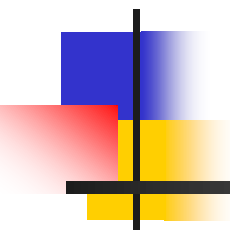


EFFLUENT DISCHARGE STANDARDS & LEGAL RESPONSIBILITIES



**NL MUSEKENE
DWAF**

OUTLINE



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Introduction

DWAF ROLES



DWAF IS THE CUSTODIAN OF WATER RESOURCES

- **Development of Regulations.**
- **Develop Policies and Guidelines to provide direction in order fulfill constitutional mandate**
- **Formulate Strategies and Frameworks in which Water resources should be managed**
- **COMPLIANCE AND ENFORCEMENT**
- **IMPLEMENTATION HAS IS BEEN/ING TRANFERED THROUGH THE TRANSFORMATION PROCESSES**

CONSTITUTION

Act 108 of 1996

- **Promulgated 8 MAY 1996**
- **Amendment 11 OCTOBER 1996**
- **CONSIDERED TO BE THE MOST PROGRESSIVE IN THE WORLD**
- **HIGHEST LAW ORDER**
- **Constitutional court is the Highest Court in the Country to settle disputes**
- **Chapter 2 . Bill of Rights**



BILL OF RIGHT

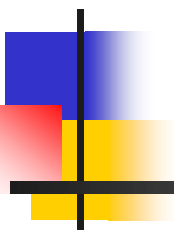
24 Environment

Everyone has the right-

- (a)* to an environment that is not harmful to their health or well-being; and
- (b)* to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that-
 - (i)* prevent pollution and ecological degradation;
 - (ii)* promote conservation; and
 - (iii)* secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

BILL OF RIGHTS

27 Health care, food, water and social security

- 
- (1) Everyone has the right to have access to-
- (a)* health care services, including reproductive health care;
 - (b)* sufficient food and **water**; and
 - (c)* social security, including, if they are unable to support themselves and their dependents, appropriate social assistance.
- (2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of each of these rights.

NATIONAL WATER ACT

- DWAFA is the custodian of Water Resources
- Prior 1998 people has water rights

■ PRINCIPLE

- ***Sustainability***
- ***equity***
- ***protection, use, development, conservation, management and control of water resources***
- How do we achieve this:

NWA - SECTION 21



- *(e)* engaging in a controlled activity identified as such in section 37(1) (a) irrigation of any land with waste or water containing waste generated through any industrial activity or by a waterworks; or declared under section 38(1); (d) intentional recharging of an aquifer with any waste or water containing waste;
- *(f)* discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit;
- *(g)* disposing of waste in a manner which may detrimentally impact on a water resource;



AUTHORIZATION OF WATER USE

■ SCHEDULE 1

- **An existing lawful water** use means a water use -
 - (a) which has taken place at any time during a period of two years immediately before the date of
 - commencement of this Act; or
 - (b) which has been declared an existing lawful water use under section 33,
 - and which -
 - (i) was authorised by or under any law which was in force immediately before the date of
 - commencement of this Act



GENERAL AUTHORIZATION

- GA 8 October 1999
- Revised in terms of Section 39 NWA 36 of 1988
- 26 March 2004 where water Use C&I were excluded
- Section 21 (e) (f) (g)

- **People with Water use activities that meet the requirement of government notice No 1191 (General Authorizations)**
 - **Discharge up to 2 mega liters per day**
 - **Registration of the discharge**
 - **Keep recods and disclosure**
 - **Monitoring**
- **Special Stands**
- **General Standards**

Wastewater limit values applicable to discharge of wastewater into a water resource

