



GROUNDWORK



**“There
is no
energy
crisis”**

In this issue

groundWork is a non-profit environmental justice service and developmental organization working primarily in South Africa, but increasingly in Southern Africa.

groundWork seeks to improve the quality of life of vulnerable people in Southern Africa through assisting civil society to have a greater impact on environmental governance. groundWork places particular emphasis on assisting vulnerable and previously disadvantaged people who are most affected by environmental injustices.

groundWork's current campaign areas are: Climate Justice and Energy, Coal, Waste and Environmental Health. groundWork is constituted as a trust. The Chairperson of the Board of Trustees is Joy Kistnasamy, lecturer in environmental health at the Durban University of Technology. The other trustees are: Farid Esack, Patrick Kulati, Richard Lyster, Thuli Makama, Sandile Ndawonde and Jon White.

groundWork's STAFF ARE:

Director: Bobby Peek

Deputy Director: Gill Addison

Administrative Assistant: Bathoko Sibisi

Waste Campaign Manager: Musa Chamane

Coal Campaign Manager: Robby Mokalaka

Research Manager: Rico Euripidou

Junior Environmental Health Campaign Manager: Luqman Yesufu

Media, Information and Publications

Campaign Manager: Megan Lewis

Bookkeeper: Gill Waterworth

HOW TO CONTACT US:

6 Raven Street

Pietermaritzburg

P O Box 2375, Pietermaritzburg, 3200

Tel: 033-342-5662

Fax: 033-342-5665

e-mail: team@groundWork.org.za

Web: www.groundWork.org.za

3	From the Smoke Stack
5	Why we must expand coal operations
7	Gas corporates' smiles grow
8	Thinking alternatives in south Durban
9	Don't take what belongs to us
11	Eskom's crisis is our national crisis
13	Municipalities play the blame game
15	Four lessons learned from Bhopal
17	GGHH community planning meeting
19	Secret security list released
20	Party politics in the media
21	Greenfly on the beach
22	Interview with Nomcebo Makhubelo
24	The PAIA shadow report

Help us spread the word

[www.facebook.com/
groundWorkSA](http://www.facebook.com/groundWorkSA)

Twitter

@groundWorkSA

AFFILIATIONS:

groundWork is affiliated to the following international organizations:

Health Care Without Harm

International POPs Elimination Network

Basel Action Network

Oilwatch International

Global Anti-Incineration Alliance

groundWork is the South African member of Friends of the Earth International

CREDITS:

Printed on recycled paper from Sappi Fine Papers

Layout by Boutique Books – Printing by ArrowPrint

Cover: groundWork questions President Zuma's statement that the mass blackouts in South Africa are a challenge; the country is in crisis.
Credit: groundWork



From the Smoke Stack



Photo by FoE

by groundWork Director, Bobby Peek

Toxic air is now legal air!

When government granted Eskom, Sasol, Engen and other industries postponements for meeting air quality standards, it condemned communities near those industries to years of toxic, life-threatening pollution. The African National Congress was elected into government to protect people, not poison them.

The Air Quality Act is supposed to ensure that the management of air pollution in South Africa is not only at the point where we breathe air, but also at the source of where the pollution is created; a critical point focusing on the polluter. The decision taken by government has fatal impacts as Eskom will kill, prematurely, about 20 000 people over the remaining life of the power plants – including approximately 1 600 young children.

The status-quo will remain: half the Highveld's hospital admissions and half the respiratory-related illnesses will be as a result of Eskom. The economic cost associated with the sickness and death caused by Eskom, and the neurotoxic effects of mercury exposure, has been estimated at 230 billion Rand.

To understand government's decision yesterday, one has to go back to 1995. On the morning of the 25th of March 1995, President Mandela was on his way to opening up a new expansion of the Engen oil refinery in south Durban, an expansion that did not include the necessary pollution reduction equipment, as Engen wanted to save money and admitted so in the refinery's environmental impact assessment.

Members of the community protested as President Mandela drove in. He stopped, met with the

protesting community people and four days later met with the representatives of the community and industry, as well as various members of his cabinet. After hearing them, President Mandela instructed the parties to resolve their differences and this gave birth to the struggle for air pollution emission standards, which did not exist in South Africa at the time.

President Mandela promised cleaner, less toxic air for communities around industrial plants. President Zuma's administration broke this promise on Tuesday the 24th of February 2015.

Exactly three years after the meeting with President Mandela, Engen finally agreed on emission reductions and presented the community with the reduction plan, which the south Durban community forced government to write into the Engen permit.

In 1998, the National Environmental Management Act (NEMA) was enacted. NEMA, in clause 35, allowed for industries to self-regulate their emissions. The petro-chemical industry then used this loophole in 2001 to try and force an agreement through government, which would get them "voluntary" emission reductions rather than legislated standards. Community people resisted, and this was consequently dropped off government's agenda. A victory for society.

The fight for emission standards continued. In February 2004, under ex-Minister Valli Moosa's watch, the Department of Environmental Affairs and Tourism tried to force through South Africa's first Air Quality Bill without air pollution standards. Resistance from community organizations and broader civil society, and inputs from air quality



experts, resulted in the Bill being re-introduced with mandatory minimum emission standards.

However, all was not well. As the Air Quality Bill was being finalized, an exemption clause was included in the Bill. This erroneously was used by Eskom to seek exemptions from meeting emission standards. However, they later changed the application to rolling postponements – which in effect is exemption.

Essentially, the postponements granted by government have made toxic air legal air. It has made Section 24 of our constitution redundant. Section 24 states that every person has a right to an environment that is not harmful to one's health and well-being and to have the environment protected through reasonable legislative measure.

Over the period that the postponements have been granted to Eskom – essentially over the lifespan of the plants – Eskom's pollution will result in many deaths of both adults and children. Government knows these figures. They have been presented to them by various civil society organizations, which got health experts to comment on Eskom's application. Yet, government has chosen to ignore the scientific data.

The case of Eskom is particularly concerning as the state owns it one hundred percent. The state passed a law in 2004 requiring air pollution standards, and has now refused to obey that very same law. It is as if the police suddenly decided not to obey the criminal code and started to deal drugs from stolen cars, and the Department of Justice, in response, gave the police a pay increase instead of hauling the head of SAPS off to prison.

Of course, and as usual, the postponements have been granted in the name of the economy. Forcing compliance to air quality standards now, so the

argument goes, would allow insufficient time for compliance and cost too much.

However, industry has had plenty of time to plan and implement pollution control technologies. In fact, eleven years of grace – since 2004 – in which to adapt their plants. Instead of cleaning up their act, South Africa's big industrial concerns like Eskom, Sasol and Engen did nothing, forcing a last minute showdown with the Department of Environmental Affairs.

On Tuesday, the Department of Environmental Affairs blinked and climbed down from President Mandela's promise. In the contest between bonuses for CEOs and special share dividends and the health of South African citizens, government went for the cash.

More alarmingly, in the postponements granted government does not admit to the true reality that this is not a five-year reprieve, but rather a permanent reprieve and government will have to pick up the cost of Eskom's pollution as people become ill and put strain on the health system, or strain on the economic system as they are too sick to work. Ask the very many people who have been turned away from jobs in the Highveld and on mines when they do not pass the entrance medical: essentially they are too sick.

