Highveld Priority Area (HPA).

READ MORE: [Creedy left to deal with court fallout over Mokonyane's hot air](#)

Groundwork's director Sven Peek filed an application at the High Court in Pretoria last Friday.

According to Peek, the ministry of environmental affairs declared an area comprising parts of both Mpumalanga and Gauteng a "priority area" in terms of the Highveld Priority Area Air Quality Management Plan back in 2007.

However, he said a plan for the 31,000 square-kilometre area was provided only four years after this and now, over 11 years later, nothing had been done.

The two organisations want the court to rule that Creedy and her department are legally obliged to implement and enforce the Highveld Priority Area Air Quality Management Plan.

They also want the minister's refusal to prescribe the regulations to give effect to the Highveld plan was unconstitutional, unlawful, and invalid. The minister in question is Nomvula Mokonyane, not Creedy, as she occupied the position from November 2018 following her assumption of the role after her predecessor, Edna Molewa, passed away.

While the issue dates back to before Mokonyane was minister, The Citizen [reported earlier on Wednesday](#) that central to the CER's application is Mokonyane's April 2019 refusal to CER's December 2018 request for regulations to govern the implementation of the HPA air quality management plan, which noted "improvements will not happen over a short period of time".

The Citizen [further reported](#) that Creedy was now left to bear the brunt of the fallout from her predecessor's decision.

(Compiled by Daniel Friedman. Background reporting, Amanda Watson)

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