



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 628 {NW762E}

INTERNAL QUESTION PAPER NO. 6 of 2022

DATE OF PUBLICATION: 04 March 2022

Mr M N Paulsen (EFF) to ask the Minister of Forestry, Fisheries and the Environment:

- (1) Whether she was consulted prior to her department granting an emergency permit which allowed the Chinese ship, NS Qingdao, to dump its 1 500 tons of reactive cargo in the coastal waters of the Republic; if not, what is the position in this regard; if so, what are the relevant details;
- (2) whether her department has conducted an environmental impact assessment that would give the necessary reassurance that the waste will not impact the marine life in the coastal waters of the Republic; if not, why not; if so, what are the relevant details?

628. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

1) No.

The delegation to approve the issuing of emergency dumping permits has been designated to the relevant Director in the Oceans and Coasts Branch of the Department of Forestry, Fisheries and the Environment (DFFE). Provision for such delegation has been made in section 89 of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (ICMA), which allows the Minister to delegate certain powers to, among others, the Director-General or other officials of the DFFE.

ICMA further allows that the Minister may, in relation to any application for a dumping permit, dispense with any prescribed procedure, including any consultation and public participation process, if –

- a) the dumping at sea of a quantity of any waste or other material is necessary to avert an emergency that poses an unacceptable risk to the environment or to human health or safety; and
- b) there is no other feasible solution.

The DFFE has been in consultation with the South African Maritime and Safety Authority (SAMSA) and has been closely monitoring the situation regarding the vessel since the first signs of the situation onboard the vessel became apparent in November 2021. The escalation of the severity of the situation required the issuing of an emergency dumping permit by the DFFE for the dispersal of part of the cargo at sea to avert a catastrophic environmental disaster along the coastline.

2) No.

As the situation required an expeditious response to an unfolding maritime emergency, an Environmental Impact Assessment (EIA) would not have been possible, nor is it required under the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended. Emergencies of this kind are not a listed activity under the EIA Regulations; hence an EIA was not triggered. To ensure that the environmental impact is mitigated, the DFFE has had engagements with the ship owner to put in place an environmental monitoring programme, in line with the polluter pays principle, to ascertain whether there has been any short- to medium-term adverse effects on the marine environment and the organisms contained therein.

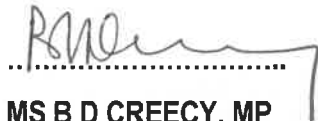
The monitoring to be conducted will focus on the following four major areas:

- The disposal site at sea will be monitored, via satellite imaging, for any changes in surface water nutrients and chlorophyll. The area was monitored continually during and after the disposal activity for nutrient and chlorophyll changes.
- The water quality will be assessed for biological oxygen demand (BOD) to determine any adverse impacts to the organisms in the water column.

- Mussels will be collected along the shoreline of St Helena Bay. The mussels will be assessed in terms of toxicity and bioaccumulation of any traces of the chemicals disposed of at sea.
- Toxicity testing on any major animal washups will be conducted to assess the nature of the mortality.

The assessment, as indicated above, will focus on identifying any changes to the water quality of the disposal area. It will further identify impacts to the ecology and long-term impacts on marine life.

Regards



MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 18/3/2022