Government has provided an answer to the people in the Highveld, south Durban, the Vaal, Johannesburg and other polluted areas about air quality. The answer to polluting factories, power plants and refiners is simply and sadly that ordinary people are to suffer, to cough, to develop chronic respiratory illnesses such as asthma, bronchitis and to be vulnerable to diseases like tuberculosis, to suffer various cancers and to bear children with birth defects, and in some cases to die prematurely – all in the name of profit and energy for industry. ✕



Why we must expand coal operations

Bobby Peek

On being the Minister of Mineral and Energy Resources

After many years of criticising government, I was recently given the newly-created ministerial portfolio of Minister of Mineral and Energy Resources. After much consideration I responded in the positive. Yes, I would take it on and would gladly smooth the way for the expansion of coal in South Africa, despite the various moans and groans that the world is slowing down on coal. We need coal and this is why and how we are going to do it.

The challenge

South Africa is facing a serious challenge of poverty, inequality and unemployment, which sits at over 25%. It is even said by some industrial sources that only 41% of our population who are able to be employed are employed. Furthermore, twenty years after apartheid we still have a huge challenge where the bottom 20% of our population receives only 1.4% of the income, this despite our good intentions in black economic empowerment (BEE). We need to diversify the ownership of our mineral resources, which we all agreed upon in the negotiations with Mandela and the ANC prior to and during 1994; it is just not happening fast enough. Furthermore, while great strides have been made in electrifying people we still have around twelve million people who need access to energy. The lack of government investment in huge infrastructure projects such as new coal-fired power stations (we are facing an energy crisis I am not proud to say, but am honest enough to admit), railways, water schemes (water, we know, is a critical issue in South Africa) and new ports to facilitate the extraction and exportation of our mineral resources, has left us with a dearth of foreign direct investment.

Some key facts going forward

We have nearly 67 billion tonnes of mine coal available to us. Between now and 2050, Eskom has to have at its disposal four billion tons of coal – which provides a good basis for exporting the balance once we have signed contracts for Eskom to pay for the initial start up costs of mines so that

our high grade coal can be exported and our low grade coal can be burnt in the Highveld, which I believe is not as polluted as people claim it is.

Last year we had a record outflow of coal when the Richards Bay Coal Terminal shipped 71.2 million metric tons out, compared with 70.2 million tons twelve months earlier. Chief Executive Officer Nosipho Siwisa-Damasane is elated by this, but I have given a clear directive that I want this increased. We do not want to be breaking records by small margins. We are not a joke, we are the heart of coal in Africa, and we need to go big. We also recognize that globally coal remains the fastest growing fossil fuel. So we want to be on the curve, despite what seems like a global slowdown. I would say that we need to look at commodities and note that coal will probably take on the same curve.

We will grease the system – we promise

In the past year I have had various discussions with President Zuma and various of his close circle, even before I became minister. I have pushed some hard proposals through and it seems to be all coming into place as I take leadership of this new portfolio. Following my interventions, government has given investors more time to explain what they want and in 2014 some critical legislative supportive processes occurred to make investors happy.

We have now embedded environmental authorization for mining in my department. I need to move fast and have told the Minister of Environment that she needs to get with our programme. She has fully endorsed this approach. We have also agreed on a “one environmental system” approach that will speed up the finalisation and positive authorizations of all developments that need environmental impact assessments. It will be done in three hundred days. I know that some NGOs have been concerned about this process, but we are dealing with real poverty issues here. The environment is critical, but people must come first now.



We agree on compromises. Even Mandela said that a good leader knows when to compromise. So as government we are compromising. We know that the coal industry needs to pollute – this is the reality of their business – so we have taken advice from industry and key global consulting firms and we are developing an offset policy that will allow extraction and pollution without onerous rehab investment on investors. After all, they *are* creating jobs.

I personally advised President Zuma in late 2014 that the Mineral Petroleum Resources Development Amendment Bill has to be sent back to decision makers to consider concerns about “free carry” (which gives government a right to 20% of the profits) and the effect this will have on business – so we have listened to big business, let it not be said otherwise.

As said above, infrastructure is critical for extraction. We have passed the Infrastructure Development Act which considers mining as a strategic development infrastructure option for South Africa, along with the infrastructure that will make this happen. We believe mining in general needs to get a special dispensation – we cannot and will not say no to mining.

In terms of ownership, there are no plans to increase BEE requirements from 26% to 51% – we are in discussions with Eskom about this and how to source coal going forward. We know there has been some confusion about this. This is a rumour started by disgruntled, recently-resigned Eskom workers.

Finally, we recognize business rights to commercial confidentiality – so the President is considering the Protection of State Information Bill which will guarantee commercial confidentiality that will protect business assets and activities from public scrutiny.

Critical development commitments!

The railway infrastructure from the Waterberg to central coal basin, as well as onwards to Richards Bay, is in the pipeline. We will continue to take Lesotho's water for our coal-fired power stations and coal-intensive industry in Mpumalanga, Gauteng and other provinces that need it. The next phase will come on in 2017. There have also been rumours that we are thinking about making

Lesotho the tenth province. I can guarantee you, it is mere rumour. Deputy President Ramaphosa is ensuring that Lesotho remains democratic to ensure our water supply.

On water for Medupi there is not a problem, despite what people would like to think. The Mokolo and Crocodile Water Augmentation Project (MCWAP), which is under construction partly to provide water from Mokolo Dam to the Medupi power station and associated mines is on track after some delays, and the challenges around phase two are being dealt with with specific intervention by a collection of ministries – Water / Agriculture / Environment / Mineral Resources – and will answer to the President.

The National Development Plan, which industry has looked upon favourably, is going to be fast tracked. Together with President Zuma we are working on Operation Phakisa, which is based upon the Malaysian “Big Fast Result” methodology. We have been talking to ExxonMobil and other oil companies about fast tracking gas and oil off our coast. Coal is next. We need to do it faster.

Finally, let me comment on the challenge of climate change. We hear what people are saying. In an inclusive consultative gathering of all stakeholders in November 2014 we all committed to green growth and the journey to a low carbon economy and investing in new renewables. And we want to encourage investors to take this opportunity and make sure all they do is green. We also just want to confirm that during this last month we have recognized another coal-fired independent power producer's proposal to start a coal mine and refurbish the old Colenso coal-fired power station. We welcome this.

Finally, I am leaving for India, China, Brazil and Russia next month on a month-long sojourn to ensure that China and India continue, and even increase, their coal relationship with us, and to ensure that Brazil and Russia continue investing heavily in coal and petro-chemicals in Mozambique, for we need Mozambican fossils as well.

I look forward to my tenure in office. ✕



Gas corporates' smiles grow

Megan Lewis

Fracking in SA is closer than we might think.

In his State of the Nation Address in the middle of February, President Zuma once again used the phrase “game changer” when talking about fracking. In the face of the country's current energy crisis, the potential for fracking becoming a fast approaching reality is of increasing concern. This is following a global trend, as the European Union court announced this year that mandatory environmental impact assessments (EIAs) are not necessary for shale gas exploration; it is up to the member state's discretion to evaluate the necessity of an EIA on individual cases based on thresholds set on the amount of daily gas extraction occurring.

The recent increase of 28% by Thebe Investment Corporation in its shareholding capacity in Shell South Africa is indicative that the corporation already knows it's got approval of its application in the bag. The African National Congress's Batho Batho Trust has a 51% stake in Thebe Investments, which is the local empowerment partner of Shell South Africa.