SUBSTANCE/PARAMETER	GENERAL LIMIT	SPECIAL LIMIT
Faecal Coliforms (per 100 ml)	1000	0
pH	5,5-9,	5,5-7
Oxygen Demand (mg/l)	75*	30*
Ammonia (ionised and un-ionised) as Nitrogen (mg/l)	3 – 2	
Nitrate/Nitrite as Nitrogen (mg/l)	15-1,5	
Chlorine as Free Chlorine (mg/l)	0,25-0	
Suspended Solids (mg/l)	25	10
Electrical Conductivity (mS/m)	70 mS/m above intake to a maximum of 150 mS/m 50 mS/m above background receiving water, to a maximum of 100 mS/m	
Ortho-Phosphate as phosphorous (mg/l)	10 1 (median) and 2,5 (maximum)	
Fluoride (mg/l)	11	
Soap, oil or grease (mg/l)	2,50	
Dissolved Arsenic (mg/l)	0,02 0,01	
Dissolved Cadmium (mg/l)	0,005	
Dissolved Chromium (VI) (mg/l)	0,05 0,02	
Dissolved Copper (mg/l)	0,010,002	
Dissolved Cyanide (mg/l)	0,02 0,01	
Dissolved Iron (mg/l)	0,3 0,3	
Dissolved Lead (mg/l)	0,01 0,006	
Dissolved Manganese (mg/l)	0,1 0,1	
Mercury and its compounds (mg/l)	0,005 0,001	
Dissolved Selenium (mg/l)	0,020,02	
Dissolved Zinc (mg/l)	0,10,04	
Boron (mg/l)	1 0,5*	

After removal of algae

Areas excluded from General Authorisation for discharges to water resources



Olifants River

- Wilge River
- Olifants River
- Steelpoort
- RiverBlyde River
- Usutu River
- Nkomati River

Exclusions – Waste water discharged thorough sea outfalls

- To an aquifer
- Any other ground water resources
- Any water system with a closed drainage system
- GA does not apply to Schedule I
- Replace any existing authorizations recognized by NWA
- Exempt any person from compliance with section 7(2) of WSA
- Apply to category A mines



LICENSE APPLICATION

- If previous conditions could not apply a license had to be applied

EFFLUENT DISCHARGE STANDARDS

- Requirements for the purification of waste water or effluent
- Promulgated in terms of Section 21 (1) (a) Water Act 1956
- No. 991 - 18 May 1984

■ SPECIAL STANDARD

- Applies to the catchments area draining water to any river specified in schedule I and a tributary thereof

■ GENERAL STANDARD

- Applies to the quality standard for waste water or effluent arising in any area other than an area in which the special standard is applicable as described in paragraph 1

■ SPECIAL STANDARDS FOR PHOSPHATE

- Applies to the quality standard for waste water or effluent arising in any area within which water drained to any river specified in schedule II and a tributary thereof
- SHALL NOT CONTAIN PHOSPHATE HIGHER THAN 1.0mg/l

■ METHOD OF TESTING

- Contemplated in SABS Act 30 of 1982 as listed in schedule III



ENVIRONMENTAL IMPACTS ASSESSMENT

- R386/R387

- **ACTIVITIES IDENTIFIED IN TERMS OF SECTION 24(2)(a) AND (d) OF THE ACT, WHICH MAY NOT COMMENCE WITHOUT ENVIRONMENTAL AUTHORISATION FROM THE COMPETENT AUTHORITY AND IN RESPECT OF WHICH THE INVESTIGATION, ASSESSMENT AND COMMUNICATION OF POTENTIAL IMPACT OF ACTIVITIES MUST FOLLOW THE PROCEDURE AS DESCRIBED IN REGULATIONS 27 TO 36 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2006, PROMULGATED IN TERMS OF SECTION 24(5) OF THE ACT –**

- **(e) any process or activity which requires a permit or license in terms of legislation governing the generation or release of emissions, pollution, effluent or waste and which is not identified in Government Notice No. R. 386 of 2006;**

- **(p) the treatment of effluent, wastewater or sewage with an annual throughput capacity of 15 000 cubic metres or more;**



IDEAL PROCEDURE

- **An activity is identified**
- **NEMA is a Higher Order Act than NW**
- **Env Authorization should take place with DEAT**
- **EIA**
- **RoD**
- **DWAF for licensing**



CONCLUSSION

- Legal responsibilities is a cooperative issue
- Harmonized Authorizations



THANKS



E N D