Through Thebe, the Batho Batho Trust effectively had a 12% stake in Shell South Africa Refining, and a 14% stake in Shell South Africa Marketing. Shell has for decades been a dirty neighbour to those living in the shadow of the South African Petroleum Refinery (SAPREF) in south Durban and it seems the ruling party is making its partnership stronger as it salivates over the idea of Shell, through the new avenue of fracking, further lining its coffers.

The Petroleum Association of South Africa (PASA) has given companies, including Irish Falcon Gas and Oil and Bundu Gas and Oil – Australian-based Challenger's 95% owned South African subsidiary – notice that their applications are currently being processed. This is being stalled by the pending fracking regulations that are dependent on what happens with the Minerals, Petroleum and

Resources Development Act (MPRDA). It is sitting within the chambers of parliament for now.

The Department of Minerals and Resources is pushing for the legislation presiding over oil and gas operations to be separate from that governing mining, therefore removing fracking from the MPRDA. And the minister wants this to happen as soon as possible, as the current legislative uncertainty is having an impact on prospective investors. Quick to overlook the sustained groundswell of resistance and research indicating the dangerous environmental health impacts of the industry, the minister has told prospecting gas companies to review their applications in order to get ready to begin the exploration and mining side of their operations. In his mind, fracking is happening, it's now just about timing.

What was unexpected is where Bundu has applied for an exploratory licence for 400 000 hectares, namely in Laingsburg and Leegamka, areas where anti-fracking mobilisation by local groups has not taken place. According to the Southern Cape Land Committee, however, the first round of public consultation by Falcon was driven by an overwhelming rejection by communities, rejection that was fuelled when the company failed to answer key questions around environmental health concerns and the role of the silent partner in their bid, Chevron, which has just given up on its Romanian shale gas interest which has been called a “setback for Europe's nascent shale-gas industry”.

So we are getting mixed messages. As lawmakers are trying to make it easier, companies are following the financial bottom line and making decisions based upon financial risk. In light of this, will the European lawmakers further weaken the laws to protect society in order that financial risk is further lessened? ✕



Thinking alternatives in south Durban

David Hallowes

The 2014 groundWork Report – *Planning poverty: The NDP and infrastructure of destruction* – was launched to a full house in south Durban on the 18th of December. The report examines government's National Development Plan (NDP) and the associated “strategic infrastructure projects” (SIPs). These plans promise to eliminate poverty and reduce inequality by 2030. *Planning poverty* shows that the promise is false. The plans represent an assault on people and their environments in the interests of corporate profit. They will reproduce poverty and inequality, not end it.

The proposed dig-out port at the site of the old airport in south Durban is the biggest single infrastructure project. It is accompanied by plans to turn much of the area over to “logistics” – a process that has already started as Clairwood Racecourse is converted to warehouses – and ever more trucks. Petrochemicals are also expanding with the new “multi-product pipeline” – still not completed – and offshore oil exploration all around the coast.

So this is government's vision for south Durban and it has little space for the people. The farmers who work the land next to the old airport will be removed when the monster digging machines remove the land itself. The people of Clairwood will be moved out to make way for trucks. This promises a bitter end to a long struggle to keep invading trucks out of this residential area. The trucks win. If the dig-out port goes ahead, Merebank will be the next target of invasion.

In government's vision, there is also little time for the people. It has only “engaged” – usually as an afterthought to engaging with business – to present the plans as a done deal. It has refused to have a democratic dialogue with people about their future and failed to respond to the letters of concerns, calls for meetings and requests to engage in a meaningful manner.

At the launch of *Planning poverty*, people talked about their alternative vision. First, they called for unity and solidarity in resistance to government's impositions. This is not just about south Durban. The plans affect everyone on what government

now calls the Durban-Johannesburg “logistics corridor”. They are also part of a national struggle. The unions see the NDP as delivering cheap labour to capital and its adoption by the African National Congress (ANC) has contributed to the Congress of South Africa Trade Unions (Cosatu) being torn apart along with its political alliance with the ANC.

They are also part of a global struggle. The ships service a global economy designed by and for big transnational corporations. It is an economy based on “the race to the bottom” as labour and environmental standards are lowered to attract transnational investors who care nothing about local places except that they make a profit. For government and business, the NDP and the port plan are the ticket to the race. But this must end in ruin because these plans assume that climate change is not addressed. The race to the bottom is fuelled by the fires that pump out greenhouse gases.

In the alternative vision, planning must start with the local and it must be done as if people matter. The question is not “how do we attract transnational capital” but “how do we provide for people”. People discussed their ideas in neighbourhood groups: Merebank, Wentworth, Bluff, Clairwood, Umlazi and, from out west, Mariannahill.

Most thought that government does not care about people and is not investing in people. So people must support each other and begin now to build alternatives. They identified modest starting points that related to the reality of their lives: food gardens, recycling, making and selling clothes, aftercare for school children who are otherwise left on the streets. They suggested exchanges between different areas to share experience and for practical support with modest resources: seeds, manure, wheelbarrows.

They did not let government off the hook. It has a responsibility to provide services and appropriate support and people are right to demand it. And they are right to demand full participation in the decisions that affect their lives. ✕



Don't take what belongs to us

Robby Mokgalaka

Hell hath no fury as a community united against coal mining!

"Do not call another meeting. Ocilwane (Part of Fuleni) does not want the mine no matter what you offer us, so do not come back. Today you have heard the people complain that you are ignoring our voices and we are being undermined and disrespected. You know we speak Zulu, yet you come to the community with a presentation in English. You are not welcome to come again."

When addressing Ibutho Coal's Director, Thembi Myeni, Fuleni's main spokesperson on mining matters, Phila Ndzimande, did not mince his words as he summed up the comments from the community in the public participation meeting.

The Fuleni community showed us the strength of a united community in the coal struggle. In July 2014, the Department of Environmental Affairs in KwaZulu Natal (KZN) refused to give an environmental authorization license to Ibutho Coal and the decision was influenced by the resistance of the Fuleni community. Ibutho Coal is planning an underground mine starting from the northern side of the area and following the coal seam, which covers about forty kilometres, towards eShowe.

The community showed bravery and determination when Ibutho Coal mine was sent packing from their public participation meeting on Sunday the 31st of August 2014. The meeting was cut short by Fuleni residents before Marietjie Eksteen of Jacana Environmental Consulting could finish her presentation. Fuleni is one of the four villages directly affected by the proposed open cast coal mine. The community turned out in force, and close to a hundred people gathered to hear what Ibutho Coal has in store for them. The community was infuriated when the consultants could not

explain why they had not followed the required Environmental Impact Assessment (EIA) procedure and had started installing pipes without consulting with them. In terms of the EIA process, the public participation was supposed to be conducted before the installation of pipes. I have observed that hell has no fury as a united community. The soaring of emotions amongst community members against the consultants led to the meeting being called to an end to prevent violence erupting.

This community, located in the northern part of KZN, is experiencing a coal struggle for the first time. This small victory did not come easy, as the community at first lacked the necessary knowledge to challenge the coal mine proposals they are facing. However their willingness to learn and fight, and their preparedness going into the meeting drove them to confidence in challenging Ibutho Coal.

Fuleni is about ten kilometres away from the Somkhele open cast coal mine, and even at that distance the residents live with the impacts of blasting, coal dust, contaminated water, cattle becoming ill and dying, increased respiratory diseases, asthma and so on. When they heard Ibutho Coal expected them to live five hundred metres from the open pit, the hell exploded. In 1997, they were forced to move from their previous area to Fuleni and they are using this as one of the grounds to resist the mine.

Additionally, the area has been used for agricultural purposes and so the arrival of the coal mine poses a serious threat to the livelihood of the people.

The traditional leadership and the local counsellor who supported the mine are rumoured to have been



promised financial benefits by the mining officials at the expense of the interest of the community. All these factors coming into play made it very difficult for the chief and the local people to support the leadership within the community.

groundWork and Global Environmental Trust (GET) realised the need to assist the community in the struggle. Two community exchange meetings were arranged by the organizations, with the sole purpose of creating an information-sharing opportunity with communities already affected by coal mines. This was done based on the traditional notion that “what the eye sees and the ear hears is what the mind believes”. Both meetings played an important role in empowering the communities with knowledge on environmental issues and reinforcing solidarity in the coal struggle. Philani Ndzimande represented the Fuleni community at the meeting in the Highveld. This meeting was attended by seasoned coal campaigners, representing more than twenty communities in the Highveld, and a toxic tour was arranged to visit the abandoned mines.

The second exchange meeting took place in the Somkhele village near Fuleni. Four different villages were included in the exchange trip, and most of these villages have already been exposed to the injustices of the coal mines. The first site visit of the exchange trip was to the cemetery in Dubelenkunzi, where we saw the graves that had been exhumed from the land to be mined. The sight of the condition of the graves, coupled with narrated stories, triggered emotions in the viewers.

It was mentioned that the mine had promised to pay villagers one head of cattle and a goat for each grave that was going to be relocated, so that people could perform the traditional rituals to appease and inform the deceased about the reburial. Instead,

the mine has given each family homestead a cow and a goat, irrespective of how many graves were moved in each family. This means families have been unable to afford to perform the required ceremony for each grave. Amongst other promises made by the mine in the exhumation process was that tombstones would be erected on each grave at the expense of the mine. That was not the case, as we saw the unmarked graves.

The Fuleni visitors were also shocked to see the condition of the graves and to hear the shenanigans of the mine, played just to get a way into the area in order to mine. The situation drove home a loud message to the Fuleni community members that mines are not to be trusted. The exposure in the two community exchange meetings strengthened the unity in the struggle against Ibutho Coal.

Both exchange meetings were influential and helpful to the Fuleni community, feeding them with knowledge and strengthening their position in the struggle.

The starting point of Ibutho Coal's proposed mine is approximately eight hundred metres from the Hluhluwe Game Reserve. The Hluhluwe Game Reserve is the oldest reserve in South Africa. The protection of the rhinos in the Hluhluwe Reserve is part of a rich legacy of the late Dr. Ian Player who passed away last year. Dr. Player tirelessly advocated for the protection of the rhinos for many years before his death.

At his memorial service, attended by many well respected people, one of his colleagues and friends made a touching plea advocating for the protection of the wild in the Hluhluwe Reserve, saying to the Minister of Environmental Affairs, present at the memorial, “Don't take the wild out of the wilderness”. ✎



Eskom's crisis is our national crisis

Bobby Peek & Tristen Taylor

Even Eskom's cheap energy is too expensive for the multinationals who are the biggest users of Eskom's power

Eskom, South Africa's power utility, is blundering from one crisis to another. In the latest of a string of incidents, a coal silo collapsed at the Majuba power plant. At Lethabo, the ash system failed and the plant is choking on its own waste. A local clinic reports that more people are presenting with respiratory problems but the Department of Environmental Affairs, which is supposed to monitor air quality, was not even aware of the dense cloud of toxic ash settling over the area.

As the energy system disintegrates, South Africa's economic and ecological systems also spiral downwards. Eskom's credit rating has been downgraded and has pulled government's rating down with it. Meanwhile, daily power outages weaken an already fragile economy. More than 90% of the utility's power comes from an ageing fleet of big coal-fired power stations. They emit excessive pollution and have a major impact on people's health, while the mines poison the groundwater across river catchments and ruin precious farmland. And they contribute to an even bigger crisis: catastrophic climate change.

The land is sick and we desperately need to heal it. Eskom, however, cannot be the sole focus of our diagnosis and nor is it only about coal. We have to look at the history of how we got into this mess.

Over the last century, the economy was shaped by the Minerals-Energy Complex. State-owned Eskom was supplied cheap coal by private mining corporations and in turn supplied cheap power to the mines and metal smelters. The apartheid regime facilitated the conscription of cheap labour to dig the coal and stoke the furnaces. Huge costs were imposed on the environment and human health.

This system continues post-apartheid and indeed has been reinforced. However, it is now failing even

by its own logic. The Energy Intensive Users Group – a group of thirty-two multinational corporations that use half of South Africa's electricity – now claims that Eskom's power is too expensive. These are the corporations that Eskom's big power stations are designed to feed.

Back in 1998, government policy identified the need for investment in the power sector. Both the Department of Energy and Eskom have since mismanaged the process. First, the Mbeki administration did not allow Eskom to invest – except in the costly and failed bid to develop “fourth generation” nuclear reactors. It rather hoped to break up Eskom and privatise the pieces. But since it still wanted cheap power to attract more energy-intensive industries, private investors saw no profit in it.

Eskom finally got the go-ahead to invest in 2005 and its “new build” centred on Medupi and Kusile, two new giant power stations. They were not off the drawing board before the first round of outages in 2006. Since then, the utility has been beset by crises at its overworked power stations and endless construction delays and escalating cost overruns on the new plant.

As the old plant crumbles, the national debt grows and tariffs are relentlessly raised, no-one is held responsible. Let us be clear: we have a crisis of governance. There is a staggering lack of accountability. No matter how deep the failure of implementation, no matter how technically mismanaged the power sector, no matter the environmental disaster, no one is held to account. Ever. Not Eskom's top brass and not the responsible ministers. Instead, bailouts from the state flow as if money is free.



This crisis of governance is accompanied by a refusal to learn from evident mistakes. While Eskom's big coal projects are failing, the Presidency is pushing an even larger, more expensive and high risk nuclear build programme: doubling down on a bad bet, throwing the dice on a losing table.

So how do we solve this ongoing, lurching, farcical crisis? As South Africans we need to recognize that this crisis will last for a decade or more. Yet Eskom belongs to us. It is a public asset and we, the people, need to assert democratic control and not allow Eskom and government to ignore reality.

There are solutions to our energy challenges but there are no silver bullets. In particular, calls to privatise Eskom are ill-advised. Recent experience proves that we can bring renewable energy online faster and more cheaply than coal-fired power stations. We should demand of government that it instruct Eskom to focus on renewables within a system designed around people's needs. Treasury needs to allocate money for the grid and associated infrastructure at both the national and municipal levels. And government needs to enable us to put solar panels on our houses, schools, factories and offices to provide clean solar energy to the grid.

But nothing will work if we refuse to address the failure of governance. Eskom's board and the public servants that manage it must be brought to book. Either we reckon with their gross mismanagement now or they will bring a terrifying day of reckoning to all our houses. ✕

This article was first published in Business Day on the 10th of December 2014

Coal Briefs

German plant redundant as it opens

Renewables are making coal power redundant in Germany, even though nuclear is being phased out. So, even though the new Moorburg coal plant outside Hamburg is finally going operational, it is no longer really needed.

Chinese talking about their bad air

A film documentary, *Under the Dome*, made by a famous television journalist, has got the Chinese talking. It outlines Chai Jing's year-long investigation into the causes of China's famously awful air, and includes the ways in which it has affected her own family.

Compliance Energy Company does not comply

Compliance Energy Company (CEC) has withdrawn a proposal to mine coal on Vancouver Island. It had planned to truck the coal from the mine to Port Alberni. In 2013, the proposal was rejected because certain important information was not included in its environmental assessment. Apparently, nothing had changed when they resubmitted it this January, and opposition from the seafood industry, residents and municipal governments forced the company to withdraw the proposal.

Industrial coal cuts planned for China

An annual reduction in use by Chinese industry of 160 million tonnes of coal is to happen by 2020. This excludes power generators. In 2012, sectors such as steel, coal-to-chemicals plants and industrial boilers accounted for almost half of China's domestic coal consumption.



Municipalities play the blame game

Musa Chamane

Where has the MRF development money gone?

After waiting for three years for the construction of a materials recycling facility (MRF) at the New England Road landfill site in Pietermaritzburg, approximately five hundred waste recyclers or pickers took to the streets of Pietermaritzburg in December 2014. This march was targeted at the provincial Department of Cooperative Governance and Traditional Affairs (CoGTA) which has neglected its oversight responsibility over the local and district municipalities in Pietermaritzburg, although the responsibilities of the two municipalities involved with this agreement were not ignored.

Financing of R21 million from CoGTA, with the Hlanganani ma-Afrika Waste Cooperative as sole beneficiary of the MRF, was agreed upon between all stakeholders involved. Msunduzi Local Municipality allocated land next to the landfill site for construction. However, from what we have heard, the disagreements between the Msunduzi Local Municipality and uMgungundlovu District Municipality have stalled the project, despite site handover and appointment of a construction company by the district.

Having an MRF at the landfill site means that recyclable waste will be diverted from the landfill, thereby creating better working conditions and improved incomes for waste pickers. Expansion of the cooperative membership is a future objective in order that no waste pickers are found on the landfill, but rather at the MRF. Landfill accidents were in the news last year, following the death of one waste picker who was run over by a compactor, and another who was crippled. An MRF will prevent such incidents because it will bring about formalisation of waste pickers' work.

These accidents have been in the media, but none of the politicians or senior officials are taking responsibility. Accidents are happening as we speak and no one is held accountable for these deaths. We live in a city that lacks common sense! Officials and politicians are busy wasting time and money

and their inactions and failure to deliver on promises made to the poor directly end up killing people like waste pickers.

Both municipalities have been found in the corruption cloud before and this project had the potential to make up for that, but seemingly both politicians and officials are not willing to deliver the MRF. In the past, the disbanded National Prosecuting Authority's Scorpions unit raided Msunduzi offices because of corruption allegations, and this was followed by the suspension of five city managers. Later, the city was declared bankrupt and it was under administration. At the same time, the district municipality had appointed an unqualified person as municipal manager who failed to prove that she had the higher degree that she claimed to have. Another scandal linked to the district was when the mayor appointed her personal partner's company to provide a service for the district. This was uncovered by the media and a court case was opened.

It seems that all the above scandals were not enough, according to the politicians and officials, even though CoGTA has allocated the district a grant to build an MRF to replenish the image of both municipalities. Between the municipalities, no one is coming out to say why they have not delivered the project. It is surprising to say they would refuse to implement the project when the funds have been allocated; it makes no sense and we are forced to ask where the money has gone.

The cooperative and waste pickers at large demand answers regarding the MRF and that is why they decided to hold a protest against both municipalities and CoGTA. CoGTA needs to play its role in assisting municipalities on many fronts, including conflict resolution if there is any, funding and implementation of projects, but this has not happened.

There were other organizations such as Abahlali BaseMjondolo (ABM) who were in solidarity with the



Waste

waste pickers of Pietermaritzburg during the march. ABM has got members here in Pietermaritzburg, and the majority of waste pickers reside in shack settlements such as in Jika Joe and Tambo Ville. The South African Waste Pickers' Association (SAWPA) were also in solidarity with the member cooperative of waste pickers in Pietermaritzburg and were part of the protest.

The delay in construction of the MRF has sparked friction amongst cooperative members because some of the members do not understand what the holdup is. The leadership is being blamed, as if it's not telling the members the truth. Some members have left the landfill and they are collecting from the streets of Pietermaritzburg because the conditions at the landfill is worsening.

This issue has been raised with the Minister of the Environment through emails and meetings with the Director General, but the matter has not been addressed. This project had the potential to create more than one hundred jobs, but this is seemingly meaningless to the corrupt officials. They simply don't care. The licence as well as the licence conditions do not allow for uncontrolled salvaging of waste at the landfill, but this is not understood by either municipality. The building of the MRF is a solution to most waste problems in the city. Integrated Waste Management Plans (IWMP) have been developed by the district and they are meant to have waste transfer centres and material

recovery facilities; the same thing applies to the Msunduzi IWMP. Talk is cheap when practicality should prevail; both municipalities fail to live up to what their IWMPs say.

We have recently learnt that the Msunduzi Municipality is considering the option of waste incineration as an energy source which would compete with waste recycling projects. Municipal waste incineration has proven to be an unsustainable waste management option. It is expensive to build and sustain, but our city is considering this option instead of looking at the waste recycling option. Waste recycling has so many benefits for the environment and for the people of Pietermaritzburg. The waste pickers' cooperative has not given up on the MRF – they still have a hope that it will be constructed.

Since negotiations will start between CoGTA, uMgungundlovu and Msunduzi, there is hope that the MRF issue will be resolved soon. During the handover of the memorandum, the recipients promised to start negotiations on the issue of starting the MRF. Unfortunately, the memorandum was not received by the senior officials of local and provincial government and the cooperative is still waiting to hear from them, despite giving the authorities until January to respond. Therefore, Pietermaritzburg may soon be seeing more action by the disgruntled waste pickers. ✕

Waste Pickers march in hope that the money for their MRF has not disappeared, and that the facility may still be built.
Credit: groundWork



Four lessons learned from Bhopal

Rico Euripidou & Gary Cohen

Gary Cohen and Rico Euripidou reflect on lessons that should be learned from the Bhopal disaster

The Sambhavna Clinic in Bhopal, India, is an oasis of healing. Combining Western and traditional healing philosophies, the clinic empowers people to take responsibility for their own health. Clinic staff and patients maintain a healing garden where patients learn about the medicinal qualities of plants and then take home a plant to remedy some of their health problems. Satinath Sarangi, the clinic's director, says, "People take care of the plants and the plants take care of them."

Just a short distance away is the rotting hulk of the Union Carbide pesticide factory. Thirty years ago the factory exploded, sending a poisonous cloud across a city of one million people as they slept in their beds. In one night of terror, thousands died and half a million people were injured.

Rightly called the "Hiroshima of the Chemical Industry", the abandoned factory still leaks poisons into the surrounding neighbourhoods and children continue to be born with high levels of birth defects. Dow Chemical, the company that bought Union Carbide in 2001, claims it did not inherit Union Carbide's liability for Bhopal and refuses to clean up the Bhopal site or pay for any ongoing medical care for survivors.

Gary has travelled to Bhopal more than a dozen times since that day thirty years ago: first to work with community members to establish the healing clinic and later as part of a global movement to exact justice and relief from those responsible and ultimately perhaps draw some larger benefit out of the pain and suffering that so many Bhopalis still endure.

Justice has proved elusive to date. But anniversaries are an opportunity to look back on the journey and see what progress has been achieved, what lessons have been applied and where history seems poised, even determined, to repeat itself. And so, what have we learned?

1. Chemicals can permanently damage children in the womb and in early childhood

When the Bhopal disaster happened, our understanding of early-life chemical exposure was primitive at best. This is one reason the compensation awarded to survivors was so paltry (around \$500 for permanent injury). The Indian Supreme Court judges had no idea those chemicals would lead to a cascade of negative health effects across multiple generations.

Now we know that very small toxic exposures in the first thousands days of childhood development can contribute to stunted brain development in children, including loss of IQ points, learning disabilities and other neurological damage.

2. The petrochemical industry operates in a moral vacuum

Rather than acknowledge their tragic mismanagement of the Bhopal factory, Union Carbide avoided criminal liability by crafting a story about a disgruntled employee who caused the disaster. They also downplayed the toxicity of the chemicals that blanketed Bhopal and its residents.

Over the last three decades, the petrochemical industry broadly has followed the same playbook, denying the damage it causes and actively opposing any regulations that would rein in their continued trespass into our air, our water, our food and our bodies.

Without compelling the polluters to pay for the damage they cause, there are no signals in the market to support the transition to an economy built on renewable energy and green chemistry.

3. We need to kick our addiction to toxic chemicals in order to survive and thrive.

Left to its own internal logic, we have learned that the petrochemical industry will risk the future of life on the planet in order to continue to seek



private profit. Without the passage of international regulations to protect citizens, there is little hope that our children will inherit a world where they can grow up healthy and thrive. Without political action, we will continue to experience the epidemic of toxic chemicals that plagues our global community and witness the effects of runaway climate change.

4. We need an international movement.

Run by survivors, the Sambhavna Clinic offers a hopeful vision of what can happen when people take their health and their destiny into their own hands and seek to heal their own community. We're seeing the same thing happen around the world – people are standing up for their rights to a healthy environment and are building communities where health and business go hand-in-hand.

Rico, who visited Bhopal in 2008, calls on South Africans to reflect and consider what our own Bhopals might look like. In this regard two clear examples come to mind.

The first is the case of Thor chemicals. Twenty-five years after this sham mercury recycling plant (which effectively allowed the dumping of hazardous waste from the global North into a developing country) poisoned and killed workers under the guise of environmentally sound management of waste; the imported mercury waste and gross land contamination still prevails. In total, approximately 2 704 tons of waste is still effectively dumped on site.

The majority of the waste is mercury catalyst stored in a leach pad and 9 054 drums stored within the three warehouses. The highest determined mercury content in the leach pad is 36% in sludge. The highest level of mercury in catalyst stored in drums is 27% and the extent of on-site soil contamination is still about 2 150 tonnes of soil with levels of mercury above the Environmental Protection Agency limit of 610 parts per million. Yet, today our Minister of Environmental still thinks that waste trade is viable.

The second clear example is all of the legacy mine dumps

in South Africa and the expansion of coal mining. Legacy and future mines in South Africa will haunt us well into the future as we grapple with further climate-change-induced water struggles.

The costs of the environmental and social effects of coal mining in South Africa from the sterilization and acidification of the soil in the country's bread basket as well as the most severe problem of water pollution, which is growing exponentially, will compound the climate change impacts. But, instead of learning from our apartheid past, what do we do? We continue pushing coal. Like an addict who cannot get enough, South Africa is going to OD one day. Sadly, it is the poor in Mpumalanga who are already there as they have to breathe the toxins of Eskom's power stations and the coal dust from mines on their doorsteps.

So what can we learn from these disasters? Cohen concludes: "Since Bhopal, we have come to understand just how large a role the environment plays in determining our health. But more importantly, we know that another world is not only possible, it is being born in communities around the world. This is the best hope for survival: if we listen to the Earth and take care of it, it will take care of us." Sadly, the world being born today in South Africa is one that is contaminated with toxins that are giving us a sick society in SA. ✕

Gary Cohen is co-founder and president of Health Care Without Harm, and member of the International Advisory Board of the Sambhavna Medical Trust in Bhopal, India.



GGHH community planning meeting

Luqman Yesufu

GGHH sustainability coordinators show imagination in their approach to greening their hospitals.

groundWork held its first Global Green and Healthy Hospital (GGHH) community planning meeting in Pietermaritzburg between the 20th and 22nd of January. It was a two-day meeting aimed at developing a strong relationship between groundWork and the community that we work with. In this meeting GGHH members could improve their understanding of groundWork's values, while also learning more about groundWork's working relationship with Health Care Without Harm. Furthermore, members shared brief presentations highlighting their recent achievements and goals for the coming year.

Four sustainability coordinators from four member hospitals (Khayelitsha Hospital, Valkenberg Hospital, Victoria Hospital and Western Cape Department of Health) participated in this meeting. There was a very lively discussion among them and groundWork staff that provided groundWork with an insight into how these sustainability coordinators think about their roles in promoting environmental health in their various hospitals, about the range of opinions and ideas about GGHH, and about the inconsistencies and challenges they face in implementing their respective green goals.

All of them agreed that high-level support and buy-in from the provincial department of health was key to successfully rolling out GGHH in the Western Cape and advised that we do same in other provinces in the country. This was a very key point that was noted and will be used to further strategize on future plans as we approach other provinces. It was good to also know that GGHH membership had created peer pressure among hospital CEOs as they do not want to be left behind and were eager to be ahead of the chasing pack. Another key point was that the virtual community *Connect*, where members can share ideas and find solutions to common problems, is a very good incentive for

membership as many of their colleagues are eager to explore the resources *Connect* provides.

After the general overview of GGHH in Africa, we had an opportunity to listen to the various remarkable on-going green projects that the sustainability coordinators are doing in their various health establishments. We also had the GGHH Communications Manager, Alejandra Livschitz, on skype, as she listened and was inspired by their work. Khayelitsha Hospital solar energy panels have so far generated a total of 138198 kWh of electricity which, when converted is equivalent to the saving of 137 tonnes of carbon emissions, which corresponds to savings of CO₂ emissions from a car travelling a distance of 1 053 393 kilometres. This illustrated a tremendous effort in reducing the hospital's ecological carbon footprint.

In Victoria Hospital, the sustainability coordinator observed the ridiculous expenditure on water and electricity and decided to work on it. A preliminary investigation around the facility revealed that lights, heaters and air-conditioners were regularly switched on, even when there was absolutely no need for them. After an emergency meeting, a task team was put together by the sustainability coordinator. This team, made up of the hospital cleaners, was mandated and given permission to walk into any office and switch off the lights or air-conditioners when they were not needed. Over the past year, energy saving resulted in hospital cost savings which were diverted to the procurement of better cleaning equipment for the cleaners.

For Mitchells Plain Hospital, the surrounding community were involved in the design and building of the hospital. This created a feeling of community ownership of the hospital, and they even protect the hospital from gang-related crimes. The construction of a raptor nesting box within the hospital to naturally control rodents using birds of



Global Green and Healthy Hospitals

Participants in the GGHH community planning meeting pose at groundWork's offices.

Credit: groundWork



prey will lead to the avoidance of chemical (poison) control method for rodents, which have significantly negative impacts on the environment.

Furthermore, we were able to identify that the support service managers were key to implementing GGHH goals in their respective hospitals, so communicating with them directly would aid the promotion of GGHH in the Western Cape. Therefore, it was agreed that participants from this planning meeting would compile a list of other support service managers to contact and send them across to groundWork, as the key focal contact for implementing GGHH in the Western Cape. We also decided to introduce GGHH to the 110% Green Flagship Programme that is one of the priority projects of the Department of the Premier Western Cape. This we believe would strengthen our efforts in the province.

The sustainability coordinator for Khayelitsha Hospital, Annelene Du Plessis, admitted that she had had no idea how large the green awareness campaign had grown before this meeting and she was quite intrigued by the various case studies that have been developed by hospitals around the world and by her colleagues here in South Africa. She suggested that we try to get the principles of GGHH into the high school curriculum so that

we could start sensitizing the new generation on climate change awareness.

The future really looks bright for GGHH in Africa, as the community planning meeting aided the development of a strategy for expanding the network in South Africa that can be adopted elsewhere within the region. We have currently re-ignited our relationship with KwaZulu-Natal Provincial Department of Health through a series of meetings and are speaking to private health care institutions that are also keen not to be left behind and which can help propel GGHH to the next level. We have even begun talks with the National Department of Health to phase out mercury thermometers and blood pressure devices from health care. This would fall under the chemical goal in the GGHH agenda, which aims to improve the health and safety of patients, staff, communities and the environment by using safer chemicals, materials, products and processes, going beyond the requirements of environmental compliance.

In the end, the community planning meeting was very useful as it fits in well with our overall objective which is to create a core group of actively engaging members who will play leadership roles in reducing the environmental footprint of their hospitals, while encouraging other industries to change. ✕



Secret security list released

Megan Lewis

So now what?

The National Key Points Act is an apartheid piece of legislation from the 1980s, carried through by the new 1994 dispensation to give power to the oppressive nature of a paranoid state. About ten years ago groundWork, together with Cosatu and the South Durban Community Environmental Alliance (SDCEA) pushed back when the state tried to “democratise” this draconian piece of law by re-introducing it to a democratic parliament. The re-introduction was never finalised – so it is still clearly an apartheid piece of legislation, must remain as such, and must be repealed.

The Act involves a formerly secret list of public and private locations demarcated as strategic, and therefore to be protected in the name of national security. After years of civil society pressure, led primarily by the Right 2 Know Campaign, the minister of police reluctantly made the list public in January, a huge success for people’s rights to access to information and perhaps the breaking down of secrecy in South Africa.

Critically, what the Act gives effect to is a dangerous, undemocratic standard where media and community people living next to toxic industry are not allowed to publish photographs or obtain detailed information on these areas, and communities that wish to question the operations at these facilities and demonstrate outside them can be arrested. These activities are crucial to the rights to information and assembly, both enshrined in the country’s constitution and part of the basis of a democratic society.

Not surprisingly, the list speaks directly to various interests of the government. For instance, the country’s information provider, the South African Broadcasting Commission (SABC), has always been a Key Point and carried the apartheid rhetoric. Energy-related infrastructure, such as fuel pipelines and coal-fired power stations, are on the list. A few

years ago, as I was taking photographs outside the fence of the incomplete Medupi power station, I was chased by security guards who told me to hand over my camera, and groundWork was forced to leave the Kusile site after knocking on the front gate one day to be let in.

For now it means the veil of secrecy that the government and private entities such as Engen and Sasol have previously hidden behind has been lifted somewhat, and may enable increased manoeuvring by civil society to hold them accountable. Nevertheless, it would be naïve to think that the battle has been won, as the Act remains in place. The Act allows the minister of police to use his or her discretion so that “whenever he (sic) considers it necessary or expedient for the safety of the Republic or in the public interest, he (sic) may declare that place or area a National Key Point”. This unbridled authority given to the minister is furthered by the vague definition of what a Key Point actually is.

The next push is to overthrow the Act completely. A truly democratic state does not need laws that entrench secrecy and that provide unbridled power to the state. Whilst it may be necessary to protect some locations such as airports and military bases, it is also necessary that the people are given a platform on which to speak and that another veil is not thrown over those locations, some of which pose a direct and immediate danger to people’s lives and well-being.

The notion of national security and its implementation in various ways across the world has always sat uncomfortably with me; why is more time not spent on the majority of the people who make up the country? Protection of people’s lives should be at the top of governments to-do list: we should all be a National Key Point. ✕



Party politics in the media

Megan Lewis

Should we really expect complete objectivity from the media?

The recent and much talked about case of senior officials of the Independent Newspaper Group wearing the ruling party's colours at a political rally has caused the media to be introspective about what their ideals and ethics are and should be. The idea that journalists should be objective is an outdated one and the "o" word should be left in the science laboratory. Balance is perhaps a more appropriate word, although, like any other, it can mean different things depending on where you're writing from and for whom. Nevertheless, what does it mean for the quality of the media that we engage with if journalists are seen actively participating in political events? Perhaps nothing.

I cannot leave out that there is another layer to this case, as the Independent Newspaper Group was last year bought out by a big business tycoon with strong links to the African National Congress (ANC). Therefore, was it the case that they toed the party's line and donned the party colours to keep their jobs? I think not, as many senior journalists and staff left the media house not necessarily because of the new owners' link to the ANC, but because of what that meant in terms of the unethical nature of the power and privilege that it could afford the new owners and the ANC.

In the early twentieth century, British papers were clearly defined by which party they wrote for. Readers knew that when they picked up the *Daily Worker*, it was being written for the Communist Party. Just like in South Africa, during apartheid, reading *Drum* in a certain period of its time meant a counter narrative to the hegemony of white nationalist rule. Looking at it that way, it does not seem so bad.

Actually, there's a certain level of transparency in such a practice. However, we are taught as journalists that you have to be unbiased despite being an individual who has experienced life, has ideas and opinions, and has beliefs, whether ideological and/or otherwise. Whether we realise it or not, we are subjective in everything we do. The point is whether we acknowledge this and try to endeavour to create media that does not reflect our personal views, but that of society.

The newsletter you have in your hand is most definitely not shy in conveying its opinions, beliefs and world view. But you and I know that. However, reading an article online that covers only business's view on, for instance, the dig-out port, will get me on the phone to that journalist immediately because "it's simply not ethical!".

Some of the responses to the case stirred up questions relating to the media in its role as watchdog. People felt that the media were highly critical of the party and President Zuma but did not usually lend the same critical eye to other political parties. What if those senior journalists were wearing T-shirts of the official opposition party or other smaller opposition parties; would it have stimulated quite as much debate?

There are a lot of questions left unanswered here and that will continue to be. It is one of the conundrums of the media world that we just have to live with and if we're not happy with the current practice, we need to push towards something different. ✕



Greenfly on the beach

Greenfly

Oh, I do like to be beside the seaside... or maybe not anymore

The monitoring boards on Durban's beachfront were put up when the municipality, then under head prefect Mike Sutcliffe, abandoned the Blue Flag system because the beaches were being struck off the list. Alleging racism and a DA plot, Sutcliffe said the municipality would do its own monitoring. The boards monitor for e-coli and enterococcus in the sea and beach litter. That's shit in the sea and trash on the beach.

One might think that zero shit in the sea is excellent. But the boards tell us that e-coli at up to 100 cfu/100ml is "excellent" and up to 300 is still "good". After good is "moderate" and the smiley face emoticon only turns glum when the score reaches 2 000. Over 2 000 is "poor" – not shocking or abysmal or even bad. Just poor. And what's "excellent" in Durban is elsewhere the limit for safe swimming: 100 cfu/100ml for e-coli.

A cfu is a "colony forming unit". That means the bacteria are alive and multiplying. As 100ml is a tenth of a litre, 100 cfu/100ml is 1 000 bundles of bacteria in every litre. And each bundle has the potential for its own population explosion.

Samples are taken every other week. They are probably meaningless, if not dangerously misleading, within days. A modest storm is now enough to flush shit and other pollutants from the Mgeni River estuary into the sea. So the results marked "excellent" are posted one day, it rains the next and the sea is flushed with another load of shit. But the smiley grins on for two weeks more.

Every now and then, the e-coli or enterococcus score goes over the glum 2 000. There is never a ban on swimming or even prominent warnings on the beach. The City has no response.

The beach litter index always shows excellent. Clearly the monitors are never on the beach after rain or before the cleaners. The rain floats streams of plastic down the storm water drains from the city and the river carries a second river of plastic. Much of it washes back onto the beach. On the morning after, a million plastic bottles, bags and buckets are piled in a wide strip along the high water mark. The beach cleaning teams do a pretty good job. But they don't have the resources for excellent.

And they don't even see the little bits of plastic on tide lines left by every receding wave. Some of it looks like it's been in the sea for a while. It's made brittle by the sun and churned about and rubbed against the sand by the sea and broken down into ever smaller pieces. Till it's bite size for a small fish. And then there are the nurdles – clear pellets of plastic resin from which most plastic objects are made. They are produced by big petrochemical companies and sold to the plastics fabricator factories. Lots are spilled on the way. They look like fish eggs and are eaten by fish, turtles and birds.

Plastic is not only made from toxic petrochemicals. It absorbs other toxins from the polluted sea. Eaten by fish, the toxins bio-accumulate – so the poison is more concentrated in the bigger fish that eat the smaller fish that eat the plastic. People eat fish big and small.

Lots of plastic does not come back to land. Out in the oceans, there are five large areas – known as doldrums in the age of sail – where the plastic blows in and accumulates to make a sea of plastic over millions of square kilometres. One marine researcher says it looks like plastic soup. Others have looked under the arctic ice and in the deepest trenches of the Atlantic. There is nowhere where there is no plastic. ☹



Interview with Nomcebo Makhubelo

Megan Lewis had a chat with Nomcebo Makhubelo, coordinator of the recently formed Highveld Environment Justice Network

You live in eMalahleni (the place of coal), tell us about how you experience the Highveld region?

Since the Minister of Environmental Affairs declared our area an Air Priority Area in 2007, nothing has changed. The air we are forced to breathe is still highly polluted. The Department of Environmental Affairs (DEA) has failed to put in hard and tough regulations for industry. People on the ground are continually suffering due to not having electricity. They are forced to burn coal in their houses and also to breathe in dirty air when they step outdoors. We don't have clean air to breathe or water that is safe to drink. People are paying a high price with their health.

What is the history of the recently formed Highveld Environmental Justice Network¹?

The Highveld Environmental Justice Network (HEJN) informally started in 2013, where an interim committee was formed and we held our first meeting in December 2013. The purpose of this meeting was to select office bearers but this didn't happen because there were not enough organizations and it wasn't truly representative of the organizations in the Highveld.

So we visited more places around the Highveld to see which other organizations were working on the same issues and want to join the network. In November last year, we were formally constituted. We had a challenge with people in the different organizations not reading the constitution beforehand but they were happy with the final

¹ The following affiliates make up the Highveld Environmental Justice Network: Mpumalanga Youth Against Climate Change (MYACC), eKhurhuli Environmental Organization (EEO), Schoongesicht Residents' Association (SRC), Greater Middelburg Residents' Association (GMRA), Wonderfontein Resettlement Forum (WRF), Earthnogenesis, and Association for Environmental Defence (AED).

document. We also held a meeting to name the organization.

In January, we had our first planning meeting where we decided what our work would be for 2015. We decided to focus on: having exchanges between the different communities in the Highveld and even outside; continual awareness-raising and mobilisation of communities, paying particular attention to Delmas and Arbor; and networking with other organizations to strengthen the work of the movement. Delmas and Arbor have had problems of divisions amongst themselves and they are also focusing on houses and unemployment so we have struggled to get them to think about the environment and their health.

We are very excited to hold our first Annual General Meeting (AGM), which will probably happen in the first half of this year. I've never even been to or had to plan an AGM before but it is exciting; HEJN is our baby!

Why did you join HEJN?

I got involved because I am one of those people who wants change in our environment and I want to help people to understand their environmental and human rights so that they can take action for themselves. I don't want it to just be me on the frontline; we need a movement of people supporting the change. I want to become the voice of the voiceless for now, and then, once they are ready to speak for themselves, they must.

What are your thoughts – particularly regarding energy – on President Zuma's State of the Nation Address delivered in February?

The president failed to outline the real problems of the country and to come up with solutions for how people are to really get access to electricity





The president always talks about diversifying our energy to wind and solar. But if this were to really happen, then it would kill off our need for coal, which government doesn't really want. Government is more about the speeches it has on paper than about implementing real solutions. It is an act. If they were serious about change they would not just be talking.

What do people in the Highveld need most?

People are not working for lots of reasons. They don't go to school so they can't get a decent job and some are too unhealthy from living so close to polluting mines and industry, so they don't pass medical tests. I cannot advise someone to go and work in the mines because what will happen after thirty years when they retire? They will get their small pension and six months down the line they will be so sick from their work that will be using that money to pay for their medicine. Local municipalities need to employ people on the ground and need to drive for alternative jobs, not working on mines or in coal-fired power stations.

Is Eskom in crisis?

Yes, for two reasons. Number one because of their lack of energy management and secondly poor maintenance. If the government had allowed alternatives to feed into the grid sooner, maybe we wouldn't be in this crisis. They should have had maintenance plan schedules.

The fact that they used this and their financial problems as a reason to be granted postponement from meeting the minimum emission standards in the country makes me feel so much worse. How can they say they don't have money and therefore not comply? How can the Minister believe them? These regulations came out when they had money and they knew they had to comply. I don't see the logic in that. If they knew long before now, they should've planned; they had plenty of time. They don't care about our health. They are compromising our health for their profits. ✕

and water. He spoke about gas and nuclear as alternatives, but really they are a bad intervention; they will contaminate our underground water while already here our water above ground is polluted. These interventions are creating more problems than solutions. Nuclear is expensive and it will cause destruction through the mining of uranium and the disposal of toxic waste will be a big problem. It won't solve the electricity crisis we are facing now, people will be taking over the cost for now. Problems, problems and no solutions!



The PAIA shadow report

Fifteen years later, the Protection of Access to Information Act (PAIA) Civil Society Network (CSN) has released its annual “shadow report” on the state of access to information in South Africa. Its findings show that while patterns of compliance are not as dire as has been the case in recent years, and there have been some notable breakthroughs in strengthening the right of access to information through the courts, developing a culture of openness and transparency in South Africa still requires significant work.

The shadow report is released every year to complement to the work of the South African Human Rights Commission (SAHRC). It tracks requests for information made to public and private bodies by members of the PAIA CSN, and summarises the legislation and litigation impacting on freedom of information in South Africa.

This year’s report shows that while there has been a slight improvement in responses to requests made using PAIA, compliance with the Act remains low. In fact, over half of requests made to government departments for information were denied. The most common reason given for refusal was that the records requested did not exist or could not be found, a persistently worrying indication of the poor record-keeping in these departments. A further quarter of the requests for information received no response whatsoever from government. The private sector has likewise been unresponsive, with less than half of all requests receiving a reply within the statutory timeframes.

To review the full report visit <http://foip.saha.org.za/static/paia-network>

